

**Ward:** Bury East

Item 01

**Applicant:** United Utilities

**Location:** WOODGATE HILL RESERVOIR BURY

**Proposal:** 54KM OF PART BURIED PART OVER LAND PIPELINE CONNECTING WOODGATE HILL RESERVOIR IN BURY TO PRESCOT RESERVOIR, KNOWSLEY (APPROX 9.51KM IN BURY)

**Application Ref:** 50274/Full

**Target Date:** 18/11/2008

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a section of a proposed West/East Link water main pipeline, which would run from within the Borough commencing at Woodgate Hill Reservoir in Fairfield, through Heap Bridge, Pilsworth, Hollins, Sunny Bank, Lily Hill, Stand and Outwood. The application is accompanied with an Environmental Assessment containing details of the proposed works, mitigation and re-instatements.

The main is a new dedicated regional large diameter trunk main to transfer bulk supplies of water bi-directionally between Woodgate Hill and Prescott, east of Liverpool. The proposal would be part of a 54km length of pipeline with some 16km within Bury. The proposal would enable the transfer of water between areas where there is a surplus to areas of relative shortage.

The proposed water main would be 1.2m in diameter and the intention is to bury the pipeline within a trench, which would have 0.9m of covering above the pipeline. A working area of some 30m to 40m in width would be needed, which would narrow where operations would be within a built up area. Once the trench has been cut and the pipeline laid within it, the cut material would be replaced over the pipeline and also graded on the immediately surrounding land.

Construction for the whole of the pipeline project is currently planned to commence in February 2009, with the main construction activities to take place between April and October. Re-instatement operations would commence in May 2009 with the pipeline planned to be operational in April 2011.

### **Relevant Planning History**

There is no relevant planning history for the proposal.

### **Publicity**

438 properties were notified by letter on 28 August 2008 who were located within 50m along the entire length of the route within the Borough. In addition to this site notices were erected along key crossing point where the pipeline enters into urban areas from open land areas on 1 September 2008. A press notice was also published in the Bury Times on 4 September 2008.

As a result of this publicity, 7 letters of objection have been received. Respondents and comments are cited below:

- Bury Golf Club - They wish to place on record that the pipeline route would have an impact upon the woodland near to the entrance into the golf course off Manchester Road, which would result in the loss of trees and damage to natural habitat. The pipeline would threaten the use and green of the 6th and 18th holes, considering the proposed routing and required working width for construction. The golf course was designed by an

eminent and historic golf course architect Dr Alister Mackenzie and the golf clubs viability may be put at risk should the works not be sensitively considered.

- The Olde Barn, Broad Oak Farm - In an area of Green Belt the development would be an eyesore. The access to the work area would not be sufficient to accommodate the vehicles necessary for the development.
- 19 Haweswater Crescent - There appears to have been an access created already and they were not informed. They are unsure though if the work done was in connection with other United Utilities work being carried out in the area.
- 733 Manchester Road – They are concerned with the proximity of the works to their property and the lack of detailed information next to their property.
- 28 Roach Street – Access to a field used by United Utilities would be via an unadopted street which has been left in a poor state of repair following other works done in the past. They suggest that Crossfield Street be used instead of Roach Street.
- Lambeth Smith Hampton on behalf of the Trustees of Salford, the owners of the former St Bede's Church, Rochdale Road – The easement associated with the proposed pipeline would have a significant impact upon the developable area of the site of the former church. The implementation of the development is not yet clear enough to know when the works will be commencing on the site which would hinder discussions for a hospice on the site. They believe that the decision should be deferred until proper timings and the full extent of details relating to their site are agreed.
- Nolan Redshaw on behalf of Ron Wood Developments – No finalised agreement has been reached about the exact position of the proposed pipeline within their land ownership, which may affect the developability of their land.

Objectors have been notified of the date of the Planning Control Committee meeting.

### **Consultations**

Highways Team - No objections subject to the addition of two conditions requesting details of various temporary access arrangements that would be required along the route.

Environmental Health - Contaminated Land - No objections subject to the addition of conditions relating to resolving contaminated land matters.

Drainage Team - No objections.

Natural England - Although consulted specifically on the section of pipeline passing through the Borough, Natural England have provided a general response to the entire pipeline route, not just the sections within Bury. Much of their consultation response is not therefore relevant to circumstances in Bury. Some areas of concern were expressed in terms of the impact upon tree loss and the knock on effect upon bird breeding and bio-diversity in areas where trees would be removed. Natural England broadly supports the package of mitigation measures but of relevance to the Bury section of the pipeline suggest that detailed replacement tree planting and mitigation measures need to be provided.

Greater Manchester Ecology Unit (GMEU) - A number of further surveys are required prior to the determination of the scheme including ponds, bats, reptiles, birds, sites of biological importance, woodlands, grasslands and hydrology. Updates have been received and their concerns have largely been resolved. However, further clarification of drainage matters in relation to Hollins Vale and Springwater Park still need to be resolved and the Planning Control Committee shall be updated on this issue.

Highways Agency - No objections subject to the addition of conditions relating to the submission of details where works are to occur near to the motorway.

Environment Agency - Although consulted specifically on the section of pipeline passing

through the Borough, the Agency have provided a general response to the entire pipeline route, not just the sections within Bury. They are broadly supportive and have no objections to the scheme subject to a number of planning conditions to ensure mitigation measures are implemented concerning ecological matters, Japanese Knotweed and Giant Hogweed removal, appropriate measures relating to contaminated land and the implementation of mitigation measures.

GMPTE - No objections.

### **Unitary Development Plan and Policies**

EN1/1	Visual Amenity
EN1/11	Public Utility Infrastructure
EN3	Archaeology
EN5/1	New Development and Flood Risk
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
EN7/3	Water Pollution
EN8	Woodland and Trees
EN8/1	Tree Preservation Orders
EN9	Landscape
OL1/5	Mineral Extraction and Other Dev in the Green Belt
OL5/2	Development in River Valleys
PPS25	PPS25 Development and Flood Risk

### **Issues and Analysis**

Principle - UDP Policy EN1/11 - Public Utility Infrastructure states that operational facilities for public utility provision will be permitted where it is necessary to implement the development objectives of the plan or to meet the relevant statutory obligations and environmental standards, and is consistent with other policies of the plan. In support of the application, the Environmental Statement includes a full operational justification for the pipeline as a strategic water supply resource.

Natural Environment - The proposed pipeline would run partly within the urban area from Woodgate Hill and Fairfield then principally through Green Belt Areas. In some instances, the proposal would affect areas of biological importance designated as Sites of Biological Importance (SBI's) and also through areas of protected trees (TPO's). In justification of the scheme impacting upon these constraints, the importance of the development regionally is accepted. However, as the proposals do affect areas of natural environment, the proposals have to make an appropriate case for mitigation where required.

UDP Policy EN6 - Conservation of the Natural Environment and in particularly EN6/1 - Sites of Nature Conservation Interest (Sites of Special Scientific Interest, National Nature Reserves and Grade A SBI's) the proposed routing would not affect any of these designated areas.

UDP Policy EN6/2 - Sites of Nature Conservation (Local Nature Reserves and Grade B and C Sites of Biological Importance) considers that proposals will not be granted for development which would damage either directly or indirectly unless appropriate levels of mitigation can be secured through the development control process. The proposed routing would cut through a Grade B SBI - Hollins Vale, Grade C SBI - Sailors Brow and Springwater Park Radcliffe, and part of the water/culverted feed to Chapelfield Grade C SBI. Each of these areas have been looked at in detail and surveys and mitigation measures have been worked up in conjunction with Natural England, the Council's ecologist, the Greater Manchester Ecology Unit (GMEU) and the applicant's ecologists Bowland Ecology.

The principle concern in terms of the scheme and impact upon these locally protected areas

was that sufficient nature water supply would still reach these areas before, during and after the proposed pipeline would arrive at the site. Additionally, the impact on fauna in the vicinity of the route. In response to the matters raised by GMEU, further survey work and additional information has been supplied.

In order to ensure that the proposals would have minimal impact upon ecological areas and that no dewatering would occur, the scheme proposes to -

- Reduce the working with in and near these areas;
- Use of siltation practices to ensure no cross contamination nor decrease of water flow occurs;
- Ensuring that fencing is erected around working areas and that fencing is maintained around protected areas;
- Habitat to be carefully re-instated following construction including the use of a site management plan to be prepared in agreement with the Local Planning Authority;
- Ensuring Giant Hogweed and Japanese Knotweed is not spread through the construction process;
- The re-instatement of all natural drainage flows to ensure that no de-watering occurs.

In addition to designated sites, various ponds have also been surveyed to determine their importance to protected species such as Great Crested Newts and other flora/fauna. Nothing exceptional was found that would require the reconsideration of the pipeline's route and again through the implementation of mitigation measures, appropriate protection can be achieved through mitigation measures. Irrespective of the surveys, any harm to protected species is a criminal offence and direct approval from Natural England would be required.

Woodland and Trees - The main impact upon trees as a result of the scheme would be Lamb Lodge TPO and Springwater Park. A further six areas of woodland would be affected by the scheme. The Bury Golf Club site is described as a wet woodland which is a UK Biodiversity Priority Habitat and a Principal Importance in England. As such detailed mitigation measures have been put forward for these areas including site protection, working methodology and resultant impacts informed through detailed surveys. GMEU have recommended that a planning condition be imposed to ensure that the appropriate mitigation measures are implemented to resolve this issue.

The proposed development will employ an ecological clerk of works who will be responsible on a day to day basis for dealing with all ecological issues. A register will be kept on site at all times, which will be available for inspection as and when required. In addition to implementing legal requirements, for wildlife protection in respect of bats, water vole, great crested newts and nesting birds, the duty of ecological clerk of works will -

- Pre-construction site checks for Biodiversity Action Plan species including toads and hedgehogs. Appropriate translocation to safe areas in the vicinity of where they are found will be carried if any are found to be present;
- Maintain an on site ecological register; including the location of mitigation initiatives, species/habitats affected, numbers moved/relocated, wildlife receptor areas, site monitoring checks, post construction/reinstatement checks;
- Detailed discussions with contractors to highlight specific issues and procedures dealing with wildlife mitigation, and
- The full implementation of the Environmental Mitigation Management Plan.

Further surveying works to assess flora and fauna have been done by the applicant and further mitigation proposals have been proposed. GMEU have been supplied with the information and confirm that the proposals are acceptable and conditions are appropriate to control the development.

Mitigation measures have been drafted following comprehensive surveying and it is considered that the environmental mitigation proposed is satisfactory.

Response to objections - Bury Golf course - pipeline route has been amended through

agreement with the club such that their concerns over the greens and tees have been avoided.

Roach Street – The proposals indicate that the routing of the pipeline would not be along the street. Any access arrangements are not matters for the Local Planning Authority to consider as the street is unadopted and belong to the residents.

Haweswater Crescent – No works in connection with the pipeline have commenced. The works that the resident has referred to are part of on-going water utility undertakings and general maintenance, which are not subject to planning control.

755 Manchester Road – Further information has been received concerning the works in close proximity to the property, the entrance into the Golf Club and to Lamb Lodge. This area is accepted as being one of the most difficult areas along the route and a site meeting has taken place with United Utilities and the resident concerned. Detailed specifications have been provided to show that the pipeline would be tunnelled in this area and although close to the property it is not expected that there would be any impact or damage that property.

The Olde Barn, Broad Oak Farm – The pipeline would be buried underground and the pipeline would then be covered. As such the pipeline would not be visible and therefore no impact upon the Green Belt. In terms of access, there is a requirement for a number of temporary accesses to be created and drawings have been received for these. There are still some detailed matters of clarity to resolve with some of them, hence the proposed condition from the Traffic Team. However, each of the access points have been worked to ensure appropriate access and egress is achievable and no objections have been raised on any of the proposed access points from the Highways Team.

Salford Diocese/former St Bedes – The use of the land owners property for the pipeline is largely a private matter between the parties involved. In the issue concerning St Bedes, the working width has been narrowed to reflect the constrained areas available to work due to the built up nature of the site. The proposed pipeline would run along the north easterly boundary of the site and has been carefully considered such that the pipeline would not render the site undevelopable. There is to be an easement where no development would be able to be implemented within close proximity to the pipeline, however, United Utilities have indicated that the easement would be reduce due to the constraints of the site and to reduce the impact upon that site. There has been no grant of planning permission for a new hospice on the site and as such, it is difficult to determine what impacts there would be upon the development of the site, where no scheme has been approved.

Ron Woods Developments – The exact alignment of the pipeline to the nearest metre on the ground has not been determined, however, the working width of the pipeline has and it is within this width that the pipeline would be located. The area of land raised by the objector is located to the west of the M66 and to the south of Salvessen/Biffa Waste. There has been no grant of planning permission for any proposals on the site and the pipeline is intended to run along the extremities of the site. As such, it is difficult to determine what impacts there would be upon the development of the site, where no scheme has been approved. However, it is considered that the location of the pipeline has been proposed to minimise impacts upon development potentials if they exist.

### **Summary of reasons for Recommendation**

Permission should be granted having regard to the policies and proposals listed and the reason(s) for granting permissions can be summarised as follows;-  
The proposed development would be a significant Regional benefit and through conditional control, the development would be able to proceed without undue impact upon residential and visual amenities and also ecological matters. The proposal would comply with adopted policies of the Bury Unitary Development Plan 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 the submitted Environmental Impact Assessment received 30 July 2008; bird breeding survey works , Water Vole Survey, Hedgerow Survey, Bat Activity Maps, Tree Management and Woodlands Impacts reports and Vegetation Survey Reports information received 10 October 2008 together with their supporting reports by Bowland Ecology and the development shall not be carried out except in accordance with the drawings and reports 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. No works shall commence unless and until full details of hydrological flows both existing and proposed and working methodologies have been submitted to and approved in writing by the Local Planning Authority relating to the Chapefield/Stand Golf Course, Hollins Vale Site of Biological Importance and Springwater Park. The development shall be carried out in accordance with the approved details only.  
Reason - To ensure that the wetland habitat is not unduly affected by the positioning and siting of the proposed pipeline and associated implementation works pursuant to UDP Policies EN6/2 - Sites of Nature Conservation Interest, EN6/3 - Features of Ecological Value and PPS9 - Biodiversity and Geological Conservation.
4. No construction shall take place until a detailed method statement for individual ponds relating to the protection of great crested newts and their habitat has been produced for each populations impacted upon by the pipeline prior to, during and following construction that has been approved and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing.  
Reason - To ensure that the wetland habitat is not unduly affected by the positioning and siting of the proposed pipeline and associated implementation works pursuant to UDP Policies EN6/2 - Sites of Nature Conservation Interest, EN6/3 - Features of Ecological Value and PPS9 - Biodiversity and Geological Conservation.
5. To mitigate for the loss of hedgerows of conservation priority, the working width will be reduced further where hedgerows are identified as a conservation priority (H150, H164a, H165 and H176 indicated within Appendix 3 Hedgerow Survey Plans) received 1 October 2008 and they will be replanted with a species rich mixture of native hedgerow species of local provenance where they are impacted upon resulting in their removal or loss. A management plan following their re-instatement shall be submitted to include a 5 year maintenance regime or as otherwise agreed in writing by approved in writing by Local Planning Authority.  
Reason - In order to preserve the ecological contribution that these hedgerows have to the area and pursuant to PPS9 - Biodiversity and Geological Conservation.
6. No works of development shall take place until a method statement for creation of a buffer zone of 8m around all standing water within 50m of the pipeline has been produced and or a survey of such ponds for water voles had occurred, together

with mitigation where necessary and agreed in writing by the Local Planning Authority.

Reason - In order to preserve the habitat water voles and pursuant to PPS9 - Biodiversity and Geological Conservation.

7. Details relating to mitigation proposals for Badger sett #6 shall be submitted to and approved in writing prior to any works commencing in Bury. The works thereafter shall be carried in accordance with the approved mitigation measures unless otherwise agreed in writing.  
Reason - To ensure appropriate protection of a protected species pursuant to PPS9 - Biodiversity and Geological Conservation.
8. Notwithstanding the details indicated on the submitted plan for 'Access 66 – Rochdale Old Road', the development hereby approved shall not be commenced unless and until full details of acceptable access arrangements from Fourth Avenue, including correct kerb tying in points and appropriate visibility splays at the junction, have been submitted to and approved in writing by the Local Planning Authority. The temporary construction access points subsequently approved shall be implemented to the written satisfaction of the Local Planning Authority and reinstated following completion of the pipeline works.  
Reason - To ensure good highway design and the intervisibility of the users of the site and the adjacent highways in the interests of highway safety.
9. Notwithstanding the details indicated on the submitted plans for Accesses 49, 50, 51, 56, & 57, the development hereby approved shall not be commenced unless and until full details of the proposed accesses, including correct kerb tying in points and appropriate visibility splays at the junction, have been submitted to and approved in writing by the Local Planning Authority. The temporary construction access points subsequently approved shall be implemented to the written satisfaction of the Local Planning Authority and reinstated following completion of the pipeline works.  
Reason - To ensure good highway design and the intervisibility of the users of the site and the adjacent highways in the interests of highway safety.
10. No construction shall take place until detailed method statements have been produced for all United Kingdom and Greater Manchester priority habitats, Sites of Biological Importance and Local Nature Reserves impacted both directly and indirectly by the pipeline prior to, during and following construction that has been approved and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing.  
Reason - To ensure that the wetland habitat is not unduly affected by the positioning and siting of the proposed pipeline and associated implementation works pursuant to UDP Policies EN6/2 - Sites of Nature Conservation Interest, EN6/3 - Features of Ecological Value and PPS9 - Biodiversity and Geological Conservation.
11. Immediately prior to construction, suitable habitat will be searched for common toad by the ecological clerk of works and removed to a suitable safe location as outlined on page 5, para 5, letter of 10<sup>th</sup> October 2008 from Bowland Ecology. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing.  
Reason - To ensure that the wetland habitat is not unduly affected by the positioning and siting of the proposed pipeline and associated implementation works pursuant to UDP Policies EN6/2 - Sites of Nature Conservation Interest, EN6/3 - Features of Ecological Value and PPS9 - Biodiversity and Geological Conservation.
12. Prior to the commencement of development approved by this planning permission

(or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason - To ensure any risks to controlled waters from contamination are adequately assessed and mitigated.

13. No development shall commence unless and until the developer has agreed with the Local Planning Authority in consultation with the Highways Agency, the detailed location, design, technical approval, maintenance strategy, construction methods (including risk assessments) and carriageway monitoring of the pipeline trunk road crossings.  
Reason - To ensure that the trunk road network continues to fulfil its purpose as a national system of routes for the through traffic, in accordance with section 10(2) of the Highways Act and maintaining the safety of traffic on the road.
14. No development shall be brought into its intended use until the Local Planning Authority in consultation with the Highways Agency is satisfied that the pipeline has been implemented in accordance with the provisions required in condition 13.  
Reason - To ensure that the trunk road network continues to fulfil its purpose as a national system of routes for the through traffic, in accordance with section 10(2) of the Highways Act and maintaining the safety of traffic on the road.
15. There shall be no development that shall put the trunk road network at risk. The pipeline shall not present a risk to the condition and operation of the trunk road network.  
Reason - To ensure that the trunk road network continues to fulfil its purpose as a national system of routes for the through traffic, in accordance with section 10(2) of the Highways Act and maintaining the safety of traffic on the road.
16. No drainage from the proposed development shall run off into the motorway drainage system, nor shall the pipeline adversely affect the motorway drainage.  
Reason - To ensure that the trunk road network continues to fulfil its purpose as a national system of routes for the through traffic, in accordance with section 10(2) of the Highways Act and maintaining the safety of traffic on the road.
17. No development shall commence until full details of a scheme for the eradication



and/or control of Japanese Knotweed (*Fallonia Japonica*, Rouse DeGraene, *Polygonum Cuspidatum*), Giant Hogweed and Himalayan Balsam is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

Reason. To ensure that the site is free from Japanese Knotweed in the interest of UDP Policy EN9 - Landscape and PPS9 - Biodiversity and Geological Conservation.

18. The proposed pipeline would affect four areas subject to a Tree Preservation Order (TPO) namely:

- TPO 186 EAGLES BLEACH WORKS - woodland order
- TPO 63 LAMB LODGE- area order
- TPO 183 RADCLIFFE PAPER MILL - individual trees and group order
- TPO 318 NO. 219 STAND LANE, RADCLIFFE - individual trees

No works shall commence within 50m of these protected areas unless and until Surveys and plots are carried for the woodlands / trees that are covered by the above named TPOs and a detailed arboricultural report is submitted and approved in writing specifying impacts, methodologies and mitigation proposals. The development shall be carried out in accordance with the details and written approval of the Local Planning Authority.

Reason - To minimise the impact upon protected trees and the visual amenities of the associated areas pursuant to UDP Policy EN8/1 - Tree Preservation Orders, EN8/2 - Woodland and Tree Planting and EN1/1 - Visual Amenity.

