

Ward: Bury East

Item 01

Applicant: Modus Partnership Limited

Location: LAND BOUNDED BY FOUNDRY STREET, LORD STREET AND SOUTH CROSS STREET, BURY

Proposal: ERECTION OF 66,510 SQUARE FOOT / 6179 SQUARE METERS NON-FOOD RETAIL UNITS WITH CAR PARKING AND SERVICING

Application Ref: 49672/Full

Target Date: 10/06/2008

Recommendation: Minded to Approve

This application is recommended to be Minded to Approve subject to the signing of the s106 agreement by 10 June 2008. Should the agreement not be signed by this date, then authorisation is to be delegated to the Assistant Director of Planning, Engineering and Transportation to refuse the application.

Description

The application site comprises a 0.86ha large industrial building used formerly by Senior Hargreaves Engineering on the edge of Bury Town Centre. The existing building sits at the back edge of the footway and covers the whole of the site. The site is bounded by Foundry Street to the north-west, South Cross Street to the south-west and Lord Street to the south-east where presently access is provided to the building.

To the north-east there is a common boundary with an adjoining warehouse, which is in separate ownership.

There are a number of large retail uses to the north and west of the site with numerous commercial and industrial uses to the north east and east of the site.

The planning application is seeking planning permission for the removal of the whole of the Senior Hargreaves building and the redevelopment of the site with five non-food retail units and an associated car park of 139 spaces (inc. 8 disabled spaces). The total floor space would be 6,179sqm (66,510 sqft).

All units are shown with an internal mezzanines and the floorspace figures subject to the application considers a maximum amount of retail floorspace within the buildings ie. a ground and mezzanine first floor in each unit. The heights of the buildings would be comparable in height to the existing buildings within the area. The main access to the site for servicing would be via a newly formed access from Lord Street, with customer vehicular, pedestrian and cycling access would be taken from Foundry Street.

In addition to the plans, the application has been submitted with detailed reports including a design and access statement, contaminated land report, flood risk assessment, transport assessment and retail assessment.

Relevant Planning History

There is no relevant planning history affecting the site.

Publicity

Letters were sent to addresses listed below on 13/3/08. Site notices were erected on 14/3/08 and press notice on 20/3/08. As a result of this publicity no objections have been received.

Neighbours notified were:

Asda Stores Spring Street, PC World George Street, TK Maxx George Street, Carphone Warehouse Rochdale Road, Matalan Foundry Street, The Mosque Parker Street, Ainsworth MaGuire Parker Street, Rowe Hankins Components Ltd Parker House, Wheeler Tubes Hacking Street, Partco Ltd Foundry Street, Peter Bowman Towbar Centre Mason Street, Remmets House Lord Street, Wallwork Heat Treatment Lord Street, Arena Garage Doors South Cross Street, Argos Ltd George Street, Poundstretchers Ltd George Street, Au Naturelle George Street, Bury Motor Glass Foundry Street, and
5 - 17 Shepherd Street,
9 - 60 South Cross Street
84 - 88 Rochdale Road
65 - 69 Lord Street

Consultations

Traffic - The formal response shall be reported.

Drainage - No objections.

Environmental Health

Contaminated Land - No objections subject to conditions to address contamination issues.

Environment Agency - No objections subject to conditions to address drainage matters.

United Utilities - No objections

BADDAC - Raised some issues to ensure that level access would be provided. Clarification has been received and resolves their queries.

Police Architectural Liaison - No objections but make specific recommendations for the development to include following Secured by Design recommendations.

Unitary Development Plan and Policies

| | |
|-------|---------------------------------|
| Area | Heywood Street/Spring Street |
| BY11 | |
| S1/1 | Shopping in Bury Town Centre |
| EC2/2 | Employment Land and Premises |
| EN1/2 | Townscape and Built Design |
| HT2/4 | Car Parking and New Development |

Issues and Analysis

Principle - The proposal would involve the loss of existing employment land and premises and, in this respect, should be considered against UDP Policy EC2/2 and the adopted SPD14 that supports this Policy.

Under EC2/2, proposals involving the loss of existing employment land and premises will not be permitted unless it can be demonstrated that the site is no longer suitable, in land use terms, for continued employment use.

The application explains that Senior Hargreaves have relocated all of their operation onto the easterly side of Lord Street in response to difficult times in manufacturing.

The applicant has submitted a supporting statement from Paul Nolan that seeks to deal with employment issues. However, this does not deal with the issue of whether the site is suitable from a purely land use perspective but rather concentrates on the viability/suitability of the existing premises.

From a land use perspective, the site is located within a predominantly industrial area of the

town centre and on this basis the current employment use of the site is not causing any issues from a land use perspective. Employment is, therefore, an appropriate use for the site and in the context of UDP Policy EC2/2, the loss of this employment use would cause a serious policy conflict.

However, in September 2007, the Council formally adopted SPD14 which supports EC2/2 and includes the need to consider viability issues in addition to the purely land use considerations. Under SPD14, the Council's starting point is to retain all employment land and premises that are considered suitable in land use terms. Nevertheless, where a site is considered suitable in land use terms but where it can be shown to be no longer viable to retain in employment use, then the Council may consider alternatives, subject to other policies.

The report from Paul Nolan does provide a reasonable argument to demonstrate the lack of viability for the retention of the site in employment use - most notably given that the specific configuration and design of the building/site render it unviable for independent employment use and that redevelopment or refurbishment is similarly unviable. Although it is accepted that this may be the case at the present time, the economics of development do change over time and the redevelopment of the site for employment uses may become a viable option in the future. As such, the loss of the site would still represent a loss of the Borough's employment resource.

In these circumstances and in the context of SPD14 it is, therefore, appropriate to consider alternatives. This firstly includes considering the potential of the site for accommodating a mixed use redevelopment whereby a higher value use can cross-subsidise the retention of some of the site in employment use. However, on a site of this size, this is considered to be unfeasible.

The next stage is then to consider the loss of the whole site to a higher value use subject to a one-off financial contribution to offset the loss of the employment use. Such a contribution would be held in an Employment Land Development Fund and would be used to bring forward employment opportunities elsewhere. This financial contribution is set at the current value of employment land in Bury which stands at £525,000 per hectare (Valuation Office Agency figure for Industrial Land in Bolton and Bury, July 2007).

Therefore for an employment site of this size, the contribution of £451,500.00 would need to be provided and secured through a s106 planning agreement. In the absence of such provision the scheme would otherwise be in conflict with UDP Policy EC2/2 and its accompanying SPD.

To this end, the applicant has agreed to this figure and process and as such a s106 has been drafted up to reflect this.

Retail Issues - The applicant has submitted a retail statement in respect of the proposals and how they consider that the scheme sits against the Council's own retail study, which was updated 2007. The proposals have been assessed against the latest retail study for the borough and associated UDP shopping policies and on the basis of the maximum retail floor space applied for for the development of 6197sqm.

The site is outside the existing main shopping area for the town, is an unallocated site but is within town centre area BY11 - Heywood Street/Spring Street area. UDP Policies S1/1 - Shopping in Bury Town Centre and S2/1 - All New Retail Proposals are relevant policies to consider the proposals against.

The Council's retail study indicated that there is a capacity within the town for additional comparison goods floorspace even having taken into consideration the approval of The Rock Triangle scheme. Capacity would stand at some 7,106sqm capacity.

In terms of Government Guidance contained within PPS6 - Town Centres, the applicant

must demonstrate that there are no appropriately sized sites to accommodate the proposal within the town centre before looking to the peripheries or beyond. In this instance, even with flexibility, the proposed development of large bulky goods would not be able to be accommodated on allocated undeveloped sites within the town centre nor within extant approved sites on the edge of the town centre such as The Rock Triangle site.

UDP policy S2/1 requires that development proposals for new retail developments be located within or immediately adjoining the main shopping areas or centres. This site would be adjoining the main Bury town centre shopping boundary, which runs along Foundry Street.

Given the above and considering the scale, nature and location of the development proposals, it is considered that -

- There is sufficient capacity within the town to support the proposals;
- The scale of the proposals in retail terms is considered to be acceptable;
- The applicant has sufficiently demonstrated a sequential approach in the choice of site location;
- The site is readily accessible to public transport nodes;
- The development would not have significant impact upon other retailing centres beyond the town or Borough boundaries.

Given the above considerations, the development would be appropriately located for this type of development subject to conditional controls to restrict the sales within the units to 'bulky goods' only. This is to ensure that higher order retail users are still concentrated within core retail centres in the town and do not move to the edges of town centres. Such controls would ensure the vitality and viability of the town centre.

Additionally, conditions should be imposed restricting the floorspace of the development by the use of a specified maximum floorspace for net sales, to ensure that the units remain within the format which is appropriate for traditional retail warehouse operators as is currently envisaged. This would also include the prevention of the units amalgamating or subdividing and the restriction of the goods to be sold from the premises.

Transport, Car Parking and Access - The scheme has been submitted with a transport assessment due to the scale of the development, likely numbers of employees and the vehicles likely to visit the site.

The Traffic Team have been consulted on the proposals and in turn, Greater Manchester Transportation Unit have also been involved in the assessment process.

The assessment has resulted in the scheme being amended, principally in the servicing area of the development to ensure that vehicles can manoeuvre appropriately, exit and enter the site safely. The volume of traffic, the nature of the vehicles and the entrance/egress proposals have now been amended and at the time of writing, the final response confirming no objections is awaited.

In addition to the technical assessment of the proposals, the submitted transport assessment includes travel plans and associated sustainability features to ensure that staff and workers are not solely reliant upon the private car. Cycle facilities would be provided through a covered cycle rack near to the front entrance of unit E of the development and also amenities for workers would also be included.

Car parking would be provided for shoppers and it would be accessed from Foundry Street. Some 139 spaces would be provided, which given the central location of the development would not exceed the maximum provision for the development. (An upper limit of 200 spaces would be the maximum provision).

UDP policy HT5/1 - Access for Those with Special Needs seeks to ensure that consideration is given to the provision of satisfactory access to a development, including

through parking provision and the specific demarcation of spaces, ramped or level access and the use of automatic doors.

The scheme has been submitted with a Design and Access Statement which confirms that it would provide 8 disabled spaces, located close to the entrances of the units. Level access would be provided into the units and there are no difficult levels to contend with across the site.

Design and Appearance - UDP Policy EN 1/2 - Townscape and Built design seeks to ensure that high quality elevational design is achieved for all new development within the Borough. The proposed development is modern in appearance although not of any exceptional quality. The elevations are composed of standard entrance features comprising glazing panels up to fascia level set within an entrance feature that stands forward of the main building. The building would incorporate a brick panel plinth up to fascia level and composite cladding panels above. Glazing has been incorporated to wrap around the side elevation facing the ASDA car park to assist in providing an active frontage to South Cross Street.

Essentially the proposed buildings are 'safe' by their design and are typical in their external composition of retail warehouse type development.

Ecology - The existing premises has been inspected and assessed for the presence of bats. The report submitted with the application concludes that the nature of the building, its use and the type of the structure it is, is such that there low potential for roosting bats.

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 subject to conditional control the associated planning obligation would ensure the development would make appropriate consideration for the loss of an employment site and subsequently re-provide for it elsewhere and with conditions would ensure that the development would not harm the vitality and viability of the town centre shopping facilities. The development would comply with the Bury Unitary Development Plan 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 7600:- 01A, 10D, 12B, 09G, E08C, DR01 S1, Transport Assessment submitted 12 March 2008 TA plans 1, 2, 5 and 6; Transport Assessment Plans 3 and 4 as amended by 3-7600-09E (tracking plots N7116-01 and 02); Phase I Desk Study R&C Consulting, AMEC Earth & Environmental (UK) Ltd, CRM Rainwater Drainage Consultancy Ltd, Alyn Nicholls & Associates Retail Report dated November 2007 updated February 2008, and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Samples of the materials to be used in the external elevations shall be submitted

to and approved in writing by the Local Planning Authority before the development is commenced.

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

4. Prior to the development hereby approved commencing:
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas risks have been identified, 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. No development shall commence unless and until a landscaping scheme to incorporate hard landscaping, soft landscaping, cycle rack provision, boundary details and lighting column details has been submitted to, and approved in writing by, the Local Planning Authority. 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.

10. No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water drainage works 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 and pursuant to PPS25.

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

Reason - To prevent pollution of any watercourse and the water environment pursuant to PPS 25 - Development and Flood Risk.

12. 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.

13. Goods in the following categories may not be sold from the retail units hereby approved unless otherwise agreed in writing with the Local Planning Authority:

- Clothing (unless protective or other specialist wear directly related to the range of goods sold within the retail unit)
- Footwear (unless protective or other specialist wear directly related to the range of goods sold within the retail unit)
- Leather and travel goods
- Jewellery
- Toys
- Sports goods and equipment
- Books (unless reference or instruction manuals directly related to the range of goods sold within the retail unit)

Reason - In the interests of the vitality and viability of the town centre uses and pursuant to the provisions of PPS6 - Planning for Town Centres.

14. The combined floorspace of the units forming the development hereby approved shall be for a retail floorspace provision of 6,179sqm maximum and shall be used only for non-food retail purposes.

Reason - In the interests of the vitality and viability of the town centre uses and pursuant to the provisions of PPS6 - Planning for Town Centres.

15. The development hereby approved shall be for 5 non-food retail units and none of the units shall be otherwise subdivided or amalgamated.

Reason - In the interests of the vitality and viability of the town centre uses and pursuant to the provisions of PPS6 - Planning for Town Centres.

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

Ward: Bury East - Moorside

Item 02

Applicant: Viridor Waste Management Ltd

Location: GREATER MANCHESTER WASTE LTD, EVERY STREET, BURY, BL9 5BE

Proposal: REDEVELOPMENT OF A HOUSEHOLD WASTE RECYCLING CENTRE (HWRC), TRANSFER LOADING STATION (TLS) AND GREEN WASTE PROCESSING FACILITY (GWPF)

Application Ref: 49415/Full

Target Date: 17/04/2008

Recommendation: Approve with Conditions

Description

The application concerns the existing Greater Manchester Waste facility situated at the end of Every Street in Fernhill, Bury. The facility occupies approximately 1.67ha and includes three main operations.

- **Household Waste Recycling Centre (HWRC)** to which householders bring domestic waste and deposit it into appropriate containers or bays for recyclable or residual waste on the north east side of site near to the entrance.
- **Transfer Loading Station (TLS)** approximately in the centre of the site there is a substantial building. Residual waste is brought into the building through the northerly frontage side by waste collection vehicles and deposited. It is then collected by HGV's from the rear southerly side at lower level and taken away for final disposal. The TLS building includes administrative offices.
- **Green Waste Processing Facility (GWPF)** on the westerly side of the complex. Green waste is brought in from domestic collections or by householders to the HWRC. It is passed through a shredding and screening plant and then taken away from the lower level on the southerly side to be composted. This activity currently takes place in the open. The site includes a weighbridge and associated building within the entrance to the TLS/GWPF areas. There are two main external yards where activity occurs in the open. These are the main yard area on the north side of the TLS building and GWPF and the lower yard on the southerly side of these facilities.

Historical maps show that the site has been used for the disposal of refuse since at least the early years of the 20th Century. The presence of a refuse destructor is shown on the 1911 Ordnance Survey Plan.

The existing waste facility is bounded by the East Lancashire Railway Line on the westerly side. The line is at the foot of a long embankment as it passes the site. Beyond the railway there are various industrial premises. To the north there is an area of open land with a belt trees protected by a tree preservation order at its westerly end. Beyond this open area there are houses in Victor Avenue and Marquis Avenue at about 35m away from the facility. To the east on the north side of Every Street there is St John with St Mark C of E Primary School. The school grounds are almost up to the boundary of the facility and the buildings are about 45m away. The nearest development on the south side of Every Street and with a long boundary with the site is the Fernhill Caravan Park. Further to the east beyond the caravan park and school there are industrial premises. To the north is the Council's Fernhill maintenance depot.

The proposed development involves the enhancement and redevelopment of the three waste facilities. It would include the following main elements:

- an extension of the HWRC,
- the provision of a new TLS building following the demolition of the existing building.

This would be used for the recovery of residual waste, kerbside collected paper/card and co-mingled recyclate (mixed recyclable non-green waste),

- the provision of a new partially enclosed GWPF,
- the provision of a new office/welfare facility building,
- the site would be increased in size by approximately 0.29ha to a total of 1.96ha. This would occur by incorporating part of the Council's Fernhill Maintenance Depot area to the south. No other land would be added.
- the level of the lower southerly section of the site would be raised by about 5m to the same level as the northern areas to provide an operational area on one level. This would be carried out by the importation of about 26,000m² of fill material that would be compliant with Waste Resources Action Programme (WRAP) to ensure that it is not contaminated or hazardous.

The HWRC, which is next to the northerly boundary, would be extended to the west by approximately 10m all within the existing boundary. This would provide additional capacity for locating additional recyclable receptacles thereby improving waste separation and recyclate recovery. The existing basic layout with a one way vehicle circulation system round a central island would remain the same as currently. This facility would continue to operate as a separate area to the other facilities. Its throughput capacity would remain at approximately 20,000 tonnes per annum.

The replacement TLS building would be located in the north-westerly portion of the operational area of the site. It would be an industrial portal framed building clad in metal profiled sheet cladding. Its dimensions would be approximately 62m x 42.5m with a height of about 10.7m to eaves. The only vehicular access doors, four in total, would be on the southerly side and therefore accessed directly from the main central operations area. This building would be set in by 3m from the northerly boundary thus creating an enclosure to the operational areas. Beyond this there is an approximately 28m deep open area including mounding and a significant group of mature trees that are the subject of a tree preservation order. This area is within the ownership of the waste processing centre but would not be the subject of new development other than the provision of additional planting. The TLS facility would have a throughput capacity of approximately 110,000 tonnes per annum.

The GWPF would be relocated to the extended area on the south of the site. It would be housed in a partially enclosed building the dimensions of which would be 36.7m x 34m with a height to eaves of 10.5m and ridge height (east-west aligned) of 12.4m. Two elevations east and north would be fully clad in profiled metal cladding while the other two would be open. Two roller shutter access doors would face the central yard and would be directly opposite the doors to the TLS. It is anticipated that the GWPF waste throughput would be approximately 35,000 tonnes per annum. However, initially the GWPF at Fernhill will also accept an additional circa 35,000 tonnes of green waste from Bury Waste Collection Area. However, this would cease once the pipoosdd In-Vessel Composting facilities come online within the Greater Manchester area (predicted for 2009/10).

The existing office/welfare facility and associated parking area would be removed and relocated to the south easterly portion of the site and about 10m from the boundary with the caravan park. The single storey building would have a footprint of about 120m². There would be a provision of 29 parking spaces including 23 for staff, 4 for visitors and 2 disabled parking spaces. In addition, a cycle parking area would be provided equivalent to four parking spaces.

The intended hours of operation are:

- for the HWRC - 0800hrs to 1800hrs during GMT and 0800hrs to 2000 during BST,
- for the TLS - 0700hrs to 1800hrs daily.
- for the GWPF - 0700hrs to 1800hrs Mondays to Fridays, 0700hrs - 1300hrs on Saturdays and not to be operated on Sundays.

The application is accompanied by an Environmental Impact Assessment. Accordingly, its receipt has been notified to Government Office and the required statutory publicity has been

carried out.

Relevant Planning History

C/14430/83 - Reconstruction of existing waste disposal facility. Approved on 13th July 1983.
30404/94 - Variation of condition 5 of planning permission 14430/83. Approved on 15th December 1994 for the condition to be amended allowing the permitted activities to take place between 0700hrs and 1800hrs Monday to Friday and 0700 to 1700hrs on Saturdays and Sundays. Applies to the receipt and treatment of refuse and waste except for waste brought to the 'civic amenity' facility which had different hours set by condition 6(0800hrs to 1800hrs October to March and 0800 hrs to 2000hrs April to September).

30738/95 - Single storey warehouse. approved on 11th April 1995.

35922/99 - Extension to form paper storage facility. Approved on 21st December 1999.

