

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 01

Applicant: MOD DTE North

Location: HOLCOMBE MOOR TRAINING AREA, SPENLEACH LANE, HAWKSHAW, BL8 4JJ

Proposal: STEEL FRAMED TROOP SHELTER

Application Ref: 50812/Full

Target Date: 06/07/2009

Recommendation: Approve with Conditions

Description

The site is located adjacent to the 'Krypton Factor' Assault Course on the Army Holcombe Moor Training Camp to the north of Bolton Road. The site is to the south of a public footpath and is screened by trees and the 3m high fencing and obstacles on the assault course.

The shelter is located on an existing area of hard standing and is to be 10m wide by 20m long and 4m tall with a pitched roof. The shelter will be dark green in colour and is constructed from coated metal cladding.

Relevant Planning History

Various applications have been considered on the site relating to the training use but none are of direct relevance to this site.

Publicity

No properties can view the site as it is contained within the Army facility but a restricted public footpath runs along an access road to the site some 20m to the north. As such a site notice was placed at this location on the 15th May 2009. In addition as the proposal is a Departure from the Unitary development Plan a further Press and Site Notice was placed on the 16th July and no comments have been received to any of the notifications.

Consultations

Drainage Section - no objections

Environmental Health Contaminated Land/ Air Quality Team - recommend standard condition on potential contamination

Unitary Development Plan and Policies

OL7/2 West Pennine Moors
OL1/2 New Buildings in the Green Belt
EN1/2 Townscape and Built Design
PPG2 PPG2 - Green Belts

Issues and Analysis

Visual impact on Green Belt and West Pennine Moor - The building is located adjacent to the existing assault course on an existing hardstanding. It is screened by trees on the southeastern boundary, the assault course on the eastern boundary and is 'set down' in the landscape when viewed from close range from the north and west. The site has no long range views. As such the shelter will not appear intrusive with the area and accords with UDP Policy OL1/2 and OL7/2 in terms of its impact on the openness and character of the Green belt.

Materials - the green clad building and is similar to the other buildings on the site. The dark green colour will help it blend in with its setting and as such will comply with UDP Policy EN1/2.

Departure - Consideration is needed as to whether the development is a departure as it is

located within the Green Belt. Normally only uses and buildings associated with agriculture, recreation, forestry or fisheries are appropriate in the Green Belt. As such buildings for military purposes do not fall into these uses and needs to be treated as a departure. However, it is for Military Use which whilst technically is inappropriate development in terms of PPG2, is appropriate in this area given its existing designation as an Army Training establishment. Consequently, providing that it will not impact unduly on the openness and character of the Green Belt and West Pennine Moor Area of Special Landscape Value it is acceptable.

Notification to Government Office - Circular 2/2009 sets out guidance based on the scale of development for uses appropriate in the Green Belt and states that buildings over 1000 sq m should also be notified to the Government Office for the North West as a departure or where they have a significant impact on the area. In this case the building has a floor area of only 200 sq m and will not impact on the openness and character of the area and as such it will not require notification to the Government Office as a Departure should the Committee confirm the recommendation.

Summary of reasons for Recommendation

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

Whilst the Shelter is a departure from the Unitary Development Plan it is located on an existing Military site and will have a very limited impact on the character and openness of the area given its location and having studied the submitted documents, assessed the proposed development on site and taken into account any and all representations and consultation responses; it is considered that the proposed development is acceptable because it would not cause demonstrable harm to interests of acknowledged importance. 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 CLD 01 REV 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. If during any works on site, contamination is suspected or found, or contamination is caused, the Local Planning Authority shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales to the approval of the Local Planning Authority.
Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

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

Ward: Radcliffe - North

Item 02

Applicant: Mrs A Barlow

Location: PLANE TREES FARM, BRADLEY FOLD ROAD, AINSWORTH, BOLTON, BL2 5QR

Proposal: ERECTION OF NEW BARN; CHANGE OF USE OF EXISTING BARN TO DWELLING

Application Ref: 51307/Full

Target Date: 25/06/2009

Recommendation: Approve with Conditions

This application was deferred for a site visit at the previous Planning Control Committee on 21st July 2009.

Description

The application relates to a complex of farm buildings on the south side of Bradley Fold Road. The farm to which the application relates is within the Green Belt and apart from properties to the north east, fronting Bradley Fold Road, is surrounded by open countryside. The farm has mostly sheep with a smaller proportion of cows.

The proposal has three elements - a residential barn conversion, the erection of a new agricultural building and alterations to the existing access onto Bradley Fold Road.

The existing stone barn (10m x 22m) has been altered somewhat, not least by the addition of a small extension to the front but it has retained much of its original character and is a significant example of the local vernacular. The building, although in need of significant repair, is generally structurally sound and capable of conversion without substantial rebuilding. Currently the barn is used for housing livestock, animal feed and some farm equipment.

The proposed barn conversion scheme includes:

- Internal alterations to include the creation of a single dwelling with living accommodation on the ground and first floor.
- Demolition of small single storey outrigger on the courtyard elevation.
- Additional window and door openings, including garage doors.
- The proposed domestic curtilage around the new dwelling would include a rear garden area extending out approximately 3m from the rear elevation of the barn.
- Existing stone roof would be reinstated.

The new agricultural building would be located to the south of the existing complex of farm buildings. It would have a footprint of 18m by 11.4m and a ridge height of 4.5m. It would comprise a steel frame with timber boarding to the sides and a fibre cement roof. A new fence would encompass the new barn within an extended complex of farm buildings. The applicant states that the new building is required to comply with current guidelines for the management of farms and livestock. Reports from the National Farmers Union and the Council's animal welfare officer has been submitted in support of the application.

The application also includes alterations to the existing access point and stone boundary wall which would be relocated further into the site to accommodate appropriate visibility splays.

Relevant Planning History

49249 - A) New Agricultural Barn; Conversion of Existing Barn Into Dwelling and Alterations to Existing Access - Withdrawn 03/09/2008

46716 - Erection Of New Barn and Conversion Of Existing Barn to Two Dwellings With Additional Extensions And Garages - Refused 20/12/2006

Publicity

Immediate neighbours and interested parties at Titus House, Titus Cottage, 1 Kiln Clough and 2 Kiln Clough all on Bradley Fold Road as well as 10 Old Oak Close, Bradley Fold, 75 Church Street, Ainsworth and 30 Knowsley Road Ainsworth were notified by letter dated 12/05/2009 and a site notice was posted on the 12th May 2009.

An objection from the Ainsworth Community Association has been received and can be summarised as follows:

- the development would set a precedent within the Green Belt and the barn is not redundant if a replacement is proposed.

Ainsworth Community Association has been informed of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health - No objection.

Public Rights of Way Officer - No objection.

Conservation Officer - No objection.