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

**Ward:** Bury West - Church

Item 02

**Applicant:** Mr Damian McCabe

**Location:** LAND ADJACENT TO 506 BOLTON ROAD, BURY, BL8 2DU

**Proposal:** RESIDENTIAL DEVELOPMENT - 1 DWELLING (OUTLINE)

**Application Ref:** 50603/Outline Planning  
Permission

**Target Date:** 17/12/2008

**Recommendation:** Approve with Conditions

### **Description**

The application site is located within a residential area. There are bungalows, which front onto Kenmor Avenue at the rear of the site and the dwellings along Bolton Road are typical 1930s semi-detached properties, which are at a higher level than the road (approximately 1 metre). No's 506 and 508 have generous side and rear gardens and as a result No. 508 has been extended at the side, which included a first floor balcony.

The application site is currently in use as garden curtilage for No. 506 and there is a detached garage and shed on the land.

The applicant seeks outline permission for the demolition of the existing buildings on site (garage and shed) and their replacement with a two storey dwelling (access, landscaping, layout and scale).

### **Relevant Planning History**

50127 – Residential development – one dwelling on land adjacent to 506 Bolton Road, Bury. Refused – 5 August 2008.

The application was refused as the proposed development did not comply with the housing restrictions policy (SPD7), which was in force at the time.

### **Publicity**

The neighbouring properties (504, 505, 508, 509, 511, 515 Bolton Road; 35 – 41 (odds) Kenmor Avenue) were notified by means of a letter on 23 October. One letter has been received from the occupiers of 39 Kenmor Avenue, which has raised the following issues:

- The proposed dwelling would be out of character with the late 1930s semi-detached properties
- Impact upon residential amenity by loss of light
- Impact upon residential amenity by loss of privacy
- Noise and inconvenience during the development
- Impact upon property value

The objectors have been notified of the Planning Control Committee meeting.

### **Consultations**

Highways Team – No objections, subject to the inclusion of conditions relating to the provision of the new access and turning facilities.

Drainage Team – No objections

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

National Grid – No response received.

### **Unitary Development Plan and Policies**

H1/2 Further Housing Development

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN7	Pollution Control
HT2/4	Car Parking and New Development
SPD6	DC Policy Guidance Note 6: Alterations & Extensions
SPD7	DC Policy Guidance Note 7 - Managing the Supply of Housing

## **Issues and Analysis**

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

The proposed development would be located in a residential area and as such, it is considered that there would be adequate infrastructure and would not conflict with the surrounding uses.

Policy L4 of the Regional Spatial Strategy states that the average rate of housing provision is 500 dwellings per year. The application site is currently used as residential curtilage and the land is considered to be previously developed land. As a result, it is considered that the proposed development would not conflict with the other land uses. Therefore, it is considered that the proposal is acceptable in principle and would be in accordance with Policy H1/2 of the adopted Unitary Development Plan and Policy L4 of the Regional Spatial Strategy.

Impact upon the surrounding area - The proposed development would be a two storey detached dwelling. A two storey dwelling would be of a similar height to the surrounding properties and it is considered that a two storey dwelling would be appropriate in terms of height and scale. It is considered that the design of the proposed dwelling as originally submitted would not be appropriate within the locality, which is typified with traditional 1930s style semi-detached dwellings. Therefore, the design element of the proposal has been deleted from this application and would be the subject of a future reserved matters application. Therefore, the proposed development would be in accordance with Policies H2/1, H2/2 and EN1/2 of the adopted Unitary Development Plan.

There would be 14.7 metres between the rear elevation of the proposed dwelling and the boundary of the site and a further 8.25 metres to the rear elevation of the nearest residential property. Therefore, there would be some 23 metres between directly facing habitable windows, which would be in accordance with the aspect standards contained in DCPGN6. It is acknowledged that the properties at the rear of the site are bungalows. However, it is considered that the proposed development would not have a significant adverse impact upon the daylight currently enjoyed by the occupiers. Therefore, it is considered that the proposed development would not have an adverse impact upon the amenity of the neighbouring residents and would accord with Policies H2/1 and EN1/2 and the aspect standards in DCPGN6.

Highways Issues - The proposed development would incorporate two driveways onto Bolton Road, which would be split into two separate drives, with turning facilities. The proposed driveways and turning facilities would be constructed using a permeable paving system and therefore, planning permission would not be required for the driveway on the adjacent property (No. 506). It is considered that the proposed access would be acceptable as all vehicles would be able to enter and leave the existing and proposed dwelling in a forward gear. The proposed development would provide adequate parking facilities for the existing and proposed dwelling. Therefore, it is considered that the proposed development would not have an adverse impact upon highway safety and would be in accordance with Policies HT2/4 of the adopted Unitary Development Plan.

Response to objectors - The impact upon residential amenity by loss of light and privacy has been dealt with above and as stated above, the design of the proposed dwelling would be the subject of a separate application. The impact upon property values and the noise and inconvenience during the development are not material planning considerations and cannot be taken into account.

### **Summary of reasons for Recommendation**

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

The proposed development is acceptable in principle and the proposed development is appropriate in terms of design, scale and layout. The proposed development would not look out of place within the locality, subject to conditional control and would not be detrimental to highway safety.

There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. Applications for approval of reserved matters must be made not later than:
  - the expiration of three years beginning with the date of the grant of outline planning permission; and
  - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

2. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the appearance.

Reason. To ensure the satisfactory development of the site and because this application is in outline only.

3. This decision relates to drawings numbered Location plan, 03/PL01, PL056 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.

4. Prior to the development hereby approved commencing:
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
  - Where actual/potential contamination and/or ground gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation is required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

Policy Statement 23 - Planning and Pollution Control.

5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.  
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
6. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;  
The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.  
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
7. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:
  - Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
  - A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
8. No development shall commence unless and until a Preliminary Risk Assessment report to assess the actual/potential ground gas / landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority.
  - Where actual/potential ground gas/landfill gas risks have been identified, a detailed site investigation(s), ground gas monitoring and suitable risk assessment(s) shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation / protection measures are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

9. Following the provisions of Condition 8 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and  
A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.  
Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
10. 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. The approved details shall be implemented as part of the development  
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.
11. The development hereby approved shall not be first occupied unless and until the access improvement works indicated on the approved plans to form a shared access to the proposed dwelling and 506 Bolton Road, including the reinstatement of the redundant access to adjacent footway levels, have been implemented to the written satisfaction of the Local Planning Authority.  
Reason. To ensure good highway design in the interests of road safety
12. The turning facilities for both dwellings 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.

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

**Ward:** Bury West - Elton

Item 03

**Applicant:** Our Lady Of Lourdes RC Primary School

**Location:** OUR LADY OF LOURDES ROMAN CATHOLIC COUNTY PRIMARY, RUDGWICK DRIVE, BURY, BL8 1JQ

**Proposal:** ERECTION OF 2.4M HIGH WIRE MESH FENCING TO EAST BOUNDARY AND 1.4M HIGH METAL RAILINGS TO SOUTH WEST BOUNDARY

**Application Ref:** 50261/Full

**Target Date:** 19/11/2008

**Recommendation:** Approve with Conditions

### **Description**

The application site is Our Lady of Lourdes RC Primary School which is situated within a residential area in Bury. To the east of the site is open land with an existing wire mesh and concrete post fence at an average height of 1.4m and planting along the boundary. To the south of the school buildings are playground and sports fields beyond which are the rear gardens of houses on Swanage Close whose garden fences and hedges at an average of height of 1.8m, are adjacent to this boundary. To the west is Rudwick Drive along which runs an existing concrete post and wire mesh perimeter fence and there are residential properties to the north of the site.

It is proposed to provide new security fencing to the school on the east and south western boundaries. Permission is sought for the erection of a 2.4m high paladin fence which would run 120m along the eastern boundary, and 1.4m high metal railings to replace the existing school fencing to Rudwick Drive. The works also include a 2m high fence along the northern and southern boundaries but does not form part of the planning application, being permitted development and as such not considered within this report.

### **Relevant Planning History**

49664 - Extension of car park to increase number of spaces to 19; new timber bin store; extension to play area - approved conditionally 28/5/2008

47115 - Two temporary storage containers - approved conditionally 15/2/2006

### **Publicity**

Neighbours have been notified at Nos 20-32 (evens) Rudgwick Drive; 10-14, 26 - 40 (evens) Purbeck Drive, 1-25 (odds) Swanage Close on 29/9/2008. Letters have been received from Nos 1, 9, 15, 17, Swanage Close and No 20 Rudgwick Drive with the following comments:

of the southern elevation fence -

- would be an eyesore and obstruct views beyond the school
- would not impede trespassers
- the gap between the fence adjacent to Swanage Close and their garden fence would fill with litter and encourage vermin - both a health hazard
- poses a potential fire hazard as access would be cut off
- makes the maintenance of hedges and fences more difficult
- could detrimentally affect the drainage system
- wire mesh fence would act as climbing frame for children

of the eastern elevation fence -

- the fence along the east boundary would spoil views and be an eyesore
- this access does not pose a security threat
- potential hazard to wildlife

- cheap and distasteful fence would not be in keeping with the area

Other comments -

- residents feel victimised by the current regime at the school
- gardens will take on an aspect of a prison yard or run down council estate
- concern the trees in garden of property on Rudwick Drive would not be affected

The objectors have been notified of the date of the Planning Control Committee.

### **Consultations**

Highways Team - No objections

GMP Architectural Liaison Unit - No objections

### **Unitary Development Plan and Policies**

EN1/2 Townscape and Built Design

EN1/5 Crime Prevention

CF1 Proposals for New and Improved Community Facilities

### **Issues and Analysis**

Principle - The application for the fencing seeks to improve security to the site to the eastern boundary of the school, and the visual appearance along the south western boundary. The proposed 2.4m high mesh fencing is of a paladin type which is accepted by the Council and GM Police as a preferable solution for both visual amenity and security reasons. Paladin fencing is prevalent throughout the Borough at various school sites and is appropriate for the needs of the school. The proposed railings along Rudgwick Drive would match the existing railings on the western boundary and would be acceptable and comply with Unitary Development Plan Policy CF1 - Proposals for New and Improved Community Facilities.

Crime Prevention - GM Police Architectural Liaison Unit support the provision of the new fence and have no objections to the works. It would comply with Unitary Development Plan Policy EN1/5 - Crime Prevention.

Siting and Appearance - The proposed security fencing follows the line of the existing fencing along the eastern boundary which is adjacent to open land and set away from the nearby residential properties. Although it would be 2.4m in height, it would be of a mesh type and have a "see-through" appearance. It would be appropriate development within a school setting in a semi rural area.

The proposed fencing along the west boundary will make little difference to the visual aspect of the site as it would match the existing metal railings already in situ. It would not adversely impact on the visual amenity of the area and therefore the proposal complies with EN1/2 - Townscape and Built Design.

Residential amenity - The position of the security fence would be visible from houses on Swanage Close and parts of Rudgwick Drive. However, it would not directly impact on the outlook of these properties and as such would not have a detrimental impact on the residential amenity of neighbours.

The fence positioned along the south west boundary would be adjacent to the boundary with No 14 Purbeck Drive. However, being 1.4m in height and traditional in design, the fence would not affect the outlook of the occupiers of this property and therefore complies with EN1/2 - Townscape and Built Design.

Objections - In terms of siting, height and design, the proposed 2.4m high fence to the eastern boundary is considered to be acceptable and would be appropriate in terms of improving security to a primary school within a residential area, as discussed in the above report.

Other issues raised by the objectors relate to:

Landscaping - There is concern that trees within the curtilage of No 20 Rudgwick Drive would be removed. It is not proposed to replace fencing along this boundary (north) and the application and plans state there would be no trees removed.



Wildlife - The area is semi rural in character with a mix of open land bounded by trees. The addition of a boundary fence which is considerable lower than some of the trees in the area is considered not to be a hazard to the local wildlife.

Relations between the residents and school - this is not a planning consideration.

### **Summary of reasons for Recommendation**

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

The proposed boundary fence is not considered to be of a height and design that would have a seriously detrimental impact on the visual or residential amenity of neighbouring properties.

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 4366/10/11/12/13 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 **Jennie Townsend** on **0161 253-5320**

**Ward:** Prestwich - Holyrood

Item 04

**Applicant:** Turning Point

**Location:** 4 GLEBELANDS ROAD, PRESTWICH, M25 1NE

**Proposal:** SINGLE STOREY EXTENSION AT REAR

**Application Ref:** 50461/Full

**Target Date:** 13/11/2008

**Recommendation:** Approve with Conditions

**This application was deferred for a site visit at the previous Planning Control Committee in October.**

### **Description**

The application relates to a large detached red brick Victorian house known as Leigh Bank on a residential street of similarly styled properties. The site is located within Poppythorn Conservation Area. There is a driveway to the side and a large garden to the rear.

The premises has been providing residential care services for adults with alcohol and drug problems since 1974. Turning Point, the organisation that runs the service, was awarded a grant to carry out alterations to improve access, therapy and enable service users to build relationships with their families. This application is a consequence of this funding.

The proposal involves:

- Constructing a single storey rear extension to accommodate a communal area for residents.
- Converting the existing downstairs lounge into a bedroom with disabled access.
- Converting the large double bedroom at first floor level into an 'family friendly' room which would enable the family of a resident, at one time, to stay over in an attempt to rebuild relationships which may have broken down as a result of their problems.

The extension would project out 7m from the existing bay on the rear elevation and is 5.5m wide. The roof would comprise a pitched roof behind a parapet wall. The main walls would be red brick and the roof, slate to match the existing building. Bays would be incorporated into the proposed rear and side elevations together with stone cills and heads to mirror the existing fenestration of the building.

The applicant confirms that there would be no increase in service users although there would be an increase in numbers of people within the property at any one time due to the visiting family members.

### **Relevant Planning History**

49591 - Detached communal building at side/rear - Withdrawn 8/05/2008

37909 - Detached communal building at side/rear - Approved 6/08/2001

26950/92 - Conversion of bicycle shed to ancillary living unit associated with institutional residence - Approved 23/4/92

### **Publicity**

Immediate neighbours notified by letter dated 22/09/2008. Site notice posted 30/09/2008. Press advert in Bury Times and Prestwich and Whitefield Guide 02/10/2008. Those notified area as follows:

1,3,5,6,7,8 and 8A, 10 Glebelands Road, 1 and 1A Newlands Drive, 24,26 and 30 Poppythorn Lane and Poppythorn Court.

The occupier of 6 Glebelands Road has objected on the following grounds:

- The extension will increase the number of residents at Leigh Bank.

- The extension may be converted to a further bedroom.
- The increase in the capacity would lead to increasing noise and disturbance.
- The structure in extending into the rear garden area would have an adverse impact on the amenity of the Conservation Area.
- The application states that the centre has good relations with neighbours. This is untrue as there has been problems with noise and disturbance late at night and damage to property. Since the building has been empty since mid-summer, quality of life has improved.

The objector has been notified of the site visit and Planning Control Committee meeting.

### **Consultations**

Highways team - No objection.

Drainage Team - No objection.

Baddac - No objection.

Conservation - No objection. In design terms the extension is in keeping with the style of the existing property and would not have a material impact on the conservation area.

GM Police - No objection.

Environmental Health - No objection.

### **Unitary Development Plan and Policies**

EN1/2 Townscape and Built Design

EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control

CF1 Proposals for New and Improved Community Facilities

CF3/1 Residential Care Homes and Nursing Homes

### **Issues and Analysis**

Policy - UDP policies CF1, CF3 and CF3/1 relate to community and social care facilities. The policies support appropriate provision of new and improved care facilities where they do not conflict with the residential amenity of neighbouring residents and any other policies and guidance. As the proposal would improve facilities at the care home, the extension is considered to be acceptable in principle and accords with these policies.

Other UDP policies relate to the visual amenity of the street scene and character of the conservation area in which the site is located. EN1/2 Townscape and Built Design with conservation area policies EN1/2 and EN2/2 states that proposals with conservation areas should conserve and enhance the character of the area. Special regard should be given to the size, design and materials use and the relationship with surrounding properties.

Character of Conservation Area - The proposed extension follows the general design approach in the existing building and the traditional buildings forms and details in the area. The proposed finishing materials are acceptable in that they are consistent with the existing and surrounding buildings. The main body of the extension will be readily viewed from surrounding public roads. The proposed windows although Upvc, would be in a traditional casement style. Whilst this may not be acceptable at the front, there is less objection at the rear where there are existing Upvc windows on the existing elevation and views of the extension are limited. In terms of the size, siting and design the extension is considered to be in keeping with the conservation area and complies with related policies EN2/1 and 2/2.

Residential Amenity - The extension is centrally located on the rear elevation. It is 6m away from the boundary with the immediate neighbour at No.6 Glebelands Road and in between is an existing outbuilding used for ancillary accommodation which effectively screen the extension from this side. The extension is 5.5m from the rear garden boundary of No.28 Poppythorn Lane and 20m from the rear elevation of the house. Given the size of the extension and the distances between properties, it is considered that there would be no material impact on the residential amenity of the occupiers of the neighbouring properties. As such the proposal would not conflict with UDP Policy CF3/1.

Traffic - The additional 'family' bedroom created would not have a significantly intensify the use of the site in terms of traffic generation as relatives can already visit residents within the home. The site has five parking spaces and is located close to Prestwich Town Centre and as such the alterations will not conflict with Policy CF3/1.

Objection - In response to the objection the extension will not increase the number of residents but allow family members to stay for the reasons stated in the report. As also stated the additional family bedroom would not significantly increase noise and disturbance as relatives can already visit residents at the premises. With regard to the potential for conversion to a bedroom the application can only be judged on what is proposed and in practical terms the position of the room makes this an unlikely scenario. Nevertheless a condition restricting the use of the room can be attached to any approval.

The design of the extension has been examined in detail by the Conservation Officer who considers that the extension is well designed and will not affect the character of the Conservation Area. The centre is currently empty due to general refurbishment the centre, which would take place with or without the alterations subject to this application.

### **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;-  
In design terms the extension is in keeping with the existing building and conservation area. The additional room would not materially intensify the use of the premises.  
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 1075/01A, 02, 03A, 04A, 05A, 06A, 07 and SSL:12298:100:1:1 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 new communal area within the extension shall not be used as a bedroom without the prior written consent of the Local Planning Authority.  
Reason. To control the intensity of the use of the site in the interests of residential amenity pursuant to UDP Policy CF3/1- Residential Care Homes.

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

**Ward:** Prestwich - Sedgley

Item 05

**Applicant:** Ivy Homes

**Location:** 17 SHEEPFOOT LANE, PRESTWICH, M25 0BN

**Proposal:** SHELTERED ACCOMMODATION (CLASS C3) - 10 APARTMENTS

**Application Ref:** 50322/Full

**Target Date:** 02/12/2008

**Recommendation:** Minded to Approve

**This application is Minded to Approve subject to the completion of the s106 agreement relating to a contribution for recreation provision. The Agreement should be signed and completed within a reasonable time. However, should the agreement not be signed, then delegated authority should be given to the Assistant Director (Planning, Engineering and Transportation) to refuse the application.**

### **Description**

There was formerly a dwelling on the site, which has now been demolished and the site has been cleared. The application site fronts onto Sheepfoot Lane and Heaton Park. The application site is located within a residential area and the dwellings on Sheepfoot Lane are large detached properties with a variety of styles. The residential properties to the southeast of the application site are at a lower level than the application site and a footpath is located to the west of the application site, which links Sheepfoot Lane to Downham Crescent.

The proposed development involves the erection of a single building comprising of 10 apartments, along with various ancillary works, such as boundary fencing and bin stores. The proposed development would be sheltered accommodation as the proposed apartments would benefit from an off-site warden service.

The proposed building would be a four storey building with a pitched roof. The fourth floor of the building has been accommodated within the roof space and the natural slope of the land has been utilised to accommodate a basement level in the lower rear garden. The car park would be located at the front of the building and the amenity space would be located at the rear of the building. The bin store would be located within the car park along the site frontage.

### **Relevant Planning History**

The dwelling was demolished without planning consent.

### **Publicity**

The properties (15, 16, 18, Sheepfoot Lane; 89 – 97 (odds) Downham Crescent & 2 Northleigh Drive) were notified by means of a letter on 2 September and a press notice was posted on 11 September. Site notices were posted on 3 September 2008. A letter was received from the occupiers of 16 Sheepfoot Lane, which has raised the following issues:

- Concerned about the size and height of the building
- Concern regarding the security of the property

The objector has been notified of the Planning Control Committee meeting.

### **Consultations**

Highways Team – No objections, subject to the inclusion of conditions relating to the provision of the new access and car parking.

Drainage Team – No objections

Waste Management – No objections to the size of the bin store. However, the height of the door to the store should be increased to get the bins in.

