

Ward: Radcliffe - East

Item 01

Applicant: Fragrance Oils Ltd

Location: Fragrance Oils International Ltd, Eton Hill Road, Radcliffe, Manchester, M26 2FR

Proposal: Two storey extension to existing factory (3327 m2) with associated car parking creating a total of 80 spaces (net increase 35 spaces) and new landscaping

Application Ref: 52416/Full

Target Date: 10/09/2010

Recommendation: Minded to Approve

Description

The site is located within an Employment Generating Area (EGA) and contains a number of single and two storey industrial buildings to the south of Eton Hill Way South with two buildings located to the north.

The development would be located on an area that consists of a car park and vacant land, with trees along the southern boundary. There are existing industrial buildings to the north and west of the site and Hutchinson's Goit forms the boundary to the east with further industrial buildings beyond. There are residential properties to the south of the site.

The proposed extension would be 42 metres by 48 metres and would be 13.6 metres to the eaves. A new car park, consisting of 175 spaces, would be created on the vacant land to the south and a landscaped strip of 7 metres in width would be provided between the proposed car park and the boundary of the site with the houses on Ashworth Court.

Relevant Planning History

35169 - Extension to factory No. 1 at Fragrance Oils, Eton Hill Road, Radcliffe. Approved with conditions - 21 April 1999.

35903 - 2 No. fragrance units at Fragrance Oils, Eton Hill Road, Radcliffe. Approved with conditions - 16 November 1999.

36356 - Erection of 5 no. storage tanks at Fragrance Oils, Eton Hill Road, Radcliffe. Approved with conditions - 8 May 2000.

37983 - Extension to existing production unit to form warm room, drum heater room and covered storage area at Fragrance Oils, Eton Hill Road, Radcliffe. Approved with conditions - 7 August 2001.

41540 - Erection of 2.5 metre high fencing and gates at Fragrance Oils, Eton Hill Road, Radcliffe. Approved with conditions - 17 December 2003.

Publicity

119 neighbouring properties (1 - 12 Ashworth Court; 1 - 19, 21 - 31 (odds) Ashworth Street; Eton Hill Works, Eton House, 27 - 125 (odds), 24 - 28 (evens), 42 - 62 (evens), Eton Hill Road & Norbreck International, Units 1B, 1C, 4 - 7, 8A, 9, 9A, 9C, 10A Bealey Industrial Estate) were notified by means of a letter on 16 June.

A press notice was published in the Bury Times on 8 July and site notices were posted on 21 June 2010.

5 letters have been received from the occupiers of 39, 111 Eton Hill Road; 8, 25 Ashworth Court and Ashworth Street, which have raised the following issues:

- Existing trees do not provide any privacy. Require more planting.
- Impact of noise

- Loss of view
- Impact of increased traffic along Eton Hill Road

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to car parking.

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 objections, subject to the inclusion of conditions relating to hours of operation, noise and details of the ventilation plant.

Wildlife Officer - No objections, subject to the inclusion of conditions relating to surface water run off.

Waste Management - No response.

Environment Agency - No objections, subject to the inclusion of conditions relating to surface water run off.

GM Police - design for security - No objections.

United Utilities - No objections

Baddac - Welcome the provision of a new lift.

Unitary Development Plan and Policies

EC2/1	Employment Generating Areas
EC3/1	Measures to Improve Industrial Areas
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN1/6	Public Art
EN7	Pollution Control
HT2/4	Car Parking and New Development
HT2/7	Lorry Parking
HT5/1	Access For Those with Special Needs
SPD4	DC Policy Guidance Note 4: Percent for Art
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD12	Travel Plans in Bury
SPD14	Employment Land and Premises
EN7/2	Noise Pollution
EN8/2	Woodland and Tree Planting
EN5/1	New Development and Flood Risk
PPS23	PPS23 Planning and Pollution Control
EN6/2	Sites of Nature Conservation Interest LNR's
PPS25	PPS25 Development and Flood Risk

Issues and Analysis

Principle - Policy EC2/1 states that within Employment Generating Areas (EGA), the Council will only allow development for the uses specified. Other uses will only be permitted where they constitute limited development to do not substantially detract from an area's value as a EGA.

The proposed development involves the provision of a two storey factory extension in association with the existing business on site. The proposed extension would comply with the specified uses and would be acceptable in principle. Therefore, the proposed development would be in accordance with Policy EC2/1 of the adopted Unitary Development Plan.

Design and layout - The proposed extension would be some 13.6 metres to the eaves and would be a tall building. The proposed extension has been kept as low as possible while still

accommodating the main plant equipment at ground floor and servicing and maintenance areas on the upper floor. The proposed extension would be located centrally and is well away from the boundaries of the site (48 metres). As such, the proposed extension would be acceptable in terms of height and scale.

The proposed car park and a landscaped strip of some 7 metres extension would separate the proposed extension from the residential properties on Ashworth Street. As such, the proposed extension would be some 58 metres away from the dwellings and would not have an adverse impact upon the amenity of the occupiers of the neighbouring properties. The proposed development would be in accordance with Policies EN1/2, EC1/3 and EC6/1 of the adopted Unitary Development Plan.

Ecology/Flood risk - The site is bounded by Hutchinson's Goit to the east of the site, which is no longer functional. The section of the goit in question is some 135 metres from the Site of Biological Interest (SBI), but does not form part of it. Although the Goit is no longer functional, any increase in surface water run off could impact upon the SBI. The Wildlife Officer has no objections to the proposal, subject to the inclusion of a condition relating to surface water run off to safeguard the SBI. The Environment Agency have also recommended a condition relating to surface water run off to reduce the risk of flooding to the surrounding area. As such, the proposed development would not have an adverse impact upon flood risk or the adjacent SBI, subject to conditional control. Therefore, the proposed development would be in accordance with Policies EN6/2 and EN5/1 of the adopted Unitary Development Plan and PPS25.

Noise - A noise impact assessment was submitted as part of the application and the survey concludes that the noise associated with the proposed extension is very low and complaints would be unlikely. The noise impact of the replacement car park on the nearest noise receptors would be negligible. The proposed extension would be 58 metres away from the nearest residential property and the Pollution Control Section has no objections, subject to the inclusion of conditions relating to hours of operation, noise and ventilation equipment. It is considered that a condition relating to the hours of operation is not appropriate in this instance, due to the location of the proposed extension within the EGA. Therefore, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policy EN7/2 of the adopted Unitary Development Plan.

Highways issues - The existing access to the site from Eton Hill Way would continue to be used and there are adequate visibility splays in place. The proposed site plan indicates that a HGV could turn within the car park and the turning and manoeuvring space would be acceptable. The Traffic Section has no objections, subject to the inclusion of a condition relating to car parking. Therefore, the proposed development would be in accordance with Policy EC6/1 of the adopted Unitary Development Plan.

Parking - SPD11 states that the maximum parking standards for a B2 use is 1 space per 60 square metres of floorspace, requiring 55 spaces. The scheme would provide an additional 35 spaces, giving a total of 175 spaces. The proposed development would be located within a high access area and has access to public transport. The proposed development would employ 189 staff, on a full time basis and as such, the level of parking provision would be acceptable in this instance and would be in accordance with Policy EC6/1 of the adopted Unitary Development Plan and SPD11.

Public Art - A contribution of £9000.00 is required towards public art in accordance with Policy EN1/6 of the adopted Unitary Development Plan and SPD4 - Percent for art. This will be provided on site and will be secured via a condition.

Response to objectors - The issue of noise and increased traffic have been dealt with in the main report. Additional planting would take place along the southern boundary of the site, which would provide more privacy to the occupiers of the neighbouring properties.

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 properties. The proposed development would not be unduly prominent within the street scene 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 A1 07E080/001, 671.PL.01 B, 671.PL.02 A, 85806/8001 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. 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 commence unless and until:-
 - 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. 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 validatory 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.

7. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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.

8. 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.

9. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan..

10. No development shall commence unless or until a scheme showing the ventilation and filter plant, which would comply with the findings of the Noise Impact Assessment dated 10 May 2010, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the occupation of the building hereby approved and work continually.

Reason. To safeguard the amenities of the occupiers of nearby residential and office accommodation pursuant to Policy EC6/1 - Assessing New Business, Industrial and Commercial Development of the Bury Unitary Development Plan.