Landscape Practice - No objection

Greater Manchester Police - No objection subject to security measures.

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
EN9/1	Special Landscape Areas
OL1	Green Belt
OL1/4	Conversion and Re-use of Buildings in the Green Belt
OL4	Agriculture
OL4/5	Agricultural Development
SPD 9	Conversion and Re-use of Buildings in the Green Belt
SPD16	Design and Layout of New Development in Bury
RSS 13	Regional Spatial Strategy for the North West

Issues and Analysis

Barn Conversion - The residential barn conversion is subject to UDP Policy OL1/4 - Conversion and Re-use of Buildings in the Green Belt. This policy states that development would not be inappropriate provided:

- it does not have a materially greater impact on the openness of the Green Belt,
- the buildings are permanent and capable of conversion without substantial rebuild,
- the massing and design is in keeping with the surroundings,
- there is suitable access,
- services can be provided and
- there is not threat to endangered species.

In terms of the above criteria the structural survey submitted with the application states that the existing stone built barn is capable of conversion without substantial rebuild. The proposal to convert the barn would retain the original footprint and not increase the height of the building. As such the scheme would not have a material impact on the openness of the Green Belt. In design terms it would be in keeping with the character of the locality, services can be provided and endangered species would not be threatened. As such the proposal complies with UDP Policy OL1/4.

Design and appearance - The stone barn is an attractive building which has some architectural merit in terms of its local agricultural heritage and vernacular character. The

design and appearance of the proposed conversion is considered to be acceptable in that it would improve the structural integrity of the building whilst largely retaining its intrinsic character and appearance. New openings have been kept to a minimum and the proposal includes an integral garage thereby reducing the need to build a separate garage in the future. The unsightly lean -to extension on the east elevation would be removed.

Curtilage - The proposed curtilage of the new residential unit would extend out 3m to the rear of the barn where the boundary would be formed by a new hawthorn hedge. This would be considered to be acceptable and would not raise any serious concerns in relation to the openness and character of the Green Belt particularly given that permitted development rights would be removed any approval.

Residential Amenity - There are no significant residential amenity issues arising from the barn conversion as the closest dwelling is the applicant's farmhouse situated across the farmyard. The closest neighbour is approximately 80 to the east along Bradley Fold Road.

Traffic - The visibility splays from the farm entrance would be improved by the realignment of the boundary wall along Bradley Fold Road.

The conversion of the existing stone barn to residential is considered to be contrary to Unitary Development Plan policies and advice listed above.

New Agricultural Building.

Principle - Green Belt policy OL1/2 relating to new buildings in the Green Belt states that new development in the Green belt is inappropriate unless it is, amongst other uses, for agricultural purposes.

Need - Apart from the structural appraisal of the existing barn, the application is accompanied by a supporting statement from the National Farmers Union, a report from the animal welfare officer at Environmental Health and a statement from the applicant regarding livestock on the farm. The NFU report details how the existing stone barn is inadequate for the operation of a modern livestock farm and supports the need for a new building that allows animals and foodstuff to be kept in a more appropriate environment in terms of space, light, ventilation and maintenance. The critical concerns were as follows;

- the older barn does not allow access to modern farm machinery,
- internal useable space is inadequate for the numbers of livestock on the farm,
- the barn is inflexible in how it can house various livestock and their needs at different times of the year,
- conditions within the existing barn are substandard in terms of lighting and ventilation and general conditions for livestock are poor.
- refurbishment of the older barn would not be practical given the nature of its construction and the disbenefits accruing to the effective loss of what is a building with significant local historical and architectural merit.

Following a detailed assessment of the various reports and a number of site visits, it is considered that a valid case has been proven for the construction of a new agricultural building as opposed to using the existing stone barn. It is also considered that the architectural merits of the existing barn would be better protected by a sensitive residential conversion than its demolition and replacement with a modern structure.

Siting and Design - Green Belt Policy OL4/5 relating to agricultural development indicates that structures that require planning permission will be permitted providing they are sited and designed to minimise their visual impact on the landscape, relate well to existing farm buildings and do not have a serious impact on neighbouring dwellings. This policy is supported by advice within Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt. The position of the new building is considered to be acceptable in that it would relate reasonably well to the existing farm complex and would be viewed as part of this group of buildings. The size and massing of the building would not be over dominant next to the existing buildings and the design is one that is not unusual on a farm in the countryside.

The new agricultural building complies with Unitary Development Plan policies and guidance listed above.

Residential Amenity - The closest residential properties would be the existing farmhouse and the converted barn, if approved. These properties are a sufficient distance away to not cause any amenity concerns.

Alterations to Access.

The alterations to the access, including realignment of the existing boundary wall, whilst improving visibility in and out of the site would not be seriously detrimental to the visual amenity of the locality. In this regard the scheme to alter the access is considered to be acceptable and complies with UDP policy and guidance.

Objection - There is an objection from the Ainsworth Community Association on the grounds that the proposal is contrary to Green Belt policy. It is considered that the need for a modern agricultural building has been proven by the evidence from the applicant, the National Farmers Union and the Councils own animal welfare officer, supplied within the application. The issues relating to the Green Belt have been addressed in the above report. The argument that any approval will set a precedent is not supported as every application should be assessed on its individual merits.

The proposal is considered to be acceptable and complies with UDP policies listed.

Summary of reasons for Recommendation

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

The barn conversion would help preserve the character of the existing barn without detriment to the openness of the Green Belt or amenity of the locality. The new agricultural building would improve the facilities at the farm without serious harm to the character of the Green belt or amenity of the locality. The proposal complies with UDP policies and guidance listed. 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 771/01B, 02, 05, 08, 09B, 10 and 09-103/08A 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, including all areas of new stonework, window and door frames, to be used in the external elevations of the barn conversion and new agricultural building and boundary walling 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. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) Order 2008, or as subsequently amended, no development shall be carried out within the curtilage of the converted barn as

indicated in dwg 09-103/08A in terms of Classes A to H of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed below OL1/4 Conversion and Re-use of Buildings in the Green Belt.

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 validity evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
6. If during any works on site, contamination is suspected or found, or contamination is caused, the Local Planning Authority shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales to the approval of the Local Planning Authority.
Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
7. Development shall not commence until details of foul and surface water drainage aspects have been submitted to and approved by the Local Planning Authority.
Reason: In the interests of proper waste water management pursuant to Policy EN7/5 - Waste Water Management.
8. The visibility improvements indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.

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

Ward: Whitefield + Unsworth - Pilkington Park

Item 03

Applicant: The Governing Body of Philips High School

Location: PHILIPS HIGH SCHOOL, HIGHER LANE, WHITEFIELD, M45 7PH

Proposal: ERECTION OF SPORTS HALL BUILDING INCLUDING INTERLINKING SINGLE STOREY LEAN TO CORRIDOR AND SINGLE STOREY LEAN TO STORAGE

Application Ref: 51348/Full

Target Date: 26/08/2009

Recommendation: Minded to Approve

The application is minded to approve subject to the referral of the application to Government Office as a departure from the Unitary Development Plan.