Environmental Health - Contaminated land – No objections, subject to the inclusion of

conditions relating to contaminated land  
Landscape Practice – No comments  
BADDAC – Supportive of the application and the commitment to Lifetime Homes.  
Manchester City Council – No response  
GM Police Architectural Liaison – No objections following the submission of a Crime Impact Statement.  
United Utilities – No objections

### **Unitary Development Plan and Policies**

H1/2 Further Housing Development  
H2/1 The Form of New Residential Development  
H2/2 The Layout of New Residential Development  
H4/2 Special Needs Housing  
EN1/1 Visual Amenity  
EN1/2 Townscape and Built Design  
EN1/3 Landscaping Provision  
EN2/4 Historic Parks  
EN7 Pollution Control  
RT2/2 Recreation Provision in New Housing Development  
HT2/4 Car Parking and New Development  
HT5/1 Access For Those with Special Needs  
SPD1 DC Policy Guidance Note 1: Recreation Provision  
SPD6 DC Policy Guidance Note 6: Alterations & Extensions  
SPD7 DC Policy Guidance Note 7 - Managing the Supply of Housing  
SPD11 Parking Standards in Bury  
EN1/5 Crime Prevention

### **Issues and Analysis**

Principle - Policy H4/2 states that the Council would encourage the provision of special needs housing and would be assessed with regard to the location of health care facilities, the location of local shops, public transport; the gradient of the site and the provision of car parking and amenity space.

The proposed development would be located within a residential area and as such, it is considered that there would be adequate infrastructure and would not conflict with the surrounding land uses. The proposed building has been designed to facilitate level access to the ground level and lower ground level amenity areas. The proposed development would have adequate car parking (see below) and would be located on a good bus route, which provides access to shops and medical facilities.

Policy L4 of the Regional Spatial Strategy states that the average rate of housing provision is 500 dwellings per year. The application site contained a dwelling, until it was cleared one year ago and the land is considered to be previously developed land. As a result, it is considered that the proposed development would not conflict with the other land uses. Therefore, it is considered that the proposal is acceptable in principle and would be in accordance with Policy H1/2 of the adopted Unitary Development Plan and Policy L4 of the Regional Spatial Strategy.

Design of building - The proposed building has been sited in a similar location to the previous building. The proposed building would incorporate various details, including a hipped pitched roof and pike details, which can be seen on the surrounding dwellings within the locality. The streetscene plan shows the proposed development in the context of the surrounding dwellings, including the surrounding trees and landscaping. It is considered that the proposed development would fill the current void within the street scene and would be appropriate in terms of height, massing and scale. The proposed development would be partially screened by the existing trees within the locality and as it would be located on a

similar building line to the surrounding properties, it is considered that the proposed development would not be unduly prominent within the streetscene. Therefore, it is considered that the proposed development would be in accordance with Policies H2/1, H2/2, EN1/1 and EN1/2 of the adopted Unitary Development Plan.

The proposed bin store would be located in the centre of the car park, to the east of the footpath leading to the main entrance. The proposed bin store would be constructed from brick, which would match the materials for the proposed building and it is considered that the proposed bin store would not be unduly prominent within the locality. It is considered that the proposed bin store would be adequate in terms of its size and Waste Management Services has no objections to the proposal.

Impact upon surrounding area/residential amenity - The properties on Downham Crescent are approximately 1 storey lower than the proposed development, which would be four storeys. The aspect standard in DCPGN6 states that there should be a minimum of 20 metres between directly facing habitable windows and 3 metres should be added onto this distance for each additional storey. There would be 30 metres between the proposed development and the rear elevation of the properties on Downham Crescent, which would be in excess of the 29 metres required by DCPGN6.

There would be no openings on the gable elevations of the proposed building, with the exception of windows relating to the kitchen and dining room/bedroom of the two apartments located within the roofspace. However, these openings in both gable elevations would be high level windows and therefore, it is considered that there would not be a significant adverse impact upon the privacy of the occupiers of Nos 16 & 18 Sheepfoot Lane. There would be two balconies at ground and first floor level, which would be located on the rear elevation and close to the boundaries with Nos 16 & 18 Sheepfoot Lane. The proposed plans indicate that screens would be provided to protect the privacy of the future occupiers and that of the occupiers of the adjoining properties. Therefore, it is considered that the proposed development would not have a significant adverse impact upon the amenity of the occupiers of the neighbouring properties and would be in accordance with Policy H2/1 of the adopted Unitary Development Plan and DCPGN6.

Parking and access - As part of the proposed development, two accesses would be created into the site and a one way system would operate around the car park. The proposed entrances would incorporate gates and these have been set back to ensure that a car can pull off the road fully. It is considered that the proposed accesses would be acceptable and that there would be adequate turning facilities within the car park. The highways team has no objections to the proposal, subject to the inclusion of conditions relating to the provision of the new access and car parking.

SPD11 (Parking Standards) states that the maximum parking provision should be 1 space per three units of sheltered housing and therefore this proposal should be providing 3 parking spaces. The proposed development would incorporate 3 parking spaces, 1 disabled space, 7 spaces for visitors and 1 space for services. It is acknowledged that the proposed development would provide more parking spaces than the maximum number. However, the design and access statement states that the site is located within a Jewish area and it is likely that there would be many visitors on Fridays, due to the tradition of family gatherings. Also, it is considered that due to the size of the proposed residential units and as Sheepfoot Lane is not suitable for on-street parking, it is considered that the total parking provision of 12 spaces would be acceptable in this instance. The proposed visitor spaces would be constructed using grasscrete and would form part of the landscaping when not in use and would not be unduly prominent within the locality. As a result, it is considered that the proposed development would not have an adverse impact upon highway safety and would provide adequate parking. Therefore, the proposed development would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11 (Parking standards).

Disabled access - The provision of a disabled parking bay in close proximity to the entrance

is welcomed and level access would be provided to all entrances. There would be a single lift, which would provide access to all floors and alternative access would be provided by stairs to all floors. The proposed development would comply with the Lifetimes Homes Standard and therefore, it is considered that the proposed development would be fully accessible to all people. As a result, the proposed development would comply with Policy HT5/1 of the adopted Unitary Development Plan.

Contribution - The proposed development would involve the provision of 10 dwellings and in accordance with the guidance contained within the SPD1 (Recreation provision in new development), a contribution has been sought towards the provision of recreational open space (£4,117.60). This will be secured through a Section 106 agreement.

Response to objectors - The size and height of the proposed building has been dealt with above. The applicant has submitted a Crime Impact Statement, which has identified any measures required to reduce crime and ensure that the building would be secure. These measures have been incorporated into the scheme and GM Police Architectural Liaison Unit has no objections to the proposal. Therefore, it is considered that the proposed development would be secure and would comply with Policy EN1/5.

### **Summary of reasons for Recommendation**

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

The proposed development is acceptable in principle and would be acceptable in terms of height, scale and design. The proposed development would not have an adverse impact upon the amenity of the occupiers of the surrounding properties and the proposed development would not be detrimental to highway safety.

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 5321(01)001, 5321(01)002, 5321(04)001 B, 5321(04)002 A, 5321(04)003, 5321(04)004, 5321(04)005 C, 5321(04)006 A, 5321(04)007 B, 5321(04)008 B, 5321(04)009, 5321(04)010 B, 5321(04)011, 5321(04)012 B, 5321(05)001, 5321(05)002, 5321(05)003, 5321(05)004 B, 5321(05)005, 5321(05)006 B, 5321(06)001, 5321(06)002 A and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Prior to the development hereby approved commencing:
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
  - Where actual/potential contamination and/or ground gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation is required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.



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

4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

5. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and; The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

6. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:
  - Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
  - A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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

7. Samples of the materials to be used in the external elevations, including details of the screens to the balconies, 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.

8. The development hereby approved shall not be first occupied unless and until the vehicular access improvements indicated on the approved plans, including the reinstatement of the redundant vehicular access onto Sheepfoot Lane and provision of entry and no entry signage, have been implemented to the written satisfaction of the Local Planning Authority.

Reason. To ensure good highway design in the interests of highway safety.

9. 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 development hereby approved being first occupied.  
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.

10. 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.
11. No development shall commence unless and until details of the proposed screens to the balconies has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation and retained thereafter at all times.  
Reason. To protect the amenity of the occupiers of the nearby residential properties pursuant to Policy H2/1 - The Form of New Residential Development of the Bury Unitary Development Plan.
12. The development hereby approved shall be category 2 sheltered accommodation and shall be restricted in occupation to those of aged 55 years or over.  
Reason. To maintain the proposal as sheltered accommodation pursuant to Policy H4/2 - Special Needs Housing of the Bury Unitary Development Plan.

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

**Ward:** Prestwich - Sedgley

Item 06

**Applicant:** Joseph Holt Limited

**Location:** OSTRICH INN, 163 BURY OLD ROAD, PRESTWICH, M25 5JF

**Proposal:** VARIATION OF CONDITION 3 TO READ: 'THERE SHALL BE NO LOUD SPEAKERS, AMPLIFIED MUSIC OR SCREENS PROVIDED TO THE PROPOSED SHELTER, OR IN ASSOCIATION WITH THE SHELTER AT ANY TIME'.

**Application Ref:** 50605/Full

**Target Date:** 12/12/2008

**Recommendation:** Approve with Conditions

### **Description**

The Ostrich Hotel is a public house fronting Bury Old Road opposite Heaton Park. To the north and west of the site are residential properties on Bury Old Road, Ostrich Lane and Ogden Street and to the south is St Monica's High School. The pub has a large beer garden to the rear and side (to the south) with tables and umbrellas. Access to the beer garden is from the main building at the rear or via a gated opening off Ostrich Lane.

Planning permission was granted for a retrospective shelter at the Planning Control Committee in November 2007 which included Condition 3 that "There shall be no loud speakers, amplified music or screens provided to the external areas, including the proposed shelter, at any time." This application seeks to vary this condition to read "There shall be no loud speakers, amplified music or screens provided to the proposed shelter or in association with the shelter, at any time."

The reason for requesting the variation of the condition is that it does not satisfy two of the tests for the validity of a condition. Firstly, that it was not 'necessary' to include 'external areas' when the original application was solely for a garden shelter; and secondly that the condition was not 'relevant' in that the condition does not fairly and reasonably relate to the development permitted.

### **Relevant Planning History**

08/0456 - Enforcement case about the unauthorised television within the smoking shelter that has resulted in this application.

08/0064 - Breach of Condition 3 reported.

48730 - Retrospective smoking shelter to the rear of the public house - approved 21/11/2007.

07/0220 - Enforcement case about the unauthorised erection of a smoking shelter.

### **Publicity**

Immediate neighbours notified at Nos 1,3 Ostrich Lane; 163a, 165, 165a, Bury Old Road; 25, 27, Ogden Street; St Monica's RC High School, Bury Old Road; Flats 20, 22, 24, 26 Kirkton Lodge, Ostrich Lane.

Site notice posted on 23/10/2008.

Letters received from No 27 Ogden Street and 22 Kirton Lodge with the following comments:

- strongly object as it contravenes residential amenity pursuant to UDP Policy S2/6 - Food and Drink.
- the television screen is still in situ within the smoking shelter which contravenes Condition 3.
- there is continued loud music and general disturbance from the public house.
- the nearby flats on Kirton Lodge are sheltered accommodation and within a quiet neighbourhood.

The objectors have been notified of the Planning Control Committee.

### **Consultations**

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

### **Unitary Development Plan and Policies**

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

### **Issues and Analysis**

Justification for variation of condition - The condition of the original approval to restrict speakers and screens to both the shelter and external area was included to protect the amenity of local residents. However, the condition imposed does not pass the tests normally accepted to make a condition enforceable in that it tried to restrict the operation of the whole of the external area of the beer garden rather than the shelter and its immediate surrounding area. Consequently, the condition is ultra vires and incapable of enforcement. The revised wording of the condition now restricts music and screens to the shelter itself or to any area associated with the shelter and as such would be an enforceable condition. The proposal is considered acceptable and would comply with Unitary Development Plan Policy S2/6 - Food and Drink.

Planning permission would still be required to regularise the erection and use of any new screens or speakers on other external areas within the site, and Environmental Health can take necessary action to ensure that there is not an unacceptable impact from noise associated with the use of the public house's external areas on residential amenity.

Objections - The unauthorised television screen is currently under investigation by Enforcement and action will be taken to effect its removal once this application has been determined .

### **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 variation of condition is considered to be a reasonable amendment to the original condition given that any structures or equipment would require planning permission and that levels of noise associated with the external areas would be controlled under Environmental Health Noise Pollution.

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 2/10/2007 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. There shall be no loud speakers, amplified music or screens provided to the proposed shelter or in association with the shelter, at any time.  
Reason. To safeguard the amenities of the occupiers of nearby residential

accommodation pursuant to Policy S2/6 - Food and Drink of the Unitary Development Plan.

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

**Ward:** Prestwich - St Mary's

Item 07

**Applicant:** Totesport

**Location:** UNITS 5 & 6 THE RADIUS, FAIRFAX ROAD, PRESTWICH

**Proposal:** CHANGE OF USE UNIT 5 AND PART CHANGE OF USE OF 6 TO LICENSED BOOKMAKERS (CLASS A2)

**Application Ref:** 50490/Full

**Target Date:** 10/11/2008

**Recommendation:** Approve with Conditions

### **Description**

The site comprises two vacant ground floor retail units within the Radius development in the centre of Prestwich. The initial submission sought planning permission to convert both units to a Bookmakers (Class A2) with a combined floor area of 162.5sqm. The bookmakers already occupy a unit within the Longfield Centre and intend to relocate should approval be given.

Following concerns that the non-A1 frontage would be too long, the applicant has amended the scheme to retain most of unit 6 in A1 use. The bookmakers would cover Unit 6 and the rear section of Unit 5 and have a total floorspace of 103sqm. This would leave 55.07sqm of A1 retail space within Unit 6. In terms of the frontage the revised scheme reduces the non-A1 frontage across the two units from 12m to 6m.

Customer and staff toilet facilities would be located in the area to the rear of Unit 5 Servicing for the two units is from the front and this will not change with the new use.

The frontage along this side of the Radius is 58m long and was originally made up of 7 separate units, although two of the units (8 and 9) have been combined in one larger retail unit. Two retail outlets, Superdrug and Qualitysave occupy the three largest units along this frontage whilst the four smaller retail units, including units 5 and 6, are currently vacant.

### **Relevant Planning History**

40190 - Demolition of existing buildings and new build mixed use development with residential above - Approved 05/08/2003

### **Publicity**

Site Notice posted within Longfield Centre public square 23/09/2008. Immediate neighbours notified by letter dated 19/09/2008. Neighbours notified comprised businesses and residents of the Radius and the Longfield Centre and Bury New Road.

One letter of objection has been received from the occupier of 97 Cedar Court who states that a bookmakers would cheapen the area and encourage unwanted groups of drinkers to gather outside.

The objector has been notified of the Planning Control Committee.

### **Consultations**

Highways team - No objection.

Drainage team - No objection.

Environmental Health (Pollution) - No objection.

Prestwich Area Board - No comment.

### **Unitary Development Plan and Policies**

S1/2 Shopping in Other Town Centres

S2/2 Prime Shopping Areas and Frontages  
Area The Longfield Centre/Bury New Road  
PR1

### **Issues and Analysis**

The premises are situated within the Prime Shopping Area of Prestwich Town Centre and, as such, any proposals are subject to UDP Policy S2/2 Primary Shopping Areas and Frontages. This Policy specifies that the Council will seek to maintain retailing (A1) as the predominant land use at the ground floor level.

Policy S2/2 lists criteria a) to d) on which any proposal would need to be assessed;

- a) the design and appearance of the proposed frontage
- b) the maintenance of a display window at ground floor level
- c) provision of disabled access
- d) impact of noise and disturbance.

In addition the policy goes on to state that where a proposal would lead to more than 10% of the frontage being in non-A1 use, the Council will take into account a number of other factors, namely:

- e) the location and prominence of the proposal within the prime shopping frontage;
- f) the number, distribution and proximity of other premises in non-retail (Class A1) use or with planning permission for such uses; and
- g) the particular nature and character of the use proposed, including the level of activity associated with it.

In terms of criteria a) to d) the proposal is considered to be acceptable in terms of shopfront design as the application does not alter the existing arrangement, there is level access and the use would not present any serious noise and disturbance issues.

If the impact of the proposal is to be assessed purely against the frontage as identified in the UDP (i.e. the southern frontage only), it would lead to 11% of the frontage being in a non-A1 use. As such further criteria e) to g) should be considered.

With regard to the prominence of the new use, the unit faces on to the main square within the Longfield Centre, undoubtedly a focal point within the shopping centre. Given that the frontage would be reduced to 6.5m or 11% of the overall frontage the impact of the non A1 use would not be considered to be significantly detrimental to the character of the streetscape. With regard to other non-A1 uses, on the frontage the remaining units are in A1 use with the non-A1 uses on the western elevation. With regard to activity associated with the proposed use, a bookmakers, whilst not having a retail display window does not necessarily create a 'dead frontage' and operates during daytime hours.

Given that the application has been amended so that the the extent of non-A1 frontage has been halved, thus reducing the overall impact that this would have on the wider frontage to the Radius, the proposal is now considered to be acceptable.

Residential amenity - Given the site is within the Town Centre and then scale of the operation and hours of opening, it should not present any serious issues with regard to noise pollution or general disturbance. Residential amenity of the occupiers within the Longfield centre should therefore not be materially affected.

### **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 change of use would not have a seriously adverse impact on the vitality or viability of

Prestwich Town Centre or materially affect the residential amenity of nearby 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 revised floorplans numbered Prest(1) - 1 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. Opening hours shall be confined to the following:-  
0800 hrs to 1800 hrs Daily.  
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/2 Primary Shopping Areas and Frontages.
4. That part of Unit 5, indicated as 'Area C' in the approved plan shall remain within the A1(Retail) Use Class.  
Reason. In order to maintain the retail character of the shopping frontage pursuant to UDP Policy S2/2 Primary Shopping Areas and Frontages.

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



**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 08

**Applicant:** Howards Property Ltd

**Location:** NEW CENTURY APARTMENTS, STUBBINS LANE, RAMSBOTTOM

**Proposal:** NEW 900MM HIGH RAILINGS TO SITE FRONTAGE

**Application Ref:** 50486/Full

**Target Date:** 25/11/2008

**Recommendation:** Approve with Conditions

### **Description**

The application site comprises the New Century Apartments which received planning permission in 2002. The 3 storey apartments front Stubbins Lane with residential properties to the north, south and west. Opposite is Christ Church Meeting Hall and the access road to flats at Ashton Lodge. Access to the site is directly off Stubbins Lane and leads to a parking area in front of the apartments. There is planting and shrubs adjacent to the public footpath along the front of the site.

The application is a result of management problems associated with anti social behaviour from people using the bus stop adjacent to the site.

It is proposed to erect 900mm high steel railings along the eastern edge of the boundary adjacent to the public footpath and Stubbins Lane. The original planning consent restricted development more than 0.6m high within the visibility splay of the entrance to the site.

As the railings would be positioned within this visibility splay, planning permission is required.

Landscaping and parking would be unaffected by the proposal.

### **Relevant Planning History**

49640 - 1.2m high railings to site frontage - withdrawn - 8/4/2008

37883/01 - Reserved Matters for 36 Apartments - approved conditionally 2/5/2002

36993/00 - Outline for residential development - approved conditionally 1/12/2000

### **Publicity**

Neighbours have been notified at Nos 20-36 (evens) Heatherside Road; Flats 1-37 New Century Apartments, Stubbins Lane; Flats 1-32 Ashton Lodge, Great Eaves Road; Nos 33, 35, 37, 73 Stubbins Lane; Christ Church Meeting Hall, Great Eaves Road; Timlin Ellis & co, Stubbins Lane; Ramsbottom Service Station, Stubbins Lane; Oakdene Service Station, Stubbins Lane.

A letter has been received from Flat 33 New Century Apartments, Stubbins Lane with the following comments:

- the railings are quite "tacky" and "tasteless" and would make the flats look more obtrusive
- the railings would not stop people trespassing
- if there is a gate it would be dangerous to highway safety.

The objector has been notified of the date of the Planning Control Committee.

### **Consultations**

Highways Team - No objections

GMP Architectural Liaison Unit - No objection

### **Unitary Development Plan and Policies**

EN1/2 Townscape and Built Design

HT2/1	The Strategic Route Network
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development

### **Issues and Analysis**

Appearance and siting - The proposed railings are of traditional design and black in colour with gold detailing and are similar to many others in the area. Whilst the detailing is ornate with the gold features it is not out of character with the 3 storey modern flat development that it is seen in connection with. As such, they are considered appropriate to the area and would not harm the visual character of the area and would comply with Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

Residential amenity - The railings would be approx 5m away at the shortest point from the ground floor windows of the flats and would therefore be visible to some of the occupiers of the flats. However, the land along the eastern boundary of the site is set slightly lower than the ground floor windows of the apartments and the majority of the habitable windows facing the railings would be more than 10m away. The railings would not exceed 900mm in height and the design would maintain an open feel to and from the apartments. As such, the proposal is considered not to detrimentally affect the outlook of the occupiers of the flats. The proposal complies with UDP Policy EN1/2 - Townscape and Built Design, H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development.

Access - Existing vehicular and pedestrian access to the flats would not be affected by the proposed railings and as such complies with UDP Policy EN1/2 - Townscape and Built Design, H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development.

Highways - The railings would be set back 200mm from the adopted highway and would not exceed 900mm in height. Visibility to and from the apartments would not be affected by the proposal and highways have no objections and as such complies with UDP Policy H2/2 - The Layout of New Residential Development.

Objections - The objections in relation to visual amenity and security have been covered in the above report. For clarification, the application does not include gates as they do not have a desire to create a gated community and the railings will prevent the problems associated with the bus stop.

