Title	Planning Applications
To:	Planning Control Committee
On:	23 December 2008
By:	Assistant Director (Planning, Engineering & Transportation Services)
Status:	For Publication

#### **Executive Summary**

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

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

#### This report has the following implications

Area Board/ Ward: Identified in each case.

Policy: Identified in each case.

**Resources:** Not generally applicable.

Equal Identified in each case.

Opportunities:

# Human Rights:

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

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

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

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

#### **BRIAN DANIEL**

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

### **Background Documents**

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

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

01	Area Board-Ward:	Bury East	App No.	50549	
	Location: Proposal:	LAND AT SPARROW PARK, SILVER STREET, BURY FULL PLANNING PERMISSION FOR ERECTION OF WAR MEMORIAL FOR LANCASHIRE FUSILIERS AT SPARROW PARK, SILVER STREET, BURY (RELOCATED FROM WELLINGTON BARRACKS, BOLTON ROAD, BURY)			
	Recommendation:	Approve with Conditions	Site V	Site Visit: N	
02	Area Board-Ward:	Bury West - Church	App No.	50363	
	Location: Proposal:	105 AINSWORTH ROAD, ELTON, BURY, BL8 2PY CHANGE OF USE FROM DWELLING TO HOUSE IN MULTIPLE OCCUPATION (RETROSPECTIVE)			
	Recommendation:	Approve with Conditions	Site Visit: N		
03	Area Board-Ward:	Bury West - Church	App No.	50548	
	Location: Proposal:	LAND AT WELLINGTON BARRACKS, BOLTON ROAD, BURY LISTED BUILDING CONSENT FOR DISMANTLING AND REPAIR OF EXISTING WAR MEMORIAL AT WELLINGTON BARRACKS (TO BE RELOCATED TO SPARROW PARK, BURY SEE PLANNING REF; 50549)			
	Recommendation:	,	Site V	sit: N	
04	Area Board-Ward:	Radcliffe - East	App No.	50596	
	Location: Proposal:	77 BURY ROAD, RADCLIFFE, M26 2UT OUTLINE PLANNING PERMISSION FOR THE ERECTION OF TWO/THREE STOREY CARE HOME (RESUBMISSION)			
	Recommendation:	Approve with Conditions	Site V		
05	Area Board-Ward:	Radcliffe - East	App No.	50666	
	Location: Proposal:	62 CHURCH STREET WEST, RADCLIFFE, M CONVERSION OF SHOP WITH LIVING ARE NO. FLATS ABOVE; TWO/SINGLE STOREY FRONT/REAR DORMERS; PARKING AREA (RESUBMISSION)	A ABOVE T EXTENSIO	N AT REAR;	
	Recommendation:	Approve with Conditions	Site V	sit: N	

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06	Area Board-Ward:	Radcliffe - West	App No.	50535	
_	Location: Proposal: Recommendation:	LAND AT OUTWOOD PARK, OFF OUTWOOD ROAD, RADCLIFFE IMPORTATION AND REUSE OF INERT MATERIALS TO MAKE SAFE THE EXISTING FORMER TIP LAND AND LANDSCAPING Approve with Conditions Site Visit: N			
07	Area Board-Ward:	Ramsbottom and Tottington - Ramsbottom	App No.	50660	
	Location: Proposal: Recommendation:	LAND AT RAILWAY STREET, RAMSBOTTO PROPOSED MIXED USE DEVELOPMENT C A1/FOODSTORE AND USE CLASS B1/B8 C Approve with Conditions	OMPRISIN	G USE CLASS AL UNIT	
08	Area Board-Ward:	Ramsbottom + Tottington - Tottington	App No.	50588	
	Location: Proposal:	TOTO RISTORANTE, HIGH STREET, BURY REDEVELOPMENT OF EXISTING RESTAULT TO FORM A WINE BAR AND RESTAURANT	RANT AND	ST FLOOR OPEN	
_	CAR PARK ACCESSED FROM GRASSINGTON COURT Recommendation: Refuse Site Visit: N				
09	Area Board-Ward:	Ramsbottom + Tottington - Tottington	App No.	50621	
	Location:PLOT 5, LAND AT HIGH STREET, WALSHAWProposal:RESIDENTIAL DEVELOPMENT - ONE DETACHED DWELLINGRecommendation:Approve with ConditionsSite Visit: N				