38832/02 - Variation of conditions 5 and 6 of planning permission 14430/83 to extend the site operating hours (involved the treatment plant but not the civic amenity site) to include between 7.30am and 5pm on Saturday/Sunday (resubmission). Refused on 17th December 2002 for the reason that waste management activities on Saturday afternoon and Sundays would be seriously detrimental to the residential amenities of nearby residents.

39970/02 - Variation of conditions on planning permission 14430/83 to extend site opening hours (resubmission). Approved on 17th December 2002 with the conditions varied to allow specified activities within specific hours as follows: Receipt from 0800hrs to 2000hrs during BST and from 0800hrs to 1800hrs during GMT. Treatment from 0730hrs and 1800hrs Monday to Friday and from 0730hrs to 1700hrs on Saturdays and Sundays during BST and from 0730hrs to 1800hrs Monday to Friday and from 0730hrs to 1700hrs on Saturdays. Storage to be a 24 hour operation.

40135/02 - Office extension. Approved on 24th January 2003.

41261/03 - Recycling bunker wall and civic amenity cabin. Approved on 7th November 2003.

Publicity

272 addresses were notified on 27th February and 11th March 2008. These include the following:

St John's C of E School, commercial premises in Every Street, Hardman Street, Park Road, Tile Street, Fernhill Street, Tile Street, Hornby Street, Todd Street, Fern Street, Woodfields Terrace, Peel Industrial Estate, The East Lancashire Railway, Fernhill Depot, caravan plots at Fernhill Caravan Site, residential properties in Victor Avenue, Avondale Avenue, Marquis Avenue, Athlone Avenue, Hornby Street, Louis Avenue and Birch Street. There is a comprehensive list of the addresses on file. It should be noted that the area of notification includes not only that surrounding the development but encompasses also properties along the main access route from Walmersley Road along Birch Street and Every Street. Site notices were displayed from 5th March 2008 and a press notice was published.

Two responses have been received as follows:

East Lancashire Railway have expressed concerns about a proposed retaining wall and foundations shown along the west side of the development around the position of the railway boundary fence. They would like the precise details of the retaining wall to be shown in relation to their boundary before development takes place and request that no surface water should run off from paved areas that would affect ELR land. The applicant's agent is in direct consultation with ELR on this matter and will provide them with the fuller details of the retaining wall and assurances about surface water run off in the relevant area.

MALVA the Neighbourhood and Action Group for the Clarence Estate (covers Marquis Avenue, Avondale Avenue, Victor Avenue and Athlone Avenue) has expressed concerns about a set of issues including:

- screening of the new building
- security of the site
- working hours of the site

- odour control
- unacceptable noise levels

They state that they have lived with these issues and would like them addressed at the planning stage.

The application includes a Statement of Community Involvement (SCI). This included briefing for Council Members and relevant officers, a Community Consultation Group Meeting with Council Members and representatives of local groups and a public exhibition on two dates with invitation letters sent out to 2080 homes in the area. The SCI relates the feedback from the meetings and exhibitions. A community liaison group has been set up. A supporting statement relates how the feedback has influenced the design process. It is stated that it influenced, in particular, the relocation of the TLS building away from the northerly boundary.

Consultations

Highways Team - No objections.

Drainage Team - No objections

Environmental Health - Recommend land contamination mitigation conditions. Concerning air quality the site is within the Air Quality Management Area and this impact must be mitigated as far as practicable by, for example, implementing a Travel Plan and promoting Travel Plan Measures both during the construction phase and for the long term. The submitted noise assessment is considered to be acceptable as is the statement that the operation of the development will reduce ambient noise levels at existing receptors provided that the several noise mitigation measures specified in the report are put into place. However, there is concern that there is no specific mention of noise from vehicle reversing alarms, the impact of which has been a source complaint with the existing operation. They recommend that consideration is given to the use of non-tonal broadband vehicle alarms that emit a more tolerable sound without prejudicing health and safety requirements.

Environment Agency - Recommend conditions concerning surface water drainage and land contamination mitigation.

Waste Management - No issues of concern.

GMP Architectural Liaison - Advise that welded mesh fencing would provide much greater security than the proposed/existing palisade fencing. Also provide advice regarding the standard of secure design of the buildings and that the lighting should be of an adequate and uniform level.

United Utilities - No objections subject to drainage being on a separate system with only foul drainage being connected into the foul sewer.

GM Fire & Rescue Service - As the overall access route exceeds 250m consideration should be given to the provision of an emergency access route. It should be ensured that hydrant provision is in full working order.

Natural England - Have raised criticism that in the ecology part of the Environmental Statement the impacts on habitat have been assessed as non significant. The criticism is made due to a concern about loss of foraging habitat for birds and bats. It is also considered that there was insufficient evidence to support the statement that none of the trees were considered to be of roosting potential to bats and that further information is required to support these conclusion. They are supportive of the other conclusions in the statement. The concerns are currently the subject of discussion between Natural England and the applicant's agent.

Landscape Practice - No response.

GM Archaeology Unit - No response.

The Countryside Agency - No response.

Unitary Development Plan and Policies

EC6/1 New Business, Industrial and Commercial
 EN1/2 Townscape and Built Design
 EN1/5 Crime Prevention
 EN5/1 New Development and Flood Risk

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| EN6 | Conservation of the Natural Environment |
| EN7 | Pollution Control |
| EN7/1 | Atmospheric Pollution |
| EN7/2 | Noise Pollution |
| EN7/3 | Water Pollution |
| EN7/4 | Groundwater Protection |
| EN7/5 | Waste Water Management |
| EN8/1 | Tree Preservation Orders |
| EN8/2 | Woodland and Tree Planting |
| MW3/2 | Waste Recycling and Bulk Reduction |
| MW4/1 | Assessing Waste Disposal Proposals |
| MW4/2 | Development Control Conditions (Waste) |
| MW4/3 | Household Waste Disposal Sites (Civic Amenity Sites) |
| MW4/5 | Land Contamination |
| PPG24 | PPG24 - Planning and Noise |
| PPS1 | PPS1 Delivering Sustainable Development |
| PPS10 | PPS10 Planning for Sustainable Waste Management |
| PPS23 | PPS23 Planning and Pollution Control |

Issues and Analysis

Operational Need : The applicants Viridor Waste Management Ltd are part of the consortium Viridor Laing that is the preferred bidder for the Greater Manchester Waste Disposal Management PFI Contract that has developed proposals for the delivery of a fully integrated waste management service for Greater Manchester providing a range of new infrastructure and management services in order to deliver the targets set out under the contract. These include targets applicable to the diversion of biodegradable waste from landfill and to recycling, composting and recovery. As part of the delivery of the contract there is a requirement to construct a network of waste management facilities to implement the reception, treatment, recovery and disposal of municipal waste collected by nine of the waste collection authorities in Greater Manchester.

The proposals at Fernhill are a key element within the network of Viridor Laing proposals for a fully integrated waste management service. The proposed HWRC (Household Waste Recycling Centre) would provide sufficient capacity at the site for locating recyclate receptacles in order to improve waste separation and recyclate recovery of household waste. It would, therefore, recover household recyclates in preparation for onward dispatch for recycling, composting or further treatment within the Greater Manchester contract and by third parties.

The new TLS (Transfer Loading Station) would be essential for the bulking of co-mingled recyclates, kerbside collected paper/card and residual waste (waste remaining once recyclable materials have been segregated) collected by Bury Waste Collection Authority. Co-mingled recyclates and kerbside collected paper/card would be dispatched for recycling or treatment by third parties. Residual waste would be sent on to the Thermal Recovery Facility at Raikes Lane in Bolton or to other waste treatment plants within the Greater Manchester Contract.

The redevelopment of the existing GWPF (Green Waste Processing Facility) would contribute to a more efficient recycling and composting led approach to waste management. Shredded green waste would be sent to third party composters and would be suitable for the production of compost of an acceptable quality.

Policy MW3/2 provides a presumption in favour of proposals that facilitate the economic recycling and reclamation of waste materials and the bulk reduction of waste. The justification for the policy states that it would ensure that the need for landfill capacity is reduced and that natural resources are conserved. In addition Policy MW4/3 recognises the importance of household waste disposal sites as a provision within easy reach of local residents that will help reduce the incidence of fly tipping and provide important collection

points waste products capable of being recycled. Policies MW4 and MW4/1 cover the detailed consideration of applications, including criteria to be satisfied and the control of this type of development by conditions. The more detailed issues arising from the development are covered in the sections below. The potential impacts of the development are covered in a submitted Environmental Impact Assessment (EIA) and the detailed analysis sections of this report follow generally the sequence of chapters in the Environmental Statement.

Regarding the particular site at Fernhill the use as a waste processing centre is already well established and the extension onto part of the Council's Maintenance Depot would be onto land of an industrial nature. There is also a need for the development and policy support for the type of activity involved as referred to above. Thus, the principle of the development is acceptable and the main issues to be considered relate to detailed criteria that are referred to in Policy MW4/1. Those considered to be particularly relevant to this application are discussed in the following sections

Landscape and Visual Impact: A landscape and visual impact assessment was carried out based on guidelines supported by the Landscape Institute, Institute of Environmental Management and Assessment and the Countryside Agency.

The existing site is well screened by existing boundary vegetation and neighbouring industrial development. The proposed structures would be perceptible above the existing and proposed boundary vegetation with impacts being moderate/adverse at the worse. However, the proposed planting to the boundaries and within the site along with the improved appearance and management of the site would result in some slight beneficial impacts.

The scheme includes the following mitigation measures to prevent and reduce landscape and visual impacts:

- The duration of the construction phase would be kept to a minimum;
- Boundary vegetation in the far north west of the site (including trees covered by a tree preservation order) would be retained and protected during construction. This would benefit the outlook from the rear of residential properties in Victor Avenue;
- Tree and shrub planting is proposed along the north western boundary of the site to enhance the existing boundary vegetation. Coniferous trees and evergreen shrubs would be included in this planting to provide some screening in the winter months;
- Tree and shrub planting is proposed along the eastern boundary on a proposed bund next to the residential caravan site and along the new extended southern boundary to improve screening and replace the existing planting lost;
- A high standard of maintenance would occur to aid the establishment of the planting.

It is considered that the above measures would be effective in mitigating the visual impact of the development. They should be considered alongside other measures to help mitigate the impact of the development on its surroundings.

Ecology – Survey work including a desk study and field surveys were carried out to achieve the compilation of a baseline that comprehensively characterises the ecological conditions within the development site and adjacent areas. The ecological assessment identified and evaluated the elements that make up the local ecosystems and considered how the impacts of the development may affect each of these in accordance with PPS9 and the guidelines of the IEEM (Institute of Ecology and Environmental Management) Guidelines.

The impacts that were found to be on a significant scale and the intended mitigation of these impacts included:

- The clearance of vegetation within the bird breeding season would present harm to birds. Mitigation would include that all vegetation work would occur outside the bird breeding season. Alternatively an ecologist would inspect the site immediately prior to clearance and declare the area free of nesting birds before the works are commenced. If a nest or nest in construction is found then works would not commence until the young have fledged the nest. This would result in an impact that is not significant.
- It was not considered that there was any habitat within the Zone of Influence that has the potential to provide bat roosts. The design includes new landscaping to the south and east of the site, replacing that which would be lost with the area of vegetation to the north to be enhanced through new planting. The landscaping would include grassland and trees and therefore would restore some foraging land. The conclusion was that the impact is not significant with regard to bats.
- Lighting during construction and operational activities constitute a significant adverse impact within the Zone of Influence as lighting has the potential to affect bats and birds and increased light levels may displace these creatures. To mitigate this impact as far practicable work would be carried out in daylight hours. If lighting is used at night care would be taken to minimise light spillage into adjacent habitats. During the operational phase the lighting used would be as minimal as possible and directed towards the development to avoid light spillage into adjacent habitats. These measures would lead to an impact that is not significant.
- The increase in vehicle movements and pollution during construction constitute a significant adverse impact. The risk of pollution would be significantly reduced by the adoption of good working practices and strict adherence to the Environment Agency's Pollution Prevention Guidelines. In regard to vehicle movements best practice would be used to minimise dust deposition such as damping down. Similarly, best working practice will be implemented during each construction phase to minimise noise emissions and following recognised guidelines. This appropriate mitigation and best practice would reduce this impact to not significant.
- Five stands of Japanese Knotweed were identified at the site. Vegetation clearance would result in the disturbance of this invasive weed causing it to spread and would be considered to be a significantly adverse impact at local level. A suitable eradication programme would be undertaken prior to disturbance for the impact to be reduced to a level that is not significant and probably beneficial.

Natural England has commented on the application. Whilst accepting most of the conclusions of the submitted ecological appraisal it has raised issue with two of the conclusions. They disagree with the statement that the impacts to habitat were assessed as non significant. As it was stated that there would be loss of habitat that was foraging habitat for birds and bats and only mitigation would ensure that the impacts were non significant. They thought that there was insufficient evidence to support the statement that none of the trees to be removed were considered to be of roosting potential for bats. The applicant is corresponding with Natural England about these concerns and the outcome will be reported in a supplementary statement.

It is considered that there are no special habitat features, in this case, that would render the issue of impact on ecology to be a significant factor in the consideration of the application.

Geotechnical Impact - The Environmental statement includes a chapter concerning geology, mining, ground conditions and land quality. This is based on a site investigation by a geotechnical consultant. The investigation relates to ground conditions at the site and recommends that further investigation work is required in order to finalise the design details of the development. Accordingly, Environmental Health have recommended a series of contaminated land mitigation conditions, which accepts this approach and satisfactorily deals with this issue.

Flood Risk – A Flood Risk Assessment is included within the Environmental Statement. The conclusions are that the site is within the less vulnerable Zone 1 and that there are no site specific risks that would adversely affect this categorisation. Also, there are considered to be no significant increased off-site flooding risks as a result of the development. The Environment Agency has responded with no adverse comments about the conclusions and has recommended that conditions concerning surface water drainage and land contamination should be attached to any consent.

Archaeology - An archaeological assessment, including a site inspection, was carried out and the findings and conclusions are reported within the Environmental Statement. No SMR entries are located within the site boundary and the SMR does not record any archaeological remains predating the post medieval period within the search area. The majority of the site has undergone past quarrying activity and modern development and no mitigation measures are recommended in the statement for development taking place in the area of the existing waste facility. However, there is an area of scrub present in the north west of the site that has not undergone past development and a site visit recorded the presence of a wall in this area. This is likely to be related to post medieval industrial activity and if ground disturbance takes place in this area then a watching brief is recommended to mitigate the loss of archaeological remains. The Greater Manchester Archaeological Unit has been consulted about the application and its comments will be reported. It is likely that a condition requiring a watching brief may be needed.

Traffic and Transport - The application is accompanied by a Transport Assessment which is incorporated within the Environmental Statement. The access route to the site from the Birch Street/Walmersley Road junction via Birch Street and Every Street would remain unchanged. Forecasts of trip generation indicate a marginal increase of private vehicles between 2007/08 and 2019/20 from 564 vehicles per day to 602 vehicles per day. Within the same period the total number of trips by HGV's and RCV's (refuse collection vehicles) is expected to fall from 216 per day to 174. However this fall would be outweighed by the number of LGV's (light goods vehicles) at 38 per day in 2019/20 compared with zero in 2007/08. These figures relate to two way flows. The assessment concludes that the traffic generation associated with the redevelopment proposals would be minimal and is unlikely to have a detrimental impact on Every Street, Birch Street or the Birch Street/Walmersley Road junction where no modifications would be required.

It should be noted that the trip generation figures will alter significantly early within the period because initially the GWPF will be accepting an additional 35000 trips per annum of green waste from HWRC facilities in Greater Manchester. However these extra trips would cease when it is expected that the proposed In-Vessel Composting (IVC) facilities facility now being constructed at Waithlands, Rochdale becomes operational. This is expected to occur in June 2009. The development at Fernhill is due to be complete and operational by June 2009, four months before the IVC facility would be operational.

The conclusions of the Transport Assessment are acceptable to Highways Team who have no objections to the application.

Noise – The proposed facilities and operations have the potential to generate a significant amount of noise. A noise survey of the site and a noise assessment have been carried out and an assessment of the potential noise impacts on existing receptors in the vicinity of the site associated with the redevelopment is included as part of the submitted Environmental Statement.

The main potential noise sources are stated as noise from the construction activities associated with the development, the noise generated by the operational activities of the TLS, HWRC and GWPF on existing receptors and the noise generated by on-site vehicle movements associated with the development on existing receptors.

In terms of the construction phase it would be the normal practice for the Council to rely on the Control of Pollution Act 1974 impose its requirements by the service of a notice under

s60. The developer intends to implement best working practice measure to be discussed by the contractor with the Council.

Noise mitigation measures have been incorporated into the design of the proposed development to ensure that the impact of the operational activities on existing receptor locations is minimised. These include the following:

- The construction materials of the northern and eastern facades of the TLS would provide a level of attenuation of not less than 35.6dB(A) for the receptors at Marquis Avenue and Victor Avenue.
- The vehicle/plant access doors in the southerly elevation of the TLS building would be fitted with PVC "curtain" strips providing a level of attenuation of no less than 17.5dB(A).
- The sound power level of each piece of operational plant (front loading shovel or 360deg excavator) within the TLS and GWPF will be no greater than 104dB(A).
- A 3.5m high noise barrier would be constructed along the north eastern boundary of the site adjacent to the HWRC. This would comprise the existing 2,3m high wall together with an additional 1,2m high acoustic fence constructed on top of the wall.
- The partially enclosed building proposed to house the GWPF would be constructed with steel sheeting between the push wall and the roof along about 30m of the northern elevation and the full length of the eastern façade. This would screen the receptors at Marquis Avenue and Fern hill Caravan Park from operations associated with this facility.
- A 2m high bund together with a 2.4m high acoustic fence with the fence constructed on top of the bund crest would be constructed along the south eastern site boundary adjacent to the Fernhill Caravan Park.
- The containerised engine of the green waste shredder will be acoustically enclosed
- Best working practices would be implemented to ensure that the impact of the operational activities on existing receptors is minimised.

It should also be noted that the northerly section of the site is open and is currently intensively used for HGV movements and operations carried out in the open potentially exposing residents in Victor Avenue beyond this boundary to noise pollution. The proposed TLS building would form a substantial buffer element between the Victor Avenue properties and the proposed external operating yard to the south of the building and would itself help to mitigate the noise impact of the facility on these residents.

The noise assessment indicates that the level of noise likely to be generated by the development is significantly less than the measured current average noise levels at each of the receptors where measurements were taken. The assessment, therefore, comes to a conclusion that it is likely that the operation of the development with the mitigation measures in place would reduce the ambient noise levels at the existing receptors. This conclusion and the mitigation measures of the noise assessment have generally been accepted by Environmental Health. However, they have raised concerns relating to vehicle reversing alarms that have been a source of complaint at the site. Environmental Health have asked that consideration should be given to the use of non-tonal broadband vehicle alarms that emit a more tolerable sound without prejudicing health and safety requirements. This question has been raised with the applicant's agent and their response will be reported in a supplementary report.

Air Quality – The Environmental Statement sets out a number of mitigation measures that would be implemented to control the potential for odour, bioaerosols and dust generated by the proposed developments. If implemented correctly these measures should ensure that there are no significant impacts at nearby sensitive receptors. These measures largely consist of best practice management and control measures plus contingency procedures to minimise the impact of plant breakdown or emergencies.

A source of previous odour complaints has been the GWPF and it is anticipated that the implementation of a contingency plan, best practice management plan and construction of the partially enclosed building would provide a significant improvement. However, odour levels would need to be checked on a continual routine basis once the facility is operational.

Residential Amenity – The issues of noise and air quality, including odour of the redevelopment on residential properties in the vicinity of the site have been discussed in the previous sections and it is expected that, with the intended mitigation measures, these impacts should be less than from the current operations.

In terms of visual amenity the rear of a pair of semi-detached houses at the end of Victor Avenue would have an outlook towards the back of the proposed TLS building. The rear elevation of the building would be 10.7m high but also this building would be sited at a level of about 2m higher than that of the houses giving a total comparative height of about 12.7m equivalent to a four storey residential elevation. The separation distance between the houses and the building would be about 40m with in the intervening area a significant mound with several mature deciduous trees that are the subject of a Tree Preservation Order. It is considered that the visual impact of the building due to the separation distance mounding and tree cover would be sufficient to render the aspect of the residents towards the development to be acceptable.