Description

The application site consists of an existing school and its grounds, which are located within the Green Belt. The main school building fronts onto Higher Lane and is bounded by Park Lane to the north. The school is constructed from red brick and slate and has been extended in the past. There is an all weather pitch located to the east of the main school building and a sports hall and associated facilities to the west of the pitch. Vehicular access is gained from Park Lane and there is a small car park adjacent to the sports hall and further parking around the school.

There are residential properties to the north and west of the school. The residential properties and the synagogue, which front onto Park Lane are at a higher level than the school. There is a golf course to the east of the school site and playing fields to the south.

There are currently over 860 pupils at the school and the existing sports facilities consist of a sports hall, which is over 22 years old, an all weather sports pitch and extensive playing fields.

The proposal involves the erection of an additional sports hall to the southwest of the existing sports hall. The proposed sports hall would measure 42 by 39 metres and would be large enough to provide two basketball courts. The proposed building would measure 9.4 metres to the eaves and 10.8 metres at its highest point. The proposed building would have walls clad in brick and a mansard roof, which would be constructed of dark grey profiled metal sheeting.

Relevant Planning History

44832 - Formation and extension of new play area at Philip's High School, Higher Lane, Whitfield. Approved with conditions - 21 December 2005

Publicity

The neighbouring properties on Park Lane, Higher Lane, Pinfold Court, Pinfold Lane and Wentworth Court were notified by means of a letter on 2 June and a press notice was posted in the Bury Times on 11 June. Site notices were posted on 5 June.

Objection letters have been received from the occupiers of: 18 (Dovestone), 44, 52, 62, 66, 68, 70 Park Lane; 39 Tamworth Avenue; 10 Hardmans Road; 101 Lily Hill Street; 92 Horne Street; 5 and 7 Dovehouse Close, 26 Woodhall Avenue, which have raised the following issues:

- Existing parking problems when the pitches are used by external bodies (rugby team).
- Design of existing and proposed extension do not complement the school building.
- Object to the proposal as the site is located within the Green Belt.
- Object to the loss of trees.

- The proposed use would create increased noise, litter and anti-social behaviour.
- Noise and disruption during construction.
- The proposal will have a detrimental impact upon property prices.
- Behaviour of people using the sports pitches currently.
- The proposed building is too large.

In support of the application, the applicant has written and has raised the following points:

- Although there have been a number of objections against the proposal, there are families of some 860 children who have not objected.
- The coach of Salford Reds Rugby team has met with concerned residents to address a number of issues including bad language.
- Part of the parking problem is due to the synagogue, which does have access to the school parking facilities in the mornings, evenings and at weekends, when the school is open. If the proposed development is refused, the usage of the school car park may cease and the gates locked in order to ensure the security of school buildings.
- The school's facilities are currently used by Salford Reds Rugby League, Sedgley Park Rugby Union Club, Bury Girls Football and a variety of community groups.
- The proposed building would be between 100 and 200 metres away from the road and would be connected to and lower than the existing sports hall.
- The school was built and extended prior to the allocation of the land as Green Belt.
- The proposal will provide extended parking facilities, extended sports facilities for the community and would utilise a small unusable part of the playing fields.
- The proposal will provide opportunities for people of all ages within the community and some community groups would be able to use the facilities free of charge at given times. It is hoped that we will promote community cohesion and positive sporting opportunities for young people to enable them to develop healthy lifestyles.

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

Consultations

Highways Section - No objections.

Drainage Section - No objections.

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

Environmental Health - Pollution Control - No response.

Landscape Practice - Tree protection measures should be provided for the remaining trees and a planting design to compensate for the loss of the hedges should be considered.

Greater Manchester Police - designforsecurity - No objections.

Baddac Access - Seek clarification of the gradients for the ramped accesses.

Unitary Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
OL1/2	New Buildings in the Green Belt
RT1/2	Improvement of Recreation Facilities
RT2/4	Dual-Use of Education Facilities
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
CF1/1	Location of New Community Facilities
CF2	Education Land and Buildings
SPD 9	Conversion and Re-use of Buildings in the Green Belt
SPD11	Parking Standards in Bury
PPG2	PPG2 - Green Belts

Issues and Analysis

Principle - The proposed development would involve the provision of a sports hall at Philips High School.

Policy CF2 states that the Council will consider favourably proposals for the provision, improvement and dual use of educational facilities.

Policy RT2/1 states that the Council will give favourable consideration to proposals involving the provision of additional recreational facilities throughout the Borough

Policy RT2/4 states that the Council will support an increased level of recreational provision by looking favourably on proposals for the dual use of educational facilities and playing fields by the community.

The proposed development would provide additional sports and recreational facilities for the school. The proposed building would also be made available for use by the community at evenings and weekends. Therefore, the proposed development would be in accordance with Policies CF2, RT2/1 and RT2/4 of the adopted Unitary Development Plan.

Departure - The site is within the Green Belt and is not a development type associated with agriculture, recreation, forestry or fisheries, which PPG2 states as 'appropriate' within the Green Belt. A case for special circumstances has therefore to be made. On this basis the application proposal must be treated as a departure from the Unitary Development Plan.

Notification to Government Office - Circular 2/2009 sets out guidance based on the scale of development for uses appropriate in the Green Belt and states that buildings over 1000 square metres should also be notified to the Government Office for the North West (GONW) as a departure or where they have a significant impact on the area. In this instance, as the development would exceed the floorspace threshold and is a departure from the Unitary Development Plan, the application, if minded to approve it, must be referred to GONW. The application site is located within the Green Belt and must be assessed against the following policies:

Policy OL1/2 states that the construction of new buildings within the Green Belt will be inappropriate development unless it is for agriculture, forestry, essential facilities for outdoor recreation, limited extensions of existing dwellings and for other uses of land which do not conflict with the purposes of including land in it. Proposals for buildings, which do not fall into one of the above categories is inappropriate development and will only be permitted in special circumstances.

PPG 2 Green Belts, considers that development required for essential facilities for outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt does not conflict with the purposes of including land within it. The proposed building would be used as a sports hall and therefore, the proposed development would not conform to the uses specified above and as a result, the applicant has to demonstrate a case for special circumstances.

The application is accompanied by a supporting statement in which a case for special circumstances is put forward. This is based on the exceptional need for the development and the lack of harm it would cause to the Green Belt.