11. The replacement car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved commencing.
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.

12. The development hereby permitted shall not be commenced unless or until a scheme to regulate surface water run-off has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the first occupation of the building hereby approved and subsequently maintained.
Reason. To reduce the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to protect the adjacent Site of Biological Interest, pursuant to PPS25 - Development and Flood Risk and the following Policies of the Bury Unitary Development Plan:
Policy EN5/1 - New Development and Flood Risk
Policy EN6/2 - Sites of Nature Conservation Interest (Local Nature Reserves and Grade B & C Sites of Biological Interest) of the Bury Unitary Development Plan.

13. The development hereby approved shall include an element of public art that would be sufficient to be in accordance with Bury Unitary Development Plan Policy EN1/6 - Public Art and the associated Development Control Policy Guidance Note 4 Per Cent for Public Art.
Reason - To ensure that the development would contribute to satisfying the need for public art pursuant Bury Unitary Development Plan Policy EN1/6 - Public Art and the associated Development Control Policy Guidance Note 4 Per Cent for Public Art.

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

Ward: Bury West - Church

Item 02

Applicant: Bolholt Hotel RDBS

Location: Lowercroft Business Park, Lowercroft Road, Bury, BL8 3PA

Proposal: Replacement 1.8m high palisade fence to Lowercroft Road Frontage (retrospective)

Application Ref: 52574/Full

Target Date: 08/07/2010

Recommendation: Approve with Conditions

Description

The application is retrospective and proposes to retain the existing galvanised steel palisade fence at a height of 1.8m along the boundary of Lowercroft Business Park and Lowercroft Road for a distance of approximately 80m. The previous fence, a concrete post and chain link type, has been removed.

Land either side of Lowercroft Road is comprised of industrial premises with a car park situated immediately behind the fencing. No.72 Lowercroft Road is a detached dwelling house directly to the south of the entrance to the business park and there are houses to the north on Wrigglesworth Close, backing onto the business park.

Relevant Planning History

None relevant.

Publicity

Immediate neighbours at Units 1, 3, 3A, 4, 5, 6, 16 and 17 Lowercroft Business Park, 72 Lowercroft Road, 2 and 4 Wrigglesworth Close notified by letter.

One letter from the occupier of 4 Wrigglesworth Close who has the following concerns:

- No objection to enclosing the land but the new fence is very conspicuous.
- Lack of flexibility close to an accident prone highway raises fears that a pedestrian would become trapped in event of an accident.
- If allowed, the fence should be relocated further back into the site so boundary planting could provide a buffer zone to reduce its visual impact and make it safer.
- Given the fence would be more secure, the gates have never been closed and other parts of the site are less secure.

The objector has been informed of the Planning Control Committee.

Consultations

Traffic - No objection.

Police - No objection.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN1/5 Crime Prevention

EC2/2 Employment Land and Premises

EC3/1 Measures to Improve Industrial Areas

EC4/1 Small Businesses

Issues and Analysis

Principle - The principle of some sort of boundary security fence along this part of Lowercroft Road is well established and reasonable.

UDP Policy EN1/2 Townscape and Built Design states that the Council will consider favourably proposals that do not have an unacceptably adverse impact on the character of towns and villages within the Borough.

Policy EN1/5 Crime Prevention encourages proposals that include environmentally sensitive design features that are aimed at discouraging crime.

Visual Amenity - The galvanised palisade fence runs through what is a well established industrial area and this has to be taken into consideration when assessing its appropriateness. The appearance of the fence could be improved if it were painted or powder coated in a colour (green) that would help it blend into the street scene. However the applicant has indicated that he would be unwilling to do this due to the expense of the procedure.

Residential Amenity - The new fence is in the same position as the previous chain link fence and does not have seriously detrimental impact on the residential amenity of local residents in particular the occupiers of 72 Lowercroft Road immediately to the south of the entrance to the business park. The proposal therefore complies with UDP Policies EN1/2 and EC4/1 in respect of residential amenity.

Security - The new palisade fence would improve the security of the adjacent businesses where it runs along this part of Lowercroft Road and as such is in accordance with UDP Policy EN1/5 Crime Prevention and guidance on Design for Security.

Traffic - The new fence follows a similar line to the previous fence and visibility splays from the entrance to the business park are not affected. As such the proposal complies with UDP Policy EC4/1 Small Businesses and EN1/2 Townscape and Built Design.

Objection - The comments of the occupier of No.4 Wigglesworth Close are primarily related to the visual impact of the fence and this issue has been addressed above. In terms of the business park's general site security, this appears to be adequate although detailed issues are more of a private matter and do not relate to this particular application.

Whilst the concerns regarding the appearance of the fence are valid and the scheme could be improved by applying a colour coating or setting the fence back into the site behind boundary planting, neither of these options are being considered in this case. On balance, the palisade fence is considered to be acceptable on this part of Lowercroft Road which is predominantly industrial in character.

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;-

Given the industrial locality, the fence is, on balance, forms an acceptable boundary treatment that would not have a seriously detrimental impact on the visual amenity of the locality or residential amenity of local residents. There are no highway issues of concern. The scheme therefore complies with UDP Policies listed.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to the plans received on 13th May 2010 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: Ramsbottom and Tottington -
Ramsbottom

Item 03

Applicant: Electricity North West Ltd

Location: Electricity Substation Building, Paradise Street, Ramsbottom, Bury, BL0 9BS

Proposal: Change of use of part of substation building to offices (Class B1); Raising of roof ridge height to create additional storey; Creation of access to 2 no. car parking spaces at rear (resubmission)

Application Ref: 52589/Full

Target Date: 17/08/2010

Recommendation: Approve with Conditions

Description

The proposal relates to a brick built Edwardian electricity sub-station (1910) within Ramsbottom Town Centre Conservation Area. The land on which the sub-station is sited slopes up from Paradise Street towards Ramsbottom Lane at the rear. Across Paradise Street is a row of stone terraced properties in residential and business use. To the rear is a small walled yard with an area of rough scrub with two poor quality trees. To the side, running along the boundary with the flats that comprise Adderstone Mansion, is an unmade, informal footpath (Non-Definitive Right of Way) that links Paradise Street and Ramsbottom Lane.

It is proposed to retain the building's operational capacity with the existing transformer and plant room at the rear of the building whilst introducing an additional floor and reception area within the property. Total floor space for offices and ancillary development would be 190sqm. In order to create the additional office space the roof ridge would be raised 1.3m. New windows and a main entrance will be introduced at the front, where there are existing recessed brick panels on the Paradise Street elevation. The introduction of the entrance, reception area and disabled toilets would entail lowering the internal floor level by 900mm. Windows on the upper floor at the front would be reinstated. The existing door opening on the side would be bricked up and two additional windows introduced. New window openings would be added at the rear, overlooking the parking and turning area that would be accessed from Paradise Street, along the side of the building.

The informal path to the side would be regraded to facilitate vehicular access to the rear, where two car parking spaces would be provided, whilst retaining the footpath link between Paradise Street and Ramsbottom Lane.

Proposed hours of working would be Monday to Friday 8.30am to 5.30pm and Saturday 8.30am to 1pm. Closed Sunday.

Relevant Planning History

52090 - C/U Sub-station to Offices, Raising ridge to create additional storey, Creation of Access to 2no. parking spaces - Withdrawn 08/01/2008.

This application is a result of discussions following the withdrawn application.

Publicity

Neighbours notified at Carr Bank Lodge Ramsbottom Lane, 22 Market Street, 22-48(even) Market Place (Adderstone Mansion), 47-53(odd) Bridge Street, Steam Packet House, 720 Churton Grove, 8-10 Paradise Street, Paradise Works, The Smithy and Paradise St shoeing Forge, Paradise Street by letter dated 12/1/2009. A site notice was placed on the 25th June 2010 and the application was advertised in the Bury Times on the 1st July.