In terms of the outlook from the caravan site towards the site this is currently mitigated by a belt of semi-mature trees near the joint boundary. These trees would need to be removed to facilitate the redevelopment but the area near the boundary would include a new 3m high bund with acoustic fencing on top as well as new planting. This would adequately screen the caravan residents from an outlook into the operating area of the facility and the new buildings. In terms of change for these residents the current situation is that low mounding and trees giving limited protection to the caravans. The proposals would give more protection from more pronounced mounding. The loss of the existing trees would adversely affect outlook in the initial period before the new planting can develop. On balance, it is considered that the residents of the caravans would benefit by the higher mounding mitigating noise and blocking an outlook into the facility when the trees are bare. Furthermore, the existing internal road used by HGV's collecting material from the TLS building that is near the boundary with the caravan site would be replaced by a car park and facilities building. The absence of HGV movements from this area near the caravans would also constitute a noise mitigation feature for these residents.

Hours of Operation – It should be noted that intended hours of operation at weekends for the GWPF would be slightly less than those that are set by the existing planning permission for all of the existing facilities. The main difference is on Saturdays and Sundays when in the current situation treatment of material can occur until 1700hrs, whereas the proposals state that the GWPF would be operated only until 1300hrs on Saturdays and not at all on Sundays. This would provide a small but notable degree of mitigation for the surrounding area.

The current time limits set by planning permission 39970/02 for a variation of conditions are as follows:

During BST-

- 0800hrs – 2000hrs for the receipt of material
- 0700hrs-1800hrs Monday to Friday and 0700hrs -1700hrs on Saturdays and Sundays for treatment.
- During GMT the only difference is that currently material can be received up to 1800hrs.

Lighting - The Environmental Statement states that lighting of the site will be required in the early morning and late afternoon during the winter to ensure safe working conditions. Low level security lighting would be used in conjunction with a CCTV system for security outside of the main operating period. The statement points out that the site is located

within an established industrial, commercial and residential area with associated street lighting and private external light sources. It confirms that the lighting for the redeveloped site has been designed to minimise light spillage from the site. Details of the lighting scheme have been provided.

Given the presence of nearby residential properties where excessive light pollution needs to be avoided any planning permission should be subject to an appropriate condition to prevent such pollution.

Trees - At the pre application stage there was an intention to remove the existing group of mature trees at the northerly end of the site and the TLS building would have been set closer to the northerly boundary. Concerns were expressed that these trees are useful in screening the waste facility from residential properties, particularly those in Victor Avenue, and that the building in this position was excessively close to these properties. The trees were subsequently made the subject of a tree preservation order and, with the inclusion of land at the back of the Council's Fernhill Depot, the scheme was replanned to enable the retention of the trees and to provide better separation of the TLS from the houses. The changes are incorporated in this application and help safeguard amenity both in terms of protection for the houses and with the retention of the group of trees.

Neighbour Representations - MALVA residents action group have raised a number of points of concern. Regarding the issue of site security the perimeter would be fenced with 2.4m high security fencing with the addition of 2.4m acoustic fencing on the south eastern boundary and 1.2m acoustic fencing on the north eastern boundary. Existing steel security gates would be retained at the site entrance. A moveable height barrier would be situated across the public entrance of the HWRC and the site would benefit from 24 hour CCTV monitoring. This degree of security would appear to be acceptable although GMP has expressed a preference for weld mesh type security fencing. However, they do not discount the effectiveness of palisade fencing if it is robustly installed.

The other concerns from MALVA are responded to in the earlier sections of this issues and analysis part of the report.

The concern from East Lancashire Railway is being dealt with by the applicants directly with ELR as a boundary issue. It is not considered to impact upon the planning decision process.

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 is acceptable in principle as the redevelopment of an existing waste processing facility within a mostly industrial location. The impacts of the development on nearby residential sites and a school would be sufficiently mitigated to render these impacts to be considered as being acceptable.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. 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.

3. All work and other activity shall be confined to the following hours:

For the Household Waste Recycling Centre between 0800hrs and 1800hrs during GMT and 0800 and 2000hrs during BST.

For the Transfer Loading Station between 0700hrs and 1800hrs.

For the Green Waste Processing Facility between 0700hrs and 1800hrs on Monday to Friday, between 0700hrs and 1300hrs on Saturdays and no operation of the facility on Sundays.

Reason: In order to safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EC6/1 - Assessing New Business, Industrial and Commercial Development, EN7/2 - Noise Pollution, MW4/1 - Assessing Waste Disposal Proposals and MW4/2 - Development Control Conditions (Waste) of the Bury Unitary Development Plan.

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

Reason: To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting, EC6/1 - Assessing New Business, Industrial and Commercial Development, MW4/2 - Development Control Conditions (Waste) of the Bury Unitary Development Plan.

5. No clearance of vegetation shall take place within the site between 1st March and 31st August inclusive in any year unless previously agreed in writing by the Local Planning Authority.

Reason: Birds on the nest are protected and in order to ensure that clearance of vegetation does not occur unless it is proven that nesting birds are not present.

6. The proposed lighting shall be carried out and operated in accordance with the details provided at paragraphs 15.20 and 15.21 of the Environmental Statement supporting the application.

Reason: To protect the amenities of adjacent occupiers pursuant to policies EC6/1 - Assessing New Business, Industrial and Commercial Development, EN7 - Pollution Control, MW4/1 - Assessing Waste Disposal Proposals and MW4/2 - Development Control Conditions (Waste)

7. No development shall take place unless and until a suitable methodology for the eradication within the site of Japanese Knotweed, an invasive species, has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall thereafter be implemented in full.

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

8. 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.
9. Following the provisions of Condition 8 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.
10. 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.
11. 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.
12. Following the provisions of Condition 11 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.

13. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system or sustainable urban drainage (SUDS) scheme has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

Reason: To reduce the risk of flooding in pursuance of Policy EN5/1 - New Development and Flood Risk of the Bury Unitary Development Plan.

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

Reason: To prevent pollution of watercourses and the water environment in pursuance of policies EN7/3 - Water Pollution and EN7/4 - Groundwater Protection of the Bury Unitary Development Plan.

15. The development shall be carried out in accordance with BREEAM sustainability standards and a BREEAM assessment of the development 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.

16. No development shall take place unless and until a Travel Plan for the employees and operators based at the site has been submitted to and approved by the Local Planning Authority. The development shall be operated in accordance with the approved Travel Plan.

Reason: In the interests of securing sustainable development and in order to limit the degree of atmospheric pollution pursuant to PPS1 - Delivering Sustainable Development, Policy 7/1 - Atmospheric Pollution of the Bury Unitary Development Plan and Development Control Policy Guidance Note 12 - Travel Plans in Bury

17. All reasonable measures shall be taken to ensure that the operations on the site do not give rise to nuisance by virtue of dust or wind blown material, including the watering of all roadways and hardstandings as necessary during dry weather conditions and the collection of any wind blown refuse on a weekly basis, to the satisfaction of the Local Planning Authority.

Reason: In the interests of the amenities of the area and in pursuance of policies EC6/1 - Assessing New Business, Industrial and Commercial Development, MW4/1 - Assessing Waste Disposal Proposals and MW4/2 - Development Control Conditions (Waste) of the Bury Unitary Development Plan.

18. No trees subject to a Tree Preservation Order, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before, during or after the construction period without the previous written consent of the Local Planning Authority.

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

19. 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.

20. The noise mitigation measures set down within paragraph 13.32 of the submitted Environmental Statement shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved first being brought into use.

Reason: In the interests of the amenities of the area and in pursuance of policies EC6/1 - Assessing New Business, Industrial and Commercial Development, EN7/2 - Noise Pollution, MW4/1 - Assessing Waste Disposal Proposals and MW4/2 - Development Control Conditions (Waste) of the Bury Unitary Development Plan.

21. No materials for the land raising operation shall be imported, stored or placed at the site until a suitable plan for the assessment, verification and management of imported materials has been submitted to and approved in writing by the Local Planning Authority. This plan should include:

- full details and specifications of the landraising works;
- proposals for the preparatory works for the receiving land area (this should include any remediation of existing contamination and management of existing Japanese Knotweed) ;
- proposals for contamination testing of imported materials including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment and should include solid and leachable contamination) and source material information;
- proposals for the screening of invasive species within imported materials, such as Japanese Knotweed which are known to be prevalent along railway lines;
- proposals for the quarantine of suspected contaminated materials;
- actions to be taken where allowable contaminant concentrations have been exceeded or other non-compliance (e.g. rejected at site or treatment on site);
- proposals for dealing with unexpected contamination;
- proposals for the mitigation of pollution/nuisance from site works;
- proposals for monitoring and verification reporting of the infilling engineering works in terms of land contamination (including ground gas and groundwater assessment) and suitability for use;
- Timescales for which the infilling engineering works will be carried out.

The approved plan shall then be implemented in full. Any deviations or alterations to the plan will require written approval from 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.

22. The materials to be used for the land raising shall consist only of validated inert wastes. In particular any biodegradable materials, plastics, timber, metal or paper wastes or any deleterious materials shall be strictly excluded.

Reason: For the avoidance of doubt, to protect the residential amenities of nearby residential properties and to prevent the pollution of the land air and water environment pursuant to UDP Policy MW4/1 - Assessing Waste Disposal Proposals.

23. A detailed methodology relating to the control of dust for the duration of the land raising activity shall be submitted to the Local Planning Authority prior to any site preparation works commencing. The methodology shall be implemented during the period of the operation unless otherwise agreed in writing .
Reason. To ensure that the development does not unduly impact upon the amenity of nearby residential properties and pursuant to UDP Policy MW4/1 - Assessing Waste Disposal Proposals.
24. Adequate turning space and wheel washing facilities shall be provided at a location that shall be agreed in writing with the Local Planning Authority prior to the landraising works commencing. The wheel cleaning facilities shall be implemented and brought onto the site prior to the first commencement of any works and remain on site throughout the operations. All tipping vehicles leaving the site shall pass through the wheel wash facilities immediately prior to egress onto Every Street so as to prevent the deposition of mud or other extraneous materials on the highway.
Reason. In the interests of highway safety, the amenities of the area and pursuant to UDP Policy MW4/1 - Assessing Waste Disposal Proposals.
25. No vehicles involved in the ground raising operation shall be operated to or from the site outside the periods from 0700hrs to 1800hrs on Monday to Friday, from 0700hrs to 1300hrs on Saturdays and there shall be no operation of such vehicles at the site on Sundays.
Reason - To minimise the impact of the proposed operation and vehicle movements to the site and pursuant to UDP Policies MW4/1 - Assessing Waste Disposal Proposals.
26. This decision relates to drawings numbered LE03808/EIA 3.1, LE03808/EIA 3.2, LE03808/EIA 3.3, LE03808/EIA 3.4, LE03808/EIA 3.5, LE03808/EIA 4.1i, LE03808/EIA 4.1ii, LE03808/EIA 10, LE03808/EIA 6.3, LE03808/EIA 4.3i, LE03808/EIA 4.3ii, LE03808/EIA 3iii, LE03808/EIA 4.4, LE03808/EIA 4.5, LE03808/EIA 4.7, LE03808/EIA 4.8, LE03808/EIA 4.6, LE03808/EIA 13.1, LE03808/EIA 13.2, LE03808/EIA 6.1, LE03808/EIA 6.2, LE03808/EIA 7.1, LE03808/EIA 8.1, LE03808/EIA 9.1, LE03808/EIA 10.1, LE03808/EIA 10.2, LE03808/EIA 10.3, LE03808/EIA 11.1, LE03808/EIA 14.1, C200/1546 and the submitted Environmental 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.

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

Ward: Bury East - Moorside

Item 03

Applicant: Bury MBC - EDS

Location: ST JOHNS CHURCH HALL, PARKINSON STREET, BURY, BL9 6NY

Proposal: EXTENSION TO REAR OF EXISTING CHURCH HALL TO PROVIDE COMMUNITY LIBRARY

Application Ref: 49689/Full

Target Date: 08/05/2008

Recommendation: Approve with Conditions

Description

The proposal is for the extension of the existing St Johns Church hall in Parkinson Street Bury to form a new Community Library. This is one of 4 schemes that have received Lottery Funding following a successful bid by the Council and has been subject to extensive community involvement.

The proposal involves the building of a single storey extension between the existing building and St Johns Church. The building will be 6m deep by 11m wide and 3.7m tall with a flat roof. The exterior of the building will be clad with grey 'cembrit', a smooth through coloured cement based panels with brick pillars at the corners. The entire side facing the properties on Seedfield Road, both the new and old sections of the Hall, will be clad in similar materials.

The building will only be accessed from the existing Church Hall/Community building, however, two new fire escapes will be provided facing the church at the rear.

Relevant Planning History

The Church Hall and Community Centre was built in the early 1970's.

Publicity

A site notice was placed on the 20th March 2008 and letters were written on the 19th March to 2 to 16 (even) Seedfield Road, 265 to 267 (odd), 287 and Tower House, Walmersley Road, 2 to 12 (even) Sunny Avenue, 14 Parkinson Street, Seedfield Bowling Club on Seedfield Street. 2 petitions have been received from the Tenants of Wooded Close (36 signatures) and Walmersley Manor, 259 Walmersley Road (3 signatures) and 6 individual letters have been received from 14 Parkinson Street, 4A, 15 Seedfield Road, 7 (inc 13 & 51) & 21 Wooded Close, 1 Walmersley Road, objecting to the application and 6 letters of support have been received to the proposal from the Rved Ian Stamp of St John with St Marks, 18, Woodgate Avenue, St Johns Vicarage, 35 Melbourne Road, 53 Fairlands Road & 332 Hornby Street.

The objections can be summarised as follows:

- additional traffic will be generated making an existing poor situation worse
- existing problems with parking should be resolved
- extension will not benefit local people
- additional services are not needed

The support can be summarised as follows:

- additional facilities in the community are welcome
- the existing facilities at the Church all are used by all ages and this will be of benefit all of them
- the provision of facilities in the local area will mean people wont have to travel into Bury town centre
- there are problems with traffic in the area but this will not make them worse as it is for people who live in the immediate community.

Consultations

Highways Team - No comments

GM Police Architectural Liaison Unit - No objections

BADDAC - No objections

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

CF1/1 Location of New Community Facilities

HT4 New Development

HT5/1 Access For Those with Special Needs

Issues and Analysis

Principal - The proposed extension is to the existing St Johns Church Hall which is already used for a variety of local community uses. The proposal to extend the building will mean that new and improved library facilities can be provided at the Hall and this, together with various internal alterations, will result in a new office (to be used by visiting services such as CAB), improved catering facilities for the building as a whole and a dedicated office as a base for the Community Development Officer. The principal of providing these services in the Communities in which they are needed is also supported in the Councils Community Strategy, has been approved by the Big Lottery Fund after extensive local consultation and this is reinforced by Unitary Development Plan Policy CF1/1 - Location of New Community facilities. As such the proposal is considered to be acceptable in principle on this location.

Visual and Residential Amenity - The proposed extension will be 'in-line' with the existing building and this is set some 20.5m from the rear of the properties fronting Seedfield Road. There are no windows in this elevation and as such the proposal will comply with the Councils aspect standards. The proposal involves the 'covering over' of the existing concrete graffitied and dilapidated panels on the wall facing the properties on Seedfield Road of the existing Hall, with the same grey "cembrit" panels which will give this elevation a consistent appearance. Additionally the high level windows and fascia boards will be replaced so that the whole elevation will be seen as a cohesive structure. The elevations facing the Church will be have brick pillars at the corners and similar grey low maintenance panels between. As such the proposal conforms with UDP Policy EN1/2 - Townscape and Design and the aspect standards of the Council as expressed in Development Control Policy Guidance Note 6.

Highways Issue - The access to the site is located on Parkinson Street that acts as the main route to the Seedfield Centre and has the Seedfield Bowling Club located directly opposite. This, together with the already popular Church Hall means that there are from time to time issues with parking and traffic in the area. However, the provision of this extension to the facilities on this site is specifically aimed at the local community. Consequently, this new facility should encourage people to walk rather than use vehicles and as its target area is relatively small (the Moorside Community), this should be a realistic objective. Consequently, it is not considered that the extension will worsen the current situation to a level where the application should be refused and as such the proposal conforms with UDP Policy CF1/1 and is acceptable.

Disabled Access - The Hall already has a ramped access and the internal alterations will be compliant with the Disability Discrimination Act and as such the proposal conforms with UDP Policy HT5/1 - Access for those with Special Needs.

Objections and Support - The issues of parking, traffic and need have been dealt with in the sections above and no further comment is needed.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed and the reason(s) for granting permissions can be summarised as follows;-
Having studied the submitted documents, assessed the proposed development on site and taken into account any and all representations and consultation responses, particularly Unitary Development Plan Policy CF1 and the Councils Community Strategy, it is considered that the proposed development is acceptable because it would not cause demonstrable harm to interests of acknowledged importance.
There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than 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 6039 D01, D02, D03 revA & DO4 revA and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

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

Ward: Bury East - Moorside

Item 04

Applicant: Waldon Telecom Ltd

Location: ZAFFER ENGINEERING, HUNTLEY MOUNT ROAD, BURY, BL9 6HY

Proposal: INSTALLATION OF 12 METRE HIGH TIMBER TELEGRAPH POLE STYLE TELECOMMUNICATIONS MAST WITH TRI-SECTOR ANTENNA; 1 NO. GROUND BASED EQUIPMENT CABINET AND 1 NO. LUCY PILLAR CABINET

Application Ref: 49815/Telecom
Determination (56 Days)

Target Date: 30/05/2008

Recommendation: Prior Approval Required and Granted

Description

The proposal involves a telecommunications installation at an industrial premises on Huntley Mount Road. The installation would be situated just within the boundary of Zaffer Engineering situated on the westerly side of the road and opposite Hoyle Park.

The application seeks a determination as to whether prior consent to the siting and appearance of the installation is required and, if it is, it is seeking such consent. The installation would include a tri-sector antenna mounted on top of a 12m high mast designed to have the appearance of a telegraph pole. The mast would be coloured brown and its diameter would vary from 320mm at the bottom to 275mm at the top. In conjunction with the mast and antenna there would be a green coloured equipment cabin 1.52m long x 0.38m wide and 1.4m high. The mast would be sited about 6.5m from the highway boundary to the works and set in by about 1.5m from the main building which is about 6m high at the eaves. The site is next to the boundary with the neighbouring premises JSM Motorway Services Ltd., a vehicle rescue base immediately to the south. Originally, the intention was to build the installation at the JSM premises close to the currently proposed site and consent was granted in 2005 for an installation of very similar height and appearance (45243). However, an agreement could not be secured with the owners of JSM and the current proposal is being put forward as an alternative.

The nearest residential properties are in Pearson Street to the west and which are on the far side of Zaffer Engineering. The rear elevations of these houses are about 28m away from the site. To the north there are houses on Huntley Mount Road about 40m away. The nearest schools are East Ward County Primary School to the south and St Paul's C of E Primary School to the north. These schools are about 390m and 220m away respectively as measured to the school buildings.

The application is accompanied by a statement to justify the need for the installation. This is to provide 3G coverage in the Freetown area of Bury. GIS modelling plots are provided to demonstrate the current and predicted level of coverage. The submitted information also includes details of a site selection process involving 16 sites in the area, including the adjacent JSM premises. The application is also accompanied by a declaration of ICNIRP compliance.

Relevant Planning History

45243 - Prior approval application at JSM Motorway Services Ltd for installation of a 13.6m high Vodafone timber telecommunications monopole to accommodate streetwork antennas within GRP shroud and 2 no. transmission dishes with associated radio equipment housing and ancillary development. Prior approval was required and was granted on 27th October 2005.

Publicity

148 properties were notified on 10th April 2008. These include 22 - 69 Percy Street, 37 - 53 Huntley Mount Road, 1- 35 and 12 - 38 Brighton Street, 1 -19 and 2 -26 Pearson Street, 223 - 233, 144 - 210, New Inn, Spotted Cow and Aldi Foodstore on Bell Lane, 110 Pine Street North, 34 - 70 Massey Street, East Ward CP School and St Paul's C of E Primary School. A site notice was displayed from 11th April 2008.