- The essential needs of the school and wider community.
- Additional facilities are required to cater for the demand of the school and for the shortfall of community sport facilities in the wider area.
- The school is a dual use facility and would be open 7 days a week for community use in evenings and weekends.
- The school provides facilities for Bury Girls Football, Salford Reds Rugby League academy, various events held by the local synagogue and other community groups. Intention is to build upon existing facilities to extend opportunities for sporting facilities for netball and basketball.
- The development is located within the complex of school buildings.
- The proposal would not influence pupil numbers.
- The proposed building would be lower than the existing building.

- The building would occupy a small proportion of the school grounds and would not impact upon the existing level of sports pitches.

It is considered that given the lack of significant harm to the Green Belt through the design, layout and siting of the proposed building the proposed building would not be unduly prominent in the locality nor would it be harmful to the openness of the Green Belt, the case for the special need for the facility is considered to be acceptable and that the case for special circumstances has been made. Therefore the proposed development would not conflict with Policies EN1/1, EN1/2 and OL1/2 of the adopted Unitary Development Plan and PPG2.

Design and layout - The proposed building has been located in close proximity to the existing sports hall. This has reduced the size of the building required as all of the changing facilities and reception area can be shared. The proposed building has been located on land, which is currently unusable for sport use, due to the extremely poor drainage and is not large enough to accommodate a sports pitch. Therefore, the proposed building would not impact upon the current level of sports pitch provision in the locality.

The proposed building would measure 42 metre by 39 metres and would be capable of accommodating 2 basketball courts or 8 badminton courts. The proposed building would be 10.8 metres in height at its highest point and 9.4 metres to the eaves. The proposed building has been designed so as to keep the height of the building as low as possible while maintaining the required height internally for playing sports. The proposed building would be approximately twice the footprint of the existing sports hall, but would be lower in terms of height (0.5 metres).

The proposed materials would be consistent with the rest of the school buildings. The walls of the sports hall building would be constructed with red brick plinth and light grey metal cladding. The roof having two different roof planes would have partly green and partly grey metal cladding for the roof. The proposed materials would not be unduly prominent within the locality and would be viewed against a backdrop of existing buildings when viewed from the open playing fields. The proposed building would be partially screened from view by the existing buildings when viewed from Park Lane.

Noise - The proposed building would be some 135 metres from the nearest residential properties on Higher Lane and 120 metres away from the residential properties on Park Lane. Given that the new hall would be located close to the existing sports hall and further from neighbouring residential properties, it is considered that the proposed development would not have a material impact on the amenity of the occupiers of the neighbouring properties by reason of noise. The proposed development would therefore be in accordance with UDP Policy EN7/2 Noise Pollution.

Access - The proposed development would utilise the existing access off Park Lane, which has adequate visibility splays. The Highways Section has no objection to the proposal in this respect.

Parking issues - Although the proposed sports hall would be used primarily by the school it would be open for use by the community on evenings and weekends. The parking issue therefore needs to be addressed in relation to the use of the hall by the school and also by the community.

There are 50 existing parking spaces within the school grounds. In terms of the use of the new hall by the school, the Council's parking guidance does not require any additional parking as the standard is based on numbers of classrooms (1.5 spaces per classroom). Given the amount of existing parking on site and the fact that there would be no increase in the number of pupils attending the school, it is considered that no increase in parking provision is required.

With regard to community use, the proposed hall would be open for used in evenings and

weekends when the school would be closed to pupils and the existing parking spaces at the school would be available. It is considered that the existing spaces would be adequate to accommodate visitors when the hall is in community use, however on rare occasions when additional parking is required, the applicant has indicated that the existing playground would be made available for overflow parking. It is considered that the proposed development would not be detrimental to highway safety and would be in accordance with UDP Policies HT2/4, CF1/1, CF2, RT2/1 and RT2/2.

Disabled access - There are existing disabled parking bays in close proximity to the proposed entrance. The provision of ramped accesses to the building is welcomed as the existing floor levels mean that level access cannot be provided to the building. BADDAC sought clarification on the gradients of the proposed access ramps and this information has been requested will be available shortly. Subject to the clarification of the gradients of the access ramps, it is considered that the proposed development would be fully accessible and would comply with Policy HT5/1 of the adopted Unitary Development Plan.

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;- Although it involves inappropriate development within the Green Belt, the application has demonstrated very special circumstances of educational need that would outweigh any harm caused to the Green Belt. The design and appearance of the development is acceptable and there would be no loss incurred to any area of playing fields usable for pitches. The development would not have a adverse impact upon the amenity of the nearby residential properties and 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 BH/M45/01/01, BH/M45/02/02, BH/M45/03/01, BH/M45/04/00, BH/M45/05/01, BH/M45/06/00, BH/M45/07/00 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/landfill 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/landfill 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/protection measures is/are 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, ground gas 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. Following the provisions of Condition 3 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.

6. 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. Thereafter the development shall only be constructed in the approved materials.

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

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

Ward: Prestwich - St Mary's

Item 04

Applicant: Butterstile Primary School

Location: BUTTERSTILE COUNTY PRIMARY SCHOOL, SCHOOL GROVE, PRESTWICH,
M25 9RJ

Proposal: ERECTION OF SHADE SAIL CANOPIES, PLAY SHEDS AND PLAYGROUND
EQUIPMENT ON UPPER AND LOWER PLAYGROUNDS.

Application Ref: 51476/Full

Target Date: 13/08/2009

Recommendation: Approve with Conditions

Description

Butterstile County Primary School is a well established single storey school located on the edge of a residential area of Prestwich. The site is access from School Grove to the south and is surrounded on all sides by housing. The proposed equipment is located on the two existing play areas, both of which are hard surfaced and bounded by a 2.4m high fence where they back onto the adjacent residential properties.

The proposal involves the siting of various pieces of play equipment including two shade canopies within the both the lower and upper playgrounds on the north side of the school building. The shade sail canopy would be open on all sides and have 'sail' cover stretched between the four posts which would be eight metres apart. Two posts would be 4m high with two at 2.1m. There would be seating and planters beneath the canopies.

In addition to the shade canopies other playground equipment includes:

Weaving pencils to a height of 1.8m,

Activity panels to a height of 1m,

Ball walls at either end of the marked out football/netball pitch on the lower playing field and one on the upper playground,

Two small plastic play sheds (2.3m by 1.8m)

Relevant Planning History

48669 - New Classrooms, Courtyard; Conversion of part of School To Children's Centre
With New Entrance On West Elevation - Approved 26/10/2007

Publicity

The following neighbours notified by letter dated 30/07/2009.

95 -127 Butterstile Lane (odds), 21 - 53 Sandy Lane, 2 - 28 Agecroft Road West and 18 and 31 School Grove.

One letter of objection from the occupier of 39 Sandy Lane who states that the proposed facilities will increase noise and adversely affect the right to enjoy of his garden.