### **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 railings would not harm the character of the area or the amenities of the nearby residential properties. The scheme would not 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 the site layout on plan No 2701/08 Rev B; fence details and elevations on plan No 854-0 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 **Jennie Townsend** on **0161 253-5320**

**Ward:** Whitefield + Unsworth - Pilkington Park

Item 09

**Applicant:** Rabbi Jaffe

**Location:** LAND TO THE WEST OF OLD HALL LANE, WHITEFIELD

**Proposal:** (OUTLINE) ERECTION OF NEW PRIMARY SCHOOL

**Application Ref:** 50250/Outline Planning  
Permission

**Target Date:** 11/12/2008

**Recommendation:** Refuse

### **Description**

Outline approval is sought by the trustees of the school for a replacement primary school with associated outdoor recreation and sports facilities, nursery and creche on a greenfield site to the west of Old Hall Lane. Reserved matters approval is sought for access, layout and scale of development. The design and landscaping would be dealt with by a subsequent reserved matters application.

The existing Bury and Whitefield Primary School is a single form voluntary aided Jewish Primary school located off Parr Lane Unsworth. The site was acquired by the trustees some twenty years ago following the closure of the former St. George's Primary School. Access is from Parr Lane and runs adjacent to No.110. The existing school site, including the Local Authority owned playing field, measures approximately 1.17ha. The adjacent playing field, which is enclosed within the school site by railings, covers 0.72ha. The school site, including school buildings, roads, parking, hard play areas covers an area of 0.459ha (applicant's figure). It should be noted that the area actually owned by the Trustees actually measures approximately 0.54ha as the land originally purchased by the Trustees included a strip of field, measuring approximately 0.12ha, adjacent to the school buildings. A layout of the existing school site and adjacent playing field is attached at Appendix 1.

The existing school building itself is single storey with mono-pitched flat roofs. It is an ageing building which is described by the applicants as displaying significant condition problems which in turn has limited opportunities for the school to develop.

The site of the proposed new school covers approximately 6.8ha and is currently in use as agricultural pasture land. The land is irregular in shape and falls gradually from north to south with a lesser fall from east to west. The site itself is bounded to the west and east by hedgerows. To the north is open pasture and a three detached residential properties on Copper Lane. Snape Wood lies to the south. To the west of the site are residential properties located along Old Hall Road, Rye Croft and Marle Croft and which form the edge of a residential estate of similar properties to the west. Location plans for the existing site and the proposed site with photographs are attached to this report.

The applicant has indicated that a site of at least 1.5ha is required for the school although a 2ha site would be preferable. The new primary school would accommodate 210 children with the nursery and creche accommodating 30 and 15 children respectively in the same building. The new building would be located within the southern section of the site and have a floor area of 2312sq metres (0.23ha). The proposed outdoor sports provision and hard play areas take up 0.78ha. Design details would be submitted as reserved matters but it is indicated that the building would be single storey with a 'green roof'.

A new access point would be formed from Old Hall Lane at its junction with Sergeants Lane. It is at this junction that a new mini roundabout would be formed. A new road would connect Old Hall Lane at its junction with Copper Lane with Ringley Road to the north. The

existing 90m section of Old Hall Lane from Ringley Road would be formed into a cul-de-sac. The access road into the site would extend approximately 200m to a service area on the western side of the school building. A secondary spur would extend from the main access road and form a drop-off point with a bus lay-by on the western side of the site.

A Transport Assessment was submitted with the application. The assessment indicates that:

- The existing school on Parr Lane recorded a total peak of 122 cars dropping pupils off during the afternoon peak.
- It is predicted that there would be an increase of 44 vehicles on the west arm of Ringley Road and 32 vehicles on the east arm during peak hour. The table below sets out the % increases on Ringley Road:

Arm	AM % Increase	PM % Increase
Ringley Road (E)	5.1	4.3
Ringley road (W)	8.9	10.9

- No recurring accident problems appear to be associated with the area around the site.
- An increasing number of children are likely to walk or cycle to school or take the school bus.
- There would be no significant increase in traffic or traffic related problems as a result of the proposal.

The Justification Report prepared by consultants and surveyors Stewart Pearl Associates and submitted with the application states that the new school is needed because the existing school is inadequate in that it is in poor condition and does not satisfy current guidance published by the Department for Children, Schools and Families - Building Bulletin 99 (BB99). This document sets out non-statutory area guidelines for primary school buildings. The table below, submitted with the application indicates how the existing school falls short of the BB99 criteria. The figures are based on a school roll of 210 although it is noted that the current roll, excluding nursery, is only 132.

Total site area (excluding adjacent playing field)	4,590sqm	
Less Area for Road and Parking		980
Less Area for existing Nursery		296
Site Area Remaining for Development	3,314	
Area Required for Hard Play by BB99	3,195	
Remaining Area available for School Building	119	
<b>Minimum Area Required for School Building</b>	<b>1,250</b>	
<b>Area Shortfall</b>		<b>1,131</b>

The applicant's report states that whilst the overall school building compares reasonably well with the BB99 standards, closer examination of the schedule reveals inadequacy within the school such as:

- The building is poor quality and nearing the end of its useful life.
- People having to pass through the hall to access classrooms and library.
- Undersized staff areas.
- Lack of disabled facilities.
- Lack of storage.
- Lack of toilets for kitchen staff.
- Inadequate hard play area.
- The playing field is owned by Bury Council and is used by non-school football teams. It therefore cannot be converted to a hard play area.
- Vehicular access is inadequate and conflicts with residents access and parking and can lead to congestion.
- Service vehicles have to do 3 point turns to exit the site.

- The access and parking arrangements are a safety risk.

It is indicated by the applicant that rebuilding or major remodelling would not be an option for the following reasons:

- It would not solve the access and parking problems.
- Any extension would reduce the amount of hard play area even further.
- For the above reason extensions could not be provided.
- Increasing space in some areas would reduce space in others.

Given the apparent inadequacy of the present site, a Study of Potential Sites for New School Facilities has been submitted by the applicant. It sets out the five main stages for assessment of sites within the school catchment area (area within which 80% of the pupils reside) plus 1km.

Stage 1. Identification and Elimination of Constrained Areas

Stage 2. Identification of Sites within the Urban Area.

Stage 3. Assessment of Sites within the Urban Area

Stage 4. Identification of sites outside the urban Area

Stage 5. Assessment of sites outside the urban Area

The site search comprised:

- Previously developed land and buildings within the urban area.
- Open space/undeveloped land within the urban area.
- Previously developed land on the edge of the urban area.
- Undeveloped land on the edge of the urban area, which is designated as Green Belt.

Stage 1 recognised a number of primary constraints:

1. Protected Areas - Special Landscape, Protected Recreational Provision. Policy RT1/1 provides three exceptions where development may be allowed on protected recreation sites.

- Facilities can be retained and enhanced by the redevelopment of a small part of the site.
- Alternative provision of equivalent community benefit is made available.
- It can be demonstrated there is excess recreational provision in the area.

The applicant indicates that last of the three exceptions can be ruled out as there is a recognised shortfall in formal sports provision in Whitefield and Prestwich in comparison to National Playing Field Association (NPFA) standards.

2. Access to Public Transport - Applicant suggests that the site has safe and convenient public transport.

3. Natural Environment - Applicant suggests that the site should not be subject to ecological constraints.

4. Historical Environment - Applicant suggests that the site should not have significant historic value.

5. Current use - Areas which are already used for formal recreation were discounted eg. golf courses, football pitches.

Areas subject to the above constraints were not considered in the study.

Stages 2 to 5 identifies and assesses individual urban and non-urban sites within the search area. Appendix 2 contains details of each site and how it was assessed.

A summary of the applicants case for 'very special circumstances' is attached at Appendix 3.

### **Relevant Planning History**

Existing site - 36589 - Single storey Extension - Approved 21/07/00

43960 - Security Fence - Approved 2/03/05

Proposed Site - None relevant.

### **Publicity**

Press notice posted in Bury Times on 18th September due to proposal being a major application, a departure from the Development Plan and Affecting a Public Right of Way.

Site notice posted on site on 25th September.

Letters of notification were sent to the following residents on 16th September.

2-8 and 13 Meadow Croft, 1-9a (odd) Ryecroft, 1-7(odd) and 2-10 (Even) Sergeants Lane, 1-6 The Meadows, 2-30(even) Marle Croft, 33-61(odd) Rivington Court, 90-96 Ringley Road, 2-6(even) Recot Court, 1-15 Old Hall Court, 18 Wentworth Avenue, 1-3 Copper Lane, Hurst Farm Copper Lane, Dudley House and The Cottage on Clarkes Hill, Clarkes Hill House Hurstwood, Carters Hill Farm, Oak Barn, Laburnum Cottage and the White House on Old Hall Lane Old Hall Lane.

The great majority of the 271 individual objections have been received from households in Whitefield. Other objections are from Radcliffe, Prestwich and other parts of Bury and Manchester. Ivan Lewis MP, The Old Hall Residents Association, National Farmers Union and the Campaign to Protect Rural England Lancashire (CPRE) have also objected.

The objections are summarised below.

Relocation Issues.

- A new school in the Green Belt is unnecessary and the case has not been proven for exceptional circumstances.
- A new larger school is not required since the school roll at the school has fallen over the last few years.
- There is enough room on the site to satisfy guidance criteria with BB99 with improvements. The figures used to justify relation from the existing school site are incorrect. In particular the area required for hardplay would not be 3195sqm but 2057sqm with a minimum of 1777sqm - and reduced areas are allowed on a confined site.
- A new school does not need to be 1.5ha.
- The problems of the school in terms of the condition of the buildings are not particularly serious compared to other schools in the Borough.
- Problems experienced within the school such as circulation, could be overcome by reconfiguring the existing layout.
- The site search for potential sites is flawed and does not realistically present the case for alternative sites.
- The search area for alternative site was too tight and could have included areas in Manchester where there are Jewish communities.
- The site search was restricted to sites within 400m of high frequency bus routes. However the site search study refers to the acceptable 1000m walking distance to schools set out in the Institute of Highways and Transportation (IHT) Guidelines for Providing Journeys on Foot.
- There are alternative brownfield sites that could be used to site a new school.
- If a new school were to be built on the adjacent playing field, soft play facilities could be utilised at the nearby Castlebrook High school.
- King David's Primary School could combine with Bury and Whitefield School to avoid this situation.
- CPRE suggest that, contrary to the Site Selection Report, Thatch Leach Lane is considered to be more suitable than the proposed Green Belt site.

Environmental Issues

- The proposal is contrary to Green Belt policy and the Regional Spatial Strategy for the North West and will lead to the deterioration of the countryside. Conservation should be put before development.
- The area functions as a 'green lung' to the residents of Radcliffe, Whitefield and Outwood and has helped focus development back into the urban area.

- Loss of visual amenity.
- The proposed access is poor and will be situated on a site where there are protected species.
- Increasing traffic congestion and parking problems particularly during the start and end of the school day.
- The road layout is impractical and a mini-roundabout on the country lane would be inappropriate.
- Reduce highway safety.
- Increase carbon emissions and generally add to increasing pollution levels.
- Loss of farmland.
- Reduction in the quality of life for local residents.
- Detrimental impact on the SBI, local ecology and wildlife.
- The proposal would exacerbate existing drainage problems.
- The development would detrimentally affect views of the countryside from neighbouring estate and public footpaths.
- Loss of trees.
- Increasing noise pollution from activities at the school and traffic generated.
- Detrimental impact on the ecology of the area which include bats, deer, badgers, great Crested Newts and birds etc.
- Detrimental impact on surrounding Public Rights of Way and walkers.
- Loss of value to houses.
- Approving the school may possibly lead to resentment against the Jewish community.
- The development impinges on Human Rights.
- The petition in favour of the development is misleading as it fails to mention the land involved is Green Belt and that many of the signatories do not live close to the site.
- Site notices were removed.
- Approving the application would set a dangerous precedent for further development in the Green Belt.

28 individual letters of support have been received from occupiers in Whitefield, Outwood, Radcliffe, Bury and Manchester and the Manchester and Leeds Beth Din Jewish Ecclesiastical Courts, Yesoiday Hatorah School, the Binoh of Manchester and Mayfair Management Company. Issues raised are summarised as follows:

- The Jewish community needs a new school.
- The Jewish community in Whitefield is growing.
- The location would be better and healthier than the existing site.
- It would not be an eye-sore.
- Children will be able to walk to school thereby reducing traffic and pollution.
- The new school would improve educational standards in the community.
- Traffic problems around the existing school site would be reduced.
- Traffic issues have been addressed and will not cause a problem.
- Many objectors have a 'not in my backyard' attitude.
- Many objectors support King David School.
- Facilities within the new school could be used by other community groups eg. theatre
- It would enable a cross fertilisation of ideas between the school and other Jewish schools in the area.

235 identically worded letters has been received from 'neighbours, parents and friends of the Bury and Whitefield Junior School', mostly residing in Whitefield and Bury. The signatories are in support of the proposal and state:

- The school has been working for years to find a mutually agreeable solution to the schools problems.
- The school is facilities are sub-standard.
- Delay has been unfair on the children
- There is no other viable location.
- The school would add to the community feel to the neighbourhood.



A petition in favour of the new school with 1290 names was also submitted with the application. The majority of the petitioners reside in Whitefield with smaller proportions from Radcliffe and Prestwich.

A letter from Aubrey Lee estate agents states that, in the opinion of the writer, property values in the immediate area of the new school would increase if the relocation takes place.

All the people who have commented on the application have been informed of the Planning Control Committee meeting.

### **Consultations**

Highways Team - Comments will be reported in the Committee Supplementary Report.

Greater Manchester Transportation Unit - The overall conclusion is that the relocation of the school would be beneficial in terms of sustainable transport as it would reduce travel distances for most pupils and likely to increase walking and/or cycling to and from the school. However the following concerns need to be addressed.

- As parking spaces have been reduced, it is important to encourage walking and cycling to prevent problems relating to drop-off and pick-up.
- Plans suggest high probability of conflict between pedestrians and vehicles. Consideration should be given to the provision of crossing facilities.
- The Transport Assessment does not refer to future traffic growth and assumes no changes to the road network in the area. It is suggested that a future year assessment of 5 years would provide a robust assessment.
- Detailed plans required of the junction layouts are required.
- Appropriate financial commitments for highway related works, on-site parking, bus stop improvements should be made.

Environmental Health (Pollution) - Recommend noise and vibration mitigation measures with regard to any proposed piling.

Environmental Health (Contaminated Land) - No objection subject to contaminated land conditions.

Environmental Health (Commercial) - No comment.

Environmental Health (Public Health) - No comment.

Education - The condition of the existing school is poor. However, in strategic terms rebuilding would not be a priority due to other schools in more deprived areas being in worse condition. In terms of demand within the mainstream Jewish community, this is met by Bury and Whitefield and King David Primary School in Manchester. As with the general pupil population, school rolls have been declining in recent years. Notwithstanding this it is forecast that demand in future years will be sufficient to sustain both King David School and Bury and Whitefield Primary Schools.

Wildlife Officer - Clarification required on a number of points but generally no strong objection.

Greater Manchester Ecology Unit - No comment to date.

Natural England - Inadequate information to determine the application.

Greater Manchester Archaeological Unit - No objection in principle subject to archaeological survey prior to work commencing.

Environment Agency - No comment to date.

Greater Manchester Police - No objection.

United Utilities - No objection in principle provided the site is drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the watercourse to meet requirements of government guidance in PPS25.

GMPTE - No objection.

Leisure Services (Parks and Recreation) - No objection in principle subject to an adequate site selection procedure.

### **Unitary Development Plan and Policies**

OL1	Green Belt
OL1/2	New Buildings in the Green Belt
OL4	Agriculture
OL4/1	Agricultural Land Quality
OL4/2	Protection of Farm Holdings
OL4/3	Development Impact on Farming Areas
OL5	River Valleys
OL5/2	Development in River Valleys
EN1/1	Visual Amenity
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN4	Energy Conservation
EN4	Energy Conservation
EN4/1	Renewable Energy
EN4/2	Energy Efficiency
EN5	Flood Protection and Defence
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/1	Sites of Nature Conservation Interest SSSI's NNR's
EN6/2	Sites of Nature Conservation Interest LNR's
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/3	Water Pollution
EN7/4	Groundwater Protection
EN8	Woodland and Trees
EN8/1	Tree Preservation Orders
EN8/2	Woodland and Tree Planting
CF1/1	Location of New Community Facilities
CF2	Education Land and Buildings
CF5/1	Childcare Facilities in New Developments
HT2/1	The Strategic Route Network
HT2/4	Car Parking and New Development
HT3	Public Transport
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
SPD2	DC Policy Guidance Note 2: Wildlife Links & Corridors
SPD3	DC Policy Guidance Note 3: Planning Out Crime
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD11	Parking Standards in Bury
SPD12	Travel Plans in Bury
RPG13	Regional Planning Guidance for the North West
PPS1	PPS1 Delivering Sustainable Development
PPG2	PPG2 - Green Belts

PPS9 PPS9 Biodiversity and Geological Conservation  
PPS11 PPS11 Regional Spatial Strategies  
PPS12 PPS12 Local Development Frameworks  
PPG13 PPG13 - Transport  
PPS22 PPS22 Renewable Energy  
PPS23 PPS23 Planning and Pollution Control  
PPG24 PPG24 - Planning and Noise  
PPS25 PPS25 Development and Flood Risk  
RSS 13 Regional Spatial Strategy for the North West

### **Issues and Analysis**

**Principal Policies** - The site is within the Green Belt and River Valley. The proposal should therefore be assessed in particular against UDP Policies OL1/2 New Buildings in the Green Belt, OL5/2 River Valleys and EN1 /1 Visual Amenity.

Policy OL1/2 New Buildings in the Green Belt states that new buildings should be for the following purposes:

- agriculture and forestry
- essential facilities for outdoor sport and recreation
- limited extensions to existing dwellings
- limited infilling in existing villages.

Policies OL5/2 River Valleys states that within River Valleys, new buildings or the change of use of land will not be permitted. The only exceptions considered acceptable will be those where the development would not lead to the division of the open parts of the valleys into sections and it falls within the terms of the established Green Belt policy.

Policy EN1 /1 Visual Amenity supports the aims of the above policies in stating that development will not be permitted where proposals have a detrimental effect on the visual amenity of areas such as the Green Belt, Special Landscape or River Valleys.

It is clear that the proposed school does not satisfy the criteria within Green Belt or River Valley Policies OL1/2 and OL5/2 respectively. Proposals that do not fall into the criteria are by definition inappropriate development and harmful to the Green Belt. When planning permission is sought for an inappropriate development it will be for the applicant to demonstrate the 'very special circumstances' why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In their various supporting documents, the applicant recognises that the proposal does not fall into any of the categories of development listed in OL1/2 and have set out their case for approval by describing what they see to be 'very special circumstances'.

Policy CF2 - Education Land and Buildings states that proposals for the provision, improvement and dual use of educational facilities will be considered favourably.

Policies OL4, OL4/1 and 4/3 relate to agricultural land and seek to protect farming activities and the best and most versatile agricultural land. proposal that would result in the loss of good quality farmland or detrimentally affect agricultural area will not be permitted.

Policies EN6, 6/1, 6/2, 6/3 and 6/4 seek to protect the environmental ecological interests whilst EN8, 8/1 and 8/2 deal with woodland and tree issues.

**Need** - In order to set the issues in context, below are a number of points relating to primary schools within Bury.

- 64 Primary Schools in Bury, 22 of which are Voluntary Aided.
- Schools range in size from 0.053ha to 0.39ha.
- The population within Bury is expected to grow by 10,000 (5%) over the next 15 yrs.

- The growth in population is mainly from in-migration.
- Population of 0-19yrs is set to fall from 47,800 to 45,700 over the next 15yrs.
- Performance of schools has been consistently above the national average.
- Due to declining birthrate demand for places within Bury as a whole has dropped over over a number of years although the rate of decline has differed across the Borough.
- Over last 20yrs the number of children travelling to school by car has doubled. During term 1 in 5 cars on the road are on a 'school run'.

Although school rolls within the more orthodox Jewish schools in the Manchester and Bury area are increasing, the numbers within the mainstream Jewish schools have been falling in recent years. This year the school roll, excluding nursery, totals 132 with Reception class having only 14 children. In comparison the school roll in 2000 was 181. This represents a reduction of 49 children or 27%. It is therefore not accepted that the school roll would necessarily increase to 210 from 132 in future years. However, given that there is a need to allow for some fluctuations in schools rolls over the years it would be reasonable to allow for an increase from 132. A school roll of 210 represents a one form entry school and it is accepted that it should be assessed on this figure. Even when basing the case on a roll of 210, there are still considered to be fundamental shortcomings in the making the case for the proposed new school both in terms of assessing the existing and alternative sites but also in terms of their general approach, including the extent of the site search area and sites outside it.

Existing School Site - The applicant indicates that, in addition to significant traffic problems in and around the existing site, there is a serious enough shortfall in terms of space requirements and condition of the building stock to warrant moving to a new site. This view is not supported for the following reasons:

The existing school site, with the adjacent playing field, is considered to be big enough to accommodate a one form entry school with a roll of 210 and satisfy the guidance criteria within BB99. Whilst it is recognised that the condition of the school building is poor and both the internal configuration and arrangement of external areas may not be ideal, the case for rebuilding a new school in the Green Belt, or indeed anywhere else, has not been made. The application fails to consider adequately the options for refurbishment or redevelopment of the existing school or alternative sites within the area.