Representations have been received from, or on behalf of, 30, 32, 36 and 40 Adderstone Mansion, Market Place, 213 Ainsworth Road, 8 and 10 Paradise Street and Paradise Works, also on Paradise Street. Concerns are summarised below:

- The main concerns relate to the potential loss of on street parking spaces along Paradise Street which cannot support more traffic.
- The excavations for the proposed driveway would undermine the trees and side boundary wall.
- Overlooking across paradise Street.
- The creation of any specialised/disabled parking at the front would impede the operations of the business across Paradise Street.
- Is there a demand for further office space?
- Possible hazard from electro-magnetic radiation from existing transformer.

The objectors have been notified 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.

Secure by Design - No comment to date.

Ramsbottom Heritage Society - Objects on grounds that the new windows on the front and side alter the character and balance of the building and there is concern that the new brickwork may not match the existing.

Unitary Development Plan and Policies

EC4/1	Small Businesses
EC5/2	Other Centres and Preferred Office Locations
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN8	Woodland and Trees
SPD3	DC Policy Guidance Note 3: Planning Out Crime
SPD11	Parking Standards in Bury
Area	Market Place/Carr Street/Ramsbottom Lane
RM1	
PPS23	PPS23 Planning and Pollution Control

Issues and Analysis

Principle - The principle of converting part of the building to offices is considered to be acceptable and would enable a new use to be found for what is an attractive building within Ramsbottom Town Centre's conservation area.

EC4/1 Small Businesses supports EC5/2 in stating that proposals for small businesses will be considered acceptable where they do not conflict with other policies of the UDP.

UDP Policy EC5/2 Other Centres and Preferred Office Locations, indicates that proposals for offices with town centres will be looked on favourably where there is adequate infrastructure.

Policy EC6/1 Assessing New Business, Industrial and Commercial Development indicates that proposal should take into account the following factors - size and scale, access and parking, landscaping, effect on neighbours and safety factors.

Town Centre - UDP Policy Area RM1 relates to Ramsbottom Town Centre and states that the Council will seek to improve community facilities, recreation and housing with the Town Centre.

Visual Amenity and Conservation Area - EN1/2 relates to townscape and design and indicates that development will not be permitted where it would have a detrimental impact on the streetscape, particularly in areas of interest such as conservation areas. Conservation area policies EN2/1 and EN2/2 support EN1/1 in regulating proposals specifically within conservation areas.

The proposal, by enabling a new use within the building, would help retain the area's architectural and cultural heritage and improve the appearance of the conservation area in general. The installation of new hard wood sash and case windows with stone heads and cills and set within reveals, would mirror those windows within the neighbouring property and are considered to be in keeping with the character of the existing building and wider conservation area. The proposed new areas of brickwork to the rear would match the existing brickwork which would be cleaned and re-pointed and the existing slate would be reused for the roof. In terms of visual amenity, the proposal would comply with the conservation area policies listed.

Trees - The three existing self seeded trees along the side boundary and two trees to the rear would need to be removed to allow for the proposed access and parking area. The trees are poor quality are leaning to the degree that they have become a hazard to adjacent buildings. It is considered that these trees could be removed without harm to the character and amenity of the area.

Residential Amenity - Properties on Paradise Street - Overlooking to the upper floor of residential properties across Paradise Street would be overcome by obscure glazing to the windows of the converted building at first floor level. The one rooflight on the front elevation would be high level. Apart from one window, openings at ground floor level on the front would face commercial businesses at ground floor level. The one ground floor window that would face a residential window at No.10 Paradise Street would have a lift behind it and therefore would not cause undue harm the amenity of residents opposite.

Adderstone Mansion, situated to the south of the site, was previously a chapel which was converted after planning permission was granted in 1997 for 14 apartments. These apartments have windows along the elevation facing across the land to the rear of the sub-station. One of these windows (lounge), closest to Paradise Street, faces the rear part of the sub-station at a distance of approximately 6.6m. Raising the rear elevation by approximately 1.6m would raise the ridge line but would not have a significantly reduce the amount of daylight into this habitable room which is situated to the south of the site. As such the residential amenity of the occupier of this property would not be seriously affected. Subject to a condition requiring the upper floor windows on the Paradise Street frontage to be obscure glazed, there are no other residential amenity issues of concern. The proposal therefore complies with UDP Policy EC6/1 Assessing New Business, Industrial and Commercial Development which states that proposal should take account of neighbouring properties.

Highways and Parking - It is clear that there are existing parking problems experienced along Paradise Street which is narrow and has no restrictions. Many of the cars parked along the street tend to be from nearby residents and workers within the town centre. Given that the site is within the town centre, the parking requirement for new office space is more flexible than it would be on sites outside the town centre where 4-5 spaces would be required and as such the two spaces at the rear, together with the turning area are considered to be adequate in this instance. The applicant states that as the scale of development is small, it would suite a small local firm which would be aware of the parking issues and could minimize vehicular movements.

It is also relevant to note that the adjacent residential conversion to 14 apartments (22-48 Market St) was approved with only 6 parking spaces, fronting paradise Street, in 1997.

In respect of parking and access, the proposal is considered to comply with UDP policies HT2/4 Car Parking and New Development, EC4/1 Small Businesses and EC6/1 Assessing New Business, Industrial and Commercial Development.

Ecology - A bat survey was submitted with the application and concluded that there was no evidence of bats roosting on site. It is considered appropriate however to attach an informative to any approval, highlighting the applicant's duties in respect to the Wildlife and Countryside Act 1981 should any bats be found.

Objections - The concerns relating to parking and access, overlooking, trees have been addressed in the above report.

With regard to the impact on the stability of the boundary wall, prior to commencement of any works, a scheme would be required to ensure that the proposed driveway would not have a detrimental effect on the structural integrity of the wall. It is also noted that the tree closest to the boundary is pushing against the wall and therefore its removal may help its relative stability.

With regard to demand for offices, this is something the market determines and is not a planning issue.

In respect to electro-magnetic radiation, guidance suggests that evidence of any danger is inconclusive and in any case subject to general regulations relating to health and safety at work and reference to the International Commission on non-ionizing radiation Protection (ICNIRP) guidelines . As such an informative can be attached to any design notice if the proposal is approved requiring the applicant to take any precautionary measures necessary.

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 proposal would enable a new use for an existing building of local historical interest within the Town Centre Conservation Area without serious detriment to the visual amenity of the area or residential amenity of residents. There are no serious highway safety concerns and parking is considered adequate and given its town centre location, the provision of off-street parking and turning and the opportunity to retain an historic building within the conservation area, the proposal is on balance considered to be acceptable and complies with the UDP Policies listed.

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 N292-01,02, 03-A, 04, 05-AB, 06AB, 07-AB and 08 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 and surfaces,

including a sample panel of brickwork and mortar, demonstrating the colour, texture, face bond and pointing, not less than 1 sq.m in size, erected on site for inspection, 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. Full details showing the vertical and horizontal sections (1:20 scale) of new windows shall be submitted to and approved in writing by the Local Planning Authority. The sections shall indicate all windows set behind a minimum reveal of 75mm.

Reason. To preserve the character of the building and surrounding conservation area pursuant to UDP Policies EN2/1 and EN2/2 relating to conservation areas.

6. 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.

7. Following the provisions of Condition 6 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.

8. Before the use hereby approved commences, the three windows at first floor level on the front elevation shall be fitted with obscure glazing and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with Policy EC4/1 Small Businesses and EN1/2 Townscape and Built Design.

9. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the use hereby approved commencing and thereafter maintained at all times.

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.

10. The turning facilities indicated on the approved plans shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the

highway in the interests of road safety.

11. Prior to commencement of development, a detailed scheme for the proposed regrading and construction of the proposed access, including any land stabilization works, shall be submitted to and approved in writing by the Local Planning Authority. The subsequently approved scheme shall be implemented to the written satisfaction of the Local Planning Authority and maintained thereafter for the duration of the approved use.
Reason. To ensure good highway design in the interests of road and pedestrian safety.

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

Ward: Whitefield + Unsworth - Besses

Item 04

Applicant: Mrs Egerton

Location: Cowl Gate Farm, Pole Lane, Whitefield, Manchester

Proposal: Regrading land using previously imported hardcore and capping with salvaged original top soil

Application Ref: 52606/Full

Target Date: 02/09/2010

Recommendation: Approve with Conditions

Description

The application site is located between the Pole Lane and the M66 motorway and consists of a field. Following the highway improvements to the junction between the M60 and M66, the site has suffered from poor drainage and areas of water accumulated in the low lying areas of the field. As such, the field became marshy and unusable.