The objector has been notified on the Planning Control Committee.

Consultations

Environmental Health - No objection.

Baddac - No objection.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

CF2 Education Land and Buildings

Issues and Analysis

Use - The proposal would improve outdoor play facilities at the school and enable better use of the school grounds. The proposal as such complies with UDP Policy CF2 which states that proposals for the provision and improvement of education facilities will be considered favourably.

Design and appearance - The canopies and other play equipment would be located within the existing playground area set away from the boundary with the surrounding houses. The equipment would not be viewed from the public highway. The largest pieces of equipment, the sail canopies, would be 24m from the nearest garden boundary with the smaller equipment being 10m at the closest from the boundary. This boundary is currently formed by a 2.4m high fence and is also planted up with trees and shrubs. As such the equipment would not appear inappropriate from surrounding houses. In terms of visual amenity the proposal complies with Policy EN1/2 - Townscape and Built Design.

Residential Amenity - Although the playground equipment may result in better use of the playground areas, the numbers of children on the playground at any one playtime/outdoor class is unlikely to differ. As such there is unlikely to be a material increase in noise and disturbance to surrounding residents. The equipment is modest in scale and boundary planting mitigates noise to a significant extent. The current play grounds are well used and seating is provided for children on the boundary adjacent to the residential properties. As such it is not considered that the residential amenity of the neighbours will be affected to such an extent as to warrant refusal of the application.

Environmental Health - The sun shades provide up to 99% UV protection for children and as such is in line with current government guidance.

Objection - The boundary of No.39 Sandy Lane with the existing playground is formed by substantial trees and shrubs a 2.4m high fence and has seating for the children next to the fence. Whilst the new equipment may generate some additional disturbance it is not considered to be sufficient to warrant refusal of the 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:-

The play equipment would improve the facilities within the existing playground without adversely affecting the visual amenity of the area or residential amenity of neighbours. The proposal complies with UDP Policies listed. 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 18th June 2009 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 **Tom Beirne** on **0161 253 5361**

Ward: Bury West - Church

Item 05

Applicant: Mr Parkinson

Location: 95-97 BOLTON ROAD, BURY, BL8 2AH

Proposal: GROUND FLOOR EXTENSION & EXTERNAL STAIRWAY AT THE REAR,
CHANGE OF USE AT GROUND FLOOR TO KARATE CLUB & THREE FLATS AT
FIRST FLOOR

Application Ref: 51497/Full

Target Date: 24/08/2009

Recommendation: Approve with Conditions

Description

The site comprises the former Arthur Inn Public House on Bolton Road, just outside Bury town centre. The site is within a Local Shopping Centre and the locality is commercial in character. The attached neighbour at 93 Bolton Road is a take-away with a private hire booking office above. Across Bolton Road is the junction with Ainsworth Road. To the rear is a used car centre bounded by a palisade fence. To the south, across Arthur Street is a car rental business. The immediate roads around the site have parking restrictions - double yellow lines on Bolton Road and single yellow lines on Arthur Street.

The proposal is to convert the premises to a karate club on the ground floor and three flats at first floor level. The flat roof extension at the rear would accommodate additional office space within the karate club (193sqm) and enable access from the new stairwell into the three one bed flats at first floor level.

The karate club would comprise a main exercise area approximately 12x10m with a reception, office and toilets. The rear service yard would accommodate the refuse bins and servicing would be from the rear access. Opening hours for the karate club would be Monday - Friday 11am - 8pm and Saturdays 9am - 5pm. There would be three full time staff members. The small car park proposed at the rear would accommodate three spaces.

Relevant Planning History

45725 - Change of Use from Public House (A4) to 3 Units with offices above - Financial Services (A2), Hot Food Takeaway (A5) and External Alterations to side and rear; New Shop Fronts and External Staircase To Rear - Approve with Conditions 09/03/2006

Publicity

The following neighbours were notified by letter dated 1/07/2009.

13 - 27 Ainsworth Road (odds), 93 - 119 Bolton Road (odds), 106, 128 and Elton Garage on Bolton Road, 1 Buxton Street, 7 Wellington Street, Garlic, Kingfisher Park.

Two letters of objection from a resident at 13 Ainsworth Road and Boundary Garage.

Concerns are summarised below:

- The area already suffers from lack of parking and this proposal will increase problems.
- Increase noise and disturbance from youths.

The objectors have been notified of the Planning Control Committee.

Consultations

Drainage Section - No objection.

Traffic Section - Recommends refusal on grounds that there would be an intensification of the use of the existing access which is already sub-standard in terms of its visibility and width at its junction with Arthur Street and the turning within the site is insufficient.

Baddac - No objection.

Environmental Health - Noise attenuation measures required between ground floor and first floor flats.

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
H2/4	Conversions
HT2/4	Car Parking and New Development
HT2/1	The Strategic Route Network
HT5/1	Access For Those with Special Needs
S1/4	Local Shopping Centres
EN1/2	Townscape and Built Design
EN1/7	Throughroutes and Gateways
EN1/8	Shop Fronts
EN7/2	Noise Pollution
CF1/1	Location of New Community Facilities

Issues and Analysis

Policy - UDP Policy S1/4 states that the council will seek to maintain and enhance local shopping centres and will encourage provision of a range of shopping facilities. The use of the ground floor of the premises as a karate school would be considered to be acceptable in this location given that it is a community facility that would be replacing an already non-retail public house use.

Policy CF1/1 regarding community facilities states that proposals will be assessed on its impact on residential amenity, traffic and parking provision, suitability of the location and accessibility.

Policy EN1/2 states in general terms that any proposal should be in keeping with the character of the street scene.

In assessing the use of the first floor as residential, housing policies H1/2, H2/1 and H2/2 are relevant and state that new residential development should be within the existing urban areas and be appropriate in terms of siting, design and the amenity of neighbours.

Policy HT2/4 Car Parking and New Development states that proposals should make adequate provision for their car parking and servicing requirements.

Policy HT5/1 indicates that proposals will provide for the needs of disabled users.

Visual Amenity - The former public house is a prominent building on the corner of Bolton Road and Arthur Street. In its current vacant state with all of the ground floor windows boarded up, the property appears run down and unsightly. The new use of the property would enable the unsightly boards to be removed. On the side elevation the ground floor window openings would be partly bricked up to match the existing elevation.

The proposed extension at the rear is modest in scale and not readily visible from the adjacent highway. The new stairwell, in galvanised steel and painted black would not be out of keeping with the existing building at the back. In terms of its impact on the visual amenity of the locality, the proposal complies with Policy EN1/2 - Townscape and Built Design.