A current document 'The Future of Primary Learning in Bury: Primary Capital Programme - The Strategy for Change', produced by Children's Services sets out the capital investment programme for primary schools up to 2022. This is in response to central government's Childrens Plan published in January 2008. The Council's capital investment programme identifies schools that would fall into 4 categories:

- Rebuild - Priority schools with severe problems.
- Modernisation - Rebuilding is not economical but major alterations are required.
- Refurbishment - Significant refurbishment is required.
- Targeted - Building stock is generally good but areas that need investment.

The criteria by which each school would be assessed in terms of investment priorities are:

- Condition of building stock.
- Levels of Deprivation in the Community.
- Number of surplus Places.
- Shortfall in facilities based on government guidance contained in BB99.
- Performance Standards

Of the 64 primary schools, including voluntary aided schools, within the Borough, only one school has been earmarked for rebuilding while 16 would be subject to modernisation or possible rebuild subject to further appraisal. A further 16 would be refurbished or targeted. It is noted that Bury and Whitefield Jewish School is not included within any of the four categories. The report recognises that there are schools that do not meet the criteria for investment because of high standards, low levels of deprivation but still have issues with

regard to building stock. Because of this the Council continues to utilise other funding streams (DFC, LCVAP) to support improvement schemes in schools not prioritised within the programme. Appendix 4 contains extracts from the Capital Programme which gives an overview of the Council's investment priorities based on relevant criteria.

The Asset Management Plan (AMP) for Bury and Whitefield Jewish School, produced in 2005, sets out what facilities the school has and helps build a picture of its condition in relation to the rest of the schools in the Borough. From the information contained in this plan it is clear that the school needs improvement. However it was indicated that there was no need for any serious remedial work and certainly not in so serious a condition as to require demolition and relocation to another site either within the urban area or the Green Belt. The AMP builds a picture of a school that needs refurbishment but one which is not untypical within the range of primary schools in the Bury and this is reflected in the fact that it has not been prioritized within the Primary Capital Programme produced in 2008. The Primary Capital Programme does indicate the number of schools that are in relatively poor states of repair and those that fall short of the BB99 guidance criteria. Bury and Whitefield Jewish school is not among those prioritised schools. The executive summary for the Asset Management Plan for Bury and Whitefield Jewish Primary School is attached at Appendix 5 and states that there has been significant refurbishment schemes have been implemented in recent years including:

- Re-roofing in 2003
- New UPVC cladding and facias throughout the main building.
- Single storey extension to provide IT suite in 2000.
- Single storey extension approx 1997.

In terms of basic space requirements if the school were to utilise the strip of open space within the Trustees ownership, between the existing school building and the Council owned playing field, it would allow a significant amount of space to be utilised for either hard play area and/or additional building space. It is considered that this would enable the existing school to meet the requirements of BB99 in terms of external and internal areas without unacceptable loss of playing field.

In addition to incorporating the strip of land referred to above, many of the existing problems relating to space the school has at present could be rectified by redesigning the internal and external areas to create more effective spaces without having to rebuild the whole school. Appendix 6 contains a breakdown of figures based on BB99 relating to the existing primary school. The figures, submitted with an objection letter from 56 Marle Croft appear to be accurate and indicate that the school does have sufficient space to meet the criteria within BB99.

Building on the Adjacent Playing Field Building a new school on the adjacent playing field may be an option if an appropriate amount of recreational space/playing field were to be created on the existing school site as a means of compensation. A two storey development would not be ruled out if it were appropriately designed although given the space available on the site this option may not be necessary. It is also noted that the existing playing field is enclosed by the school boundary and cannot be readily accessed by the general public and has therefore limited general recreational value.

With regard to access, the existing problems would not disappear if the school vacates the site as the land and buildings could still be utilised as an educational establishment or related use.

Sites not identified in Site Selection Report - The report omits a number of sites that may have warranted at least an initial consideration as to the possibility of siting a new primary school. These include existing and future school sites and some recreation sites.

For example, a plot of land adjacent to the proposed new Radcliffe Riverside School, measuring 0.25ha, sufficient to accommodate a new school building, is available for development. The site would benefit from shared outdoor sports facilities and would be

highly accessible being close to bus and metro services.

Options for sharing existing school sites have also not been explored. There are a number of primary schools located on large sites that could potentially incorporate another facility. Mersey Drive Primary School for example, is approximately 365m away from the existing school; Castlebrook High School and Philip's High School are other potential sites that have not been investigated.

Sites Identified but Dismissed as Unsuitable - They have also assessed a number of sites that are currently in recreational use. However, these have been disregarded because of what they consider to be insurmountable policy constraints (i.e. RT1/1 - Protected Recreation in the Urban Area). However, there is provision within this Policy to allow for the redevelopment of such sites on condition that alternative provision of equivalent community benefit is made available. Such provision could, for example, be made in accessible locations on the fringe of the urban area - outdoor recreation being one form of development that is acceptable in Green Belt terms.

Part of the justification for dismissing existing recreation sites is that the Council's surveys of recreation in 1989 and 2000 shows that there is an inadequate supply when compared to the NPFA standard. However national government advice now requires local authorities to develop their own standards rather than rely on national standards such as that used by the NPFA. As a consequence the Council are in the process of undertaking an 'Assessment of Needs and Opportunities for Open Space, Sport and Recreation', based on an audit of sites in 2006. These standards are only in draft form and have not been adopted. However it is clear that the NPFA standards have limited worth.

One of the sites identified and dismissed on the basis that it is an employment site is part of the former Radcliffe Paper Mill site. However, the Council has recently undertaken an Employment Land Review which has included an assessment of all employment sites in the Borough in order to determine whether they are suitable for employment use and, subsequently, whether they should be specifically allocated in the Local Development Framework. In the review, the site was considered to be unsuitable for employment purposes on the basis of access constraints and will not be carried forward as an employment site. As such, their justification for dismissing the site on employment grounds is not substantiated.

Visual Amenity and Green Belt - The site and surrounding countryside within the Green Belt has a high amenity value in that it is an open and attractive landscape that affords extensive views from surrounding roads, footpaths public and properties. It is noted that there are Public Rights of Way along Copper Lane (No.41) and Old Hall Lane (No.39 and 43).

Although the school is single storey and located on lower lying land within the site, it is considered that the new building, with a footprint of 2,312sqm, together with the associated roads, parking areas, hardstanding, boundary treatment and lighting would have a significantly detrimental impact on the openness of the Green Belt in general and in particular the setting of Snape Wood within the open landscape to the south. Measures to mitigate the visual impact on the landscape such as a the 'green roof' and screen planting are commendable, but they do not sufficiently mitigate the overall impact of the development on the Green Belt.

The development would therefore have a seriously detrimental impact on the openness of the Green belt and be contrary to PPG2 and UDP Policies EN1/1 Visual Amenity and Green Belt and River Valley Policies OL1/1, OL1/5 and OL5/2.

Residential Amenity - The visual impact on the immediate residents to the north on Copper Lane and within the residential estate to the east of the site would be significant, not minimal as described in the application. Despite being set down relative to Old Hall Lane the new building and associated roads, hardstanding, enclosed 5-a-side area, lighting and

boundary treatment would be visible from properties to the north and east. Without reasonable justification as to very special circumstances referred to above, the development would have an impact on residential amenity but not to such an extent that it would be serious enough to warrant a reason for refusal.

There would be an increase in noise and disturbance for properties on Copper Lane and those fronting Old Hall Lane from both traffic movements and activity within the site. Given the distances across the site to the main play areas it is considered that noise from general school activity would not be significant. Noise and disturbance from traffic movements would be more significant particularly at the start and end of the school day. Given adequate access, parking and drop-off/pick-up facilities the impact of traffic could be adequately mitigated by screen planting and boundary treatment. This element of the proposal therefore complies with UDP Policy EN7/2.

Loss of Agricultural Land - In terms of agricultural quality, PPS7 (2004), PPS1 Climate Change Supplement (2007) and RSS (2008) recognise the importance of the most versatile agricultural land for rural enterprise and economic development reasons as well as its role in mitigating and adapting to climate change.

Land is graded from the best and most versatile (defined as grades 1,2 and 3a of the Agricultural Land Classification). There is no grade 1 or 2 agricultural land within the Borough, however there are small pockets of Grade 3a land, limited to the Unsworth, Pilsworth and Simister area and grade 3b and 3c (North West and South West parts of the Borough). The site of the proposed new school is Grade 3c but sits within a wider zone incorporating a mosaic of 3b and 3c zones, and adjacent land of poorer quality.

Grade 3c land is not considered to be the best and most versatile land and as such its loss would not be contrary to the requirements of PPS7, RSS and UDP policies OL4, OL4/2 and OL4/3.

Recreation and Access to the Countryside - There are no Public Rights of Way through the site although there are public footpaths (Nos.39 and 41) running along Old Hall Lane and Copper Lane respectively.

There is concern that parking and dropping off/picking up along Old Hall Lane may have a detrimental impact on walkers and the surface of the path. Whilst this is a concern, given that there is a specific drop-off area within the site and appropriate road markings could be implemented, this issue could be adequately controlled.

The argument that the provision of the playing field within the site adds to the overall recreation provision within the area is accepted although it is noted that there is no indication that the facility would be used by the wider community. Despite this, the proposal would comply with national government guidance within PPG2 and UDP policies OL1/1 and OL1/2.

The hard play areas and 'all weather' facilities indicated on the site would not comply with these policies and guidance given that they are more urban nature and therefore not appropriate in the Green Belt and be contrary to the above policies.

Trees and Landscape - The application is in outline with landscaping reserved for future approval. However a Landscape and Masterplan Appraisal, submitted with the application, includes indicative plans and cross sections through the site. Whilst in isolation the proposed new planting plans appear, in principle to be of a high standard, in the context of this sensitive Green Belt site where reasonable justification has not been proven landscaping would not mitigate the impact on the Green Belt to an adequate degree.

Ecology - There is a concern that there has not been sufficient assessment of the ecological populations and habitats in and around the site. In particular the population survey which was to be carried out in 2008 is now scheduled for 2009. The follow-up

habitat survey did not take place and neither did the breeding bird survey.

It is considered that the proposal would have some detrimental effects on a number of specific ecological assets. However, the application proposes an extensive range of mitigation measures to offset these affects on the local ecology. Given that any reserved matters application would include detailed mitigation measures it would not be considered contrary to UDP Policy EN6/3 Features of Ecological Value.

Highways - No comments to date.

Contamination - Subject to the standard contamination conditions there is no objection to the development.

Flood Risk - The comments of the Environment Agency with regard to the Flood risk assessments are awaited.

### Conclusion

The applicant's ambition to provide a new school is laudable and the Council would not normally wish to oppose such an investment. The existing school may not be a high priority for replacement, when assessed against the usual education criteria, but nonetheless a new facility would generally be welcomed. However this is not the issue which is key to the application being considered.

The test which must be applied in determining this application is whether the applicant has demonstrated that there is a need for a replacement facility with no other alternative solutions and that this amounts to a **very special justification** for building in the Green Belt.

Committee is advised that the applicant has not demonstrated this case and that there are a number of areas where the case has not been substantiated, I have therefore concluded that the applicant has not proven the very special circumstances necessary to justify building a new primary school on this site within the Green Belt. The proposal is therefore contrary to UDP Green Belt and River Valley policies, the Regional Spatial Strategy for the North West and national guidance contained within PPG2 - Green Belts.

Planning Regulations 1992 indicate that the Secretary of State should be notified of all inappropriate development. Consequently, if the Committee is minded to approve this application, it will be referred to the Secretary of State for consideration as to whether it should be 'called in' and duly considered in the light of PPG2.

**Recommendation:** Refuse

### **Conditions/ Reasons**

1. The proposed new school is an inappropriate form of development within the Green Belt and the case for 'very special circumstances' to justify such development has not been adequately made. The development would therefore cause serious harm to the objectives of the following Unitary Development Plan Policies and associated national guidance;  
OL1 Green Belt  
OL1/2 New Buildings in the Green Belt  
OL5 River Valleys  
OL5/2 Development in River Valleys  
EN1/1 - Visual Amenity  
PPG2 - Green Belts  
and Regional Spatial Strategy for the North West.



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

**Ward:** Whitefield + Unsworth - Pilkington Park

Item 10

**Applicant:** BTG Community Solutions Ltd

**Location:** WHITEFIELD HEALTH CENTRE, BURY NEW ROAD, WHITEFIELD, M45 8GH

**Proposal:** CONSERVATION AREA CONSENT FOR THE DEMOLITION OF EXISTING THE UPLANDS AND HEALTH CENTRE

**Application Ref:** 50487/Conservation Area  
Consent

**Target Date:** 07/11/2008

**Recommendation:** Refuse

### **Description**

The application for Conservation Area Consent to demolish The Uplands House, Whitefield Health Centre and associated buildings is accompanied by an application for planning permission (50460) which seeks the demolition of the above buildings to facilitate the redevelopment of the site for a new three storey health centre building.

The proposals have been designed to permit a phased implementation such that following the demolition of The Uplands, the existing centre could operate on the site. Following building completion, the old health centre would be demolished.

The Uplands is not a listed building and it is located within a substantial site, containing many mature trees and has a woodland feel to it. The topography is also challenging as the site is significantly above the levels of both Bury New Road and Hamilton Road Park. The site also forms part of the All Saints Conservation Area.

Also within the grounds are a number of ancillary buildings and a single storey health centre constructed in the 1970's.

This application includes the proposals to demolish the single storey health centre and ancillary buildings to permit the construction of a new three storey development as a health centre.

### **Relevant Planning History**

There is no relevant planning history for the site.

### **Publicity**

8 letters of objection received from:

18 Hamilton Road, 14 Hamilton Road, 35 Bury New Road, 9 Nuttall Mews, 35 Bury New Road, R Trueblood (email), F Marshall (email), 89 Haig Road. Comments include:

- Overdevelopment of small site in a domestic area.
- Ugly and modern construction in CONSERVATION area.
- Potential loss of trees which should not be lost and mask the potential ugly construction. Inappropriate use of tennis courts which will no doubt never be restored to a good standard without a battle with developers once they are wrecked by cars.
- Ugly car park and construction vehicles producing pollution and an eyesore in a park which is wholly inappropriate.
- Potential for developer's construction vehicles to permanently damaged trees and surroundings of a park and conservation area.
- The current building is beautiful architecturally the old building is. It has ornate window frames, many intricate and original exterior fittings.

- Are the construction materials, windows, fascias etc in keeping with the recommendations of the conservation area booklet as provided and drawn up by bury council.
- I cannot believe that the 'demolition' of such a lovely and important building is being seriously considered.
- One of the main functions of a 'conservation area' is to preserve and maintain the character of the area, thus, saving old buildings, particularly of such a standard, and to protect them from being altered unsympathetically spoilt, and most certainly demolition.
- If the health centre is so desperate to modernise itself why can it not do this without interfering with this special and valuable building? Surely it can employ architects and builders who can come up with a way of doing this whilst preserving the building itself.
- The 70 car spaces in the proposed plans are wholly inadequate for the probable number of staff and visitors which will require access to the hugely over developed building. Parking is a hot issue in the area as it is in light of the vast number of commuters and various staff filling the roads during the working day. The risk of tree loss would be detrimental. I believe that a public consultation should take place for such a large scale development. Morrisons has had a huge impact on the lives of local residents due to the influx of cars and both staff, commuters etc parking in the locality to the detriment of locals. The local community are facing the future of congestion charging and the general over development of the area, due to its central location for cars and use of trams is going to destroy the aesthetic which is so attractive to people.
- Many people in the locale walk with their children or dogs in the grounds surrounding this building and there is a wealth of character and peace in this place. We have seen squirrels, foxes, wild rabbits, field mice and I am lulled to sleep nightly by a family of owls who all live in the grounds, which by the sounds of things in the letter are also going to be drastically affected, if not destroyed.
- Comments had been made raising concerns of the proposals during the community involvement stage had not been acknowledged. According to the applicants' statement it would appear that there have been no objections to the current proposal; that is clearly not the case.
- A satisfactory case has not been made for the demolition of the original Uplands House, nor is the proposed building of sufficient architectural merit or urban form to either maintain or enhance the conservation area.
- A photograph of Uplands House, taken in 1873 shows the owner, John Wild, a paper manufacturer, outside the house with a stone date stone fixed to the building indicating it was built in 1854. The mid-Victorian building is designed in the then fashionable Gothic style and, whilst there has been some unsympathetic additions and poor workmanship to the building in the 20th century, the original architectural character of the house is still clearly evident today. In particular, the patterned fish-tail slate roofs remains, as do the extremely ornate, open-cut barge boards; all the original stone lintels are deeply shaped in a consistent manner, some of the original vertical sliding sash windows remain and several ground floor windows are sub-divided by ornate cast iron mullions; a superb oriel window in brick and stone, projecting from the west elevation remains intact. An original porch, now bricked in, with a similar open-cut barge board to those at higher levels is evident on the east elevation.
- Having not been inside the original building recently, from an external view, it is apparent that the interior retains some of its original features, with fireplaces, skirtings and plaster mouldings, all evident. It is not clear how much of the interior remains intact.
- It is clear from the 1873 photograph and from the evidence of the remaining built form that this building was a house of some grandeur, indeed the Bury Times supplement of 18th August 1998 described it as 'imposing' and used the word 'manor'. This was a house of some architectural importance in the area and owned by a man of considerable means. He must have exerted a considerable presence in the

Whitefield/Radcliffe area.

- The 20th century additions and alterations to the building and non-original buildings erected in the grounds are mostly unsympathetic to the architectural character of the original. There would be no objection to these structures being removed, along with the reinstatement of original architectural features.
- The applicants' plans clearly show the relationship of the original building to surrounding properties. Despite their comments about the Uplands relationship with All Saints Church, a more relevant relationship is with Whitefield House. Both buildings are set in their own landscape setting, divorced from the main road, where buildings from the Georgian period line the road. In my opinion the relationship of Uplands and Whitefield House is of the utmost importance in contributing to the character of the conservation area. I agree with the LPA in its statement contained in the Conservation Area Appraisal (2006) that Uplands House is identified as a building of significance, one of the few surviving examples in the area of a mid(-late?) nineteenth century house standing in substantial grounds, and that both it and the adjacent Whitefield House contribute to the sense of space.
- Given that Whitefield has recently lost one of its few listed buildings, The Church Inn, in order to accommodate a building of dubious architectural character, I am of the opinion that the Uplands is precious, even though not listed. It still requires the consent of the LPA for its demolition.
- It is noted that the applicants have responded to the questions posed by English Heritage relating to the importance of a non-listed building in the conservation area. I disagree with their conclusions. The building of a house of this grandeur, commissioned by a client of obvious means, would have been designed by an architect of at least some local note; the building has qualities of age, style and materials which are reflected in other buildings in the conservation area; both individually and as part of a group of buildings Uplands serves as a reminder of the gradual development of Whitefield; it clearly represents a phase in the growth of Whitefield; it has a clear historic association with the road layout, with the landscaped area beyond the road and it relates to the adjacent park; it clearly has landmark quality (even though currently subsumed by inappropriate 20th century additions); it positively contributes to the quality of the recognisable space beyond the road-frontage buildings; it clearly reflects the traditional functional character of purpose built residential properties in this part of Whitefield; as identified above it has significant historic associations with local people (the Wild family) and with past events (the paper-making industry); the original building positively contributes to the character of the All Saints Conservation Area.
- Given this judgement on the quality of the existing building, the only justification for its demolition would be if the architectural and urban design quality of the proposed development was of such a high standard that the character of the conservation area could at least be maintained (preferably improved). This will also include important considerations regarding the significant tree cover on the site. Unfortunately this is not the case. I disagree with the comments and conclusions of the CABE enabler. The presence of the proposed building from Bury New Road will be significantly greater than the existing Uplands House; in the balance between building and landscape there is no doubt that built-form will dominate and with a building of limited architectural quality.
- The submitted plans indicate a proposed planform of two blocks, angled to each other, with an articulating circulation zone between them. This is a clear and simple expression of uses. The proposed elevations bear no relationship to this clear planform. The two main blocks are lost in a confused mix of materials, inappropriate window proportions and a roof configuration that is neither traditional nor contemporary. The articulating zone also lacks integrity and clarity. Given the wealth of architectural talent that exists in Manchester it is a great shame that yet another building of limited architectural quality is being foisted on Whitefield, following on from the recent fitness centre and supermarket.
- It is considered that the current proposals should be re-negotiated. The original Uplands House should be retained and restored to acknowledged conservation standards and

that a new independent building of high architectural quality should be designed to relate to it. The two buildings would then serve the health care needs of Whitefield residents. Failing that I would recommend the refusal of the current proposal.

Objectors have been notified of the date of the Planning Control Committee meeting.