The applicant arranged for inert demolition materials to be brought onto the site to raise the level of the land above the flooding level. The contractor had stripped and stored the top soil on site and imported a considerable amount of material before a Temporary Stop notice was served by the Council in March 2009.

On investigation, the drainage system for the motorway had not been connected properly and all the surface water had been draining onto the applicant's land. The Highways Agency has undertaken the necessary repairs and the field is currently drying out.

The applicant seeks retrospective permission for the importation of the inert demolition materials to the site and this material would be spread out and regraded across the land to create a more natural ground profile. No further material would be imported to the site and following the regrading of the material, the topsoil would be returned and the site would be re seeded.

Relevant Planning History

08/0489 - Tipping on site at Cowl Gate Farm, Pole Lane, Bury. Temporary stop notice served 16 March 2009. Enforcement notice served - 3 June 2010.

Publicity

34 properties (The Hills, Hills Lane; Unsworth Cricket & Tennis Club, 71, 75 Pole Lane; 1 - 17 (odds) Lostock Walk; 1 - 6 Alt Walk; 2 - 8 (evens) Glaze Walk; Pule Nurseries; 65 - 83 (odds) Mode Hill Lane) were notified by means of a letter on 8 June and a press notice was published in Our Voice on 21 July. Site notices were posted on 17 June. Two letters have been received from the occupiers of 71 Pole Lane, which have raised the following issues:

- The material was deposited on site without permission.
- HGV movements along Pole Lane caused inconvenience to local residents and destroyed Pole Lane.
- Temporary stop notices was served, which instructed the applicant to restore Pole Lane. This has not been done.
- Fly tipping is taking place on the lane.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections.

Drainage Section - No objections.

Environmental Health - Contaminated Land - No objections, subject to the inclusion of a condition relating to contaminated land and soil.

Environmental Health - Pollution Control - No response.

Landscape Practice - Welcome the restoration of the landscape. Concern that the soil may become inert if stored incorrectly.

Public Rights of Way Officer - No objections.

Environment Agency - No objections.

GM Police - designforsecurity - No objections.

Baddac - No comment.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN1/3 Landscaping Provision

EN6/3 Features of Ecological Value

EN7 Pollution Control

EN7/5 Waste Water Management

OL1/5 Mineral Extraction and Other Dev in the Green Belt

RT3/1 Protection of Existing Recreation Prov in the Countryside

MW4/1 Assessing Waste Disposal Proposals

MW4/2 Development Control Conditions (Waste)

MW4/6 Standards of Restoration (Waste)

PPG2 PPG2 - Green Belts

PPS23 PPS23 Planning and Pollution Control

Issues and Analysis

Principle - The proposed development seeks permission for the retention of the inert materials on site and the re-grading of the material on land to the east of Pole Lane, which is located within the Green Belt.

Policy OL1/5 states that mineral extraction and other development within the Green Belt would be deemed inappropriate unless it maintains the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt.

Policy RT3 states that the Council will encourage the use of the river valleys, moorland fringe and other open land outside the urban area for appropriate recreational pursuits.

Policy MW4 sets out the criteria against which all waste proposals will be assessed and states that proposals for waste disposal sites will be accepted in principle when all of the criteria have been satisfied.

When the material was imported, the site was suffering from extremely poor drainage and the material was required to raise the level of the land to address this issue. Following the serving of the temporary stop notice, the Highways Agency have undertaken works to connect the surface water drainage for the motorway and the field is currently drying out. No further material would be brought to site and the existing material would be spread out across the remainder of the site to create a natural ground profile. The re-grading of the material and the improvements to the drainage would allow the field to be re-used for recreational purposes (the grazing of horses). The proposed development would not have an adverse impact upon the openness and character of the Green Belt and would be acceptable in principle. Therefore, the proposed development would be in accordance with Policies OL1/5, RT3 and MW4/1 of the adopted Unitary Development Plan.

Impact upon surrounding area - As the drainage issue has been resolved by the works undertaken by the Highways Agency, no more material will be brought to the site. As such, there would not be any vehicle movements associated with the development and the proposal would not have an adverse impact upon the amenity of the neighbouring properties. Therefore, the proposed development would be in accordance with Policy MW4/2 of the adopted Unitary Development Plan.

There was a potential that Great Crested Newts may be in the vicinity of the application site. The site was inspected by environmental specialists on behalf of the Highways Agency and there was no habitat left and therefore, the presence of Great Crested Newts was extremely unlikely. Therefore, the proposed development would not have an adverse impact upon a protected species and would be in accordance with Policy EN6/3 of the adopted Unitary Development Plan.

Response to objectors - No more material is to be brought to the site and as such, there will be no further HGV movements along Pole Lane and no disruption to local residents. A temporary stop notice and an enforcement notice have been served. However, none of these notices required the applicant to restore Pole Lane. When the material was tipped on the land, the Public Rights of Way Officer contacted the residents of Cowl Gate Farm and they acted quickly to make good the path with rolled crushed stone. This was inspected soon after and the Public Rights of Way Officer was satisfied with the remedial works.

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 would be acceptable in principle and would not impact upon the openness or character of the Green Belt. The proposed development would not have an adverse impact upon the amenity of the neighbouring properties nor would it 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 months 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 E122-001 A, E122-002, E122-003 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. Clean site won topsoil must be placed over the imported hardcore material to a minimum depth of 300mm within 12 months of permission being given. A validation letter report which includes a photographic record of the works to place the topsoil must 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 and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
4. Within three months of the completion of the restoration of the site or in the first available planting season following restoration, the site shall be landscaped in accordance with the approved landscaping scheme. All trees and hedges included in the landscaping scheme shall be retained, protected and maintained for a period of five years after planting during which period any tree or hedge that may become damaged or be removed or die shall be replaced with a similar plant in the next available planting season.
Reason. To ensure satisfactory development of the site pursuant to the following Policies of the Bury Unitary Development Plan:
MW4/1 - Assessing Waste Disposal Proposals
MW4/2 - Development Control Conditions (Waste)

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

Ward: Bury East

Item 05

Applicant: Mr Lal Khan

Location: Land adjacent to 9-11 Heywood Street, Bury, BL9 7EB

Proposal: Residential development - 4 no. dwellings

Application Ref: 52626/Full

Target Date: 23/08/2010

Recommendation: Approve with Conditions

Description

The application site is a vacant piece of land, which is currently used as amenity space for the care home. The site is bounded by a 2 metre wall and palisade fencing on Heywood Street and a 2 metre wall on Back Heywood Street. There are residential properties to the east and west of the site. To the south of the site there are residential properties, which front onto Spring Street and beyond is a Grade II listed church (Holy Trinity). The two properties, which form the care home are located to the north, with further residential properties beyond.

Planning permission (50668) was granted for a single detached dwelling in December 2008 and would be adjacent to 165 Spring Street.

The proposal includes the erection of 4 dwellings. Plots 1 - 3 would be located in a terrace and would be 3 bedroom properties. The terrace of proposed dwellings would be located adjacent to 9 - 11 Heywood Street. Plot 4 would be located in the same position as the previously approved dwelling (adjacent to 165 Spring Street) and would have 4 bedrooms. A central parking area would be accessed from the back street along the western boundary.

Relevant Planning History

18476 - Change of use from boarding house to residential home at 9 - 11 Heywood Street, Bury. Approved - 24 July 1986

37345 - Two storey rear extension at 9 - 11 Heywood Street, Bury. Approved with conditions - 23 February 2001

50637 - Two storey extension to existing care home at 9 - 11 Heywood Street, Bury. Withdrawn - 30 December 2008.

50668 - Two storey, five bedroom dwelling incorporating bedroom in attic space at land adjacent to 9 - 11 Heywood Street, Bury. Approved with conditions - 30 December 2008.

51090 - Two storey extension to existing care home at 9 - 11 Heywood Street, Bury. Refused - 6 May 2009

51383 - Two storey extension to existing care home together with additional car parking and amenity area at 9 - 11 Heywood Street, Bury. Approved with conditions - 30 June 2009.