Two objections have been received. The occupiers of 13 and 35 Brighton Street have expressed the following concerns:

- The installation would add to the unsightly nature of the works yard on their doorstep.
- Large lorries are coming to the yard and have to reverse back down Brighton Street.
- The pole, no matter how disguised it is, in their opinion it would be unhealthy and unsightly.
- Anything industrial should be kept together and not mixed among habitable houses.
- You would not want to buy a house near one of these installations.

Consultations

Highways Team - No objections.

Environmental Health - No response

Unitary Development Plan and Policies

EN1/10 Telecommunications

EN1/2 Townscape and Built Design

PPG8 PPG8 - Telecommunications

Issues and Analysis

Visual Amenity - The installation would be situated within the context of an existing industrial building and close enough to the highway for the pole to have an impact within the street scene on Huntley Mount Road. However, its scale, design and position would not be such that the impact would be unacceptably obtrusive. It should also be noted that the proposal is a replacement scheme for an approved installation of a similar scale and appearance very close by and there would be no material difference in the visual impact.

Residential Amenity - There are existing blocks of houses in the vicinity and, in terms of outlook, the pole would be most visible from the rear of the houses on the odd numbered side of Pearson Street. However, it would be seen on the far side of the works as part of a group of industrial premises. In relation to other houses in the general vicinity it would not be unduly obtrusive due to the distance, other buildings in the line of view or the houses, such as those on Huntley Mount Road do not have a main outlook towards the site. It should also be noted that the impact on residential properties would not be materially different from that in the case of the previously approved installation on the adjoining JSM premises.

Health Issues - The application is accompanied by a declaration of conformity with ICNIRP requirements for public exposure to radio emissions and this is considered to provide a sufficient degree of assurance that the development is acceptable in terms of health concerns.

Alternative Sites - The applicant has provided an acceptable amount of supporting information concerning the need for the installation and the site search that was carried out before the proposed location was selected.

The Objections - The issues of visual and residential amenity as well as health concerns raised in the objections are referred to in the earlier sections. Views from houses in Brighton

Street towards the site are mostly blocked by the houses in Pearson Street. However, it is likely that the occupiers of the end houses numbered 33 and 35 would be able to see the pole from the rear windows but a significant distance of about 100m and therefore with little impact upon them. The issue raised concerning lorries having to reverse down Brighton Street is not relevant to the consideration of the application.

It is concluded that the proposal would be in compliance with Policy EN1/10 that concerns the assessment of new telecommunications developments

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 installation would be acceptable in terms of its visual impact on the surrounding area and sufficient information has been provided to justify the operator's need for the installation at the site.

There are no other material considerations that outweigh this finding.

Recommendation: Prior Approval Required and Granted

Conditions/ Reasons

1. This decision relates to drawings numbered 44506_001 rev. B, 44506_002 Rev. A, 44506_003 Rev B, 44506_004 Rev C and the development shall not be carried out except in accordance with the drawings hereby approved.

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

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

Ward: Bury East - Redvales

Item 05

Applicant: DAVID McLEAN HOMES LTD

Location: LAND AT PILOT MILL, ALFRED STREET, BURY

Proposal: RESIDENTIAL DEVELOPMENT - 70 DWELLINGS

Application Ref: 49229/Full

Target Date: 21/05/2008

Recommendation: Minded to Approve

Minded to approve subject to the completion of a s106 Agreement concerning recreational, public artwork and affordable housing provision. Should the Agreement not be signed by 21st May 2008 the decision to be delegated to the Assistant Director of (PLanning, Engineering & Transportation Services) to refuse the application

Description

The application involves an area of 0.89ha formerly occupied by Pilot Mill with car parking and unused areas. It is now separated from the mill following the grant of outline planning permission for residential development. The location is immediately to the south of the mill and on the easterly side of Alfred Street. The large five storey mill is mostly on the northerly side of its associated land. Its car parks are next to the frontage and northerly boundary with a lorry area next to the building on its southerly side.

The application is for full planning permission for residential development and the site includes the land beyond a line about 42m from the main southerly elevation of the mill. It is almost rectangular at about 50m wide and 142m long taking in about 0.18ha. The land is relatively level and is, for the most part, in unmown grass. Previously it included a part of the mill car park with approximately 30 spaces. In accordance with a condition of the outline planning permission the lost spaces have been replaced on the northerly side of the building. There is a line of large shrubs and bushes just within the southerly and easterly perimeters.

The development involves a mixture of 3 storey town houses in short terraces in the westerly and central sections of the site and four storey apartments in two linked blocks set in an L shaped configuration on the easterly section. The total of 70 units would consist of 32 three bedroom town houses, 36 two bedroom apartments and 2 one bedroom apartments. The two one bedroomed units would be in small two storey buildings with the accommodation at first floor level above car ports and an undercroft entrance to car parking to the rear.

The single access point would be on Alfred Street and situated centrally within the frontage. The town houses would be concentrated at the westerly and central sections of the site with the access road in a central position. The blocks of apartments are shown on the easterly portion nearest the riverside area as a partly separate element. There would be a total of 68 car parking spaces in the houses area and 43 spaces associated with the apartments making an overall provision of 111 spaces for the 70 units.

A 4m wide landscaped buffer zone would be created on the northerly edge of the development next to the retained mill. This would include a continuous 1.5m high bund on top of which there would be a 1.5m high timber acoustic fence.

The application is accompanied by a Design and Access Statement, Supporting Planning Statements, a Car Parking and Layout Assessment, an Assessment of Noise Impact and an Environmental Review as well as a completed s.106 pro-forma.

Most surrounding development is residential with houses on Alfred Street facing the site. To the south beyond an area of disused land and a very short cul-de-sac Durham Drive there is further residential development in Alfred Street, Wiltshire Close and Hampshire Close. The disused area includes a footpath between Alfred Street and the River Roch. To the east there is a belt of open land between the site and the river a short distance away.

Relevant Planning History

33185/97 - Outline residential development for 17 dwellings and landscaping. Approved on 18th December 1997.

41468/03 - Outline - single storey warehouse (Class B8) and amended layout of existing parking and service area. Approved on 17th December 2003.

46495 - Outline for residential development. Approved on 28th September 2006.

Publicity

101 properties were notified on 21st February and 29th April 2008. These include 123 - 137, 166 B to F, 128 and 130 and Antler Luggage on Alfred Street, 13 - 15 Topping Street, 62 - 72 and 113 - 119 Cornwall Street, 1 - 17 Wiltshire Close and 1 - 19 and 6 -28 Hampshire Close. Site notices were posted from 5th March 2008 and a press notice was published. No response has been received.

Consultations

Highways Team - Discussions have take place about the highway details and a response is anticipated that there are no objections.

Drainage Team - No objections.

Environmental Health - Recommend contaminated land mitigation conditions. Recommend that the noise barrier with the mill should be in accordance with their pre application advice when they were agreeable to the barrier consisting of a 2.5m high acoustic fence on a 1.5m high bund rather than a 1.5m fence on the bund.

Waste Management - Concern regarding the insufficiency of bin storage. This initial advice was provided on the understanding that all 70 of the dwellings would utilise eurobins. However, they have since confirmed that the eurobin storage is adequate as it would only serve the 36 apartments, with the other units having bins stored within individual plots.

Landscape Practice - Concern about the choice of planting and sufficiency of detail. A revised landscaping plan has been received and further comments are awaited.

Environment Agency - Recommend a condition requiring prior approval to surface water drainage.

GMP Architectural Liaison - Concern that there should be higher fencing on the easterly and southerly boundaries, the need for more defensible space at the gable ends of the apartments, more substantial plot divisions and lighting to be provided throughout the development especially the undercroft areas.

Rochdale MBC - No response

BADDAC - Concern about the need to provide a clearly defined "safe route" through the scheme as part of an overall home zone approach.

Unitary Development Plan and Policies

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|-------|--|
| 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 |
| EN1/6 | Public Art |
| EN5/1 | New Development and Flood Risk |
| RT1/1 | Protection of Recreation Provision in the Urban Area |
| OL5/1 | Designation of River Valleys |
| OL5/3 | Riverside and Canalside Development in Urban Areas |
| SPD1 | DC Policy Guidance Note 1:Recreation Provision |
| SPD4 | DC Policy Guidance Note 4: Percent for Art |

Issues and Analysis

Principle - The principle of residential development has been established because of the current outline planning permission for residential development on the site. The applicant has made a full application rather than one for reserved matters approval because the outline consent includes a condition requiring the provision a 10m wide buffer zone next to the retained mill but the submitted details include a narrower buffer zone (see noise buffer zone section below).

Design and Appearance - The scheme involves traditionally designed town house units within the frontage and central parts of the site. These would be both fully three storeys or with a second storey in the roof space. The blocks of houses would be small and the house types would be mixed in each block giving a good variety of types and arrangements. Consequently the street elevations would be reasonably interesting, including along Alfred Street. The two linked four storey blocks would also be of a traditional appearance. They would be in a self contained area at the rear section of the site.

The scheme, as originally submitted, included a situation whereby part of one of blocks of apartments would have been unduly close to a principal elevation of one of the blocks of town houses and the block would also have been very close to the southerly boundary. A part of the layout has been amended to avoid the potentially overbearing impact of the flats on the houses as well as the closeness to the boundary and the layout is now satisfactory in terms of the relationship between the units as well as in regard to plot sizes. The layout also makes provision for two separate outside amenity areas in the vicinity of the blocks of apartments making this part of the development satisfactory in regard to availability of outside amenity space.

Disabled Access - A number of issues were raised by BADDAC concerning disabled access. One of these was a criticism that the fragmentation of the layout into squares/parking courts makes it insufficiently legible for visually impaired persons to navigate. The group would have preferred the scheme to be based on one continuous street. Following a meeting involving the applicant's representatives, various amendments have been made to the main access route to make it better defined. Further details of the legible route are currently being prepared and it is anticipated that this will be in accordance with BADDAC's requirements. This matter will be reported on further as supplementary information.

Noise Buffer Zone - The Pilot Mill will continue to be operate as an industrial premises next to the residential site, with facilities such as a HGV service area and a boiler house facility located close to the application site. To avoid an undue impact on the prospective residents from noise and activity at the mill the outline planning permission stipulated by a condition that there would be a 10m buffer zone provided to help to protect the housing. The applicant's view was that the 10m buffer indicated within the outline planning permission was excessive and an alternative form of mitigation comprising a bund and fencing would achieve the same levels of protection, if not better.

To assist their argument, the applicants submitted a noise impact report and a narrower 4m wide buffer zone continuously planted for visual reasons and a 1.5m high acoustic fence on top.

Following consultation with Environmental Health, they have referred to their advice on a pre- application enquiry for the development when they were prepared to accept a narrower buffer zone but the acoustic fencing being 2.5m high.

Given this stance and advice from Environmental Health, it is difficult to argue any derogation upon amenity with a narrower buffer strip however any consent should ensure that the noise barrier would accord with all of their advice and the specification of the

fencing should be 2.5m high and not 1.5m high fence as shown on the proposals.

Residential Amenity - Aspect distances to properties on the opposite side of Alfred Street are generally in line with SPG6 standards and, therefore are acceptable. In terms of the housing to the south in Alfred Street, Wiltshire Close and Hampshire Close, these are situated beyond a strip of open land about 12m wide and, following a amendment to relocate one of the 4 storey blocks of apartments to a distance of 10m from this boundary it would now provide a separation of some 24m. As such it is considered that the relationship of the development with this housing is acceptable.

Recreation Provision - No significant recreational open space is to be provided within the layout. However, to secure compliance with policy RT2/2 the applicant is willing to complete a s.106 Agreement requiring the payment of a commuted sum payment of £41,598.08 towards off site provision. This method of satisfying the requirements of the policy should only be acceptable for developments of under 50 units. However, in this case, there are extensive recreational areas close by along this side of the River Roach which the Council would be maintaining. In the circumstances, the s106 contribution would be acceptable in terms of covering the RT2/2 recreation provision requirement.

Public artwork - The applicant is willing to complete a s106 Agreement that obliges him to make a £42,000 contribution towards artwork provision in the Borough. This is 1% of the declared development costs and, as publicly visible opportunities on the layout are very limited, this response to the requirement is considered to be acceptable in terms of securing compliance with Policy EN1/6.

Affordable Housing Provision - In order to secure compliance with Policy H4/1 the developer needs to provide 25% of the dwellings as affordable housing and this would need to be secured through a s106 Agreement. Negotiations regarding this provision have taken place and at the present time they are progressing satisfactorily.

Landscape Details - The application includes a specification for both soft and hard landscaping, including the planting of trees, native shrubs, areas of ground cover and grassed areas. This has been revised with more information about the planting material and the soft landscaping proposals are now considered to be acceptable. The details of the buffer zone to the mill show extra heavy standard trees as well as some heavy standard trees and the planting of native shrubs and ground cover, native. Currently the site has very little tree cover with some minor trees near the easterly boundary to be removed. Hard landscaping includes areas of different coloured tarmac surfaces and flag paving. There are concerns about the appropriateness of some of the surface treatment within the back section of the site where it is intended that the roadway would not be for adoption. A condition should be attached to any consent requiring further details of the highway works.

Car Parking - Originally the site included an area of car parking for the mill and the outline consent included a condition requiring this to be replaced. This has been carried out on the northerly side of the building where the significant new car park compensates for the provision lost a result of the development.

There would be 111 parking spaces provided for the 70 units which is just above 1.5 spaces per unit and considered to be an acceptable level of provision with parking spaces distributed throughout the layout. For comparison, the adopted parking standard sets a maximum level of provision of 190 spaces for the proposal. The scheme therefore complies with the SPD for car parking.

River Valley/Wildlife Corridor - The easterly boundary is set to a line beyond which Policies OL5/1 and OL5/3 River Valleys/Riverside Development apply. The River Roch with a riverside footpath is only a short distance away in this direction. This is also the edge of a Wildlife Corridor. There would be no direct access into the riverside area from the site. However, the footpath on the southerly side of the site provides good access from the Alfred Street frontage. The site boundary on the easterly side has, just next to it, a wide zone of

thick vegetation before the more open riverside area is reached. This would act as a natural buffer to the development that is outside the application site and is not affected. No extra treatment should be required here as part of the development. The 4 storey Block A is set well back from the boundary here with a car park between it and the Riverside Area/Wildlife Corridor.

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 layout, design and external appearance of the development is acceptable. There would be adequate protection for residents from the mill. The development would make satisfactory provision for affordable housing, recreational requirements, amenity space, public artwork and car parking.

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. 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.
3. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works 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 by ensuring the provision of a satisfactory means of surface water disposal.
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 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.

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. 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..

10. Notwithstanding the details on the submitted plans, the acoustic fence on the bund next to boundary with Pilot Mill shall be 2.5m in height as measured from the top of the bund.

Reason: In order to ensure that the development is adequately soundproofed against externally generated noise in the interests of the amenity of future occupiers of the development and in pursuance of Policy EN7/2 of the Bury Unitary Development Plan.

11. Notwithstanding the details on the submitted plans, no development shall take place unless and until the details of the nature, colour and texture of all highway related surfaces shall be submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason: To ensure the satisfactory development of the site and in the interests of visual amenity

12. No development shall take place unless and until details of the means of enclosure within the development, including the acoustic fencing on the mill boundary bund, as well as of the refuse storage facilities for the apartments have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to secure a satisfactory development.

13. No development shall take place unless and until the details of the exterior lighting have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to ensure a satisfactory development.

14. The development shall be carried out in accordance with BREEAM sustainability standards and a BREEAM assessment of the development 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.

15. Subject to conditions 10 and 11, this decision relates to drawings numbered , ASB1-001-P Rev. H, 7509 03 Rev C, 750 04 Rev C, ASB1-002-P Rev A, ASB1-003-P Rev A, ASB1-004-P Rev A, ASB1-005-P Rev A, ASB1-006-P Rev A, ASB1-007-P Rev A, ASB1-008-P Rev A, ASB1-009-P Rev A, ASB1-010-P Rev A, ASB1-014-P Rev A and the site location plan and topographical survey plan received on 20th February 2008 and the development shall not be carried out except in accordance with the drawings hereby approved.

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

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

Ward: Bury East - Redvales

Item 06

Applicant: Hamilton Heath Estates Ltd

Location: HAMILTON HEATH ESTATES LTD, HAMILTON HOUSE, WARTH INDUSTRIAL PARK, WARTH ROAD, BURY, BL9 9NB

Proposal: 133 No EXTERNAL STORAGE CONTAINER UNITS FOR SELF-STORAGE B8 USE

Application Ref: 49503/Full

Target Date: 28/05/2008

Recommendation: Approve with Conditions

Description

The proposal involves part of an extensive self contained complex of industrial premises. This complex was originally one works operated as a paint manufacturing plant by Macphersons but since its closure the works has been subdivided to form a managed industrial estate named Warth Industrial Park.

The complex is on the south side of Warth Road with residential properties on the opposite side. It also fronts Radcliffe Road, backs onto the Metrolink and at the southerly boundary there is the River Irwell with open land and a garden centre beyond.

The proposal is to install self storage units to be sited in the open within a central part of the complex. This area is currently a hard standing being used for the open storage of wooden pallets and baled waste. It is situated about 105m from Warth Road beyond a two storey block of administrative offices for the estate and extensive car parking areas. The area involved, including the access route, is about 0.5ha. There are existing industrial units on the easterly, southerly and westerly sides of the land.

The area to house the storage units measures 55m x 87m. The containers, which would be of grey profiled metal construction, would be stacked two high and set in four rows with a total of 133 units to be provided. On the ground level units most of the containers would be the larger type at about 6m long x 3m wide and 2.4m high. However, there would also be four smaller units at about 3m square and 2.4m high at this level. All of the upper containers would be of the smaller size. The top of the upper containers would be about 5.2m above the proposed ground level. This would be raised by the importation of material to form a plateau about 1.5m to 2m above the existing level with a sloping banking around the edge of the development area. Thus, the top of the upper containers would be from 6.7m to 7.2m above existing ground level.

Access would be gained through the main gated entrance to the estate on Warth Road and via an existing internal roadway. There would be a 5.5m wide service road between the rows of containers. The upper level containers would be reached by open stairways and a 2.8m wide walkway on top of the larger lower containers safeguarded by balustrade railings.

The application follows the withdrawal of a similar application in 2006 (ref. 46419) but with only 26 containers being proposed. The site is close to the River Irwell and the withdrawal followed an objection by the Environment Agency on grounds of unacceptable risk from flooding. Also in 2006 planning permission was granted for a change of use of part of the ground floor of the industrial building immediately to the east of the site for the provision of self storage units.

The application is accompanied by a Design and Access Statement and a Flood Risk Assessment.

Relevant Planning History

45881 - Retrospective application for use of building for recycling materials. Approved on 19th May 2006.

46206 - Change of use of part of existing ground floor from general industrial use to self store units. Approved on 19th July 2006.

46419 - Self store units. Withdrawn on 7th September 2006.

Publicity

177 addresses were notified on 29th February, 4th, 13th and 31st March 2008. These include 2 - 62 Warth Road, 2 - 40 and 1 - 39 Padiham Close, 100 - 114 Radcliffe Road, 2 - 10 and 1 - 21 Mellor Drive, 6 - 16 and 3 - 22 Bealey Drive, 2 - 40 Openshaw Fold Road and Units 1 - 12 Warth Industrial Estate. A site notice was displayed from 5th March 2008.

One objection has been received. The occupier of 21 Mellor Drive has expressed the following concerns;

- The statement in the application that the development would generate nine vehicle visits per day with no HGV's is an under estimate. The installation of the storage units and proposed staff of two would mean a greater number of vehicles would be expected to visit the development
- Warth Road serves over 100 dwellings as well as the industrial estate. The residents are affected by the traffic noise and litter generated by the site but were not consulted about its development.
- Warth Road lacks the capacity to carry the current amount of traffic.
- The proposed facility is already being advertised by signage on Radcliffe Road making its approval appear to be a foregone conclusion.
- Any consent should limit HGV movements and crange to daytime only.
- A study should be carried out of vehicle movements on Warth Road to ascertain its capacity in regard to current and future traffic movement and the environmental impact on residents due to air and noise pollution.