The following properties (702 in total) were consulted by letter on 16 September 2008 - (Wentworth Court 1 – 47; Pinfold Court 1 – 26, Penthouse; Livsey Street 1 - 49; Clarendon Street 1 - 34 36 - 42 (evens); Ducie Street 1 - 33; Morley Street 1 - 14, 16, 18, 20; Grosvenor Avenue 1 – 16; Grosvenor Road 2 – 16 (evens); Nuttall Avenue 1 - 76, 78 - 108 (evens); Moss Lane, 1 - 7(odds), 2; Hamilton Road 2 - 40 (evens); Nuttall Mews 1 – 10; Knowsley Road 2, 4, 6; Charnley Street 1– 31 (odds); York Street 2 – 17; Higher Lane Philips High School, 34 – 42 (evens), 50 – 56 (evens), 71, 73, 91 – 143 (odds), Eagle & Child, Whitefield Health Centre, Whitefield Golf Club, Apartments 1 – 6 Parklands House; Wilton Street 2 – 66 (evens); Egerton Road 1 – 9; 11 - 55 (odds), Higher Lane Primary School; Church Lane 1 –7 (odds), 9 – 17, 18a, 26, 28, 30 – 32; Ringley Road 1; Ashbourne Grove 2; Pinfold Lane 1 – 27, Whitefield library, Pinfold Day Care; Park Lane 2, 4; Parklands 1 – 8; Bury New Road 114 – 150, 152 – 167, 170 – 178, 183, 184, 186, 188, 190 – 196, 198 – 202, 204 – 208, 210 – 214, 217 – 229 odds, 226 – 248 evens, 250 – 264 evens, Whitefield Police Station). A press notice was published on 25 September in the Bury Times and site notices were posted on 14 October 2008.

Objectors have been informed of the date of the Planning Control Committee meeting.

### **Consultations**

CABE - The demolition of the Uplands is not within their remit but is an issue for English Heritage and the Local Planning Authority. They consider that the design quality of the development proposed does not sufficiently respond to the character and mature landscape setting or the wider All Saints Conservation Area. Further work is required to achieve an architectural expression of sufficient quality for "*this special site*".

The scheme has a clear idea of a lighter linking element joining two blocks but this clarity does not come through in the treatment of the elevations, where different materials have been used to break up the apparent scale of the building. This suggests a complicated internal arrangement and a simpler palette of materials could be more successful.

The existing mature trees helps to break up views of the new building, which is an advantage given the need to integrate a large building into a historic context. The car park proposed however should be revisited and its layout and appearance should be softened to integrate into a landscape setting more easily.

Several rooms located internally within the body of the building have no windows and thus lack access to natural ventilation and light. This is considered to be disappointing given that the building is intended to be a purpose built health facility. CABE wish to be kept involved with the progress of the scheme.

English Heritage (EH) - Do not support the proposals as there is a lack of alternative site/proposal consideration nor is there appropriate consideration of the existing building, its features or its ability to be altered or amended. EH take issue with the application's assessment of the building and the tests relating to the contribution the building has to the historic development of an area. The poor interventions to the building could be easily reversed. The justification of the demolition of The Uplands is not based upon sound architectural investigation or its setting or contextual relationship within the Conservation Area. The application is trying to say that some insensitive additions and poor maintenance is a justification for demolition.

Additionally, the development proposals state that The Uplands would only provide a sixth of the required area to accommodate the intended amount of development proposed within

the site. EH therefore consider that any proposal to accommodate such an intensified amount of development within the site would always encounter problems with scale and massing.

EH comment that in the supporting statement, The Uplands is satisfactorily being used as an administration base and in support of EH's view that the development proposals have not been properly considered by the applicant as PPG15 3.17 states that efforts should be made to sustain the existing uses. Yet options for this have not been explored.

EH comment that they were not afforded pre-application views, unlike CAGE (through the CAGE enabler), but do see that contemporary development can have its place in revitalising the historic environment.

They have reservations on the form, particularly mass and height and that other elements such as security fencing, materials, fenestration, security shutters, signage, car-parking and lighting have potential to harm the Conservation Area. Many of the elements in the scheme add to the seclusion of the site rather than integration into the wider historic environment.

In conclusion, EH consider:

- The justification to demolish The Uplands is not founded on sound architectural investigation;
- There is insufficient consideration of the site in context with the surrounding historic environment;
- The rationale for demolition set out in PPG15 3.17 - 3.19 has not been fully explored, particularly in land use terms;
- There would be support for contemporary design to creatively interpret "this fine site and its surroundings";
- Several elements of the proposals do not preserve or enhance the Conservation Area;

The LPA should consider action points 6 and 7 of the Cons Area Management Plan to develop a brief with the developer for the site and a wider setting that both fully understands "this charming location" and fully utilises this important opportunity to capture the wider benefits for the community.

Greater Manchester Archaeology Unit (GMAU) - This building is not listed and cannot be claimed to have any particularly great architectural merit or distinctiveness. However, the assessment provided in support of the application does somewhat misrepresent the building when considering English Heritage's criteria (p.25). Contrary to the conclusions of the assessment, Uplands House is indeed typical of the larger residential properties stood within its own grounds that form part of the character of the conservation area. Furthermore, in being "an isolated building set within its own grounds" I would suggest it does serve as a reminder of the gradual development of the settlement area. The landscape setting – namely the large grounds – is intimately linked to the house itself, and such large houses set in spacious grounds are a contributory element in defining the character of the conservation area. In this sense, it does not really matter if the houses are partially or wholly obscured from view, as they were originally designed to be set-back from the road.

The demolition of Uplands House and its original associated outbuildings will dilute one part of the historic character of All Saints Conservation Area. It may well be concluded however that there has been a steady and significant erosion of the original character of Uplands House. Not least in this progressive erosion was the construction of the present health care centre. GMAU recommends that every effort be taken to try and find a way forward that would allow Uplands House to be retained and re-used within a sympathetic design for the new health care centre.

However, if Bury MBC is minded to grant Conservation Area consent for the demolition of this late Victorian building then prior to its demolition a detailed historic building survey should be undertaken to provide a record for future generations of this lost element in the character of the All Saints Conservation Area.

Environmental Health - Contaminated Land - There is potential for asbestos to be present on site and therefore an asbestos survey should be carried out in accordance with agreed methodology contained within the supporting contamination study. Planning conditions should be imposed to secure this.

### **Unitary Development Plan and Policies**

- EN2/1 Character of Conservation Areas
- EN2/2 Conservation Area Control
- EN1/1 Visual Amenity
- PPG15 PPG15 - Planning and the Historic Environment

### **Issues and Analysis**

#### **The Applicant's Case**

*Need* - The scheme has come forward following the Government's 2000 NHS Plan, which was a 10 year investment plan to ensure wide reform of improved health services, which with teams of doctors, nurses, community services could come together under a single roof.

In the consideration of this site, assessed against NH'S criteria, many health centres, including the Whitefield site, is considered to be out of date and not fit for purpose in terms of the need to deliver good quality health services. Cleanliness, access, patient backlogs and the lack of key facilities at the site render this project appropriate to be considered under the fourth wave of health reforms under the NHS Local Improvement Finance Trust - "Lift Scheme". The scheme therefore seeks to provide the following services in a state of the art development which could not be achieved by the site as it currently exists:

• GP Services	• District Nursing
• Nutrition and Diatetics provision	• Audiology
• Diagnostics	• Dental provision
• Podiatry and foot health	• Physiotherapy
• Diabetes	• Family Planning
• Children's Services	• Community Midwife
• Speech and Language Therapy	• Orthoptics
• Phlebotomy service	• Health promotion
• Pharmacy	• Specialist Nursing
• Primary care mental health	• Diabetic screening

The scheme has been designed with the following issues in mind:

- To restore the original design concept of the site of a large building within a landscaped setting;
- To ensure the site responds positively to its existing topography and its relationship with its surroundings;
- To ensure the building responds to the physical context of the surrounding area;
- Car parking is located within one area with disabled car parking close to entrances;
- Incorporate existing and new improved pedestrian routes between the adjoining park and to Bury New Road;
- Allow for the retention of the existing health facility during construction of the new facility.

*Building and Site Design Concepts* - Various design concept options had been considered for the site to provide the amount of floor space needed for the services to be provided, whilst bearing in mind the constraints of the site. The preferred option specifically

- Addressed the relationship to the park and Bury New Road with legible access;
- Retained significant trees;
- Provided a vehicle drop off area;
- Provided a legible building entrance;

- Provided a compact building form.

This option was the subject of a public consultation process with information and comment forms provided within the Whitefield health centre and also in a local public venue.

Comments had been made by the public to ensure that any new development achieved good pedestrian access and to ensure appropriate numbers of parking spaces.

The applicant also used the services of a CABE enabler whose role is to provide a check and balance to ensure high quality development is being delivered and to provide constant challenge to the team's designers. The enabler had written twice to confirm that the scheme was achieving its aims and objectives.

The proposals show a centrally located building reflecting the original location of The Uplands, would be in a compact form with the main front elevation located approximately where The Uplands front elevation currently is located. The siting of the new development in itself would not require any tree removal as it is already built up.

*The Building Design* - The design has sought to minimise the impact to its surroundings taking into consideration site constraints. The original level of The Uplands would be reduced in level by 1.2m to further assist the scale and massing. The proposed building height would be 15.53m to keep it below tree height (20m). The form of the building would be two solid wings connected by a three storey glazed section. This would assist to clarify the entrance in to the building. Roof pitch would be kept low, adding to the compactness and it would be stepped to break up the skyline of the building. The CABE enabler considered this important so that glimpsed views of the building would not present an unnatural straight eaves and reflect the eaves of the existing house. The shallow roof pitch means that traditional materials could not be used and a dark colour metal cladding has been chosen instead. The form has mainly been driven by the desire to preserve trees with the choice of materials driven to reflect the parkland setting, the latter considered through discussions with the CABE enabler. Red brickwork has been chosen as a prevalent material to the area and incorporated into the scheme. The cladding is a modern interpretation of the stone features and walls in the Conservation Area. Random stone is included intending to reflect boundary and garden walls. It would also provide a plinth detail to break up the scale of the elevations.

The upper two storeys use projecting glazed bay windows on key elevations to pick up the verticality of the more significant buildings in the area such as Whitefield House and All Saints Church. The projecting bays are set against the brickwork and use dark cladding to reflect the use of lead flashings to bay windows and dormers in the area.

From the front elevation the scale of the building has been reduced by the triple height central glazed circulation and waiting areas. It would be viewed through a canopy of a 20m high beech tree. The glazing permits reflections of the landscape and at night to allow a back lit area as a design feature set against the two solid wings. The glazing also connects users with the outside in a visual, calming sense.

The building is a modern design, and through its use of traditional materials represents a state of the art health facility and is contended to enhance the character and appearance of the Conservation Area.

The landscaping proposals have been designed to restore the original character and appearance of the site. The application considers that any of the tree removals are of a high value. One tree would be a category B grade tree (intermediate) and 31 lower value trees, category C grade (lower value) would be removed. These would permit views to be opened up and remaining groupings of trees have been instrumental in the planning of the layout. All tree removal will be compensated by higher quality replacements, which will provide wildlife and amenity value in the short term and canopy cover in the long term.

*Conservation Area Appraisal* - A supporting Conservation Area Appraisal has been carried



out to inform the proposals. The statement set out the justification for the demolition of buildings in the Conservation Area by assessing the key characteristics of the Conservation Area and appraising the existing site against these characteristics. This would determine the relative contribution of buildings to the Conservation Area.

The report lays out the reasons for designation of the Conservation Area in 2004, the land uses and highlights the Bury MBC's appraisal report and management plan stated in the Conservation Area document. The main core of the designation centres upon the Church and associated monuments, the area is a prime example of 19th Century high quality civic and residential development; the predominance of large residential properties in large grounds; the openness and relationship of the park with the cricket club; key views and mature landscaping.

The applicant's appraisal notes the importance of space and greenery; the identification of The Uplands as a building of significance, the existing health centre detracts from the Conservation Area. The Uplands in particular is stated to have been unsympathetically altered and extended; having several poor quality ancillary buildings; with an opportunity to improve the main buildings and grounds, improved landscaped management and the opportunity to restore the original landscaped character of the site.

The urban grain is analysed together with the current heights, scales and massing demonstrated in the report. Existing built forms are identified, materials, forms, landscape and are related back to The Uplands.

*Justification for demolition* - In conclusion the appraisal states that The Uplands only notable historic relevance is its age, typical of other properties and this in itself does not provide additional merit. The integrity of the building has been compromised over the years by unsympathetic alterations and has been poorly maintained. The appraisal considers that The Uplands detracts from the character of the Conservation Area in terms of appearance and offers little merit worthy of preservation. They have also assessed The Uplands against EH's criteria for determining whether a listed building makes a positive contribution to the Conservation Area. The appraisal concludes that the building, when assessed against the criteria laid down by EH does not make a positive contribution to the All Saints Conservation Area and therefore an opportunity exists to create a building which is fit for purpose and both sympathetic to its historic setting and representative of its era.

### **Officer Assessment**

The Council has a statutory responsibility to ensure that the character and appearance of the Conservation Area is either preserved/protected or enhanced. In meeting this responsibility there are two main issues to consider. The proposed loss of the existing Victorian building, and the quality of the proposed development.

*Existing Victorian Building* - Within conservation areas there is a presumption against the removal of any building that makes a positive contribution to the character of the conservation area. PPG15 and English Heritage criteria advise on how such proposals should be assessed.

In the applicant's submitted Conservation Area Appraisal and the Planning Statement (page 36) the agent concludes that a dominant characteristic of the conservation area is large houses set within large landscape grounds. The appraisal also refers to development types which form the grain of the area. One type is large single buildings in large landscaped plots. Three of these are referred to, All Saints Church, Whitefield House and the Uplands. There are no others. This assessment would normally point to the importance of the Victorian building to the area's character. However, the agent takes the view that the building is not a notable or good quality example of Victorian architecture and that original features have been lost, and the building has been unsympathetically altered.

Consequently, it is claimed that it does not make a positive contribution to the character and appearance of the Conservation Area. The appraisal mistakenly refers to the building as

being built in 1894. No considered and detailed study of the building's architecture, development and alteration has been submitted in support of the judgements made. Neither has an internal assessment been made. The nature of the pre-application discussions indicated to officers that an early decision had been made by the applicant/agent that the building should be removed, and this decision was taken before an appraisal or assessment of the building and the area had been made.

The Uplands was built c1850 and extended and altered in 1894. The specialist consultants, Woodhall Planning and Conservation, who undertook the initial conservation area appraisal (2004) work for the Council, took the view that it was a building of significance within the area's history, character and appearance. This statement was continued into the Council's approved management plan. The Uplands and the former town hall are both key elements in the Conservation Area's character. They were large houses built adjacent to each other in grand grounds. The relationship between the houses and the scale of their grounds is important to the area's special qualities and appearance.

The agent has indicated that these qualities are an important part of the grain of the area, and the Uplands is one of only three such buildings. There are other large houses in the conservation area but none have this arrangement and this scale of contribution to the area.

The principle of retaining the original building, which is still largely in its original and 1894 form, is important to the protection of the area. Also, the building does have a number of fine features. The architectural quality of the building, together with the building's contribution to area's history, is more than adequately outlined by the responses received to the publicity for the application. The building is capable of restoration and for its contribution to be enhanced. Policy 1 of the Council's approved management plan states that such a building should not be removed without being fully justified against the tests outlined in PPG15 paragraphs 3.16 to 3.19. The Council's management plan also, on page 49, makes specific reference to the Uplands and looks to any change being an opportunity for substantial improvement to the Victorian building.

The application does not address all of the required tests but one aspect of the tests under PPG15 3.19 has been looked at in part by the agent. Pages 75 to 78 of the applicant's Design and Access Statement explore the retention of the Uplands within the new development. This was not an early piece of work, as would normally be expected as part of initial feasibility, but one that resulted from the officer concerns over the lack of any attempt to retain the Uplands Victorian building within the development. Officers consider that this option assessment should have been considered further and more fully by the applicant and agent, and feel that the exercise was not thorough and complete. The applicant's appraisal also considered the English Heritage criteria on whether a building makes a positive contribution to a conservation area. There are nine questions. On questions 2, 4, 5, 7, and 9, it is considered that the agent's responses are incorrect and undervalue the building's contribution. This conclusion is confirmed by English Heritage in its letter of the 14 October 2008.

By the criteria laid out, the case has not been made for the removal of the Victorian building. The agent has recently stated that it is also the applicant's view that, in line with PPG15, this should be an exceptional case where the proposed works would bring substantial benefits for the community which should be weighed against the case for preservation. However, the guidance here also points to the benefits of incorporating such building in an imaginative way within new developments.

*New Development* - The difference in datum height between existing and proposed buildings is stated to be 2.3m and this is shown in section on page 45 of the Design and Access Statement. In terms of impact on site and on views, a clearer comparison is the height above ground level. The reduction of site levels may impact on long distance views but not on the bulk and impact of the building on its immediate surroundings. The proposed building is 15.53m at its highest point but due to the building's square shape the eaves line is between 10.6m and 13.6m. At its maximum it is 5m (approximately two modern storeys)

above the eaves line of the current building. The current modern building on site is low level and only has an impact on the character of the area at close distance. A true comparison of the change in bulk and impact created by the development is solely between the footprint, height and shape of the existing main Victorian building and the same elements on the proposed new building.

The new building is basically a group of cubes to a footprint more than 100% greater than the current Victorian building. The combination of footprint, height and shape produces a very substantial structure, which is more prominent because it sits closer to the front of the site as viewed from Bury New Road. The difference in bulk is well illustrated by the options explored on pages 76 to 78 of the Design and Access Statement. The modelling of the building's elevations and the use of glazed areas will do little to relieve the bulk and the scale of the building. Although the agent states that this reflects the 'large buildings in large grounds' character of the area, the scale and bulk of the proposed building and its occupation of the site cannot and does not reflect the Victorian context.

There is little in the building and the site proposals that relate to the character of the conservation area. Whilst it is generally of adequate design, it could be a solution for such a building on a standard site anywhere in the borough or the country.

National guidance states that modern design solutions can be appropriate in conservation areas so long as they either protect or enhance the character of the area. This suggests some form of relationship between what exists and what is proposed, and this can be reflected in the shape and proportion of buildings and their elements, and in the use of materials. Everything about the design, other than the use of red brick to some elevations, is alien to the area's character. In addition to the overall impact of the building, there are other elements that cause concern. These include:

- the impact of the use of security shutters on elevations;
- the proposals for both 2.1m and 1.2m security fencing around various boundaries;
- the widening of the access road and pavement once the site has been entered, and
- the use of various concrete hard standing materials around the building.

These proposals together will alter the visual and operational character of the site and its relationship with the surrounding area. The agent states in the Planning and Design Statement how the development relates to the character of the conservation area. Contrary to the statement, officers found no link between the proposed design and the character of the conservation area.

*Landscape* - As stated above, the scheme does propose the loss of a number of trees within the site and the proposals are predicated upon the intention to restore the site to its original form. However, the proposals would result in a significant change to the existing site and due to a limited level of information on how the site might appear following the removal of the trees, it is difficult to determine whether to support the level of tree removal. The existing tree cover does contribute significantly to the character of the Conservation Area and this site. Consultation with the Council's own Landscape Section has indicated that too many trees would be removed from the site as a result of the proposals. It is accepted that the site would benefit from some management of existing tree presence as many of the trees there are self seeded and have a poor form. This is also reflected within the Council's management plan for the area. However, the relationship of the site to the parkland and former town hall site is a key factor and such significant levels of tree removals would render the development as a stark presence. In addition to the tree issues, the proposed finish of the car park is proposed solely as a harsh tarmac surface with a capacity for some 70 cars. This area is shown to the rear of the building but is surrounded by public footpaths. This feature would be readily seen by passers by and in plan form this feature has not been appropriately considered in terms of its impact upon the Conservation Area. This has been highlighted by CABE. As such, the landscape proposals would not preserve nor enhance the character of the Conservation Area.

*Conclusions* - There are significant concerns with the scheme in terms of the process the development proposals have gone through to arrive at the final proposals. There has been no proper assessment of the existing building and its potential to be incorporated into a new facility and there are significant concerns on the proposed building, tree loss and landscape proposals.

Key statutory and non-statutory consultees have raised significant concerns on the scheme in terms of justification for demolition and the architecture of the proposed replacement. As such the scheme should be refused as it would be detrimental to the preservation or enhancement of the All Saints Conservation Area and respective planning policies.

### **Summary of reasons for Recommendation**

**Recommendation:** Refuse

#### **Conditions/ Reasons**

1. The proposed building, landscaping proposals including the car parking area to the rear and tree removal would, by reason of design, materials and appearance, would neither preserve nor enhance the qualities of the All Saints Conservation Area and as such the proposals would be seriously detrimental to the historic qualities of the Conservation Area contrary to UDP Policies  
EN2/1 Character of Conservation Areas  
EN2/2 Conservation Area Control  
EN8/2 Woodland and Tree Planting  
EN1/1 Visual Amenity  
EN1/3 Landscaping Provision and  
PPG15 - Planning and the Historic Environment
2. There is insufficient information contained within the proposals that demonstrate that The Uplands could be retained and incorporated into the scheme contrary to criteria contained within paras 3.16 to 3.19 of PPG15. As such the proposals neither preserve nor enhance the quality or character of the Conservation Area to the detriment of the visual and historic amenities of the area.