Publicity

26 properties (9 - 11, 19, 21, 14 - 30 (evens) Heywood Street; 68 - 70, 72 Shepherd Street; 151 - 165 (odds), Holy Trinity Vicarage, Spring Street; 2 Raja House, Wilson Street) were notified by means of a letter on 30 June and a press notice was published in the Bury Times on 8 July. Site notices were posted on 1 July. One letter has been received from the occupiers of 165 Spring Street, which has raised the following issues:

- Concern about the close proximity of the proposed dwellings to No. 165 Spring Street.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to car parking and visibility splays.

Drainage Section - No objections.

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

Conservation Officer - No response.

Wildlife Officer - No objections, subject to the inclusion of conditions relating to vegetation clearance.

Waste Management - No response.

Designforsecurity - No response.

Baddac - No comments.

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
EN2/3	Listed Buildings
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
HT2/4	Car Parking and New Development
Area	Tentersfield/Millet Street/Tenterden Street
BY1	
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
PPS23	PPS23 Planning and Pollution Control

Issues and Analysis

Principle - Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for housing development, including the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

The site is located within a predominantly residential area and as such, there would be adequate infrastructure and would not conflict with the surrounding land uses. The proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the adopted Unitary Development Plan.

Design and impact upon the surrounding area - The proposed four bed dwelling would be attached to the existing terrace of dwellings on Spring Street and the main entrance would be from Heywood Street. The proposed dwelling would be the same height as the existing buildings on Spring Street and would be acceptable in terms of height. The proposed form, position and materials for the proposed dwelling would be consistent with the surrounding properties and the previous permissions granted. As such, the proposed dwelling would not have an adverse impact upon the character and setting of Holy Trinity Church, which is a Grade II listed building.

The proposed terrace of three dwellings would maintain the existing building line along Heywood Street and would maintain an active frontage. The proposed dwellings would incorporate a modern bay detail and the eaves would match the eaves of the existing building. As such, the proposed development would be acceptable in terms of height, form and scale. Therefore, the proposed development would be in accordance with Policies H2/1, H2/2, EN1/2 and EN2/3 of the adopted Unitary Development Plan.

Residential amenity - At the closest point, there would be 17 metres between the proposed dwelling and the church building. It is considered that while 17 metres would not comply with the aspect standard in DCPGN6, the proposed development would not restrict the redevelopment of the Holy Trinity site any more than the existing dwellings and would be acceptable.

There would be 18.2 metres between the rear elevation of the proposed dwellings and the rear yard of No. 159 Spring Street, which would be a 1.5 metre improvement on the previously approved two storey extension to the care home. The remainder of the scheme would comply with the aspect standards in SPD6 and would not have an adverse impact upon the amenity of the occupiers of the neighbouring properties.

Parking provision - SPD 11 states that the maximum parking standards for a three bedroom dwelling is 2 spaces per dwelling and 3 spaces for a dwelling with four bedrooms. The proposed development would provide 5 parking spaces. Two of the parking spaces would be allocated to the four bedroom dwelling and the remaining three dwellings would have a single parking space each. The area has low car ownership and is located within a high access area and is in close proximity to the town centre. As such, the proposed parking provision is acceptable in this instance and would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11.

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 would be acceptable in principle and would not have a significant adverse impact upon the amenity of the neighbouring properties. The proposed development would not be unduly prominent, subject to conditional control nor would it 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 774/1 - received on 22/7/2010, 774/2, 774/3, 774/4, 774a/6 - received on 22/7/2010, 774a/7 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 car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the dwellings hereby approved being occupied.

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.

8. The footway visibility splay envelopes 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 **Helen Longworth** on **0161 253 5322**

Ward: Ramsbottom + Tottington - Tottington

Item 06

Applicant: Bury Council

Location: Old Kays Park, Tottington, Bury

Proposal: Installation of play equipment within the park area (retrospective)

Application Ref: 52697/Full

Target Date: 04/08/2010

Recommendation: Approve with Conditions

The application was deferred from the July Planning Control Committee for a site visit to be held prior to this meeting.

Description

The application site is a play area in Old Kays Park, Tottington which is in the Green Belt, River Valley and West Pennine Moors. The park is rural in character and the approach to and through Old Kays Park to the play area is challenging due to the topography of the area.

To the west of the site is a residential property No 3 Old Kays which is separated along the boundary by tree planting and hedging. The site is accessed via stone steps and a path off Holcombe Road, or from a path leading from the car park which is located at the foot of Hollymount Lane. There is also access via an unmade private track off Turton Road.

The application is part retrospective and seeks the retention of play equipment within this area of the park. There are 6 pieces of play equipment in total made of natural materials which have been chosen to encourage interactive play within a natural and rural setting. These comprise of a grass maze, climbing log, climbing trail, embankment slide and steps, puddle water play and cantilever basket swing. A wood chip safety surface surrounds some of the pieces of equipment.

Background - Following an audit of play provision and green spaces in the Borough, Old Kays Park was identified as one of the sites that lacked in the provision of play facilities. A proposal for this park was submitted to the Team Bury Play Partnership by a member of the local community, Local Area Partnership Manager and Leisure Services and funding was awarded for the installation of a natural themed play area.

Community consultation in the form of advertisements in local publications and signage was carried out and an open event to encourage public participation was held on the site. A competition inviting children to design their own play area resulted in the winning design incorporated into the scheme.

The equipment was installed in the park without planning permission and this application therefore seeks to regularise the development.

Relevant Planning History

No history

Publicity

Neighbours notified at Nos 1,3 Old Kays, 254 Turton Road, 65, 129, 131, 135, Holcombe Road, Tottington.

Site notice posted on 11/6/2010.

Three letters of objection have been received from Old Kays (No 1) and Old Kays Farm (No 3) Tottington and raise the following issues:

- There had been no consultation with the local residents prior to the installation of the

- equipment and no information regarding the open days;
- The Design and Access Statement is incorrect; the equipment is not on the site previously occupied by a play area, it is much higher and next to the boundary of their home;
- It's location encourages people to drive down the private road (public footpath) off Turton Road which is for residents use only;
- Cars park outside their houses which is undesirable and an intrusion of privacy and has led to confrontational behaviour from some people parking in this area;
- The location of the play equipment directly next to their home is close to the private lane which discourages cars to use the car park on Holcombe Road;
- Until the play equipment was installed, the residents never experienced unauthorised vehicles using the lane;
- Since the erection of the play equipment, the noise levels in the area have increased dramatically daytime and into the night;
- It has encouraged youths to congregate in the area, particularly at night which increases noise levels to an unacceptable level;
- There have been several instances when youths have driven young children and families off the park following foul language and behaviour;
- Intrusion of privacy;
- Constantly having to investigate noise from the site incase a serious incident has occurred;
- The plans show there is no intention to minimise the noise nuisance by fencing/hedging near to their property to minimise the noise nuisance;
- The litter has become a problem;
- The site is isolated and open to vandalism and there has been no evidence of surveillance or park patrols.

E-mail received from resident of Oswestry Close who raises the following issues:

- Signs in the park invited local people to 'Have a Say' as to how the funds be spent. Residents expressed concern over a possible skate park, but felt views were not taken into consideration;
- The park is a wildlife haven which should not be disturbed;
- The applicant's contact details have not been advertised as promised;
- A previous play area was pulled down due to mis-use;
- There is no car park and people park on Oswestry Close or Holcombe Road;
- The site is secluded and there are security issues;
- More residents should have been consulted about the planning application.

Two letters of support received from No 16 Greenheys Crescent and No 405 Holcombe Road with the following comments:

- The park at the moment is really good and better than what was there a few years ago;
- Would like more play equipment for smaller children and toddlers, picnic benches and a picnic area and a few more waste bins;
- The whole area is lovely and natural and are very lucky to have it.

One comment from No 1 Brookhouse Close:

- More toddler play equipment and obstacles should be provided.

Those respondents who expressed an interest have been informed of The Planning Control Committee Meeting.

Consultations

Public Rights of Way Officer - The development will not affect Public Footpath Number 57 Tottington which runs to the southern edge of the site.

Environmental Health Section - No comments to make.

BADDAC - Initial objection to the inaccuracies of the Design and Access Statement withdrawn following the submission of a revised statement.