Consultations

Highways Team - No objections.

Drainage Team - No response.

Environmental Health - Recommend contaminated land mitigation conditions.

GMP Architectural Liaison - No comments.

BADDAC - Concern as to how the site support to disabled users referred to in the application would be provided and how wheelchair users would be able to overcome the 200mm step up to the units.

Environment Agency - No objections.

Unitary Development Plan and Policies

EC2/1 Employment Generating Areas

EC6/1 New Business, Industrial and Commercial

EN1/2 Townscape and Built Design

EN5/1 New Development and Flood Risk

Issues and Analysis

Principle - The site is centrally located within an existing industrial complex that is designated as an Employment Generating Area (proposal EC2/1/8). The appropriate uses in the EGA include class B8 (storage and distribution) and this provides justification, in principle, for the intended activity. Furthermore, the site is already used for open storage and was previously mostly occupied by industrial buildings.

Visual Amenity - The type of development being proposed is visually unattractive. However, the nearest storage units would be remote (115m) from public views on the Warth Road frontage and 125m from the nearest residential properties on the opposite side of this road.

Furthermore, there is an existing substantial two storey building within the intervening area that would mostly screen the development from public views. Thus, it is considered that the development would not be materially detrimental to the visual amenities of the area, notwithstanding that the site for the units would be raised 1.5 to 2m above existing levels. In regard to design and appearance there would not be a conflict with Policy EN1/2 that seeks to protect the quality character of the Borough's townscape and Policy EC6/1 through which the impact of new commercial developments on the surrounding environment is assessed.

Residential Amenity - Concerns have been expressed by a resident that the development would unduly increase the amount of industrial traffic using Warth Road, thereby causing a deterioration in living conditions for residents. However, self-storage units do not normally generate a significant degree of traffic movements and the site is currently in use for open storage with material (pallets and baled waste) that will be attracting HGV traffic probably to a greater extent than would be the case with self storage. It is considered that the development would not have the significant impact on residential amenity that is being suggested and, in this regard, there would not be a conflict with Policy EC6/1.

Flood Risk - A previous application (ref. 46419) for a similar development on the site was withdrawn following an objection from the Environment Agency on grounds of unacceptable flood risk. The current application is accompanied by a Flood Risk Assessment. To avoid the unacceptable risk from flooding the site would be raised 1.5m to 2m above the existing levels and the proposal is, in this form, acceptable to the Environment Agency. Consequently, there would not be conflict with Policy EN5/1 which seeks to ensure that developments that would be at an undue risk from flooding will not be permitted.

Disabled Access The containers would be set at two levels with staircase access to the upper units. It has to be accepted only the lower units could be suitable for use by disabled persons. In the application it is stated that on site assistance would be available to disabled users. BADDAC has asked for more details of this and has asked as to how the step into the containers would be overcome by wheelchair users. These questions have been put to the applicant's agent. In response, the details of the storage units have been amended to include electrically operated roller shutter doors and metal non-slip ramped access for each unit. The agent has also pointed out that the Warth Industrial Park has only one entrance that is gated and manned with a security lodge. All users of the storage units whether arriving on foot or by vehicle will communicate with security staff at the lodge and, should assistance be required, it can be requested at this point. Furthermore, users would have access to toilet facilities for both able and disabled persons at Warth Business Centre which is opposite the storage units.

Land Raising - The land for the siting of the storage containers would be raised in order to avoid a significant flood risk for the development. This would be carried out by the importation of materials described by the applicant's agent as from an approved but unspecified source and that material test certificates will be provided. This would be a significant operation involving the tipping of a substantial amount of waste onto the site and appropriate conditions should be attached to any consent to mitigate the impact of this operation on the environment, including the amenities of residents in the neighbourhood.

Secure Design - The units would provide secure storage and the entrance to the industrial estate is well controlled. GMP Architectural Liaison have not raised any objections.

The Objection - The traffic issue that is of concern to the objector has been covered in the Residential Amenity section above. The objection includes a concern about traffic generation during the development phase and this could be significant in this case given the need to import material to raise the level where the containers would be situated and to bring in the 133 containers. However, most new developments result in significant extra traffic and activity at the construction stage and little weight should be given to this issue. The objector also states that the traffic generated by staff means that a greater level of trips would occur than envisaged in the application. However, the figure given by the applicants

of an estimated 9 vehicles (not HGV's) visiting the site during a normal working day specifically excludes employees vehicles. It should be noted that Highways Team does not object to the application.

The objector expresses concern that residents were not consulted when the main premises was sub-divided to form an industrial estate. The original use and the later sub-division into individual units both involved industrial and warehousing use and the sub-division did not involve a material change of use. Therefore, planning permission was not required and there was no requirement to provide publicity at that time for the change that had occurred.

Regarding the concern that the self storage facilities at the industrial estate are now being advertised it should be noted that planning permission has been granted for such facilities within one of the existing buildings.

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 is acceptable in principle as it would occur within an existing industrial complex that is an Employment Generating Area. There would be no material impact on local traffic conditions nor on the visual amenities of the area. The development would not be at an undue risk of flooding.

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. 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.
3. Following the provisions of Condition 2 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.

4. 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.

5. 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.

6. No materials for the land raising operation shall be imported, stored or placed at the site until a suitable plan for the assessment, verification and management of imported materials has been submitted to and approved in writing by the Local Planning Authority. This plan should include:
- full details and specifications of the land raising works;
 - proposals for the preparatory works for the receiving land area (this should include any remediation of existing contamination and management of existing Japanese Knotweed) ;
 - proposals for contamination testing of imported materials including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment and should include solid and leachable contamination) and source material information;
 - proposals for the screening of invasive species within imported materials, such as Japanese Knotweed which are known to be prevalent along railway lines;
 - proposals for the quarantine of suspected contaminated materials;
 - actions to be taken where allowable contaminant concentrations have been exceeded or other non-compliance (e.g. rejected at site or treatment on site);
 - proposals for dealing with unexpected contamination;
 - proposals for the mitigation of pollution/nuisance from site works;
 - proposals for monitoring and verification reporting of the infilling engineering works in terms of land contamination (including ground gas

and groundwater assessment) and suitability for use;

- Timescales for which the infilling engineering works will be carried out.

The approved plan shall then be implemented in full. Any deviations or alterations to the plan will require written approval from the Local Planning Authority.

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

7. The materials to be used for the land raising shall consist only of validated inert wastes. In particular any biodegradable materials, plastics, timber, metal or paper wastes or any deleterious materials shall be strictly excluded.
Reason. For the avoidance of doubt, to protect the residential amenities of nearby residential properties and to prevent the pollution of the land air and water environment pursuant to UDP Policy MW4/1 - Assessing Waste Disposal Proposals.
8. A detailed methodology relating to the control of dust for the duration of the land raising activity shall be submitted to the Local Planning Authority prior to any site preparation works commencing. The methodology shall be implemented during the period of the operation unless otherwise agreed in writing .
Reason. To ensure that the development does not unduly impact upon the residential amenities of residential dwellings in Warth Road and pursuant to UDP Policy MW4/1 - Assessing Waste Disposal Proposals.
9. Adequate turning space and wheel washing facilities shall be provided at a location that shall be agreed in writing with the Local Planning Authority prior to the site preparation works commencing. The wheel cleaning facilities shall be implemented and brought onto the site prior to the first commencement of any works and remain on site throughout the proposed tipping operations. All tipping vehicles leaving the site shall pass through the wheel wash facilities immediately prior to egress onto Waryth Road so as to prevent the deposition of mud or other extraneous materials on the highway.
Reason. In the interests of highway safety, the amenities of the area and pursuant to UDP Policy MW4/1 - Assessing Waste Disposal Proposals.
10. No more than 15 vehicles, associated with the ground raising operations, shall enter the site in any one day without the written consent of the Local Planning Authority. No such vehicles shall be operated to or from the site between the hours of 0800 hours to 1800 hours on Mondays to Fridays and 0800 hours to 1200 hours on Saturdays and there shall be such operation of vehicles on Sundays.
Reason - To minimise the impact of the proposed operation and vehicle movements to the site and pursuant to UDP Policies MW4/1 - Assessing Waste Disposal Proposals.
11. No materials for the ground raising operation shall be imported, stored, or placed at the site unless and until a date for the commencement of the infilling works has been submitted in writing to the Local Planning Authority. The operations shall then be completed within a period of 30 days from the date that the first inputs of material are deposited on site.
Reason: In order to protect the residential amenities of the area.
12. This decision relates to drawings numbered 102, 103B, 104, 105A, 106 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

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

Ward: Prestwich - Holyrood

Item 07

Applicant: Tesco Stores Ltd

Location: 456-462 BURY OLD ROAD, PRESTWICH, M25 1NL

Proposal: VARIATION OF CONDITION 4 OF PLANNING PERMISSION 47753 TO ALLOW RETAIL UNIT TO TRADE BETWEEN 0600 HOURS AND 2200 HOURS ON SUNDAYS AND BANK HOLIDAYS (RESUBMISSION)

Application Ref: 49717/Full

Target Date: 15/05/2008

Recommendation: Approve with Conditions

Description

Planning permission was granted for the demolition of the existing building on site and the erection of a single retail unit for Class A1 use. The application site is located within a local shopping centre, where the predominant use of the units is retail (use class A1). To the front of the existing building is a parking area, which is shared with the other shops and beyond this is the main road and residential properties. To the rear of the application site, there is an access road, to all the retail units and beyond that there are residential properties. The opening hours of the existing retail units vary. However, the newsagents is open from 06:15 till 19:00 on a daily basis and the off licence is open from 09:00 until 22:00 on a daily basis. In addition, the hot food takeaways within the shopping centre are open until 23:30 on Sundays to Thursdays and until midnight on Fridays and Saturdays.

The application is for the variation of condition 4, relating to opening hours of the retail unit. The applicant wishes to extend the opening hours on a Sunday from 10.00 to 16.00 to 06:00 to 22:00.

Relevant Planning History

47753 – Demolition of existing buildings and erection of new retail unit (use class A1) at 456 – 462 Bury Old Road, Prestwich. Approved with conditions – 23 May 2007.

The application was approved at Planning Control Committee and a condition restricting the opening hours to 06:00 to 22:00 on Mondays to Saturdays and 10:00 to 16:00 on Sundays and Bank Holidays, in order to safeguard the amenities of the occupiers of nearby residential accommodation.

49441 – Variation of condition 4 of planning permission 47753 to allow retail unit to trade between 0600 and 2300 hours, seven days a week at 456 – 462 Bury Old Road. Prestwich. Refused – 19 March 2008

The application was refused at Planning Committee, contrary to Officer recommendation, as it was considered that the proposed extended opening hours would be detrimental to the amenity of neighbouring residents by reason of noise and disturbance.

Publicity

The neighbouring properties (454 – 486 Bury Old Road (evens); 459 – 469 Bury Old Road (odds); 205 Heywood Road; 48 Polefield Grange) and all the objectors from the previous application (totalling some 196 letters) were notified by means of a letter on 13 February and site notices were posted on 9 February. 8 letters of objection have been received from the occupiers of 473 Bury Old Road; 205 Heywood Road; 2 Perrymead; 48, 51 Polefield Grange; 89 Glebelands Road; 20 Daneshill and Councillor Davison, which have raised the following issues:

- Impact of the proposal upon parking arrangements and highway safety
- Impact of noise from customers and deliveries early and late in the day upon the amenity of nearby residents

- Increase in anti-social behaviour
- There is no need for a Tesco store in this area, due to the close proximity of the Tesco supermarket in Prestwich and other premises in the area, which sell the same range of products
- The Council, owner and landlord would not confirm that Tesco would be using the store until the current application had been submitted.
- Object to the retail unit being open from dusk till dawn seven days a week
- The comments and opinions count for nothing and the application will be approved regardless of the comments received
- There is no need for the extended opening hours as there is a 24 hour store located half a mile away
- Members decided at the Planning Control Committee that the hours of business should be restricted and there is no reason why these should be extended.
- Object to the repeated submission of applications from Tesco.

Consultations

Highways Team – No objections

Drainage Team – No objections

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

Environmental Health – Pollution Control – Concerned about the impact upon the closest residents at the rear of the building. However, as long as the rear door was not left open during trading, or deliveries were not taking place at the rear late or early in the morning (ie between 08:00 and 19:00), then a recommendation of no objections would be given.

Policy – No response to date

GM Police Architectural Liaison Unit – No objections

Unitary Development Plan and Policies

EN7/2 Noise Pollution

S1/4 Local Shopping Centres

S3/3 Improvement and Enhancement (All Centres)

HT2/4 Car Parking and New Development

S2/1 All New Retail Proposals: Assessment Criteria

Issues and Analysis

Impact upon surrounding area - The proposed extension of opening hours on a Sunday may result in an increase in noise in the surrounding area. There are residential properties at the rear of the site and the closest property (No. 48 Polefield Grange) is located some 14 metres from the rear elevation of the retail unit. The pollution control team from Environmental Health state that the impact upon the residents at the rear of the building would be a concern. However, it is considered that providing the rear door was not left open during trading and deliveries were not taking place at the rear of the building late or early in the morning, there would not be a significant adverse impact upon the amenity of these residents.

A condition was placed on the original consent (47753), limiting the hours in which deliveries could take place to 08:00 and 22:00. It is considered that this would result in deliveries taking place late into the evening, which would be of concern. With the agreement of the applicant, it is now proposed to restrict deliveries to between 08:00 and 19:00 hours, which would reduce the impact upon the amenity of the local residents. Therefore, there would only be access for staff to the rear of the store after 19:00 and it is considered that the proposed development would not have an adverse impact upon the amenity of the occupiers of the dwellings. Therefore, the proposed development would accord with Policy EN7/2 of the adopted Unitary Development Plan.

On the previous applications (47753 & 49441), the contaminated land team recommended

that various conditions, relating to contaminated land were placed on any grant of planning permission. As the site was previously in use as a car rental garage and would result in a sensitive end use, it is considered that the recommended conditions should be included on any grant of planning permission.

The proposed development would result in customers visiting the front of the store until 22:00 on a daily basis. The nearest residential dwelling would be located across Bury New Road at a distance of 39 metres. Currently there are a variety of retail units and hot food takeaways in the local centre and the opening hours vary. However, there would be shops trading from 06:30 until 23:30 on Sundays to Thursdays and midnight on Friday and Saturday. Therefore, it is considered that the proposed development would have no greater impact upon the amenity of local residents than the existing conditions. It is considered that there would be adequate parking facilities at the front of the retail unit and the highways team has no objections to the proposal. Therefore, it is considered that the proposed development would not have a significant adverse impact upon the amenity of the occupiers of the residential properties nor would it be detrimental to highway safety. Therefore, the proposed development is in accordance with Policy EN7/2 and HT2/4 of the adopted Unitary Development Plan.

The previous planning history of the site is a material consideration, when determining a planning application. The previous application on the site (49441) was recommended for approval by the planning officer and in accordance with the scheme of delegation, the application was placed before Planning Committee, who overturned the recommendation and refused the application. Members may consider that the application as now amended is not significantly different to that refused in that it would still result in extended opening hours on Sundays and Bank Holidays and this would be only 1 hour less than previously refused application (49441). In this case it would be consistent to again refuse permission. The officer recommendation is however also consistent with the previous advice

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 and would not have a significant adverse impact upon the amenity of the local residents.
There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to the drawings received on 20 March 2008 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury

Unitary Development Plan.

4. No deliveries shall be made to the building hereby permitted outside the hours of 08.00 to 19.00 on any day.
Reason. In the interests of residential amenity pursuant to Policy S1/5 – Neighbourhood Centres and Local Shops of the Bury Unitary Development Plan
5. The use hereby permitted shall not be open to customers outside the following times: 06.00 to 23.00 on a daily basis.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy S1/5 – Neighbourhood Centres and Local Shops of the Bury Unitary Development Plan.
6. Prior to the development hereby approved commencing:
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas risks have been identified, 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.
7. Following the provisions of Condition 6 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the 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.
8. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:
 - Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
 - A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
9. 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.

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

Ward: Prestwich - Sedgley

Item 08

Applicant: Bury MBC

Location: PARK VIEW COUNTY PRIMARY SCHOOL, PARK VIEW ROAD, PRESTWICH, M25 1FA

Proposal: 20 SPACE EXTENSION TO EXISTING STAFF CAR PARK; NEW RETAINING WALL AND FENCING TO FRONT BOUNDARY OF SCHOOL AND PLAYGROUND EXTENSION

Application Ref: 49657/Full

Target Date: 08/05/2008

Recommendation: Approve with Conditions

Description

The application concerns proposals at Park View CP School on Park View Road, Prestwich. The school site is split by Park View Road with the main school buildings and playgrounds situated to the south of the road and the playing fields and main car park to the north.

The surrounding area is predominantly residential with housing on both sides and to the rear of the area with the school buildings and to the east of the playing field area. Immediately to the west of the area with the playing field and car park is the extensive cleared site of the former Claremont EPH where planning permission has been granted for the erection of apartments. This site has a number of trees protected by a tree preservation order including trees that are near the boundary with the school land. To the north of the playing field/car park area is the edge of St Mary's Park.

The proposals involve two main elements. The existing car park would be extended to the north by adding 20 additional parking spaces. This would approximately double its capacity to 41 spaces. The development would take up some of the edge of the playing field area including a mowed area but mostly a rough grass surface. The marked out football pitch would not be affected. The existing 1.4m high metal railings around the car park would be extended to encompass the additional car park area. As with the existing car park the extension would be set close to and alongside the boundary with the vacant Claremont site. At the northerly end the edge of the new car park area would be about 13m short of the boundary with St Mary's Park.

The second element of the application involves the main school building complex where the existing railings about 1.5m high would be replaced by a new higher railing fence 2.4m high. The fence would be galvanised powder coated green. Currently, there is a small drop in levels from the playground and areas surrounding the buildings down to the highway edge. The proposal also includes the erection a brick retaining wall where this drop occurs next to the frontage playground and infilling the drop so that the wall would become a retaining wall for the playground which would be slightly increased towards the road. The fencing on this section would be incorporated into the wall with the rest being free standing. Four cherry trees that are growing on the frontage where the infilling would take place would be removed.

The application is accompanied by a Design and Access Statement. A tree survey report was submitted to provide further information.

Relevant Planning History

35473/99 - New car park and extensions to building. Approved on 7th September 1999.

37426/01 - Erection of 2.4m high palisade type fence and gates. Approved on 2nd April 2001.

39145/02 - Two storey extension. Approved on 10th June 2002.

43719 - Certificate of Lawfulness for formation of school playground. Decision on 12th January 2005 - not lawful development.

43993 - Demolition of Thorndyke Centre, formation of new playground area and 2m high perimeter fence. Refused on 5th May 2005 because the fence was a threat to protected trees, there were insufficient details to assess the impact of the playground on the trees and the noise and disturbance associated with the use would be detrimental to the residential amenities of the area.

Publicity

24 properties were notified on 17th March and 8th April 2008. These include 4 - 51 Rectory Avenue, 15 - 18 Rectory grove, 1 - 6 and Sedgley Park Synagogue, Park View Road, 1 - 5 The Mews Park View Road and Fact Focus Ltd (owners of the Claremont site).

An objection has been received from 18 Rectory Grove. The objector states that he did not object to the original car park as he thought that it would help congestion on Park View Road. Instead it invited more traffic to come to the school. He is experiencing difficulty parking close to his home during school terms. He refers to a suggestion that would resolve the matter without naming it in the letter. Verbally he has subsequently stated that this suggestion was that he was provided with a small plot of vacant land next to the turning head of Rectory Grove to make this into a car parking space for his use.,

Consultations

Highways Team - Recommend conditions that the foundations should not encroach under the highway and that the car parking should be surfaced and demarcated to the satisfaction of the Local Planning Authority.

Drainage Team - No objections.

Sport England - No objections as the car park does not adversely affect a playing pitch.