Residential Amenity - The closest existing residential properties to the site are those fronting Ainsworth Road, across Bolton Road to the east, approximately 60m away. Given the separation distance it is not considered that the proposed karate school would have any material impact on the amenity of these residents in terms of noise and disturbance. The impact of any potential traffic generated either by the karate school or the three apartments above should be assessed in the light of the former use of the property as a public house and the potential disturbance this would generate.

There is an issue of noise from the proposed karate school and the proposed three apartments on the first floor. The application indicates that appropriate sound reduction measures would be installed between the ground and first floor to mitigate the impact of noise from the karate school and this would be required by an appropriate condition of any approval. In terms of residential amenity, the proposal complies with policies CF1/1 and H2/1 and H2/1.

Parking - Currently there is no formal off-road parking on the site and roads around have parking restrictions. With regard to the existing use, the Council's parking guidelines do not include provision for a public house (A4) but provision for a food and drink use (A3), for which the property could be used without planning permission, would be up to 24 spaces. The same guidelines for parking indicate that a karate club of this size should have a maximum of 7 parking spaces. Whilst the proposed provision of three off-street spaces is less than half that indicated in our guidelines, it needs to be assessed against the potentially greater parking requirement for a public house. Given the reduced requirement for the karate school, the three spaces are considered adequate, particularly in what is a very sustainable location, close to the town centre and on a main public transport route into Bury.

With regard to the flats on the first floor, parking is not considered necessary due to the sustainable location of the site and proximity to public transport.

Traffic - One of the main concerns of the traffic section is the existing sub-standard access point onto Arthur street in terms of visibility and width. This access acts a service road for 93 to 97 Bolton Road. The Traffic Section has stated that the proposal, if approved would lead to the intensification of this sub-standard access and there would not be adequate space to turn vehicles in order to exit the site in forward gear.

The original parking plan has been amended to include only three spaces with a turning area. Whilst the Traffic Section maintains their objection to the revised plan, it is considered that the new layout is an improvement over the previous plan and may be acceptable given that cars would be able to turn and exit in forward gear onto Arthur Street, albeit with a restricted view towards the Bolton Street side.

It is also noted that whilst the land at the rear is not a car park, it is used to park vehicles, usually in a haphazard manner as seen in the photos attached to the report.

The previous approval on the site for retail and office use had no parking provision and the the Traffic Section had raised no objections to this scheme. Additionally, they have indicated that they would not object if the parking was removed from this scheme.

Consequently, it is considered that formalising the existing use of this land as a limited parking area together with a boundary fence, would not only allow some off-street parking for the development, but reduce the more hazardous vehicular movements onto the site from Arthur Street. This would result in an improvement to the current situation and as such the proposal accord with UDP Policy HT2/4.

Disabled Access - The front entrance is generally level with a bell push to call for assistance if required and as such the proposal is considered to comply with UDP policy HT5/1.

Objections - The objection from the occupier of No.13 Ainsworth Road relates mainly to noise and disturbance arising as a result of the proximity of the existing petrol filling station, shop and Derby Arms public house to his own residence, however with regard to this application, he does state there is 'no room' for parking.

The objection from the owner of Boundary Garage also relates to parking, or the lack of it, and states that the proposal will increase existing problems around Back Bolton Road and Arthur Street.

In response to the objections, the proposed new uses within the existing property would potentially have less of an impact than if it were to be retained as a public house or converted, without planning permission, to a restaurant. It is also considered that the small car park at the rear would mitigate some parking problems.

Whilst the proposal is not ideal in terms of visibility from the rear access point, it is considered, on balance, acceptable in light of policies and guidance.

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 proposal would allow a new use for the vacant public house without adversely affecting the viability of the existing shopping centre or the character of the area. There are not serious residential amenity issues. Whilst not ideal the parking and access are considered to be adequate. 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 95BR/1 and 95BR/2B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. No development shall take place unless and until a scheme to soundproof the floor/ceiling between the ground floor and the proposed first floor flats, which shall be in accordance with standards of construction specified in current Building Regulations, has been submitted to and approved by the Local Planning Authority. Such works that form the approved scheme shall be completed before the development is brought into use.
Reason. To protect the residential amenities of the future occupiers of the flats on the first floor pursuant to UDP Policy EN7/2 Noise Pollution.
5. The car parking and turning area shall be surfaced, demarcated and made available for use prior to the alterations hereby approved being brought into use and shall only be laid as indicated on the approved plan 95BR/2B.
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.

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

Ward: Ramsbottom + Tottington - Tottington

Item 06

Applicant: MD Homes

Location: 6 BENTLEY MEADOWS, HIGH STREET, WALSHAW, BURY, BL8 3GL

Proposal: ERECTION OF A 900MM HIGH RAILING TO EXISTING BOUNDARY WALL ON EASTERN ELEVATION AND 730MM RAILINGS ALONG PART OF THE SOUTHERN BOUNDARY.

Application Ref: 51523/Full

Target Date: 27/08/2009

Recommendation: Approve with Conditions

Description

The application site is part of the Bentley Meadows development at High Street, Walshaw which comprises of six 5/6 bedrooomed detached dwellings, with associated access road, private gardens and landscaped areas.

Plot 6 is located to the forefront of Bentley Meadows adjacent to High Street with the remainder of the houses within this development set back from the main road. There are stone built terraced houses opposite this property and immediately adjacent to the south fronting onto High Street. Plot 6 has an existing 1.5m high stone wall which runs adjacent to the back of the pavement with High Street, and which forms part of the rear boundary with Plot 6. It continues along the boundary of this property into the Bentley Meadows development.

Permission is sought for the erection of a 900mm high railing to the existing boundary wall which runs along the back of pavement with High street and the rear boundary of No 6, and 730mm high railings to infill two of the stone piers along the side boundary wall of No 6. The railings would be powder coated black steel.

The reason for the application is to provide adequate privacy to the site and the future occupiers of Plot 6, in a design which would visually respect the character of the area. This application is a resubmission of a scheme for a close boarded timber fence which was previously refused (reference 50763) and dismissed at appeal by The Planning Inspectorate.

Relevant Planning History

37921/01 - Outline residential development - approved 27/7/2001

47419 - Reserved Matters - erection of 2 detached dwellings - Plots 4 and 6 - approved 28/02/2007

50763 - Increase height of boundary wall by 1m to 2.5m by installation of close boarded timber fence to top of existing and new wall - refused 27/2/09. Dismissed at appeal 15/6/09.

Publicity

Neighbours notified at Nos 19-45 (odds) High Street, Stoneyholme Business Centre, High Street, Walshaw.

Letter received from No 66 High Street with the following comments:

- the wall is high enough already and the railings would look out of place.
- the wall is in a dangerous condition and needs to be made safe.
- the unauthorised fence is still there.

The objector has been notified of The Planning Control Committee.

Consultations

Traffic Section - No objections.

Greater Manchester Police - designforsecurity - No objections.