Drainage Section - The lower land in the park is situated near a watercourse which is

subject to periodic surcharge during prolonged rainfall, which renders the lower land flooded or at the least boggy.

Unitary Development Plan and Policies

OL1	Green Belt
OL7/2	West Pennine Moors
OL5/2	Development in River Valleys
EN6/4	Wildlife Links and Corridors
EN9/1	Special Landscape Areas
EN1/2	Townscape and Built Design
RT3/3	Access to the Countryside
RT1/2	Improvement of Recreation Facilities

Issues and Analysis

Policies - Unitary Development Plan Policy RT1/2 - Improvement of Recreation Facilities seeks to give favourable consideration to proposals for the appropriate improvement of existing recreational land and facilities in the Borough.

RT3/3 - Access to the Countryside seeks to improve and extend opportunities for all to gain access to the countryside including maintaining and improving footpaths and signposting improving facilities for the mobility impaired, providing parking where appropriate and creating new access points.

Principle - The Team Bury's Play Policy was adopted by the Council in 2007, and the design of the playbuilder sites are based on guidelines of the Play England document "Design for Play: a guide to creating successful places to play". Following an audit of recreational facilities and outdoor spaces in parks and green spaces, a lack of provision and facilities in the Tottington area was identified.

The Partnership judged the proposed play area at Old Kays was among the 24 sites in the Borough to have met the necessary criteria and was awarded funding for the installation of a natural themed play area. Consultation work was carried out within the community and children in the local area were involved in the evolution of the scheme.

Old Kays is a rural country park and the ethos behind the play area and the equipment aimed at integration within the natural environment. It would fulfill the aim of Team Bury's Play Policy to provide a playable space which encourages children to interact with the natural environment. As such, it complies with RT1/2 - Improvement of Recreation Facilities.

The site is a public park with existing access points and footpaths in and around the park area. There is a parking area on the approach to the park from Holcombe Road and as the park is generally used by people in the locality and does not draw people in from the wider area there is no requirement for further parking. The topography and gradient differences of the park and area means the park is not completely accessible to all, but this due to the existing surroundings and setting of the park. As such, the proposal would comply with UDP Policy RT3/3.

Residential amenity - In terms of the proximity of the equipment to the nearby residential properties, the nearest piece of equipment, the grass maze, would be 13m from the boundary with the adjacent property and 30m from the side elevation of the house. The next nearest piece of equipment is 30m away from the boundary and is a climbing log. One of the more popular pieces of equipment, the basket swing would be moved away from the boundary to this residential property, closer to the entrance to the play area. There is screening from tree planting and a hedge along the boundary with this property.

The objector adjacent to the play area expressed a wish that additional boundary treatment should be provided, which Children's Services were willing to provide. Subsequently, the objector suggested they may accept this offer but for now did not want to pursue the

provision of additional screening. However, the lack of proposed boundary treatment was raised as an issue in their letter of objection.

In planning terms, there is considered to be sufficient screening along the boundary; however, in the interest of neighbourliness, a condition to submit a boundary treatment scheme to further safeguard the amenities of the adjacent neighbour has been attached should the application be approved.

As such, it is considered there is adequate distance and intervening features to mitigate the impact the use of the equipment would have on the nearby residential properties.

Whilst this is an established country park, which has generally attracted walkers, dog walkers, and short stay visits by people, the installation of a play area is likely to attract more people to this particular area of the park for longer periods of time, pursuant to UDP Policy RT1/2. The objectors are concerned about the noise and disturbance which is associated with the use of the area, and anti social behaviour and vandalism as a consequence. These are issues which are often raised when a development of this type is being considered. The type of play equipment installed is aimed at children up to 13 years old who are more likely to be accompanied by adults. However, the playspace is also designed to be an interactive point for the whole community to encourage interaction between different generations within the community and promote inclusivity.

In terms of the park attracting youths to the area, there are no controls to it being used as a gathering point late into the evening and night time. However, it is an existing public park, accessible at all times and an area which is already liable to encourage groups to congregate.

Given the location of the equipment and its setting within the park, the boundary treatments existing and proposed to the west and its distance from the nearest residential properties, the scheme is considered to be acceptable and would comply with the criteria of RT1/2, RT1/3 and EN1/2.

Siting and Appearance - The play equipment is located on a piece of land within the park which rises from Holcombe Road and continues on a slope towards Turton Road to the west. The location for the play area was chosen for three main reasons:

- The flatter sections of the site are very wet in the winter months and locating the equipment in this area would have led to maintenance issues, restricted use of the equipment and limited the life expectancy of the equipment;
- Guidance suggests it is best to use natural topography of the site as much as possible and the location has allowed several new play experiences which would not otherwise have been possible;
- The funding criteria states the focus should be on natural play and some of the equipment is dependant on being located on a higher slope. This location makes the best use of the play equipment and the natural features of the site.

The objectors raise the issue that the siting of the play equipment close to their boundary has had a detrimental impact on their residential amenity. The applicant has agreed to relocate a piece of equipment (basket swing) which is currently close to their boundary, some 75m away, which would be closer to the pathed entrance to the play area. However, it is not intended to relocate the entire play area to a different area of the park. This particular area was considered to be appropriate for the type of natural play equipment and its intended use, its integration within the natural environment and located on higher ground to avoid more waterlogged areas of the park. This is not considered to be unreasonable from a planning perspective.

The key components of the scheme are made of wood and stone, and where necessary bark chippings or grass matting have been laid as a safety surface, and some earth works done to facilitate the equipment. Visually, the play area is in keeping with its rural setting and does not conflict with the surrounding environ.

As such, the layout of the play equipment as shown on the submitted plan best utilises the natural topography of the site and taking into account the drainage problems on flatter area of the park. It is considered acceptable in terms of its siting and appearance and complies with UDP Policy EN1/2 - Townscape and Built Design and RT1/2 - Improvement of Recreation Facilities.

Access - There are 3 access points to the site; two footpaths off Holcombe Road to the east and one from Turton Road to the west. The access from Turton Road is a private lane, which is a public footpath right of way, and the only vehicular access to the 2 dwellings at the end of this lane. The objectors have reported increase use of this access point from people driving to the park.

The park and play area is aimed to be a local facility for local people and would walk to the park and therefore no additional parking provision is proposed or expected. There are measures which can be taken to discourage cars to use the private lane off Turton Road such as additional signage. However, this lane is privately owned and the erection of any barriers, gates and bollards would be the responsibility of the land owners in consultation with the Traffic Team and Public Rights of Way Officer.

Disability Access Issue - A revised Design and Access Statement has been submitted which clarifies the access arrangements to the park area and the play area specifically. The existing approaches to the park are challenging due to the overall topography of the site. There is stepped access from Holcombe Road onto a path which rises up towards the park, or from the car park over a footbridge again via a steep path which winds through a wooded area. The site is more accessible off Turton Road; however this is also demanding, particularly on the ascent out of the park.

The park itself is constrained by physical boundaries and not easily accessible to every person. The play area and equipment lends itself to be used by children with a range of abilities. Like many parks, there are some pieces which will be more accessible than others. However, it has been designed to be as inclusive to as many children and young people as possible to allow for interactive play. There will be some children who will not be able to access the area, particularly wheelchair users, and this has been acknowledged in the Design and Access Statement.

Accessibility between the pieces of equipment has been raised as an issue by BADDAC. Following discussion with the applicant, they are willing to provide additional paths to ensure the pieces of equipment are as inclusive as possible. A condition to submit these details would be attached to any grant of permission.

BADDAC welcome the revised Design and Access Statement and the commitment to provide additional paths to the play equipment. As such, they raise no objection to the application.

Given the site constraints and access arrangements, the location of the play equipment is considered to be acceptable and compliant with UDP Policy RT1/3.

Response to objectors - The issues which relate to noise, disturbance and impact on residential privacy associated with the siting of the equipment have been covered in the above report. In terms of litter, there is an existing litter bin to the entrance of the play area and others located around the park area.

Publicity prior to the installation of the equipment has been covered in the report above. In terms the planning application, residents adjacent to the park area and on Holcombe Road were notified. Two sites notices were posted; one to the entrance of the park off Holcombe Road and one to the entrance of the play area. This meets the Council's normal requirements for notification and publicity.