BADDAC - Welcome the provision of an additional disabled bay and the statement that additional disabled bays would be created if the school employs a registered disabled person.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN1/5 Crime Prevention

EN8 Woodland and Trees

RT1/1 Protection of Recreation Provision in the Urban Area

CF2 Education Land and Buildings

SPD11 Parking Standards in Bury

Issues and Analysis

Visual Amenity - The roadside fencing and retaining wall would have a noticeable visual impact on the street frontage in Park View Road. The design, however, is acceptable for a frontage location. The existing fence is too low for good security and the 2.4m height has been adopted to resolve this issue.

The car park extension would be well set back from the road frontage and its impact on the street scene would not be significant

Playing Field - The car park extension affects the edge of the school playing field with one pitch. However, as the use of the pitch would not be adversely affected Sport England have raised no objections.

Trees - The loss of four frontage trees to facilitate the retaining wall and playground extension is a concern particularly as the trees enhance the visual amenity of Park View Road. The trees are not subject to a tree preservation order. Nevertheless, the proposals ought to ensure their replacement elsewhere on the frontage which is possible and the

school has confirmed its willingness to do so. A suitable condition should be attached to any planning permission.

Whilst there are protected trees at Claremont close to the car park development the situation has been checked on site by Landscape Practice who have confirmed that these trees would not be affected.

Car Parking Standards - The total amount of car parking at the school would be in excess of the maximum standard set down in current car parking standards. The standard sets a maximum provision for schools of 1.5 spaces per classroom. Park View Primary School has a total of 15 classrooms which equates to a maximum provision of 23 parking spaces. However, the total amount of spaces with the proposed extension would be 41 which is significant in excess of the maximum standard. However, there are special circumstances in this case. Notwithstanding the existing provision, there is an excess of on street parking on Park View Road associated with the school and the road is an important but narrow link between two busy main roads Bury New Road and Heywood Road. The on-street car parking issue adversely affects the functioning of this link and inconveniences the occupiers of nearby housing. The problem appears to spread beyond Park View Road as is evidenced by the objector who is affected by on street car parking associated with the school, although his close is some distance away. The Council has received complaints about the on street car parking associated with the school and the school has involved the police in trying to resolve the issue. The car parking standards include provision for special circumstances to be taken into account in considering whether to apply the maximum level of provision set down. In this case, there are such special circumstances and the excess level of provision should be accepted.

It should be noted that all of the extended car park would be intended for staff and visitors to the school such as specialist teaching support. The car parking would, as now not be available for use by parents other than those who are disabled.

The Objection - As one of the objectives of providing more off street car parking for the school would be to discourage parking on residential streets nearby it is difficult to understand the objector's concern that this could have the opposite effect. The objector lives in a property served just by a footpath and should he wish to pursue the provision of a car parking space on land nearby he would need to approach the owner and to seek planning permission.

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 be acceptable in terms of its visual impact on the street scene and on the amenity of nearby residents. The use of the playing field would not be materially affected. The proposal would help to alleviate significant on going problems caused by on street car parking associated with the school. 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. No development shall take place unless and until a scheme of tree planting has been submitted to and approved in writing by the Local Planning Authority. The approved tree planting shall be carried out within the first available planting season following the erection of the fence and retaining wall.
Reason: In order to protect the visual amenities of the area.
3. The fencing shall be powder coated green in accordance with the specification on the approved drawing number MAH 04.
Reason: In order to protect the visual amenities of the area.
4. A sample of the brickwork to be used in the retaining wall 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.
5. Notwithstanding the details indicated on the approved plans, the foundations for the proposed boundary wall shall not encroach under the adjacent adopted highway at any point.
Reason: To ensure good highway design and to maintain the integrity of the adopted highway.
6. The car parking indicated on the approved plan MAH 03 Revision 1 shall be surfaced and demarcated to the written satisfaction of the Local Planning Authority.
Reason: To make adequate provision for car parking.
7. Subject to condition 5, this decision relates to drawings numbered MAH 01 Revision 1, MAH 03 Revision 1, MAH 04 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason: For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

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

Ward: Prestwich - Sedgley

Item 09

Applicant: Oakleigh Dental Centre

Location: 59 BURY OLD ROAD, PRESTWICH, M25 0FG

Proposal: CHANGE OF USE OF GROUND FLOOR FROM SHOP TO DENTAL SURGERY;
SINGLE STOREY EXTENSION AT REAR

Application Ref: 49808/Full

Target Date: 30/05/2008

Recommendation: Approve with Conditions

Description

The application is for a change of use of the ground floor from shop (Class A1) to dental surgery (Class D1) and a single storey rear extension. The development as proposed is required to facilitate relocation of the current dental practice due to the lease expiring on the applicants existing premises. The proposed rear extension would project 6.7m along the boundaries with the adjacent properties to incorporate a treatment room, staff room, office and disabled toilet facility. There would be a bin storage facility at the rear. Proposed opening hours are Monday to Friday 0830 to 2030.

The application site is situated within a Local Shopping Centre fronting Bury Old Road in Prestwich. It is a double fronted shop within a row of other commercial premises and currently has A1 use. The existing ground floor A1 use is to relocate to the unit above. There is a service road to the front of the property with limited on street parking and an access road at the rear of the shops which is used for bin storage and servicing. Beyond this, to the west of the site is a boundary fence and the rear gardens of the houses on East Meade.

Relevant Planning History

None Applicable

Publicity

Adjacent properties on Bury Old road and Nos 2,4,6 East Meade were notified. Two letters of objection have been received from 58a Bury Old Road and Kings Road (no number). Concerns are summarised below:

- would create increase local traffic and create parking problems
- an additional dental practice would be bad for the area
- permission was granted for a dental practice at 111 Bury Old Road because it had a private car park and this case should be no different.

Consultations

Highways Team - No objections subject to condition.

Drainage Team - No objections

Environmental Health Contaminated Land - no comments received

Environmental Health Pollution Control - no comments received

BADDAC - would prefer the ramp be a maximum of 1500mm wide with handrails down the side.

Unitary Development Plan and Policies

S1/4 Local Shopping Centres
CF1/1 Location of New Community Facilities
EN1/2 Townscape and Built Design
HT2/4 Car Parking and New Development

HT4 New Development
HT5/1 Access For Those with Special Needs

Issues and Analysis

Principle - The site is located within a row of shops and allocated within the Unitary Development Plan as a Local Shopping Centre - S1/4, which seeks to maintain and enhance existing retail provision and caters for a range of local shopping needs and associated/related local services. UDP Policy CF1/1 - Location of New Community Facilities has regard to the impact on residential amenity, local environment, parking provision, scale and size of development, suitability of location, and accessibility.

The application seeks change of use from A1 shop to D1 dental surgery which would itself provide an additional facility/service for the local community and given that approx 75% of the units within the centre would remain in A1 use, it is considered its retail function would not be significantly prejudiced. The proposed use, in providing an additional local service during day time periods would complement existing uses and not compromise the vitality or viability of the centre. An active shop front would also be retained.

It is considered the proposals accord with S1/4 - Local Shopping Centres and CF1/1 - Location of New Community Facilities of the UDP.

Visual amenity - The proposed extension although taking up most of the rear yard area would be moderate in scale with the existing building and would be similar to the extensions most of the shops on this row have at the rear. The extension would not be visible from the public domain and although visible from the rear of properties on East Meade it would be an adequate distance away and partly screened by the boundary fence along the rear gardens of these houses. Materials would match existing. A condition has been attached prohibiting the encroachment of the foundations of the extension over the adjacent adopted highway.

The shop front has been designed to reflect a traditional shop arrangement which would be largely glazed. There would be a separate access door leading to a realigned staircase serving the first floor premises. It would comply with UDP Policy EN1/2 - Townscape and Built Design.

Residential amenity - The proposed use is within a row of shops and part of a Local Shopping Centre and would not detrimentally effect the amenity of nearby residential properties. The proposed opening hours Monday to Friday of 0830 to 2030 are considered acceptable within a designated shopping centre and would not cause undue harm in terms of noise and disturbance to local residents.

Access - The proposed dental practice is accessible to all and the wide doorways and disabled toilet are particularly welcomed. The internal ramp however is shown as 3m wide; a more preferable solution would be 1500mm wide with handrails down the side. The applicant has been informed and revised plans awaited and details will be reported to the Committee.

Parking - Whilst the proposed extension would result in the loss of a potential parking space, most of the premises on this row have extended into the full rear yard area. Given there is local public parking available on the service road to the front of the property and also at the Brooklands public car park directly opposite, there is considered to be ample parking provision. Being on Bury Old Road, the premises are adequately served by public transport. The highways team have no objection to the change of use and as such the proposal would comply with HT2/4 - Car Parking and New Development.

Objections - The issue of parking has been covered in the report above. That the use would be competition for an existing practice is not a material planning consideration.

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 change of use and extension to the premises would not cause serious harm to the visual amenity of the street scene or the amenity of neighbouring properties. The scheme will not adversely impact on highway safety issues. The proposal is considered to comply with policies listed above.
There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to the drawings received on 4/4/2008 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. The external finishing materials for the proposed extension hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The foundations for or any part of the proposed extension shall not encroach under or project over the adjacent adopted highway at any point.
Reason - To ensure good highway design in the interests of road safety and to maintain the integrity of the adopted highway.

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

Ward: Prestwich - St Mary's

Item 10

Applicant: Prestwich Church Institute & Mens Club

Location: PRESTWICH CHURCH INSTITUTE AND MENS CLUB, 368 BURY NEW ROAD,
PRESTWICH, M25 1AR

Proposal: SMOKING SHELTER TO REAR (RETROSPECTIVE)

Application Ref: 49820/Full

Target Date: 30/05/2008

Recommendation: Approve with Conditions

Description

The application is for a smoking shelter that has been built to the rear of the building and positioned in the north east corner of the curtilage of the club. It is 3.2m long, 2.1m wide and 2.1m high and was formerly an old bus shelter, being of an aluminium frame and clear acrylic plastic. Access to the shelter would be from the rear door of the club.

The application site is situated on Bury New Road. There is a car park at the rear of the building which is accessed via St Mary's Close and pedestrian footpath access along the northern boundary of the site to the rear of the building. To the north of the club is Heaton Park Garage Ltd and to the east are houses on Branksome Avenue which are some 30m away and screened by a fence and planting. To the south of the club is the access road beyond which are the residential properties on St Mary's Close which are set lower than the site.

Relevant Planning History

07/0367 - Enforcement case - received 10/7/2007

Publicity

Neighbours were written to on Bury New Road, Branksome Avenue and St Mary's Close on 8/4/2008. A letter of objection was received from No 5 St Mary's Close which raised the following issues:

- it will attract people to stand outside which will make it noisier
- they are the closest house to the Club and are concerned the activities associated with the smoking shelter would be visible to their child
- it would compromise the security of St Mary's Close
- it would be unsightly and devalue the properties in St Mary's Close
- it would encourage outside drinking
- it would encourage larger crowds to gather outside

Consultations

Environmental Health Pollution Control - no comments received
GM Police Liaison Unit - no objections

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design
S2/6 Food and Drink

Issues and Analysis

Siting and Appearance - The shelter is an innocuous, lightweight structure and relatively small in size. Located at the rear of the site, adjacent to the boundary with the car sales garage and screened by a fence and planting to the east of the site, the shelter is not highly

visible from Bury New Road or the properties on Branksome Avenue, being 30m away. Whilst it can be seen from Nos 1 and 5 St Mary's Close, these houses are situated 40m away from the shelter and given its size is considered not to adversely impact on their outlook. It would comply with Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

Residential amenity - UDP Policy S2/6 - Food and Drink is concerned with the issue of residential amenity such as noise, smell, visual intrusion and hours of operation. The concerns of the objector regarding noise and disturbance are relevant and material considerations and given the use and open nature of the shelter there is liable to be some increase in people gathering outside. However, customers can congregate outside within the curtilage of the club to smoke and drink without requiring planning permission and given the distance of the shelter from the houses on both Branksome Avenue and St Mary's Close its location it is considered not to be detrimental to the occupiers of these properties in terms of noise and disturbance. Consideration of the hours of use will be a matter for the Licensing Committee. It complies with UDP Policy S2/6 Food and Drink.

Access - There is currently access from the rear door of the building or via the car park and this situation remains unchanged.

Objections - In terms of security, there is no reason to assume that there would be any more problems associated with the use or position of the shelter. Potential impact on property values are not a material planning consideration. All other objections have been referred to in the report above.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed and the reason(s) for granting permissions can be summarised as follows;-
The shelter is considered to be acceptable in terms of its size and position and its use would not seriously harm the residential amenity of the occupiers of the nearby properties.
There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 11

Applicant: Mr D Healey

Location: LAND OFF BURY OLD ROAD, TURN VILLAGE, RAMSBOTTOM

Proposal: PROPOSED STABLES FOR PRIVATE USE

Application Ref: 49654/Full

Target Date: 02/05/2008

Recommendation: Approve with Conditions

Description

The proposal involves part of a field being used for horse grazing and situated on the westerly side of Bury Old Road, which is a minor rural lane serving Bleakholt Animal Sanctuary and a scattering of other properties. The field is used for horse grazing and is situated within an area of upland pasture that is within the green belt and is designated as a Special Landscape Area. The surrounding open land is interspersed with scattered rural buildings, mostly set close to Bury Old Road.

Currently, at the far westerly end of the field from the road, there is a timber field shelter and an open sided container being used as a feed store. It is proposed to replace these facilities with a new stable block with 73m² floorspace containing four loose boxes and a tack room/feed store. The stable block would be 'L' shaped in plan and sited close to the Bury Old Road with one of the back walls set in by 1m from the existing stone boundary wall, thus forming the highway edge.

The building would enclose a concrete apron containing a midden within a blockwork enclosure and an underground effluent tank, to deal with foul sewage. Surface water would be disposed off by water butts and a soakaway. Externally, the stables block would be clad in stained timber boarding with profiled roof sheeting or, alternatively, mineral felt. It would have a ridge height of 2.9m with a shallow pitched roof. The stables would be accessed via the existing field gate. A new hawthorn hedge would surround the stables with a new field gate to be installed providing access into the field. The existing field shelter and feed store would be removed. The development is described as being for private use ie. it would not provide livery.

The application follows the recent refusal of a similar proposal but involving the siting of the stables on the outskirts of the field approximately in the position of the existing field shelter and feed store (ref.48621). The decision to refuse that proposal was made because of conflict with policies seeking to preserve the openness of the green belt and to avoid an obtrusive visual impact on a Special Landscape Area, as well as with supplementary guidance concerning equestrian development that seeks to mitigate its impact on the appearance of the surrounding rural area. The current application has been submitted with a different siting and smaller stables (four loose boxes instead of the previous five) in response to the previous concerns.

The application is accompanied by a Design and Access Statement, a Bat Report and copies of horse passports.

Relevant Planning History

48621 – Proposed stables. Refused on 29th October 2007 because it would be visually prominent and intrusive development and would be in conflict with policies concerning the green belt, equestrian development and Special Landscape Area.

Publicity

Five properties were notified on 11th March 2008. These included Top O'th Lea Farm, Dry Gap Farm, Anthony Fold and Windy Bank Farm all on Bury Old Road, as well as the occupier of 304 Whalley Road.

An objection has been received from 304 Whalley Road. The objector is also the occupier of Anthony Fold Farm. His concerns include:

- The natural underground water supply for Anthony Fold Farm well goes under the field of the proposed development and would be polluted by any spillage, leaching of chemicals, disinfectants animal medicine treatments etc. and this would endanger their health and/or lives.
- There should be no development of any sort west of Bury Old Road because of the risk to his farm's water supply and its visual impact on the view from the western aspect.
- The applicant has adequate land to the east of Bury Old Road to site any stables he may need without causing pollution to the objector's water supply and causing danger and inconvenience of increased traffic use on Bury Old Road, which is very restricted due to being single track.

Consultations

Highways Team – Recommend a condition to prevent commercial use for livery equestrian or other purposes.

Drainage Team – No objections.

Environmental Health – The land is recorded as being affected by contamination and the applicant should provide, as a minimum, the report of a desk study and site walk-over to determine the need and scope for further detailed investigation. Subsequently, it has been indicated verbally that, in this case, a contaminated land mitigation condition concerning unforeseen contamination would provide an acceptable degree of control.

On the concern about potential water contamination raised by the objector Environmental Health state that appropriate mitigation measures need to be put in place to prevent such pollution of ground and drinking water supplies including appropriate surfacing and drainage to collect all waste water and any subsequent treatment as required by UK law. That the effluent tank is maintained to the manufacturers specification and that care is taken when mucking out and washing down the stables takes place. This advice should be brought to the attention of the applicant through an informative.

BADDAC – No comments.

Unitary Development Plan and Policies

| | |
|-------|---|
| C072 | Top of the Lea |
| OL1 | Green Belt |
| OL1/2 | New Buildings in the Green Belt |
| OL4/7 | Development Involving Horses |
| EN1/2 | Townscape and Built Design |
| EN7/4 | Groundwater Protection |
| EN7/5 | Waste Water Management |
| EN9/1 | Special Landscape Areas |
| MW1 | Protection of Mineral Resources |
| SPD8 | DC Policy Guidance Note 8 - New Buildings in the Green Belt |
| SPD10 | Planning for Equestrian Development |
| PPS9 | PPS9 Biodiversity and Geological Conservation |
| PPS23 | PPS23 Planning and Pollution Control |

Issues and Analysis

Principle - The site is within the Green Belt and the proposal needs to be considered in terms of Policy OL1/2 concerning new buildings in the Green Belt. This states that the

construction of new buildings inside the Green Belt is inappropriate development unless they are for one of a set of purposes specified in the policy. These include "essential facilities for outdoor sport and outdoor recreation....and for other uses of land which preserve the openness of Green Belt and which do not conflict with the purposes of including land in it". In the justification to the policy it is stated that essential facilities could include small stables for outdoor sport and outdoor recreation.

Further guidance on Policy OL1/2 is contained in SPD8. This sets out a number of considerations that are applicable to all development in the Green Belt. These include the concern that buildings located on the crest of a hill are visually intrusive and that consideration must be given to the best way of integrating a new building with its immediate surroundings and landscape. The previous proposal was not considered to comply with this guidance as the stable would have been located in a visually exposed position on the outskirts of the field.

With the current proposal it is considered that the stables would not be located in a visually prominent location as they would be situated on the edge of the field close to existing significant features such as a stone wall, fencing and vegetation. They would be relatively close to an existing cluster of buildings at Dry Gap Farm about 60m to the north. They would also fall in with the current pattern of development to the north along the westerly side of Bury Old Road where there are scattered buildings or groups of buildings set close to the frontage. Therefore, it is considered that the development would comply with Policy OL1/2 and the associated guidance.

The existing field shelter and food store have been in place for a considerable period but are in a visually exposed situation. The development would be to replace these facilities and any consent should include a condition to ensure their removal which would contribute towards maintaining the openness of the area.

Equestrian Development - Policy OL4/7 states that the keeping of horses for recreational purposes will be considered acceptable where it would not have an adverse effect on the appearance of the rural areas. High standards of design, construction and maintenance would be expected as part of any development proposals. This policy is supported by detailed supplementary advice in SPD10 which includes information about stables. This refers to situations in the Green Belt where small stables may be an acceptable form of development. The advice in these circumstances is that three to four stables and one storage area in one location may be accepted. As the current proposal is for four stables it would be in line with the scale of this type of development that may be acceptable in accordance with the SPD.

As with SPD8, the advice includes that siting on an exposed skyline needs to be avoided and it encourages developments that would blend in with trees or other landscape features. As indicated in the previous section, the proposed development would not be in a visually exposed position and, given its small scale, it is considered that there would not be a conflict with Policy OL4/7 or SPD10.

Landscape Impact - The site is in a Special Landscape Area where Policy EN9/1 states that "any development which is permitted will be strictly controlled and required to be sympathetic to its surroundings in terms of its visual impact. High standards of design, siting and landscaping will be expected. Unduly obtrusive development will not be permitted in such areas". As stated above, the proposed stables would not be sited in a visually exposed position. In terms of their design they would be of an appropriate rural appearance. Consequently, it is considered that there would not be any conflict with Policy OL4/7.

Bats - A report on bats has been submitted. This recommends, as a precaution, the careful check of roofing felt for evidence of bats prior to the removal of the horse shelter. If permission is granted this should be made a requirement through an appropriate condition.