Unitary Development Plan and Policies

HT6/2 Pedestrian/Vehicular Conflict
EN1/2 Townscape and Built Design
EN1/5 Crime Prevention

Issues and Analysis

Siting and Appearance - The existing stone wall to the front of High Street retains the character of the surrounding area in terms of how it fits in with the Bentley Meadows development, the existing terraced properties and the local environment. The garden to Plot 6 elevates from ground level to the top of the stone wall and as such, the railings would provide additional security and screening to the property. The addition of the 900mm high railings on top of the wall would be acceptable in terms of scale and height along the frontage of High Street. The railings are considered appropriate for a rural village setting and would not have a detrimental impact on the on the visual appearance of both Plot 6 and the appearance of the area.

Highways - The railings would be on top of an existing wall and do not affect visibility, and as such there are no highways objections.

Objections - A report has been received from Foxx Consulting Engineer's which concludes the wall is not in a dangerous condition, and this has been verified following a site visit by the Council's Engineers Department. The timber boarded fence which has been refused is to be removed following enforcement action.

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 are of an acceptable standard which would not adversely affect the character of the area nor the amenities of neighbouring 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 drawings numbered 1096/F - SITE; 1096C/2 - Side boundary railings/fence; 1096C - Front boundary railings 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 - Sedgley

Item 07

Applicant: C.T.L. Estates (Management)

Location: LAND ADJACENT 48 GEORGE STREET, PRESTWICH

Proposal: NEW OFFICE BLOCK AND ASSOCIATED CAR PARKING

Application Ref: 51529/Full

Target Date: 31/08/2009

Recommendation: Approve with Conditions

Description

The application site is bounded by No. 48 George Street to the east and the rear curtilage of the residential properties on Norwood to the west. To the rear of the site is an unadopted access road and further residential properties, which front onto Circular Road. There were a number of buildings on the site, which were used as garages and workshops and the site has been cleared.

The residential properties on George Street and Circular Road are at a higher level than the application site. Directly opposite the application site is a hotel with associated car parking and an overflow car park.

The proposed development would involve the erection of a two storey office block. The proposed office building would be located to the west of the site and a car park would be located on the western half of the site. The proposed development would provide 9 parking spaces, which would be accessed from the existing access from George Street.

Relevant Planning History

43779 - Residential development - block of 4 no. apartments at former garage site, George Street, Prestwich. Approved with conditions - 3 February 2005

46369 - New office premises at former garage colony adjacent 48 George Street, Prestwich. Withdrawn - 17 August 2006

46993 - Conversion work to existing hotel with 44 bedrooms and fitness and sports centre to form 102 bedroom hotel without sports and fitness facilities at Fairways Lodge & Leisure Club, George Street, Prestwich. Approved with conditions - 24 January 2007.

47352 - New office premises (resubmission) at land adjacent to 48 George Street, Prestwich. Approved with conditions - 28 February 2007

51386 - Erection of office block and associated car parking at land adjacent to 48 George Street, Prestwich. Withdrawn - 3 July 2009

The application was withdrawn as there were issues relating to parking provision and layout and the impact of the proposal upon residential amenity.

Publicity

The neighbouring properties were notified by means of a letter on 7 July. One letter has been received from the occupiers of 37 Circular Road, which has raised the following issues:

- The proposed office block is unnecessary in the area.

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

Consultations

Highways Section - No objections, subject to amendments to the parking layout.

Drainage Section - No objections

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

Waste Management - No response

GM Police - designforsecurity - No response

Unitary Development Plan and Policies

EC2/1	Employment Generating Areas
EC4/1	Small Businesses
EC5/3	Other Office Locations
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
HT2	Highway Network
HT2/4	Car Parking and New Development
HT4	New Development
SPD6	DC Policy Guidance Note 6: Alterations & Extensions
SPD11	Parking Standards in Bury
EC6/1	New Business, Industrial and Commercial
EN1/5	Crime Prevention

Issues and Analysis

Principle - The proposal involves the provision of an office building on land, which is located opposite an employment generating area.

Policy EC2/1 states that the Council will support proposals for business (B1), general industrial (B2), warehousing (B8) and leisure and tourism uses, providing it would not conflict with the area's value as an employment generating area.

Policy EC4/1 confirms that proposals for small business would be considered acceptable when the scale of the development is appropriate to and the use environmentally compatible with the surrounding area and where there would be no conflict with other policies of the plan.

Policy EC5/3 states that proposals for office development would be considered acceptable when the scale of development is appropriate; would be providing a service to the local community and would not impact adversely upon existing conditions in the locality.

The proposed use as an office would create less noise and disturbance than a vehicle repair garage and the proposed development is considered to be of an appropriate scale for this locality. The proposed development would be acceptable in principle and would be in accordance with Policies EC2/1, EC4/1 and EC5/3 of the adopted Unitary Development Plan.

Design & impact upon the surrounding area - The proposed building would consist of two storeys and would be fairly modern in design. The proposed front elevation would be predominantly glass with aluminium frames and the proposed windows would have a vertical emphasis size, which would be appropriate to the surrounding properties, while maintaining a modern feel. The remainder of the building would be constructed with red brick, which would be acceptable within the locality. Therefore, the proposed development would not be unduly prominent within the locality and would be in accordance with Policies EC6/1 and EN1/2 of the adopted Unitary Development Plan.

There would be windows in the rear elevation of the proposed building. There would be 28 metres between the proposed windows and the rear elevation of the properties on Circular Road, which are at a higher level than the application site. would accord with the aspect distances in DCPGN6. The proposed development would incorporate three windows in the west elevation at ground and first floor level, which relate to the main office and three smaller windows, which relate to the landing area. There would be 13 metres between the proposed building and the rear elevation of the properties, which front onto Norwood. The plans indicate that the first floor windows to the main office space would be obscure glazed

and the proposal would comply with the aspect distances in DCPGN6. Therefore, the proposal would not have an adverse impact upon the amenity of the occupiers of the dwellings and would be in accordance with Policy EC6/1 of the adopted Unitary Development Plan.

The proposed two storey building would be located in close proximity to the boundary with No 48 George Street. No. 48 George Street is a detached property with a detached garage and outbuilding, which run along the boundary to the site. There is a habitable room window on the rear elevation of the property. The existing outbuilding would block light to the habitable room window when assessed against the 45 degree and 25 degree rules. Therefore, the proposed development would not have a greater adverse impact upon the amenity of the occupiers of No. 48 George Street. The proposed development would not have an adverse impact upon the amenity of the occupiers of the neighbouring residents and is in accordance with Policy EC6/1 of the adopted Unitary Development Plan.

Highways issues - The proposed development would utilise the existing access point off George Street. The agent has indicated the visibility splays on the plan and the Highways Section has indicated verbally that these would be acceptable. Therefore, the proposed development would not have an adverse impact upon highway safety and would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan.

