

Title	Planning Applications
To:	Planning Control Committee
On:	20 January 2009
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 Opportunities: Identified in each case.

Human Rights:

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

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

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

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

BRIAN DANIEL

Assistant Director (Planning, Engineering & Transportation Services)

Background Documents

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

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

- 01 **Area Board-Ward:** Ramsbottom + Tottington - Tottington **App No.** 50588
- Location:** TOTO RISTORANTE, HIGH STREET, BURY, BL8 3AG
Proposal: REDEVELOPMENT OF EXISTING RESTAURANT AND ADJACENT MILL TO FORM A WINE BAR AND RESTAURANT WITH FIRST FLOOR OPEN CAR PARK ACCESSED FROM GRASSINGTON COURT
Recommendation: Refuse **Site Visit:** Y
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- 02 **Area Board-Ward:** Whitefield + Unsworth - Besses **App No.** 50748
- Location:** LAND ADJACENT TO 68 HARDMANS ROAD, WHITEFIELD, M45 7BD
Proposal: 1NO. THREE STOREY DETACHED DWELLING (RESUBMISSION)
Recommendation: Approve with Conditions **Site Visit:** N
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- 03 **Area Board-Ward:** Ramsbottom + Tottington - Tottington **App No.** 50470
- Location:** ST. ANN'S PLAYING FIELD, SOUTH ROYD STREET, TOTTINGTON
Proposal: INSTALLATION OF MULTI USE GAMES AREA , PROVISION OF A CAR PARK WITH VEHICULAR ACCESS FOR USE IN CONNECTION WITH ADJACENT EXISTING FOOTBALL PITCH, CHANGES TO BARRIER AT ENTRANCE TO SITE, PROVISION OF PEDESTRIAN PATH TO BALLZONE.
Recommendation: Approve with Conditions **Site Visit:** N
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- 04 **Area Board-Ward:** Bury East - Moorside **App No.** 50523
- Location:** 4 & 6 ARLEY AVENUE, BURY, BL9 5HD
Proposal: CHANGE OF USE OF 4 ARLEY AVENUE FROM RESIDENTIAL (CLASS C3) TO SCHOOL (CLASS D1) AT GROUND FLOOR (IN CONJUNCTION WITH EXISTING SCHOOL AT 6 ARLEY AVENUE WITH A MAXIMUM NUMBER OF PUPILS RISING FROM 28 TO 38) AND RESIDENTIAL (CLASS C3) AT FIRST FLOOR TO PROVIDE A SELF CONTAINED FLAT
Recommendation: Approve with Conditions **Site Visit:** N
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- 05 **Area Board-Ward:** Ramsbottom and Tottington - Ramsbottom **App No.** 50579
- Location:** LAND AT FIR STREET, RAMSBOTTOM, BL0 0BG
Proposal: 2 STOREY BUILDING, PROVIDING 15 NO. UNITS OF LONG TERM SUPPORTED ACCOMMODATION FOR PEOPLE WITH LEARNING OR PHYSICAL DISABILITIES, (3 UNITS WITH 3 BEDS AT GROUND FLOOR LEVEL, 6 SEPARATE UNITS AT FIRST FLOOR LEVEL) WITH 3 NO. SUPERVISOR'S ROOMS.

Recommendation: Approve with Conditions

Site Visit: N

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06 Area Board-Ward: Radcliffe - East

App No. 50769

Location: LAND BETWEEN 36 & 38 SEDDON AVENUE, RADCLIFFE, M26 9GP

Proposal: COMMUNITY LIBRARY

Recommendation: Approve with Conditions

Site Visit: N

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