Park Rangers regularly visit the site and the estates team visit the park to check on maintenance issues. There is a security system in place for every park in Bury which alerts

the Bury MBC Security Department to reported incidents from the park rangers and members of the public.

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 play equipment area is an additional recreation facility which would not have a detrimental effect on the amenity of nearby residents or adversely impact on the environment and the surrounding area. The scheme does 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 cantilever basket swing equipment shall be relocated according to plan 05/2010 Scheme Proposal within 56 days of the date of the scheme hereby approved. The equipment shall be retained in this position unless agreed and approved in writing by the Local Planning Authority.
Reason. In the interests of residential amenity pursuant to Unitary Development Plan Policy EN1/2 - Townscape and Built Design.
2. This decision relates to drawings - Scheme proposal 05/2010; site boundary 05/2010 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. Within 28 days of the date of this approval, a scheme relating to the boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented within 28 days of the approval of the scheme.
Reason - In the interests of the visual and residential amenities of the adjacent residential properties pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. Within 28 days of the development hereby approved, a scheme to provide additional paths within the play area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme only shall be implemented within 90 days of the approval of the scheme.
Reason. To ensure inclusivity and accessibility pursuant to Unitary Development Plan Policy RT3/3 Access to the Countryside.

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

Ward: Prestwich - St Mary's

Item 07

Applicant: Greater Manchester West Mental Health NHS Trust

Location: Rockley House, Clifton Road, Prestwich, Manchester, M25 3JP

Proposal: Demolition of existing conservatory and erection of single storey extension to provide new main entrance, interview room and disabled toilet; New access ramp; Alteration to car parking layout

Application Ref: 52752/Full

Target Date: 30/08/2010

Recommendation: Approve with Conditions

Description

Rockley House is a 2 storey building which was originally a pair of semi-detached properties converted into a single property. It is set back and elevated above Clifton Road to the north and accessed via an unadopted road to the west of the property. To the east is a large detached house and there are residential properties to the south on Leach Mews.

Access into the site is off a private driveway which leads into the car park at the rear of the property. The car park is not currently laid out but is able to accommodate approximately 5 cars plus an area for deliveries. There is an existing ramped access through the kitchen area which serves as the main entrance, although there are 2 front doors which had been retained in the previous conversion which are accessed from Clifton Road via a steep footpath.

The building is in the ownership of the Greater Manchester West Mental Health NHS Trust (based at the main Prestwich Hospital site) which dates back to 1902. It was used for a number of years for long stay rehabilitation as an alternative to community care for patients who had difficult behavioural issues. In 1991 it became a high dependency unit for 10 patients and was in continual use until March 2008 when the service closed. Its planning Use Class was C2 Residential Institution.

The Trust seek to re-open the facility for a 6 - bed step down unit for women who are being rehabilitated back into the community. (This falls within the same use classification as the existing - C2 Residential Institutions)

The proposals seek to upgrade and refurbish the building and include demolition of the existing conservatory at the rear and its replacement with a single storey extension, to provide a new main entrance, interview room and disabled toilet. There would be a new access ramp and steps to the rear entrance and formalisation of the car park for 5 cars. There would also be the provision of a bedroom at ground floor to facilitate a disabled person.

Relevant Planning History

27962/92 - Single storey extension at the rear - Approved 1992.

Publicity

10 neighbour notification letters have been issued.

45, 46, 47, 48, 49 Leach Mews; 201 Clifton Road and 43 Leach Street. Following a site visit a further 3 properties were consulted 38 Leach Street, 40 and 42 Leach Mews on 12/7/10.

As a result of this publicity, 3 letters of objection have been received. One from No 43 Leach Street and two e-mail's with no address provided, raising the following issues:

- Concern about the amount of traffic the care home will generate on a narrow unmade road;
- Concern the access will be a problem and traffic will use Leach Street instead;

- Concern about the type of care facility it will be and how it will be supervised and secured.
- It is a residential area and the use of the property for mentally ill offenders would be dangerous to the residents and families and detrimental to residential amenity.
- There is no reference to the vehicular access road parallel to Clifton Road which is their sole access route and where there have previously been parking problems from employees to the site;
- There is a pedestrian through route along their access road via steps which are dangerous and are used as a cut through;
- The garden area to the north is saturated with Japanese knotweed.

Letter received from No 201 Clifton Road with the following comments:

- Do not object to the development itself but raises issues of parking provision which had caused a nuisance in the past and caused problems with access to their own property.

Those who have expressed an interest have been informed of The Planning Control Committee Meeting.

Consultations

Traffic Section - No objection subject to condition.

Drainage Section - No objection.

Adult Care Services - No response received to date.

Designforsecurity - No objection. Recommend advice on security measures to the building.

BADDAC - Access group welcome the new ramp and access facilities which are well thought out.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

CF4 Healthcare Facilities

HT5/1 Access For Those with Special Needs

HT2/4 Car Parking and New Development

Issues and Analysis

Principle - Unitary Development Plan Policy CF4 - Healthcare Facilities - seeks to improve existing facilities and proposals for new health care will generally be looked on favourably. As part of an ongoing strategic review of its buildings and facilities, the Trust for Prestwich Hospital seek to utilise their existing building stock rather than opting for new build schemes. The building was previously used as a residential institution under Class C2 of the Use Class Order and it is now intended to use the building as a Women's Step Down Unit, which falls within the same classification.

Therefore the proposal to refurbish and modernise the building and site to provide transitional accommodation between the hospital and home would be acceptable in principle and comply with UDP Policy CF4 - Healthcare Facilities.

Residential amenity - The proposed extension would be a smaller replacement of the existing conservatory, would be no closer to the side elevation of No 49 Leach Mews, and given this house is "side-on" with a blank gable elevation, the extension would not be visible from this property. The proposed access ramp would be partly screened by the position of the single storey garage within the site boundary.

The rear of the site is bounded by a timber boarded fence and there is tree planting which provides a screening along the boundary and ensures a semblance of privacy to the comings and goings from the property.

The area at the rear of the building was already utilised for staff parking and would remain as such albeit for the formal demarcation of the spaces.

As such, the proposals would not have an adverse impact on the residential amenity of local occupiers and would comply with UDP Policy EN1/2 - Townscape and Built Design.

Layout and Appearance - The proposed extension would replace the existing conservatory, which is inadequate and in a poor state of repair, to create an identifiable entrance incorporating a functionable access. The extension would be simple in design and built in brick with a tiled roof to match the character of the existing building. Externally, the car park would be formally demarcated to include a designated disabled space.

As such, the proposals are considered acceptable and would comply with UDP Policy CF4 - Healthcare Facilities and EN1/2 - Townscape and Built Design.

Parking - Development Control Policy Guidance Note 11 - Parking Standards in Bury states there should be a maximum provision of 1 space per 4 beds. The facility would offer 6 beds in total, which would require a maximum of 2 spaces.

There is existing parking provision for 5 cars which would be formally laid out for staff and additional on street parking is available on Clifton Road which is not restricted. The application states there would be 27 staff employed at Rockley House. However, this would be on a shift pattern with between 3 to 4 staff working there at a time.

As such, the parking provision complies with DCPG Note 11 and is considered to be acceptable and adequate for the number of staff who would be working there at any one time. The proposal would therefore comply with HT2/4 - Car Parking and New Development.

Access - The building is currently accessed via an existing driveway to the west of the site, off Clifton Road, and it is proposed to continue to use this as the main entrance to the building for staff, visitors and deliveries.

The proposed ramped access and steps to the main entrance would have a 1:25 gradient and level landing area. This and the incorporation of a disabled toilet and a ground floor bedroom to facilitate a disabled person is welcomed by the BADDAC group. As such, the proposal complies with HT5/1 - Access for Those with Special Needs.

Deliveries and waste collection - Given the numbers of There would be a limited number of deliveries to the facility and as such would be incorporated within the car park area at the rear of the building and taken through the main entrance. A designated waste compound will hold both clinical and domestic waste which would be collected separately by the hospital and local authority respectively. The proposal would comply with UDP Policy EN1/2 - Townscape and Built Design.