The Objection - The scheme incorporates facilities for storage of manure with an effluent tank for foul drainage. Given these details it is very unlikely that the development would

adversely affect the quality of ground water and thus private water supplies in the locality as is being suggested by the objector. Nevertheless, any permission should be accompanied by a condition requiring prior approval to a scheme to be implemented to prevent ground water contamination being caused due to the development. Also, on this issue Environmental Health have provided advice that should be attached as an informative to any permission.

The fact that the applicant has land on the easterly side of Bury Old Road is not a reason to refuse the proposal if the current proposed location is considered to be in conformity with relevant planning policies. The development does not have the potential to significantly increase the amount of traffic using Bury Old Road, especially as it would not be for a commercial livery stable or equestrian activity. The small scale of the development, its description as stables for private use and the submitted copies of horse passports indicate that this would not be a commercial development. However, any consent should be subject to a condition to prevent such a commercial use taking place and a condition of this type has been recommended by Highways Team.

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 not materially harm the open character of the area or the appearance of the surrounding landscape. It would not be materially detrimental to surrounding property and land. 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. 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 policies EN1/2 - Townscape and Built Design and EN9/1 Special Landscape Areas of the Bury Unitary Development Plan .
3. The existing field shelter and feed store within the application area shall be removed within 1 month of the first occupation of the stables hereby approved.
Reason: In order to preserve the open character of the area pursuant to policies OL1 - Green Belt and EN9/1 - Special Landscape Areas of the Bury Unitary Development Plan .
4. If during any works on site, land 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.

5. The removal of the existing field shelter and feed store shall be carried out in accordance with the advice contained within the letter dated 8th October 2007 from Angela Graham Bat Consultancy Service.
Reason: In order to ensure that there is no harm caused to bats that are a protected species as a result of the development pursuant Planning Policy Statement 9: Biodiversity and Geological Conservation.
6. The stables hereby permitted shall not be used in part or in whole for commercial livery.
Reason: In order to prevent excessive traffic generation in the interests of highway safety and amenity.
7. No development shall take place unless and until a scheme to prevent the contamination of groundwater has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details of the scheme.
Reason: In order to ensure that the quality of groundwater is not adversely affected due to the development in pursuance of Policy EN7/4 of the Bury Unitary Development Plan.
8. This decision relates to the drawing numbered 386/1 and the development shall not be carried out except in accordance with the drawing 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 + Tottington - Tottington

Item 12

Applicant: Vodafone Limited

Location: STORMER HILL CHIMNEY, MILL STREET, TOTTINGTON, BL8 4AT

Proposal: INSTALLATION OF 6NO POLE MOUNTED ANTENNAS AND 1NO. POLE MOUNTED 300MM DIAMETER DISH ANTENNA TO THE FACE OF THE CHIMNEY AT HEIGHTS OF 25M AND 26M RESPECTIVELY, 2NO. GROUND BASED EQUIPMENT CABINETS, AND DEVELOPMENT ANCILLARY THERETO INCLUDING A METER CABINET AND COVERED CABLE TRAY.

Application Ref: 49666/Telecom
Determination (56 Days)

Target Date: 06/05/2008

Recommendation: Approve with Conditions

Description

The application site comprises an enclosed compound at the foot of a chimney stack within a series of small workshops, which have been created from a single former factory. The site is in industrial use and is accessed from a narrow access track off Royds Street.

The chimney stack is some 30m above ground level and already has a number of telecoms equipment upon it including antennae and microwave dishes at around 22m above ground level and further antennae at 15m above ground level.

The application is seeking prior approval for the installation of 6 additional antennae and a microwave dish at a height of 25m above ground level. In addition to these, 3 small cabinets would be located on the ground within the fenced enclosure at the foot of the chimney. The cabinets would be 1.74m high x 1.3m x 0.925m (incorporating 2 cabinets) and a third at 1.4m high x 0.38m x 1.58m.

The application is accompanied with:

- a design and access statement,
- Planning Policy statement;
- technical supporting documentation including other site selection criteria and options that have been considered;
- site coverage plots;
- Plans and elevations;
- ICNIRP certificate.

The proposals are seeking to provide 3G coverage and an improved level of 2G coverage in the Tottington and Greenmount areas.

Relevant Planning History

There have been numerous planning applications affecting the wider site and the mill buildings. However in terms of telecoms development -

- 39047 - telecoms equipment - Approved - 5/5/05
- 44374 - Telecoms equipment, antennae, dishes and cabinets - Approved - 19/5/05

Publicity

Press Notice - 21/3/08; Site notice erected 14/3/08. 218 letters were sent to surrounding properties on 19/3/08 including -
1 - 11 Laburnum Court

1 - 20 - Laburnum Ave
1 - 35 Beryl Avenue
Brookhouse Mill,
15 - 29 Kirklees Street
1 - 52 Hawthorn Crescent
1, 1a - 84 Royds Street
12 - 26 Old Doctors Street
32 - 34 Old Doctors Cottage
Tottington Conservative Club
10 - 18, 68 Holcombe Road
Dunsters Farm Ltd
2, 2a - 8 Garden Street
2 - 7 Stormer Hill Fold and Farm
3 - 41 Quakersfield

As a result of this publicity, two letters have been received.

A comment from 4 Hunt Fold Drive - stating that there is no detail to assess the proposal and a letter from 52 Hawthorn Crescent who considers that the proposal would be an eyesore in addition to those already on the site, (which stand out) and there are also unknown health risks from the this type of development.

Consultations

Environmental Health - Contaminated Land - add condition concerning unforeseen contamination.

Unitary Development Plan and Policies

EN1/10 Telecommunications
OL1/2 New Buildings in the Green Belt
PPG8 PPG8 - Telecommunications

Issues and Analysis

Principle - The Bury UDP Policy EN1/10 - Telecommunications and PPG8 provides guidance for the consideration of telecoms development. The policy statements provide a positive view to be taken for development proposals unless there are significant concerns in terms of siting and appearance from proposals.

Siting - The submitted documentation shows that this site has been chosen above a number of alternative sites (16 in total) as being the most appropriate/available or would not provide the coverage required. The 16 site options have fallen away for the following reasons:

- lack of interest/no agreement in place with the landowner
- within a tower of a church
- the chosen site would be less visually intrusive
- No response to potential telecoms development offer
- Insufficient height as trees would interfere with signals
- Vacant and derelict buildings
- Inappropriate existing structure
- Insufficient ground space for the associated equipment cabins
- Mast sharing presents more favourable solution to a ground based mast proposal within a residential area

The chosen chimney structure provides an opportunity for coverage for telecoms development as being an existing site for such development, whilst providing a means of sharing the site for this type of proposal.

There is existing telecoms equipment on the chimney at a lower height than is currently proposed and the development proposals show that the new antennae could be accommodated whilst providing adequate separation between operators existing

equipment.

Policy guidance from the Government in PPG8 does place emphasis on utilising existing structures where possible unless there are significant concerns in terms of the design on the mast that would house the equipment. In this instance, the development would be affixed to a substantial chimney structure, which would negate the need for further masts to be erected, which is not within a residential area and indeed well away from the built up part of Tottington.

Other locations assessed prior to the submission of the scheme do show that the area is difficult to accommodate telecoms equipment without the need for further masts. Most of them are also in built up residential areas.

Whilst the site is within a Green Belt and River Valley area, the principle of telecoms development is already established. UDP Policy OL1/2 - New Buildings in the Green Belt and PPG2 does state that unless development is in connection with agriculture, forestry, essential outdoor recreation or limited infilling development is inappropriate, the consideration falls on exceptional circumstances. The site selection process underlines the difficulty of telecoms development in Tottington and PPG8 requires Telecom Operators to ensure adequate coverage is maintained for their networks.

Given the above, the proposals have adequately assessed alternative options for such equipment and have chosen an appropriate site which does demonstrate in this instance a case for exceptional circumstances. Therefore the proposals would comply with the policies described.

Appearance - The antennae and pole mountings are proposed to be colour coded to match the existing brickwork. This should ensure that whilst there would be potential for clutter and strident telecoms equipment to be more visual due to the height of the proposal, their visual impact would be mitigated and unlikely to be seen from the surrounding areas.

The location and size of the cabinets would be located within an existing compound, currently enclosed by 2.1m palisade fencing. The compound is already surrounded by mill type buildings. The cabinets would be of a much smaller size than the current cabinets and as such the proposals would not impact upon the openness of the area and as such the development would be acceptable in terms of appearance.

Health Issues - Planning Guidance within PPG8 is clear in terms of health matters. It considers that health issues are not normally matters for a planning authority to consider where an application is submitted with a confirming ICNIRP certificate. This application is accompanied with the certificate confirming compliance. As such, the matter of health is not an issue for the LPA to consider.

Response to Objector/Correspondents - The submitted information with the application contains supporting written text and accompanying plans/elevations. As such the information contained within the application is clear and all documentation is available on the Council's web site to peruse.

The visual issues raised have been carefully considered and the potential for a cluttered appearance on the chimney would be markedly reduced by colour coding the equipment, unlike the existing equipment.

Health issues have been addressed above and the application is accompanied with an ICNIRP certificate. As such, the issue of health is not a planning consideration in this case.

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 application details and accompanying supporting documentation would provide coverage for telecommunications network pursuant to the requirements imposed upon Code Systems Operators, whilst not unduly impacting upon residential or visual amenity. The development would comply with the UDP Policies and National Planning Guidance 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 Supporting Technical Information CS63058B received 11 March 2008 63058__001 rev A, 63058_002 rev A, 63058_003 rev B, 63058_004 rev. B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. If during any works on site, contamination is suspected or found, or contamination is caused, the Local Planning Authority shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales to the approval of the Local Planning Authority.
Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

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

Ward: Ramsbottom + Tottington - Tottington

Item 13

Applicant: Jack Hamer & Sons

Location: LAND ADJACENT TO 200A BURY ROAD, TOTTINGTON, BL8 3DX

Proposal: ERECTION OF TWO STOREY BUILDING FOR OFFICE ACCOMMODATION WITH STORAGE SPACE IN ROOF

Application Ref: 49690/Full

Target Date: 14/05/2008

Recommendation: Approve with Conditions

Description

The application site forms part of the existing builder's yard located off Bury Road. The yard comprised of lock-up garages along the south-westerly boundary and open storage of materials all over. There are some advertisements hoardings located along the northerly boundary adjacent to Bury Road. The vehicular access to the site is gained off Bury Road through the existing office compound. To the north west the site is bounded by a 2.5m high wall with residential properties on Queen Street behind.

The proposal involves the removal of the advertisement hoardings, demolition of the lock-up garages and construction of a two storey office building (Class B1) with storage in the roof space. The proposed building would comprise of four offices (two on each floor), the ground floor of which is fully compliant with current requirements for facilities and access for all. It is proposed that nine car parking spaces plus one for disabled person will be provided on the land where the garages are to be demolished and at the side of the building.

The site already has permission (45682) for a same sized scheme that had no objections against it and approved under delegated powers on 2nd February 2006. The only difference in this proposed scheme to the one already approved is the position of the office building. The parking and access arrangements are unchanged.

Relevant Planning History

45266-Erection of building for office accommodation-Refused 09/11/2005

45682-Erection of building for office accommodation (Resubmission)-Approved Conditionally 02/02/2006

Publicity

37 surrounding properties on Bury Road, Chestnut Avenue, Rosewood Avenue, Queen Street and Maple Grove were written to on the 2nd April 2008. Two letters of objection have been received from 261 and 267 Bury Road which have raised the following issue:

- The surrounding area is predominantly a residential area. The few commercial properties in the vicinity have been kept to single storey buildings.
- Given the number of large scale commercial developments in Bury Town Centre can the planning committee protect the outlying residential areas.
- Insufficient/poor parking facilities. Overflow parking on unadopted road causing large potholes and damage to cars.
- Issues of privacy due to overlooking other residential properties.

Consultations

Highways Team: No objection subject to conditions

Drainage Team – No objection

Environmental Health: No objection subject to conditions

GM Police: No objection subject to a note regarding the principles of the Secured By Design Scheme

BADDAC: No objection

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design
EC4/1 Small Businesses
EC5/3 Other Office Locations
EC6/1 New Business, Industrial and Commercial
HT2/4 Car Parking and New Development
SPD11 Parking Standards in Bury

Issues and Analysis

Principle – The principle of constructing an office building of this size, with this access and number of parking spaces has already been accepted with the approval of 45682. This proposed scheme has been revised so the building is now sited centrally between the recently constructed two storey office building within the site and the much older and taller two storey stone building of 176/178 Bury Road (called Tottington House).

Residential Amenity – The proposed office building would be located fronting onto Bury Road and has a shallower depth than the adjacent stone building at 176/178 Bury Road. The proposed office building would be located away from the rear elevation of the residential properties on Queen Street and as such the habitable room windows would not directly face the new building but look over the parking area at the rear. Therefore the proposed office building would have little impact on the amenities of the adjacent residents on Queen Street. Furthermore, due to the separation distance of more than 20m it is not considered that the proposed office building would have any detrimental impact on the amenities of the residents of the properties located on the opposite side of Bury Road.

The windows on the side elevations of the proposed office building would be facing either the blank gable of 176/178 Bury Road or the windows on the side elevation of the existing office building at 200A Bury Road.

Car Parking/Access Arrangements – These have not altered from the scheme approved under 45682 when the Highways Team were satisfied with the proposed car parking provision and access/turning arrangements. The number of parking spaces provided does comply with the recently adopted Development Control Policy Guidance Note 11 – Parking Standards in Bury.

Access for All – The scheme includes parking provision, access details, internal arrangements and facilities to enable the ground floor of the proposed office building to be accessed and used by all.

Visual Amenity – The height of the building will be taller than the existing office building in the compound but lower than 176/178 Bury Road and being centrally positioned is considered to give a gradual stepped appearance to the streetscene. The materials are stated to be course natural stone with quoins and blue slate roof which are considered to be in keeping with the surrounding buildings.

Comments on Representations

- The site has been a long standing commercial use surrounded by residential properties that provides employment within the area. The scale of the building whilst taller than the existing buildings within the compound will be less than Tottington House adjacent the site.
- The proposed car parking complies with adopted policy.
- There are no windows in the proposed office building that are within 20m and

directly facing habitable windows in the surrounding residential properties.

Summary of reasons for Recommendation

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

Having studied the submitted documents, assessed the proposed development on site and taken into account any and all representations and consultation responses; it is considered that the proposed development is acceptable because it would not cause demonstrable harm to interests of acknowledged importance nor would adversely impact on highway safety issues

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings received on 19th March 2008 as modified by the e-mail from Lancaster Building Control Ltd dated 29th April 2008. The development shall not be carried out except in accordance with the details hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to Bury UDP Policy EN1/2 - Townscape and Built Design.
3. The access improvements within the site facilitated by the removal of the building indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is commenced.
Reason. To ensure good highway design in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
4. The turning facilities indicated on the approved plans shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
5. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being brought into use and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
6. Prior to the development hereby approved commencing:
 - A contaminated land Preliminary Risk Assessment report to assess the

actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;

- Where actual/potential contamination and/or ground gas risks have been identified, 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.

7. Following the provisions of Condition 6 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the 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.

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

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

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

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

10. 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.

11. Following the provisions of Condition 10 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.

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

Ward: Whitefield + Unsworth - Pilkington Park

Item 14

Applicant: Mr Sheldon Davidson

Location: 221 BURY NEW ROAD, WHITEFIELD, M45 8GW

Proposal: TWO STOREY REAR EXTENSION

Application Ref: 49537/Full

Target Date: 09/04/2008

Recommendation: Approve with Conditions

Description

The property is one of an attractive group of four Victorian red brick terraced properties within the centre of Whitefield, between Hamilton Road Park to the south and the Church Lane/ Bury New Road junction in front of Whitefield Metrolink Station to the north. It is a two storey red brick/slate building with additional rooms in the roofspace. A change of use from children's nursery was approved in November last year and the applicant originally based next door at 219 Bury New Road now operates from both properties. To the rear is an unmade access road giving access to a small parking area for 3 cars. At the back of the parking area is a brick wall and fencing enclosing the yard area which was the playground for the nursery.

The site lies within All Saints Conservation Area and Whitefield District Shopping Area. There are commercial properties across Bury New Road and residential properties to the rear.

The extension projects out a maximum of 4.4m and extends across the rear elevation (14.6m). It would be constructed in red brick with a natural slate roof to match the existing building. The extension would accommodate an additional office, toilets and small kitchenette on the ground floor with additional office space on the first floor. In addition to the extension it is proposed to build a new brick wall along the rear boundary with a parking area behind. The parking area with 8 spaces and new boundary wall are the same as that approved under the previous application 48477.

Relevant Planning History

48477 - Change of Use - Childrens nursery to Solicitors Office - Approved 21/11/2007

47843 Change of use - Childrens nursery to solicitors offices - Refused 16/05/2007 for the following reasons:

1. Demolition of the outbuildings and wall to the rear would have a seriously detrimental impact on All Saints Conservation Area.
2. Insufficient information with regard to layout of parking area and internal floor area.

33051/97 Variation of Condition to change opening hours- Allowed on Appeal 23/3/98

20151/87 Change of use - Dwelling to Children's Nursery - Approved conditionally 12/11/87

Publicity

Immediate neighbours notified, Site and press notices posted - Two letters of objection received from the occupiers of No.2 Hamilton Road and No.14 Grosvenor Road. Objections are summarised below:

- The proposal is contrary to the principle of the conservation area.
- The rear access road is in poor repair and further traffic would make the situation worse.
- The additional traffic would increase risk to pedestrians.
- Increased illegal parking along the rear access road.
- Drawings are not to scale and appear to encompass the rear access road and

block the garage belonging to No.14 Grosvenor Road.

Consultations

Traffic - No objection.

Conservation - No objection.

Unitary Development Plan and Policies

S1/3 Shopping in District Centres

EN1/2 Townscape and Built Design

EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control

HT2/4 Car Parking and New Development

EC5/2 Other Centres and Preferred Office Locations

SPD11 Parking Standards in Bury

Issues and Analysis

Policy - The site lies within Whitefield District Centre. In terms of shopping within the District Centre Policies S1/3 (Shopping in District Centres) and Policy S2 (Control of New Retail and Non-Retail Development) are considered to be relevant. These indicate that the Council will support proposals for new shopping development and associated facilities within the Borough's District Centres provided it is of a size, scale function and character appropriate to serve the needs of the local area. Traffic, parking, access and the impact on surrounding residential amenity are also material factors in assessing the development.

Townscape and conservation area policies are also relevant. EN1/2 (Townscape and Built Design) indicates that favourable consideration will be given to proposals which do not have an adverse effect on character and townscape.

EN2/1 (Character of Conservation Areas) encourages schemes that preserve or enhance the character or appearance of the Borough's conservation areas. EN2/2 (Conservation Area Control) indicates that development within a conservation area will only be acceptable if it preserves or enhances the special character or appearance of the area.

Use - The principle of the use is not considered to be an issue given the change of use to solicitors was approved in November 2007 and that the site lies within the District Centre.

Design and Appearance. The new brick built boundary wall and parking area are the same as that approved with the change of use application in November last year. The new wall would improve the appearance of this backland area. Although the majority of properties on this part of Bury New Road have removed the boundary wall to the rear and hard surfaced the yard/garden areas in order to accommodate parking, this fact has made the need to reinstate walls along the access road particularly important in terms of retaining the character of the conservation area.

The design and appearance of two storey extension itself, which has been amended to house a parapet design with pitched roof behind, is considered to be in keeping with the existing building and would not appear incongruous within the Conservation Area. The external finishing would comprise red brick elevations with slate roof, timber framed windows and stone cills. Cast iron or powder coated aluminium rainwater goods.

Traffic and parking - The site, within Whitefield District Centre is well served by good public transport links. Given the nature and scale of the existing use and proposed extension it is considered that the proposed parking area for 8 cars would be appropriate and in line with general standards for this type of development.

