

Title	Planning Applications
To:	Planning Control Committee
On:	19 May 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: Whitefield + Unsworth - Besses	App No. 51185
	Location: LAND AT LYDGATE CLOSE, WHITEFIELD, M25 6WW	
	Proposal: RESIDENTIAL DEVELOPMENT - 4 DWELLINGS (RESUBMISSION)	
	Recommendation: Approve with Conditions	Site Visit: N
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02	Area Board-Ward: Radcliffe - East	App No. 51211
	Location: REAR GARDEN OF 31 WILLIAMSON AVENUE, RADCLIFFE, M26 4HT	
	Proposal: RETENTION AND CONVERSION OF GARAGE/ GARDEN BUILDING TO DETACHED BUNGALOW	
	Recommendation: Approve with Conditions	Site Visit: N
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03	Area Board-Ward: Whitefield + Unsworth - Pilkington Park	App No. 51215
	Location: 254-258 BURY NEW ROAD, WHITEFIELD, M45 8QN	
	Proposal: CHANGE OF USE GROUND FLOOR RETAIL (CLASS A1) TO WINE BAR/BISTRO/COFFEE SHOP (CLASS A4) TOGETHER WITH NEW SHOP FRONT AND AWNINGS; OUTDOOR SEATING AREA WITH ASSOCIATED FENCING AND PLANTING; FLUE AT REAR (REVISED SCHEME TO INCLUDE NO. 254 BURY NEW ROAD)	
	Recommendation: Approve with Conditions	Site Visit: N
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04	Area Board-Ward: Bury East - Moorside	App No. 51231
	Location: LAND AT FERN HILL BUSINESS CENTRE, TODD STREET, BURY, BL9 5BJ	
	Proposal: INSTALLATION OF A RADIO BASE STATION CONSISTING OF 3 NO. ANTENNA, 2 NO. DISHES TO A 18M HIGH LATTICE MAST; ADJACENT EQUIPMENT CABINET AND 2.4 M PALISADE FENCING	
	Recommendation: Approve with Conditions	Site Visit: N
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