

<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>15 June 2010</b>
<b>By:</b>	<b>Chief Planning Officer</b>
<b>Status:</b>	<b>For Publication</b>

### **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.

**Tom Mitchell**  
**Chief Planning Officer**

## **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.

<b>01</b>	<b>Area Board-Ward:</b> Whitefield + Unsworth - Unsworth	<b>App No.</b> 52374
	<b>Location:</b> The Dragon, Parr Lane, Bury, BL9 8LU	
	<b>Proposal:</b> Demolition of existing public house and redevelopment to form 348 sq m gross ground floor retail unit with B1 office over and associated works (Resubmission of 52029)	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> Y
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<b>02</b>	<b>Area Board-Ward:</b> Prestwich - Sedgley	<b>App No.</b> 52395
	<b>Location:</b> Site of Claremont Old Peoples Home, Park View Road, Prestwich, Manchester, M25 1FA	
	<b>Proposal:</b> Extend the time limit for implementation on planning permission 43846 for residential development - block of 36 apartments, 14 duplex (2 storey) apartments and 2 roof mounted penthouses	
	<b>Recommendation:</b> Minded to Approve	<b>Site Visit:</b> N
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<b>03</b>	<b>Area Board-Ward:</b> Radcliffe - West	<b>App No.</b> 52503
	<b>Location:</b> Chapelfield County Primary School, Clough Street, Radcliffe, Manchester, M26 9LH	
	<b>Proposal:</b> Replacement 2.4 metre high paladin boundary fence and gates	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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<b>04</b>	<b>Area Board-Ward:</b> Prestwich - Holyrood	<b>App No.</b> 52510
	<b>Location:</b> 2 Bury Old Road, Whitefield, Manchester, M45 6TF	
	<b>Proposal:</b> Change of use from shop (A1) with associated living accommodation to hot food takeaway (A5) with associated living accommodation	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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