Objections - The proposal is considered to be appropriate within the conservation area for the reasons given above. The rear access road is unadopted and in a poor state of repair. However it is not considered that the traffic generated by the proposal would significantly

worsen the situation to the point that it compromises highway safety. The occupier of No.2 Hamilton Road has supplied photographs of cars parked on the rear access road making through access more difficult, however this is unlikely to worsen as result of this proposal. Indeed the change of use from children's day nursery to solicitors office is more likely to have reduced the short term dropping off and picking up of children during the day. It is also considered that the previously approved alterations to the layout of parking would improve facilities and reduce the need for off-site parking.

Concerns from the occupier of No.14 Grosvenor Road about the proposal extending parking over the back street appear to come from misreading of the plans. The proposal does not encroach onto the rear access road but forms a new boundary along its eastern side.

For the reasons given above the proposal is considered to comply with the UDP policies listed.

Summary of reasons for Recommendation

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

The proposed extension is considered to be acceptable in terms of the policies listed. The character of the conservation area would not be seriously and detrimentally affected. It is also not considered that the amenity of neighbouring occupiers would be seriously affected. There is sufficient parking and the site is in a sustainable location, close to public transport routes. 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 existing drawings numbered 0143/F/07, proposed plans received 13/02/2008 and revised elevations received 30/4/2008 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The proposed sliding doors on the rear boundary shall be constructed in vertically boarded timber to the written satisfaction of the Local Planning Authority.
Reason: In the interest of visual amenity within the conservation area pursuant to UDP Policy EN2/2 - Conservation Area Control.
5. The proposed rear boundary wall shall be constructed in accordance with the approved elevation indicating a full height wall on plan dated 28th September 2007, prior to the proposed use commencing.
Reason. In the interests of visual amenity pursuant to UDP Policy EN2/2 -

Conservation Area Control.

6. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the use hereby approved commencing.
Reasons. To ensure adequate off-street car parking provision in the interests of road safety pursuant to UDP policy HT2/4 Car Parking and new development.

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

Ward: Whitefield + Unsworth - Unsworth

Item 15

Applicant: C D P Ltd

Location: LAND AT ROACH BANK ROAD, PILSWORTH, BURY

Proposal: OFFICE DEVELOPMENT

Application Ref: 49295/Full

Target Date: 21/07/2008

Recommendation: Approve with Conditions

Description

The application involves 2.74ha of land situated on the westerly edge of Pilsworth Industrial Estate. The site is a large section of an 11ha area allocated in the UDP as Employment Land and most of which which has recently become developed for industrial and warehousing purposes. It is also within an the Employment Generating Area covering the industrial estate.

The site, which was originally farmland, has been the subject of a landfill operation completed to achieve a level surface in preparation for industrial development. Beyond the westerly site boundary the land falls steeply away and this is the overgrown tip edge sloping down to the River Roch. Just beyond the river and on land well below the level of the site there are two new housing estates.

To the east on the north side of Roach Bank Road are well established industrial units while opposite the site on the south side of this road is the recent L'Oreal warehouse building and a larger industrial building that has just been completed. Roach Bank Road has been extended by a new loop road leading south to skirt round the edge of the Employment Land to connect to Pilsworth Road.

The application is for full planning permission to build an office development on the land to accommodate a total of 10194sq m of office floorspace. The 12 buildings would incorporate 16 units of accommodation. A 2562sq m building at the Roach Bank Road access point to the development would be three storeys with all of the rest of the buildings to be two storeys. The development would be accessed from a estate road skirting the westerly edge of the site and continuing the line of the new loop road to the south. Six access spurs would be constructed into the site off the estate road to serve the individual office units. The development would be served by 327 car parking spaces with a set of car parks each related to a specific office unit.

Externally, the buildings would of a similar design materials. They would be characterised by shallow pitched roofs with a strong eaves overhang. The elevations would incorporate a combination of facing brickwork, polished blockwork piers, rendered blockwork panels, a horizontally arranged window panels and full height curtain glazing at the entrances. As a feature, there would be tubular slimline metal columns beneath the roof to each elevation.

Landscaping elements would include a belt of screen planting on the westerly side of the proposed estate road and grassed/planted areas within the layout. A detailed Landscape Proposals plan has been submitted.

The application is accompanied by a Design and Access Statement, a Planning Statement, a Transport Assessment, an Interim Travel Plan, a Contaminated Land Survey/Assessment, an Ecological Assessment, an Arboricultural Assessment, a Flood Risk Assessment and an Air Quality Assessment.

The application has been submitted following the withdrawal of an application for a similar development (ref. 48413) when there were outstanding issues concerning the treatment to the River Valley and Wildlife Corridor edge to the development, a lack of a flood risk assessment as well as highways and disabled access design issues.

Relevant Planning History

16089/84 - Outline for warehousing and light industrial. Approved on 23rd August 1984.

20335/87 - Class B1 (storage and distribution) and B1 (business) development. Approved on 10th December 1987.

22675/89 - Tipping of waste material and roads and sewers prior to industrial development. Approved on 14th September 1989.

25001/90 - Tipping of waste material and roads and sewers prior to industrial development without complying with condition 9 of C/22675/90 (required entire length of proposed road within the site to be made up to adoptable standards prior to commencement of future building operations). Approved on 4th October 1990.

27550/92 - Landfilling in preparation for industrial development. Approved on 4th March 1993.

34913/98 - Industrial and warehousing development (Classes B1, B2 and B8). Approved on 1st September 2000.

35849/99 - Variation of condition 4 of planning permission 27550/92 to allow landfill operations to continue for a further five years. approved on 15th February 2000.

48413 - Office development. Withdrawn on 30th October 2007.

Publicity

113 properties were notified on 22nd January and 26th February 2008. These are in Gigg Lane, Silverdale Close, Redmere Close, Redmere Drive, Grasmere Drive, Arncliffe Close, Newby Close, Harrington Close, Astbury Close, Roach Bank Road, Pilsworth Road, Heap Brow and Pilsworth Way. Site notices were displayed from 23rd January 2008 and a press notice was published.

Four objections have been received. These are from Croft Lane Residents Group, 123 Croft Lane, 33 Grasmere Drive and 1 Silverdale Close. The main issues raised include:

- The development will generate more traffic on Croft Lane which is unacceptable.
- Croft Lane has reached and exceeded its capacity and any further amount of traffic, no matter how small, would have a noticeable effect.
- Residents living in close proximity to the developments at Pilsworth are suffering as a result of increased traffic levels and intolerable levels of noise, vibration and air pollution.
- The submitted Transport Assessment does not take sufficient account of the impact of the development on traffic conditions on Croft Lane in terms of congestion, noise and fumes, including at the Hollins Brow/Croft Lane and Hollins Lane junction.
- The development would further affect residents' right to a private life, the quiet enjoyment of their properties and basic amenity.
- The objector purchased her house in Silverdale Close because it is a quiet area but having an office built there would not be a good idea.
- The new buildings at Pilsworth have devalued properties on the objector's estate which is suppose to be a Country Park by the river.
- The developments at Pilsworth are clearly visible from the objector's kitchen window and upstairs windows.
- 24 hours a day use of the buildings would mean residents having to put up with the constant noise of lorry movements and loading/unloading.
- The drainage on the objector's estate is already inadequate and yet more water and sewerage from the offices is expected to go into the same system.
- There are plenty of empty office buildings along Croft Lane leading to Asda so why can't those be redeveloped instead of taking away green belt land?

The objections from Croft Lane both have a Traffic Issues report prepared on behalf of

Hollins Village residents as an enclosure.

Consultations

Highways Team - Recommend conditions requiring highway improvements to take place at the Pilsworth Road junction with the M66 and at the Croft Lane/Hollins Lane junction, the implementation of visibility splays, turning facilities and car parking and the submission and implementation of the interim travel plan and the submission and implementation of a full travel plan.

Drainage Team - No objections.

Highways Agency - Have issued a direction that a condition be attached to any planning permission requiring that a detailed scheme for improvements at the M66 Junction 3 be submitted and approved and subsequently implemented prior to the development being brought into use.

Environmental Health - Recommend contaminated land mitigation conditions.

Environment Agency - Recommend conditions concerning details of surface water drainage, the prior approval to a wildlife enhancement measures proposed as part of the scheme and provision of temporary protective fencing on the northern and western site perimeters.

Waste Management - No response.

GMP Architectural Liaison - General comment about the need for the detailed design of the properties to include features that would make them resistant to criminal attack.

United Utilities - No objections subject to the site being drained on a separate system with only foul drainage connected into the foul sewer. Surface water not to be discharged into the public combined sewer but to be discharged into the nearby watercourse.

GM Fire & Rescue Service - Due to the access cul-de-sac being in excess of 250m in part sought the provision of an automatic sprinkler system for properties in excess of this distance from the feeder road or, in lieu of this, the provision of a secondary emergency access route.

BADDAC - Level access required to main entrances. Access to unit 1 needs to be clarified as well as lift access to first floor areas. Disabled parking spaces need to be located adjacent to entrances to all units. Have queried provision of a spiral fire escape at unit 1 as not acceptable to people with a visual disability.

GMPTE - No response.

Rochdale MBC - No response.

Unitary Development Plan and Policies

| | |
|-------|---|
| EC1 | Employment Land Provision |
| EC1/1 | Land for Business (B1) (B2) (B8) |
| EC2/2 | Employment Land and Premises |
| EC5 | Offices |
| EC5/2 | Other Centres and Preferred Office Locations |
| EC6 | New Business, Industrial and Commercial Development |
| EC6/1 | New Business, Industrial and Commercial |
| EN1/1 | Visual Amenity |
| EN1/2 | Townscape and Built Design |
| EN1/5 | Crime Prevention |
| EN1/6 | Public Art |
| EN5 | Flood Protection and Defence |
| EN5/1 | New Development and Flood Risk |
| EN6/4 | Wildlife Links and Corridors |
| EN7 | Pollution Control |
| OL5 | River Valleys |
| HT2/4 | Car Parking and New Development |
| HT5 | Accessibility For Those With Special Needs |
| HT5/1 | Access For Those with Special Needs |
| 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 |

SPD11 Parking Standards in Bury
SPD12 Travel Plans in Bury
SPD14 Employment Land and Premises
PPS1 PPS1 Delivering Sustainable Development
PPG13 PPG13 - Transport

Issues and Analysis

Principle - The site forms the northern part of the wider allocation under UDP Proposal EC1/1/12. This allocation identifies the site as being suitable for Business (B1), General Industrial (B2) or Warehousing (B8). Similarly, the site lies within the wider Pilsworth Employment Generating Area which again identifies the area as being suitable for B1, B2 and B8 development. As such, the principle of the proposal is in accordance with the economic policies of the UDP.

River Valley - The site is adjacent the River Roch valley. Following discussions during the course of the previous planning application, the buildings have been pulled back from the boundary in order to reduce the impact on skyline development at the edge of the river valley (Policies EN1/1). The scheme now includes a landscaped buffer zone on the valley side of the development. The buffer strip would be mostly narrow and down to 2m or less for most of its length. The applicants have been approached about improving this depth but they have declined to do so.

Wildlife Link & Corridor - The river valley at this point is also designated as a Wildlife Corridor. Accordingly, as mentioned above, the buildings have now been set back from the boundary with the Wildlife Corridor and, in response to Policy EN6/4, the landscaped buffer to be provided includes a hedgerow with native species and a woodland mix in terms of tree planting. However, as indicated above, the narrowness of the buffer zone has been raised with the applicants but this part of the proposals has remained unchanged.

Design and Appearance - The buildings would be of a modern design characterised by very shallow pitched roofs with a pronounced eaves overhang. Their appearance is considered to be acceptable. The main block, which is the only three storey building in the scheme, would be set to the junction of Roach Bank Road and Pilsworth Way and would provide a visually appropriate elevation in this important entrance point to the development. This block and six others would be set nearest the prominent westerly edge of the site. In the case of the two storey blocks the elevations within this view from the valley would be a full width elevation in three cases and a side elevation in the other three cases thus giving the development a varied and, therefore, interesting appearance.

The information about the layout and the treatment of the external areas is considered to be adequately detailed. There are substantial areas of car parking and green areas form, in most cases, a fringe around buildings but with three more significant such areas shown within the layout.

Flood Risk - A floor risk assessment was lacking for the previous withdrawn application resulting in an objection from the Environment Agency. This current application, however, includes an FRA to which the agency has responded by recommending conditions concerning drainage and ecology.

Public Art - Due to the scale of the proposal the developer is obliged to provide an element of artwork. The applicants have expressed their willingness to comply with the requirement which would need to be the subject of an appropriate condition should permission be granted.

Disabled Access - BADDAC has expressed concerns about a number of issues and these have been the subject of discussion with the applicants. Revisions and clarification have resolved most of the items of concern. However, the spiral escape staircase at block 1, which BADDAC are concerned could be difficult to use for persons with a visual

disability, has remained unchanged. The design of this facility will need to be examined at the Building Regulations stage and there is a BS standard that would need to be met.

Car Parking - The proposed car provision would exceed the maximum level of car parking for the development set down in SPG11 by 73 spaces. This has been raised with the applicants as a concern. Their response was that the SPG refers to exceptional circumstances that may exist where strong material considerations may justify a higher parking provision than set out in the maximum standards. They state that additional parking for the largest block reflects the requirements of the prospective occupier, an IT company. The provision there would equate to 50 staff using modes of transport other than a car for their journey to work. Adequate car parking for this unit, they add, has been a major factor in attracting the company's interest in relocating to the area. They also refer to the submitted Travel Plan for the scheme that puts forward a framework of measures to encourage sustainable transport choices which are attractive to employees and on an ongoing basis. These factors, they state, will in combination further encourage growth in the modal split towards non car borne means of transport. These points have been taken into account in reaching the conclusion that the level of car parking provision to be acceptable.

Highways Issues - A significant amount of traffic associated with Pilsworth Industrial Estate but also the M66 and commercial developments in Heywood passes along Croft Lane giving rise to concern by residents living along this road and in its vicinity about the high level of traffic. This concern is reflected in two of the objections. The site, however, is allocated for employment use and the application is supported by a Transport Assessment including consideration of the situation at Croft Lane. Highways Team has recommended that any planning permission should include conditions to ensure junction improvements at both the nearby motorway junction on Pilsworth Road and at the Hollins Lane junction with Croft Lane. Notwithstanding proposed highways mitigation measures it is predicted that the traffic generation from the proposed development is likely to lead to additional queues at the Croft Lane/Hollins Lane /Hollins Brow junctions. However, on balance, it is not considered to raise sufficient highway concerns that would warrant refusal of the application. Therefore, a series of highway conditions concerning the necessary junction improvements, the implementation of highway related details and of a Travel Plan need to be attached to any planning permission. The Highways Agency has issued a direction that any planning permission must include a condition regarding junction improvements at the motorway junction.

The Objections – The traffic issue has been covered in the preceding section. In regard to the objections from residents on the estate across the River Roch (Grasmere Drive and Silverdale Close), the limited scale and massing of the development which would be mostly two storeys and the considerable distance to these properties would not render the development unduly obtrusive in terms of views from the housing area. As the use would be as offices no significant noise pollution issues should arise. The land is not within the green belt as is being suggested. The drainage aspect has been considered by the Drainage Team and is considered to be acceptable. The impact on property values is not a relevant planning consideration.

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 is acceptable in principle and in terms of the amount of development, its layout and external appearance. The level of car parking provision is also acceptable and, subject to appropriate conditions, the development does not raise material concerns regarding its impact on the capacity of the affected highway network. 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. 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.
3. 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..
4. The development hereby approved shall incorporate an element of public artwork in accordance with Policy EN1/6 - Public Art of the Bury Unitary Development Plan and the associated Development Control Policy Guidance Note 4 - Per Cent for Public Art.
Reason: To secure the satisfactory development of the site and in the interests of visual amenity.
5. No development shall take place unless and until full details of external lighting, including a specification of both luminaire and mounting arrangements (including elevation angles) and a lighting diagram have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.
Reason: In order to safeguard the amenities of residential properties.
6. Prior to the development hereby approved commencing:
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas risks have been identified, 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.
7. Following the provisions of Condition 6 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the 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.

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

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

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

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

10. 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.

11. 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 submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details.

Reason: In order to educe the increased risk of flooding.

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

Reason: To prevent pollution of any watercourse and/or the water environment.

13. Before the development is commenced and during the course of construction period temporary protective fencing shall be erected along the northern and western perimeters of the development. The details of the type of protective fencing to be used shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the river corridor and prevent debris and construction material from encroaching into these sensitive amenity and wildlife areas.

14. No development pursuant to this permission shall be commenced unless and until the developer has submitted the following full design and construction details of the required improvements to M66 Junction 3, such details to be agreed by the Local Planning Authority, in consultation with the highway authorities and shown in outline in Drawing 1016/02, revision B, dated June 2006, prepared by the Transportation Consultants, Ashley Helme Associates:

- How the scheme interfaces with the existing highway alignment, details of the carriageway markings and lane destinations
- Full signage and lighting details,
- Confirmation of full compliance with current Departmental; Standards (DMRB) and Policies (or approved relaxations/departures from standards)
- An independent Stage One and Stage Two Road Safety Audit (Stage Two to take account of any Stage One Road Safety Audit recommendations) carried out in accordance wit current Departmental Standards (DMRB) and Advice Notes.

No development shall be brought into its intended use, unless and until the highway improvements, in accordance with the above, have been implemented to the satisfaction of the Local Planning Authority in consultation with the Highway Authorities.

Reason: To ensure that the M66 motorway might continue to fulfil its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980, and for the safety of traffic on the highway network.

15. No development shall take place unless and until the details of the facilities for the storage and collection of waste have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason: To secure the satisfactory development of the site and in the interests of amenity.

16. The development shall be carried out in accordance with BREEAM sustainability standards and a BREEAM assessment of the development 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.

17. The development shall be carried out in accordance with BREEAM sustainability standards and a BREEAM assessment of the development 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.
18. Notwithstanding the highway improvement works indicated on Ashley Helme Associates submitted plan reference 1016/09 Revision A, the development hereby approved shall not be commenced unless and until full details of the provision, improvement or modification of the Croft Lane/Hollins Brow/Hollins Lane junction has been submitted to and approved in writing by the Local Planning Authority after appropriate public consultation has been carried at by the Council at the expense of the developer. The highway works subsequently approved following the public consultation exercise shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use, unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure good highway design in the interests of road safety.
19. The visibility splays indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m.
Reason: To ensure the intervisibility of the site and the adjacent highways in the interests of road safety.
20. The turning facilities indicated on the approved plans shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.
Reason: To minimise the standing and turning movements of vehicles on the highway in the interests of road safety.
21. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the buildings 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.
22. The development hereby approved shall not be first occupied unless and until the physical measures detailed in the submitted 'Interim Travel Plan' (e.g. secure covered cycle parking and provision of shower, changing and locker facilities) have been implemented to the written satisfaction of the Local Planning Authority. The measures to be implemented post occupation (e.g. appointment of a Travel Plan Co-ordinator with duties and responsibilities detailed in paragraphs 3.2 & 3.3, etc) shall be done so in accordance with the 'Interim Travel Plan' unless otherwise agreed in writing with the Local Planning Authority. The occupier will provide the Local Planning Authority with contact details of the member of staff designated as the Travel Plan Co-ordinator, carry out a travel survey of staff within 6 months of first occupation and submit a full Travel Plan to the Local Planning Authority for approval within 12 months of first occupation, with targets, objectives and an action plan as stated in the 'Interim Travel Plan'. The full Travel Plan will then be reviewed every 12 months as stated in the 'Interim Travel Plan'.
Reason: In order to deliver sustainable transport objectives in accordance with PPG13 - Transport.
23. This decision relates to drawings numbered M2172-00, M2504-SK 03, M2504-SK01 Rev L, LL01 Rev E, M2504-SK02, M2504-1-01 Rev C, M2504-1-02 Rev B, M2504-(2 & 11)-01 Rev A, M2504-(2 & 11)-02, M2504-(3/5)-01 Rev A,

M2504-(3/5)-02, M2172-(478)-01 Rev B, M2172-(478))-02 Rev A, M2504-(6 & 9)-01 Rev A, M2504-(6 & 9)-02, M2504-(10)-01 Rev A, M2504-(10)-02, M2504-(12)-01 Rev A, M2504-(12)-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.

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