SPD11 states that the maximum parking standards for an office (B1) is 1 space per 35 square metres. Therefore, this development should be providing a maximum of 11 spaces, 2 disabled parking bays and cycle parking. The proposed development would provide 9 spaces, including 2 disabled bays. The Highways Officer has some concerns relating to the layout of the proposed parking and whether vehicles can manoeuvre in and out of the spaces. These concerns have been passed to the agent, who is putting together a revised plan, which will be submitted shortly.

Disabled access - The provision of a lift, level access and disabled toilet on both floors is welcomed. The plans indicate that there would be two disabled parking bays provided and would be located as close to the entrance as is possible on the southerly boundary. The proposals would accord with HT5/1.

Boundary Treatment - The proposals lack details of boundary treatments to the front of the site. This information is being sought. However, a planning condition should be imposed at this time to ensure that appropriate boundary frontage measures are considered, submitted and implemented as part of the development. An update shall be provided on the progress on this issue.

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 not have an adverse impact upon the amenity of the neighbouring residents. The proposed development would not be unduly prominent within the locality 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. 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 5435/001, 5435/002 C, 5435/006 and

the development shall not be carried out except in accordance with the drawings hereby approved.

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

3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. Prior to the development hereby approved commencing:
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill 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/landfill 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/protection measures is/are 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, ground gas 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. Following the provisions of Condition 4 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.
7. The George Street frontage shall be defined by a boundary treatment, the details of which shall be submitted to and approved in writing by the Local Planning Authority before any development commences. The boundary proposals shall then be carried out in accordance with the approved details prior to the building hereby approved being occupied and be maintained in the approved position whilst it serves the development.
Reason - To ensure that the development assimilates into the area and general locality, in the interests of visual amenity and security pursuant to UDP Policies EN1/2 and EN1/5.

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

Ward: Bury East - Moorside

Item 08

Applicant: Mr Paul Jackson

Location: 1A BADGER STREET, BURY, BL9 6AD

Proposal: CHANGE OF USE FROM OFFICE TO PRIVATE BOOKING OFFICE
(RESUBMISSION)

Application Ref: 51565/Full

Target Date: 09/09/2009

Recommendation: Approve with Conditions

Description

The application site is a single storey detached building on the corner of Badger Street and Brook Street which is within an Employment Generating Area just outside Bury Town Centre. It was previously used as an office and is currently vacant. The site is surrounded by a mix of industrial and commercial buildings, with a workshop adjacent to the south and Jewson Building Supplies opposite to the north. There is existing access to the site via a dropped kerb and gated entrance off Badger Street and an access which is shared with the adjacent workshop, which leads to a shared yard area.

The office would be open 24 hours a day with 2 staff employed within the office. The office would take bookings only and would be purely a radio operating room with no provision for members of the public to visit the premises or facilities for the drivers. The application form states there is parking provision for 3 cars within the shared yard area for the office based staff.

Relevant Planning History

51404 - Change of use from office to private hire booking office - withdrawn 09/07/2009 due to lack of information.

Publicity

Properties notified in the surrounding area on Brook Street, Bold Street, Badger Street, Taylor Street, Bridge Street on 16/07/2009.

Three letters have been received from Sci-Fit, Rear of 1-7 Taylor Street, Superior Signs, 1-7 Taylor Street and Moorgate Kitchens, 48 Badger Street with the following comments:

- There is existing parking problems in the area which would be exacerbated by the proposal.
- The number of vehicles parked on the road is disruptive for their delivery drivers and would make working in the current location intolerable.
- There is already a critical level of congestion caused by parked motor vehicles which deny access to existing businesses and residential homes in the area.
- There would be a legal issue with any granted approval.
- Public transport is far from adequate and there is an empty car park nearby purely because it is "pay and display".

The objectors have been notified of The Planning Control Committee.

Consultations

Traffic Section - No objections.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design
EC4/1 Small Businesses
EC2/1 Employment Generating Areas

Issues and Analysis

Policy - Unitary Development Plan Policy HT2/8 - Taxi and Private Hire Businesses indicate that proposals will be looked on favourably where there is adequate parking available, where there is no adverse impact on neighbours and where there is no detrimental impact on the local highway network.

Policy EC4/1 - Small Businesses supports small businesses where appropriate and where they do not conflict with other policies of the Unitary Development Plan. Given the building has an existing office use within a commercial/industrial area, and that there are no residential properties nearby, the principle of the use would be considered acceptable and comply with HT2/8 and EC4/1.

Policy EC2/1 - Employment Generating Areas - Given that the site is within the Freetown Employment Generating Area (EGA) the proposal should be considered against UDP Policy EC2/1. This Policy specifies that within this EGA, development will be allowed for Business (B1), General Industrial (B2) or Warehousing (B8) uses. A taxi booking office does not fall within this range of acceptable uses. However, Policy EC2/1 goes on to state that other uses will be considered where they constitute limited development or where they do not substantially detract from the area's value for generating employment. In this respect, the application building is relatively small within the context of the Freetown EGA and is considered to constitute limited development that would not substantially detract from the area's value for generating employment.

Residential amenity - The closest residential properties are 70m away and are also separated by a walkway where there is restricted access for vehicles. As such, a private hire booking office in this predominantly commercial location would not have a seriously detrimental impact on the residential amenity of the closest residents on Badger Street. It would comply with UDP Policy HT2/8.

Visual amenity - The change of use would not have a significant effect on the appearance of the street scene given there are no proposed changes to the external appearance of the building. It would comply with UDP Policy EN1/2

Parking - The use would be limited to telephone and radio controlled bookings and there would be no customers visiting the premises. The applicant states the taxi vehicles would not regularly park at the office, although there is allocated parking provision for 3 cars associated with the building within the shared yard area which could be utilised by the office staff. The parking facilities are considered to be more than adequate for the type of taxi business proposed within this commercial area. There are therefore no serious highway safety concerns. The proposal would comply with UDP Policy HT2/8.

Objections - The parking issues raised by the objectors are addressed by the applicant's statement that the business would be based on telephone bookings and hire vehicles would be co-ordinated by radio without the need to visit the site. This system of operation would be reinforced by a condition restricting the use to telephone and radio controlled bookings and limiting customer facilities on the premises.

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 booking office is small in scale and of an acceptable standard which would not adversely affect the character of the area nor the amenities of neighbouring residents. The scheme will 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 drawings date stamped 15/7/2009 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. The use hereby approved shall be limited solely to telephone and radio controlled bookings. There shall be no facilities at the premises for customer pick up, driver waiting or rest and refreshment.
Reason:In the interests of residential amenity and highway safety pursuant to UDP Policy HT2/8 Taxi and Private Hire Businesses.

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