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

**Ward:** Whitefield + Unsworth - Pilkington Park

Item 11

**Applicant:** BTG Community Solutions Ltd

**Location:** WHITEFIELD HEALTH CENTRE, BURY NEW ROAD, M45 8GH

**Proposal:** FULL PLANNING PERMISSION FOR THE DEVELOPMENT OF EXISTING HEALTH CENTRE AND ANCILLARY BUILDINGS. ERECTION OF A NEW 3 STOREY PRIMARY CARE CENTRE WITH ASSOCIATED LAND WORKS, 70 SPACE CAR PARK, SUB STATION, LANDSCAPING. TEMPORARY USE OF TENNIS COURT ADJACENT TO STAND CRICKET CLUB FOR PATIENT PARKING AND CONTRACTORS COMPOUND THEN RE-INSTATED TO PRACTICAL USE FOLLOWING DEVELOPMENT COMPLETION.

**Application Ref:** 50460/Full

**Target Date:** 12/12/2008

**Recommendation:** Refuse

### **Description**

The planning application is accompanied by an application for Conservation Area Consent (50487) submitted on behalf of Bury Tameside Glossop Community Solutions, to demolish The Uplands House, Whitefield Health Centre and associated buildings to facilitate the redevelopment of the site for a new three storey health centre building.

The scheme comprises 3259sqm over three floors with 70 car parking spaces to the rear, improved pedestrian access provision including a drop off area, landscaping works including tree removal/management and replanting.

The application also includes the temporary use of a currently vacant tennis court adjacent to the Stand Cricket Club, which would be used for temporary car parking and building compound whilst the redevelopment proposals are underway. Once complete, the former tennis court would be refurbished to be re-used as tennis courts.

The proposals have been designed to permit the redevelopment proposals to proceed, following the demolition of The Uplands, whilst retaining the existing health centre on the site. Once the new health centre is complete, the former centre would be demolished.

Vehicular access to the site would be retained and pedestrian access would also be retained in their current positions although the scheme indicates that they would be gated.

The floor level of the building would be about 1.5m below that of the existing Uplands building facilitated through excavation of the site in the central and frontage area. Levels to the rear, where the car park is to be located, would remain as they currently exist. The reduction in the levels for the new centre would permit improved pedestrian access from Bury New Road, which would be Disability Discrimination Act (DDA) compliant.

The Uplands is not a listed building and it is located within a substantial site, containing many mature trees and has a woodland feel to it. The topography is also challenging as the site is significantly above the levels of both Bury New Road and Hamilton Road Park. The site also forms part of the All Saints Conservation Area

### **Relevant Planning History**

There is no relevant planning history for the site.

### **Publicity**

8 letters of objection received from:

18 Hamilton Road, 14 Hamilton Road, 35 Bury New Road, 9 Nuttall Mews, 35 Bury New Road, R Trueblood (email), F Marshall (email), 89 Haig Road. Comments include:

- Overdevelopment of small site in a domestic area.
- Ugly and modern construction in CONSERVATION area.
- Potential loss of trees which should not be lost and mask the potential ugly construction. Inappropriate use of tennis courts which will no doubt never be restored to a good standard without a battle with developers once they are wrecked by cars.
- Ugly car park and construction vehicles producing pollution and an eyesore in a park which is wholly inappropriate.
- Potential for developer's construction vehicles to permanently damaged trees and surroundings of a park and conservation area.
- The current building is beautiful architecturally the old building is. It has ornate window frames, many intricate and original exterior fittings.
- Are the construction materials, windows, fascias etc in keeping with the recommendations of the conservation area booklet as provided and drawn up by bury council.
- I cannot believe that the 'demolition' of such a lovely and important building is being seriously considered.
- One of the main functions of a 'conservation area' is to preserve and maintain the character of the area, thus, saving old buildings, particularly of such a standard, and to protect them from being altered unsympathetically spoilt, and most certainly demolition.
- If the health centre is so desperate to modernise itself why can it not do this without interfering with this special and valuable building? Surely it can employ architects and builders who can come up with a way of doing this whilst preserving the building itself.
- The 70 car spaces in the proposed plans are wholly inadequate for the probable number of staff and visitors which will require access to the hugely over developed building. Parking is a hot issue in the area as it is in light of the vast number of commuters and various staff filling the roads during the working day. The risk of tree loss would be detrimental. I believe that a public consultation should take place for such a large scale development. Morrisons has had a huge impact on the lives of local residents due to the influx of cars and both staff, commuters etc parking in the locality to the detriment of locals. The local community are facing the future of congestion charging and the general over development of the area, due to its central location for cars and use of trams is going to destroy the aesthetic which is so attractive to people.
- Many people in the locale walk with their children or dogs in the grounds surrounding this building and there is a wealth of character and peace in this place. We have seen squirrels, foxes, wild rabbits, field mice and I am lulled to sleep nightly by a family of owls who all live in the grounds, which by the sounds of things in the letter are also going to be drastically affected, if not destroyed.
- Comments had been made raising concerns of the proposals during the community involvement stage had not been acknowledged. According to the applicants' statement it would appear that there have been no objections to the current proposal; that is clearly not the case.
- A satisfactory case has not been made for the demolition of the original Uplands House, nor is the proposed building of sufficient architectural merit or urban form to either maintain or enhance the conservation area.
- A photograph of Uplands House, taken in 1873 shows the owner, John Wild, a paper manufacturer, outside the house with a stone date stone fixed to the building indicating it was built in 1854. The mid-Victorian building is designed in the then fashionable Gothic style and, whilst there has been some unsympathetic additions and poor workmanship to the building in the 20th century, the original architectural character of the house is still

clearly evident today. In particular, the patterned fish-tail slate roofs remains, as do the extremely ornate, open-cut barge boards; all the original stone lintels are deeply shaped in a consistent manner, some of the original vertical sliding sash windows remain and several ground floor windows are sub-divided by ornate cast iron mullions; a superb oriel window in brick and stone, projecting from the west elevation remains intact. An original porch, now bricked in, with a similar open-cut barge board to those at higher levels is evident on the east elevation.

- Having not been inside the original building recently, from an external view, it is apparent that the interior retains some of its original features, with fireplaces, skirtings and plaster mouldings, all evident. It is not clear how much of the interior remains intact.
- It is clear from the 1873 photograph and from the evidence of the remaining built form that this building was a house of some grandeur, indeed the Bury Times supplement of 18th August 1998 described it as 'imposing' and used the word 'manor'. This was a house of some architectural importance in the area and owned by a man of considerable means. He must have exerted a considerable presence in the Whitefield/Radcliffe area.
- The 20th century additions and alterations to the building and non-original buildings erected in the grounds are mostly unsympathetic to the architectural character of the original. There would be no objection to these structures being removed, along with the reinstatement of original architectural features.
- The applicants' plans clearly show the relationship of the original building to surrounding properties. Despite their comments about the Uplands relationship with All Saints Church, a more relevant relationship is with Whitefield House. Both buildings are set in their own landscape setting, divorced from the main road, where buildings from the Georgian period line the road. In my opinion the relationship of Uplands and Whitefield House is of the utmost importance in contributing to the character of the conservation area. I agree with the LPA in its statement contained in the Conservation Area Appraisal (2006) that Uplands House is identified as a building of significance, one of the few surviving examples in the area of a mid(-late?) nineteenth century house standing in substantial grounds, and that both it and the adjacent Whitefield House contribute to the sense of space.
- Given that Whitefield has recently lost one of its few listed buildings, The Church Inn, in order to accommodate a building of dubious architectural character, I am of the opinion that the Uplands is precious, even though not listed. It still requires the consent of the LPA for its demolition.
- It is noted that the applicants have responded to the questions posed by English Heritage relating to the importance of a non-listed building in the conservation area. I disagree with their conclusions. The building of a house of this grandeur, commissioned by a client of obvious means, would have been designed by an architect of at least some local note; the building has qualities of age, style and materials which are reflected in other buildings in the conservation area; both individually and as part of a group of buildings Uplands serves as a reminder of the gradual development of Whitefield; it clearly represents a phase in the growth of Whitefield; it has a clear historic association with the road layout, with the landscaped area beyond the road and it relates to the adjacent park; it clearly has landmark quality (even though currently subsumed by inappropriate 20th century additions); it positively contributes to the quality of the recognisable space beyond the road-frontage buildings; it clearly reflects the traditional functional character of purpose built residential properties in this part of Whitefield; as identified above it has significant historic associations with local people (the Wild family) and with past events (the paper-making industry); the original building positively contributes to the character of the All Saints Conservation Area.
- Given this judgement on the quality of the existing building, the only justification for its demolition would be if the architectural and urban design quality of the proposed development was of such a high standard that the character of the conservation area

could at least be maintained (preferably improved). This will also include important considerations regarding the significant tree cover on the site. Unfortunately this is not the case. I disagree with the comments and conclusions of the CABE enabler. The presence of the proposed building from Bury New Road will be significantly greater than the existing Uplands House; in the balance between building and landscape there is no doubt that built-form will dominate and with a building of limited architectural quality.

- The submitted plans indicate a proposed planform of two blocks, angled to each other, with an articulating circulation zone between them. This is a clear and simple expression of uses. The proposed elevations bear no relationship to this clear planform. The two main blocks are lost in a confused mix of materials, inappropriate window proportions and a roof configuration that is neither traditional nor contemporary. The articulating zone also lacks integrity and clarity. Given the wealth of architectural talent that exists in Manchester it is a great shame that yet another building of limited architectural quality is being foisted on Whitefield, following on from the recent fitness centre and supermarket.
- It is considered that the current proposals should be re-negotiated. The original Uplands House should be retained and restored to acknowledged conservation standards and that a new independent building of high architectural quality should be designed to relate to it. The two buildings would then serve the health care needs of Whitefield residents. Failing that I would recommend the refusal of the current proposal.

The following properties (702 in total) were consulted by letter on 16 September 2008 - (Wentworth Court 1 – 47; Pinfold Court 1 – 26, Penthouse; Livsey Street 1 - 49; Clarendon Street 1 - 34 36 - 42 (evens); Ducie Street 1 - 33; Morley Street 1 - 14, 16, 18, 20; Grosvenor Avenue 1 – 16; Grosvenor Road 2 – 16 (evens); Nuttall Avenue 1 - 76, 78 - 108 (evens); Moss Lane, 1 - 7(odds), 2; Hamilton Road 2 - 40 (evens); Nuttall Mews 1 – 10; Knowsley Road 2, 4, 6; Charnley Street 1– 31 (odds); York Street 2 – 17; Higher Lane Philips High School, 34 – 42 (evens), 50 – 56 (evens), 71, 73, 91 – 143 (odds), Eagle & Child, Whitefield Health Centre, Whitefield Golf Club, Apartments 1 – 6 Parklands House; Wilton Street 2 – 66 (evens); Egerton Road 1 – 9; 11 - 55 (odds), Higher Lane Primary School; Church Lane 1 –7 (odds), 9 – 17, 18a, 26, 28, 30 – 32; Ringley Road 1; Ashbourne Grove 2; Pinfold Lane 1 – 27, Whitefield library, Pinfold Day Care; Park Lane 2, 4; Parklands 1 – 8; Bury New Road 114 – 150, 152 – 167, 170 – 178, 183, 184, 186, 188, 190 – 196, 198 – 202, 204 – 208, 210 – 214, 217 – 229 odds, 226 – 248 evens, 250 – 264 evens, Whitefield Police Station). A press notice was published on 25 September in the Bury Times and site notices were posted on 14 October 2008.

Objectors have been notified of the date of the Planning Control Committee meeting.

### **Consultations**

**Environmental Health** - Contaminated Land - No objections subject to conditions concerning contaminated land and appropriate investigations and mitigations are carried out.

**Landscape Practice** - The arboricultural proposals are not as far reaching as they could be given the size and mass of the proposed development in relation to the site as a whole. Concerns made earlier with the plan from the consultant Landscape Architect in terms of levels, root protection and correct methodology during construction have been appropriately indicated. However, many of the proposed tree removals need to be reconsidered.

There are concerns levels changes and future amelioration of compaction around some of the mature trees within the site. There may be possible future claims of falling limbs/ leaf litter/ honeydew sap etc affecting vehicles parked beneath mature trees, which in the past has in the past formed the basis of applications to extensively prune back or remove trees in these types of locations.

The comments concerning the opening up of views in to the site to restore some of the original character is appropriate. However, the points set out in this 2006 Plan refer only to the landscape, in relation to the existing building only and not as proposed. The proposal



still relies more in how existing the site can be amended to accommodate the new proposal rather than how well the development would sit in the landscape in the first instance. The new building is felt to be difficult to incorporate successfully given its overall bulk and siting.

Drainage - No objections.

BADDAC - Access Group generally supportive of the application and overall approach to inclusive access. However, some amendments should be sought including a pedestrian handrail along the footpath access, whether there could be a secondary entrance from the car park and queried 'way finding' within the finished building.

Ecology - No objections subject to conditions concerning the timings of any tree removals and the need for a further bat survey if demolition is delayed to Spring 2009.

Waste Management - No objections.

CABE (National Design Review Service) - The demolition of the Uplands is not within their remit but is an issue for English Heritage and the Local Planning Authority. They consider that the design quality of the development proposed does not sufficiently respond to the character and mature landscape setting or the wider All Saints Conservation Area. Further work is required to achieve an architectural expression of sufficient quality for "*this special site*".

The scheme has a clear idea of a lighter linking element joining two blocks but this clarity does not come through in the treatment of the elevations, where different materials have been used to break up the apparent scale of the building. This suggests a complicated internal arrangement and a simpler palette of materials could be more successful.

The existing mature trees helps to break up views of the new building, which is an advantage given the need to integrate a large building into a historic context. The car park proposed however should be revisited and its layout and appearance should be softened to integrate into a landscape setting more easily.

Several rooms located internally within the body of the building have no windows and thus lack access to natural ventilation and light. This is considered to be disappointing given that the building is intended to be a purpose built health facility. CABE wish to be kept involved with the progress of the scheme.

English Heritage (EH) - Do not support the proposals as there is a lack of alternative site/proposal consideration nor is there appropriate consideration of the existing building, its features or its ability to be altered or amended. EH take issue with the application's assessment of the building and the tests relating to the contribution the building has to the historic development of an area. The poor interventions to the building could be easily reversed. The justification of the demolition of The Uplands is not based upon sound architectural investigation or its setting or contextual relationship within the Conservation Area. The application is trying to say that some insensitive additions and poor maintenance is a justification for demolition.

Additionally, the development proposals state that The Uplands would only provide a sixth of the required area to accommodate the intended amount of development proposed within the site. EH therefore consider that any proposal to accommodate such an intensified amount of development within the site would always encounter problems with scale and massing.

EH comment that in the supporting statement, The Uplands is satisfactorily being used as an administration base and in support of EH's view that the development proposals have not been properly considered by the applicant as PPG15 3.17 states that efforts should be made to sustain the existing uses. Yet options for this have not been explored.

EH comment that they were not afforded pre-application views, unlike CAGE (through the CAGE enabler), but do see that contemporary development can have its place in revitalising the historic environment.

They have reservations on the form, particularly mass and height and that other elements such as security fencing, materials, fenestration, security shutters, signage, car-parking and lighting have potential to harm the Conservation Area. Many of the elements in the scheme add to the seclusion of the site rather than integration into the wider historic environment.

In conclusion, EH consider:

- The justification to demolish The Uplands is not founded on sound architectural investigation;
- There is insufficient consideration of the site in context with the surrounding historic environment;
- The rationale for demolition set out in PPG15 3.17 - 3.19 has not been fully explored, particularly in land use terms;
- There would be support for contemporary design to creatively interpret "this fine site and its surroundings";
- Several elements of the proposals do not preserve or enhance the Conservation Area;
- The LPA should consider action points 6 and 7 of the Cons Area Management Plan to develop a brief with the developer for the site and a wider setting that both fully understands "this charming location" and fully utilises this important opportunity to capture the wider benefits for the community.

Greater Manchester Archaeology Unit (GMAU) - This building is not listed and cannot be claimed to have any particularly great architectural merit or distinctiveness. However, the assessment provided in support of the application does somewhat misrepresent the building when considering English Heritage's criteria (p.25). Contrary to the conclusions of the assessment, Uplands House is indeed typical of the larger residential properties stood within its own grounds that form part of the character of the conservation area. Furthermore, in being "an isolated building set within its own grounds" I would suggest it does serve as a reminder of the gradual development of the settlement area. The landscape setting – namely the large grounds – is intimately linked to the house itself, and such large houses set in spacious grounds are a contributory element in defining the character of the conservation area. In this sense, it does not really matter if the houses are partially or wholly obscured from view, as they were originally designed to be set-back from the road.

The demolition of Uplands House and its original associated outbuildings will dilute one part of the historic character of All Saints Conservation Area. It may well be concluded however that there has been a steady and significant erosion of the original character of Uplands House. Not least in this progressive erosion was the construction of the present health care centre. GMAU recommends that every effort be taken to try and find a way forward that would allow Uplands House to be retained and re-used within a sympathetic design for the new health care centre.

However, if Bury MBC is minded to grant Conservation Area consent for the demolition of this late Victorian building then prior to its demolition a detailed historic building survey should be undertaken to provide a record for future generations of this lost element in the character of the All Saints Conservation Area.

### **Unitary Development Plan and Policies**

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN8/2	Woodland and Tree Planting
EN1/1	Visual Amenity
EN1/3	Landscaping Provision
EN1/5	Crime Prevention

- EN6/3 Features of Ecological Value
- HT2/4 Car Parking and New Development
- TC2 Town Centre Enhancement and Development
- CF1/1 Location of New Community Facilities
- CF4 Healthcare Facilities
- PPG15 PPG15 - Planning and the Historic Environment

## **Issues and Analysis**

### **The Applicant's Case**

*Need* - The scheme has come forward following the Government's 2000 NHS Plan, which was a 10 year investment plan to ensure wide reform of improved health services, which with teams of doctors, nurses, community services could come together under a single roof.

In the consideration of this site, assessed against NHS criteria, many health centres, including the Whitefield site, is considered to be out of date and not fit for purpose in terms of the need to deliver good quality health services. Cleanliness, access, patient backlogs and the lack of key facilities at the site render this project appropriate to be considered under the fourth wave of health reforms under the NHS Local Improvement Finance Trust - "Lift Scheme". The scheme therefore seeks to provide the following services in a state of the art development which could not be achieved by the site as it currently exists:

• GP Services	• District Nursing
• Nutrition and Diatetics provision	• Audiology
• Diagnostics	• Dental provision
• Podiatry and foot health	• Physiotherapy
• Diabetes	• Family Planning
• Children's Services	• Community Midwife
• Speech and Language Therapy	• Orthoptics
• Phlebotomy service	• Health promotion
• Pharmacy	• Specialist Nursing
• Primary care mental health	• Diabetic screening

The scheme has been designed with the following issues in mind:

- To restore the original design concept of the site of a large building within a landscaped setting;
- To ensure the site responds positively to its existing topography and its relationship with its surroundings;
- To ensure the building responds to the physical context of the surrounding area;
- Car parking is located within one area with disabled car parking close to entrances;
- In corporate existing and new improved pedestrian routes between the adjoining park and to Bury New Road;
- Allow for the retention of the existing health facility during construction of the new facility.

*Building and Site Design Concepts* - Various design concept options had been considered for the site to provide the amount of floor space needed for the services to be provided, whilst bearing in mind the constraints of the site. The preferred option specifically

- Addressed the relationship to the park and Bury New Road with legible access;
- Retained significant trees;
- Provided a vehicle drop off area;
- Provided a legible building entrance;
- Provided a compact building form.

This option was the subject of a public consultation process with information and comment forms provided within the Whitefield health centre and also in a local public venue.

Comments had been made by the public to ensure that any new development achieved good pedestrian access and to ensure appropriate numbers of parking spaces.

The applicant also used the services of a CABI enabler whose role is to provide a check and balance to ensure high quality development is being delivered and to provide constant challenge to the team's designers. The enabler had written twice to confirm that the scheme was achieving its aims and objectives.

The proposals show a centrally located building reflecting the original location of The Uplands, would be in a compact form with the main front elevation located approximately where The Uplands front elevation currently is located. The siting of the new development in itself would not require any tree removal as it is already built up.

*The Building Design* - The design has sought to minimise the impact to its surroundings taking into consideration site constraints. The original level of The Uplands would be reduced in level by 1.2m to further assist the scale and massing. The proposed building height would be 15.53m to keep it below tree height (20m). The form of the building would be two solid wings connected by a three storey glazed section. This would assist to clarify the entrance in to the building. Roof pitch would be kept low, adding to the compactness and it would be stepped to break up the skyline of the building. The CABI enabler considered this important so that glimpsed views of the building would not present an unnatural straight eaves and reflect the eaves of the existing house. The shallow roof pitch means that traditional materials could not be used and a dark colour metal cladding has been chosen instead. The form has mainly been driven by the desire to preserve trees with the choice of materials driven to reflect the parkland setting, the latter considered through discussions with the CABI enabler. Red brickwork has been chosen as a prevalent material to the area and incorporated into the scheme. The cladding is a modern interpretation of the stone features and walls in the Conservation Area. Random stone is included intending to reflect boundary and garden walls. It would also provide a plinth detail to break up the scale of the elevations.

The upper two storeys use projecting glazed bay windows on key elevations to pick up the verticality of the more significant buildings in the area such as Whitefield House and All Saints Church. The projecting bays are set against the brickwork and use dark cladding to reflect the use of lead flashings to bay windows and dormers in the area.

From the front elevation the scale of the building has been reduced by the triple height central glazed circulation and waiting areas. It would be viewed through a canopy of a 20m high beech tree. The glazing permits reflections of the landscape and at night to allow a back lit area as a design feature set against the two solid wings. The glazing also connects users with the outside in a visual, calming sense.

The building is a modern design, and through its use of traditional materials represents a state of the art health facility and is contended to enhance the character and appearance of the Conservation Area.

The landscaping proposals have been designed to restore the original character and appearance of the site. The application considers that any of the tree removals are of a high value. One tree would be a category B grade tree (intermediate) and 31 lower value trees, category C grade (lower value) would be removed. These would permit views to be opened up and remaining groupings of trees have been instrumental in the planning of the layout. All tree removal will be compensated by higher quality replacements, which will provide wildlife and amenity value in the short term and canopy cover in the long term.

*Conservation Area Appraisal* - A supporting Conservation Area Appraisal has been carried out to inform the proposals. The statement set out the justification for the demolition of buildings in the Conservation Area by assessing the key characteristics of the Conservation Area and appraising the existing site against these characteristics. This would determine the relative contribution of buildings to the Conservation Area.

The report lays out the reasons for designation of the Conservation Area in 2004, the land uses and highlights the Bury MBC's appraisal report and management plan stated in the Conservation Area document. The main core of the designation centres upon the Church and associated monuments, the area is a prime example of 19th Century high quality civic and residential development; the predominance of large residential properties in large grounds; the openness and relationship of the park with the cricket club; key views and mature landscaping.

The applicant's appraisal notes the importance of space and greenery; the identification of The Uplands as a building of significance, the existing health centre detracts from the Conservation Area. The Uplands in particular is stated to have been unsympathetically altered and extended; having several poor quality ancillary buildings; with an opportunity to improve the main buildings and grounds, improved landscaped management and the opportunity to restore the original landscaped character of the site.

The urban grain is analysed together with the current heights, scales and massing demonstrated in the report. Existing built forms are identified, materials, forms, landscape and are related back to The Uplands.

*Justification for demolition* - In conclusion the appraisal states that The Uplands only notable historic relevance is its age, typical of other properties and this in itself does not provide additional merit. The integrity of the building has been compromised over the years by unsympathetic alterations and has been poorly maintained. The appraisal considers that The Uplands detracts from the character of the Conservation Area in terms of appearance and offers little merit worthy of preservation. They have also assessed The Uplands against EH's criteria for determining whether an unlisted building makes a positive contribution to the Conservation Area. The appraisal concludes that the building, when assessed against the criteria laid down by EH does not make a positive contribution to the All Saints Conservation Area and therefore an opportunity exists to create a building which is fit for purpose and both sympathetic to its historic setting and representative of its era.

## **Officer Assessment**

### **Conservation Area and Design Issues**

The Council has a statutory responsibility to ensure that the character and appearance of the Conservation Area is either preserved/protected or enhanced. In meeting this responsibility there are two main issues to consider. The proposed loss of the existing Victorian building, and the quality of the proposed development.

*Existing Victorian Building* - Within conservation areas there is a presumption against the removal of any building that makes a positive contribution to the character of the conservation area. PPG15 and English Heritage criteria advise on how such proposals should be assessed.

In the applicant's submitted Conservation Area Appraisal and the Planning Statement (page 36) the agent concludes that a dominant characteristic of the conservation area is large houses set within large landscape grounds. The appraisal also refers to development types which form the grain of the area. One type is large single buildings in large landscaped plots. Three of these are referred to, All Saints Church, Whitefield House and the Uplands. There are no others. This assessment would normally point to the importance of the Victorian building to the area's character. However, the agent takes the view that the building is not a notable or good quality example of Victorian architecture and that original features have been lost, and the building has been unsympathetically altered.

Consequently, it is claimed that it does not make a positive contribution to the character and appearance of the Conservation Area. The appraisal mistakenly refers to the building as being built in 1894. No considered and detailed study of the building's architecture,

development and alteration has been submitted in support of the judgements made. Neither has an internal assessment been made. The nature of the pre-application discussions indicated to officers that an early decision had been made by the applicant/agent that the building should be removed, and this decision was taken before an appraisal or assessment of the building and the area had been made.

The Uplands was built c1850 and extended and altered in 1894. The specialist consultants, Woodhall Planning and Conservation, who undertook the initial conservation area appraisal (2004) work for the Council, took the view that it was a building of significance within the area's history, character and appearance. This statement was continued into the Council's approved management plan. The Uplands and the former town hall are both key elements in the Conservation Area's character. They were large houses built adjacent to each other in grand grounds. The relationship between the houses and the scale of their grounds is important to the area's special qualities and appearance.

The agent has indicated that these qualities are an important part of the grain of the area, and the Uplands is one of only three such buildings. There are other large houses in the conservation area but none have this arrangement and this scale of contribution to the area.

The principle of retaining the original building, which is still largely in its original and 1894 form, is important to the protection of the area. Also, the building does have a number of fine features. The architectural quality of the building, together with the building's contribution to area's history, is more than adequately outlined by the responses received to the publicity for the application. The building is capable of restoration and for its contribution to be enhanced. Policy 1 of the Council's approved management plan states that such a building should not be removed without being fully justified against the tests outlined in PPG15 paragraphs 3.16 to 3.19. The Council's management plan also, on page 49, makes specific reference to the Uplands and looks to any change being an opportunity for substantial improvement to the Victorian building.

The application does not address all of the required tests but one aspect of the tests under PPG15 3.19 has been looked at in part by the agent. Pages 75 to 78 of the applicant's Design and Access Statement explore the retention of the Uplands within the new development. This was not an early piece of work, as would normally be expected as part of initial feasibility, but one that resulted from the officer concerns over the lack of any attempt to retain the Uplands Victorian building within the development. Officers consider that this option assessment should have been considered further and more fully by the applicant and agent, and feel that the exercise was not thorough and complete. The applicant's appraisal also considered the English Heritage criteria on whether a building makes a positive contribution to a conservation area. There are nine questions. On questions 2, 4, 5, 7, and 9, it is considered that the agent's responses are incorrect and undervalue the building's contribution. This conclusion is confirmed by English Heritage in its letter of the 14 October 2008.

By the criteria laid out, the case has not been made for the removal of the Victorian building. The agent has recently stated that it is also the applicant's view that, in line with PPG15, this should be an exceptional case where the proposed works would bring substantial benefits for the community which should be weighed against the case for preservation. However, the guidance here also points to the benefits of incorporating such building in an imaginative way within new developments.

*New Development* - The difference in datum height between existing and proposed buildings is stated to be 2.3m and this is shown in section on page 45 of the Design and Access Statement. In terms of impact on site and on views, a clearer comparison is the height above ground level. The reduction of site levels may impact on long distance views but not on the bulk and impact of the building on its immediate surroundings. The proposed building is 15.53m at its highest point but due to the building's square shape the eaves line is between 10.6m and 13.6m. At its maximum it is 5m (approximately two modern storeys) above the eaves line of the current building. The current modern building on site is low level

and only has an impact on the character of the area at close distance. A true comparison of the change in bulk and impact created by the development is solely between the footprint, height and shape of the existing main Victorian building and the same elements on the proposed new building.

The new building is basically a group of cubes to a footprint more than 100% greater than the current Victorian building. The combination of footprint, height and shape produces a very substantial structure, which is more prominent because it sits closer to the front of the site as viewed from Bury New Road. The difference in bulk is well illustrated by the options explored on pages 76 to 78 of the Design and Access Statement. The modelling of the building's elevations and the use of glazed areas will do little to relieve the bulk and the scale of the building. Although the agent states that this reflects the 'large buildings in large grounds' character of the area, the scale and bulk of the proposed building and its occupation of the site cannot and does not reflect the Victorian context.

There is little in the building and the site proposals that relate to the character of the conservation area. Whilst it is generally of adequate design, it could be a solution for such a building on a standard site anywhere in the borough or the country.

National guidance states that modern design solutions can be appropriate in conservation areas so long as they either protect or enhance the character of the area. This suggests some form of relationship between what exists and what is proposed, and this can be reflected in the shape and proportion of buildings and their elements, and in the use of materials. Everything about the design, other than the use of red brick to some elevations, is alien to the area's character. In addition to the overall impact of the building, there are other elements that cause concern. These include:

- the impact of the use of security shutters on elevations;
- the proposals for both 2.1m and 1.2m security fencing around various boundaries;
- the widening of the access road and pavement once the site has been entered, and
- the use of various concrete hard standing materials around the building.

These proposals together will alter the visual and operational character of the site and its relationship with the surrounding area. The agent states in the Planning and Design Statement how the development relates to the character of the conservation area. Contrary to the statement, officers found no link between the proposed design and the character of the conservation area.

*Landscape* - As stated above, the scheme does propose the loss of a number of trees within the site and the proposals are predicated upon the intention to restore the site to its original form. However, the proposals would result in a significant change to the existing site and due to a limited level of information on how the site might appear following the removal of the trees, it is difficult to determine whether to support the level of tree removal. The existing tree cover does contribute significantly to the character of the Conservation Area and this site. Consultation with the Council's own Landscape Section has indicated that too many trees would be removed from the site as a result of the proposals. It is accepted that the site would benefit from some management of existing tree presence as many of the trees there are self seeded and have a poor form. This is also reflected within the Council's management plan for the area. However, the relationship of the site to the parkland and former town hall site is a key factor and such significant levels of tree removals would render the development as a stark presence. In addition to the tree issues, the proposed finish of the car park is proposed solely as a harsh tarmac surface with a capacity for some 70 cars. This area is shown to the rear of the building but is surrounded by public footpaths. This feature would be readily seen by passers by and in plan form this feature has not been appropriately considered in terms of its impact upon the Conservation Area. This has been highlighted by CABE. As such, the landscape proposals would not preserve nor enhance the character of the Conservation Area.

*Car Parking* - 70 spaces are proposed to be located to the rear of the building in between

Parklands and the main building. The scheme proposes some 3259sqm of new floor space.

The supporting transport assessment discusses:

- 113 total staff, but considering their roles and functions, on average 60% of this number are on site.
- The timings of staff being on site and their departure times;
- Average stay time per patient and key times for visiting;
- Travel plan

The Transport Assessment (TA) considers that generally some 70 spaces would accommodate the demand, which would result in 100% car parking provision. The SPD would require as a maximum 150 car parking spaces including 9 disabled and 11 cycle stands.

The provision provided in the scheme is shown on a minimum basis and leaves no scope for changes in practice or increased demands. The development proposals and its floor space dictates provision of 70 spaces based upon staff patient demands. There is concern on 5 issues:

- There is too much floor space, generating the need for more staff parking than shown.
- There is likely to be significant pressure to provide more parking should the development become even more intensified;
- More car parking would have significant impacts upon trees and the setting of the development within the Conservation Area;
- The proposed location is central to the population it is seeking to serve, thus is sustainably accessible;
- The effectiveness of travel plans for this type of use.

The site is in a sustainable location well served by bus and tram services. The site is also within the heart of the public population it serves, although its location to good transport services does spread the population it could serve. The patients however, largely will arrive by car if infirm or elderly and the application argues some 45 patients in a half day period. Staff movements including peripatetic staff would mean that patients and staff would utilise 100% of the parking for most of the day. There are reservations on this and particularly in the long term that this provision is understated and that the difference between the minimum provision and maximum provision should be closer. However with an effective travel plan and a provision for potentially providing financial incentives, the minimal parking provision could be sufficient and details of this would have to be secured through a legal planning agreement under a s106 agreement.

*Residential Amenity* - The location of the site, and way in which the site is to be developed would mean that there is unlikely to be a widespread impact upon amenity. To the rear of the site is a residential street, Parklands Avenue, with 2 properties close to the boundary of the site. The fencing to these properties is substantial and comprises a 2.4m high waney lap fence. A foot way separates the fence from the main operational car park, which would be on the same land levels as currently exists on site. The edge of the car park is to be supplemented with planting to help screen headlights etc, however the use of this area would markedly change and thus there could be some impact upon the amenity of the nearest residential properties to the development's car park.

The most immediate house is 6 Parklands Avenue. This property does have a limited number of windows on the elevation overlooking the site. Only one window is the sole source of light and outlook to a habitable room, a bedroom on the rear elevation, however there is a thick line of trees, shrubs and conifers immediately outside this window, belonging to the resident thus the development would not change or impact upon outlook. A further bedroom to the north of the property has a window overlooking the site, however, that room has another much larger window providing outlook and light and therefore the impact upon this room is not totally reliant upon the easterly facing window.

*Vehicular and Pedestrian Access* - The main vehicular access position would remain the



same. The geometry and location would be as is today, however, the application proposals are seeking to regrade the land and lower the profile, thereby enabling the access roadway, which is currently a steep incline, to meet DDA gradients. This is also accepted by BADDAC. The main vehicular access route has been discussed at length with engineers and is acceptable.

*Site Security* - The PCT have put forward fencing to be located around the periphery of the site and thereby blocking off the axial pedestrian access from Hamilton Road Park through to Pinfold Lane. This has been picked up by Eng Heritage and is considered to be an unacceptable feature to the site and the character of the Conservation Area. The inter connectivity between the substantial plots of The Uplands, former Whitefield Town Hall and the Park have long been established and provide an attractive means of moving through the spaces. The gates and fencing would be open during daylight hours but would be closed at dusk. The design of the fencing is standard paladin and would be hidden by landscaping where it can. However, it is considered that there would be a harmful impact upon the character and appearance of the site should this be accepted. As such, it is considered that the views of EH in that the site security measures would neither preserve or enhance the area is accepted.

*Per Cent for Public Art* - The scale of the scheme would be such that Per Cent for Art is a policy requirement. The floor space would exceed 2500sqm. However, as the issues concerning the scheme are considered to be not resolvable at this stage, no legal instruction has been given. That said it is still possible to utilise conditions for this for submission at a later stage.

*Design and Crime* - A Crime Impact Assessment (CIA) report written by GM Police has submitted with the application, which highlights types and frequencies of crime characteristics in the area. The highest frequency area tends to be in the vicinity of the former Whitefield Town Hall and the Hamilton Road Park through antisocial behaviour and attacks on parked vehicles. The CIA assesses the scheme and comments on the vulnerable aspects of the proposals, its uses within the building and the site characteristics. It concludes the proposals present:

- A smart, welcoming building in an attractive landscape location/setting;
- Secure parking and servicing arrangements;
- Manageable layouts internally;
- A significant on-site presence covering most of the day.

However, issues to address include:

- open access and potential to get to the rear of the building;
- the flat roof canopy represents a potential access facility;
- the pedestrian route network;
- The scheme should secure secured by design status.

Any revised submission would need to properly consider these issues.

*Conclusions* - There are significant concerns with the scheme in terms of the process the development proposals have gone through to arrive at the final proposals. There has been no proper assessment of the existing building and its potential to be incorporated into a new facility and there are significant concerns on the proposed building, tree loss and landscape proposals.

Key statutory and non-statutory consultees have raised significant concerns on the scheme in terms of justification for demolition and the architecture of the proposed replacement. As such the scheme should be refused as it would be detrimental to the preservation or enhancement of the All Saints Conservation Area and respective planning policies.

### **Summary of reasons for Recommendation**

**Recommendation:** Refuse

**Conditions/ Reasons**

1. The proposed building, landscaping proposals including the car parking area to the rear and tree removal would, by reason of design, materials and appearance, would neither preserve nor enhance the qualities of the All Saints Conservation Area and as such the proposals would be seriously detrimental to the historic qualities of the Conservation Area contrary to UDP Policies  
EN2/1 Character of Conservation Areas  
EN2/2 Conservation Area Control  
EN8/2 Woodland and Tree Planting  
EN1/1 Visual Amenity  
EN1/3 Landscaping Provision and  
PPG15 - Planning and the Historic Environment
  
2. There is insufficient information contained within the proposals that demonstrate that The Uplands could be retained and incorporated into the scheme contrary to criteria contained within paras 3.16 to 3.19 of PPG15. As such the proposals neither preserve nor enhance the quality or character of the Conservation Area to the detriment of the visual and historic amenities of the area.

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

**Ward:** Whitefield + Unsworth - Pilkington Park

Item 12

**Applicant:** Whitefield Golf Club

**Location:** WHITEFIELD GOLF CLUB, HIGHER LANE, WHITEFIELD, M45 7EZ

**Proposal:** TOILET EXTENSION TO EXISTING REFRESHMENT HUT ADJACENT 10TH TEE (RETROSPECTIVE) WITH NEW PITCHED ROOF TO BUILDING (RESUBMISSION)

**Application Ref:** 50494/Full

**Target Date:** 06/11/2008

**Recommendation:** Approve with Conditions

### **Description**

This revised application is part retrospective and follows a previous refusal by the Planning Control Committee in July this year (50062). The applicant seeks permission to retain the extension to the toilet/refreshment hut close to the 10<sup>th</sup> tee and add a pitched roof and screen planting on and around the building.

There are residential properties to the north and west with the golf course to the east. The golf course is allocated as Green Belt on the UDP. There is a mature hedge along the rear boundary with properties fronting Park Avenue.

The flat roofed hut, which is constructed in breezeblock and measures 4.7m x 2m, has been extended to incorporate male and female toilets. The area of the extension measures approximately 3 square metres. The blockwork is painted green and barbed wire has been erected around the roof edge. As a consequence of the previous refusal in July, the applicant has amended the plans to incorporate a pitched slate roof to a maximum ridge height of 3.2m and screen planting which comprises climbing plants on a trellis attached to the building and a Hawthorn hedge to the north between it and Nos.153 and 155 Park Lane.

### **Relevant Planning History**

50062 Toilet extension (retrospective) - Refused 23/07/2008

### **Publicity**

Site notice posted on site on 16/09/2008. Sedgley Park Rugby Club and neighbouring residents on Park Avenue notified by letter dated 16/09/2008 - An e-mail has been received from No.153 Park Lane stating that the drainage system should be checked to ensure it is operating adequately.

### **Consultations**

Highways - No objection.

Drainage Team - No objection.

Environmental Health - No objection.

Baddac - No objection.

Landscape - No objection.

### **Unitary Development Plan and Policies**

EN1/1 Visual Amenity

OL1/2 New Buildings in the Green Belt

RT1/2 Improvement of Recreation Facilities

EN1/3 Landscaping Provision

SPD8 DC Policy Guidance Note 8 - New Buildings in the Green Belt

### **Issues and Analysis**

Green Belt – UDP Policy OL1/2 New Buildings in the Green Belt states that development is inappropriate unless it is for, amongst other things, essential facilities for outdoor sport and recreation and other development which preserves the openness of the Green Belt. Policies EN1/1 Visual Amenity and EN1/3 Landscape protect visual amenity and support the Green Belt policy.

UDP Policy RT1/2 Improvement of Recreation Facilities states that favourable consideration will be given to proposals to improve existing recreational facilities.

The applicants state that the new toilet facilities are required in this location which is half way around the course and relatively far from the clubhouse (approx 700m).

Visual Amenity - The existing hut is not an attractive building and is not in keeping with the character of the golf course or Green Belt in which it is sited. However the original building was constructed over 4 years ago and is hence immune to enforcement action. The main issue with regard to the extension is whether it has a material impact on the character and openness of the Green Belt.

The increase in the size of the hut, although significant in proportion to the original building, would not have a significant impact on the openness or character of the Green Belt given the original building in situ and the proposed Hawthorn hedge that would screen the building both generally and from views from the houses to the north. The pitched grey slate roof, painting the external walls an appropriate colour and the screen planting would improve the appearance of the building to an acceptable degree.

Comments - An application for Building regulations, including drainage has been received. Drainage arrangements will be tested to ensure the system is operating correctly.

Given the nature, scale and location of the development it is considered that it would comply with UDP policies and guidance 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 extension is modest and with screen planting, should not have a seriously detrimental impact on the character or openness of the Green Belt.

There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. This decision relates to the drawing 1B, received 11th September 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.

2. Details of the proposed Hawthorn hedge and planting over the building indicated in the approved plan shall be submitted to the Local Planning Authority within one month of this permission. The scheme shall be implemented to the written satisfaction of the Local Planning Authority not later than 3 months from the date of this permission. Any plants removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by plants 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 EN1/1 Visual Amenity

3. Within three months of the date of this decision notice the building shall be painted green, the exact colour and finish of which shall be submitted to and agreed in writing by the Local Planning Authority.

Reason. In the interest of visual amenity pursuant to UDP Policy EN1/1 Visual Amenity..

4. Within three months of the date of this decision notice the proposed pitched roof shall be completed according to the approved plans and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of visual amenity pursuant to UDP Policy EN1/1 Visual Amenity.

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