Response to objectors -

- Parking issues have been covered in the above report.
- The use of the building is established and does not require planning permission and is to be used by Prestwich Hospital as a step down unit.
- In terms of the pedestrian route through and the access road at the front of the houses on this row, this area will not be affected by the proposed development. It is not a public right of way and as such a private matter for the landowners and users of this area.
- The proposed development would not be affected by the Japanese knotweed which is in an area of garden to the north of Rockley House. Notwithstanding this, an advice note has been included to the applicant on dealing with this species.

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 will not harm the character of the building or the surrounding

area nor the amenities of neighbouring residents. The scheme includes adequate parking provision and 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 drawings numbered 7032 200 P1; 205 P2; 207 P1; 210 P1; 305 P2; 307 P2; 310 P1; 316 P1 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 car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied.
Reason. To ensure adequate off street car and cycle 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 **Jennie Townsend** on **0161 253-5320**

Ward: Prestwich - Holyrood

Item 08

Applicant: Turning Point Building Futures Ltd

Location: Leigh Bank, 4 Glebelands Road, Prestwich, Manchester, M25 1NE

Proposal: Partial demolition of single storey outbuilding and erection of new single storey extension to link to main house

Application Ref: 52762/Full

Target Date: 16/08/2010

Recommendation: Approve with Conditions

Description

The application relates to a large detached red brick Victorian house known as Leigh Bank on a residential street of similarly styled properties and located within Poppythorn Conservation Area. There is a driveway to the side and a large garden to the rear.

The premises has been providing residential care services for adults with alcohol and drug problems since 1974. The average length of stay for residents, who will have completed a detoxification programme prior to their stay, would be 3-6 months.

Turning Point, the organisation that runs the service, was awarded a grant to carry out alterations to improve access, therapy and enable service users to build relationships with their families. This application is a consequence of this funding.

The proposed extension would utilise the side wall of the existing outbuilding/en-suite bedroom closest to the side boundary with No.6 Glebelands Road and project out to the side, away from the boundary. The extension would project no further along the boundary with the neighbour than the existing outbuilding (9.5m) and will have a pitched roof with materials to match the existing property (slate and facing brick).

The extension forms part of a wider scheme of alterations and refurbishment at Leigh Bank that would increase the number of bedspaces from 9 to 12 in total. The number of staff would increase from 4 to 5. The facility would be staffed Monday to Friday 9am - 8pm and on Saturday/Sunday from 12noon - 4pm.

The proposal follows a previously approved scheme, involving a single storey rear extension in 2008 which exceeded the budget available.

The centre is currently empty, and has been for about 2 years due to the general need to refurbish the centre and the desire to improve facilities.

Relevant Planning History

49591 - Proposed Detached Communal Rooms, Accessible Wc & Office - Withdrawn
08/05/2008

50461 - Single Storey Extension at Rear - Approved 26/11/2008

Publicity

Immediate neighbours at Nos.1,3,5,6,7,8 and 8A and 10 Glebelands Road, 1, 1A and 3 Newlands Drive, 24,26, 28 and 30 Poppythorn Lane and Poppythorn Court were notified by letter dated 22/09/2008. Site notice posted 24/06/2010. Press advert in Bury Times and Prestwich and Whitefield Guide 02/10/2008.

Four neighbours have made representations. Three objections from Nos.1, 5 and 6 Glebelands Road and are summarised below:

- The increasing the size of an establishment/business that is already anti-social is unacceptable.
- There is insufficient parking for the existing numbers and intensifying the use will make the situation worse.
- The increase in height of the ridge of the extension will cause a loss of light to No.4 Glebelands.
- The site's conservation area status should prevent any part of the property from being knocked down and any demolition is against the principal of conservation areas.
- The applicant, Turning Point have not considered local views and there is doubt about there ability to make long term decisions.

A further neighbour at No.3 has commented that it would not be a good idea to convert the front room of the ground floor to a bedroom as passers-by may see drug taking.

The correspondents have been notified of the Planning Control Committee meeting.

Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health - No objection.

Conservation Officer - No objection.

Baddac - No objection.

Projects and Wildlife Officer - No objection subject to an advisory on protected species.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN2/2 Conservation Area Control

EN2/1 Character of Conservation Areas

HT2/4 Car Parking and New Development

HT5/1 Access For Those with Special Needs

CF3/1 Residential Care Homes and Nursing Homes

Issues and Analysis

Policy - UDP policies CF1, CF3 and CF3/1 relate to community and social care facilities. The policies support appropriate provision of new and improved care facilities where they do not conflict with the residential amenity of neighbouring residents and any other policies and guidance. As the proposal would improve facilities at the care home, the extension is considered to be acceptable in principle and accords with these policies.

Other UDP policies relate to the visual amenity of the street scene and character of the conservation area in which the site is located. EN1/2 Townscape and Built Design with conservation area policies EN1/2 and EN2/2 states that proposals with conservation areas should conserve and enhance the character of the area. Special regard should be given to the size, design and materials use and the relationship with surrounding properties.

Character of Conservation Area - The proposed extension follows the general design approach in the existing building and the traditional buildings forms and details in the area. The proposed finishing materials are acceptable in that they are consistent with the existing and surrounding buildings.

The design of the extension has been examined in detail by the Conservation Officer who considers that the extension is well designed and would not affect the character of the Conservation Area. The part demolition of the existing outbuilding is not contrary to the principals of the Conservation Area.

The main body of the extension would not be readily viewed from surrounding public roads. In terms of the size, siting, materials and design the extension is considered to be in keeping with the Conservation Area and complies with related policies EN2/1 and 2/2.

Residential Amenity - In respect to the extension, it is located on the shared side boundary

with No.6 and uses the side wall of the existing outbuilding. It would have a depth of 9.5m and 7m width. The roof pitch would follow that of the existing extension with the new ridge 0.7m higher than the original ridge although set 1.5m further away from the side boundary. The extension would be over 23m from the rear of No.28 Poppythorn Lane. Given the size of the extension and the distances between properties, it is considered that there would be no significant impact on the residential amenity of the occupiers of the neighbouring properties due to overlooking or loss of light. As such the proposal would not conflict with UDP Policy CF3/1.

Although the application relates to the extension at the rear, given the neighbour concerns, the issue of the intensification of the existing use needs to be addressed. It is apparent from neighbour representations that there have been incidences of low level anti-social behaviour and noise nuisance from Leigh Bank over recent years. Although these appear to have been sporadic and limited in scope, it is understandable that the immediate neighbours are concerned about any intensification of the existing use.

Whilst the internal alterations to the existing property, including the creation of additional bedrooms, would not require planning permission, the extension is clearly an integral part of the programme of alterations. In response to concerns that the alterations would intensify the use and increase disturbance, it is considered that with an appropriate management structure in place, an additional three residents would not have such a negative impact to warrant refusing the application. If disturbance does arise, as with any other case, complaints would result in investigation under existing Environmental Health legislation.

Traffic Generation and Parking - The applicant argues in the supporting statement that the additional 3 bedrooms created would not significantly intensify the use of the site in terms of traffic generation as residents do not drive and this is generally accepted. Whilst it is acknowledged that the numbers of visitors would likely increase, the site has five parking spaces and is located close to Prestwich Town Centre with its Metro station and bus links. Whilst there would be a additional member of staff, it is considered that the proposed parking facilities are sufficient to cater for this. It is also noted that the site is only a short walk away from Prestwich Town Centre and the Metrolink. In this respect the proposal is considered to comply with UDP Policies CF3/1, HT2/4 and EN1/2

Ecology - The site is in an area where bats are known to roost. Whilst it is unlikely that they would inhabit the existing single storey extension, it is appropriate to attach an advisory note to any decision notice informing the applicant of their duties under the current protected species legislation.

Neighbour Representations - The site would have parking for 5 cars and given its location, this is considered that this is adequate. The increase in height of the ridge of the single storey extension by 0.75m would not have a seriously detrimental impact on No.6 to the extent as to warrant refusal and demolition of part of an 'extension' to a building within a Conservation Area is not contrary to the principals of this designation when it is part of an overall scheme. With respect to the ability of the applicant's to make long term plans, this is not a planning consideration.

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;-
In design terms the extension is in keeping with the existing building and conservation area. The additional space created would not lead to a significant intensification of the use of the premises where the residential amenity of neighbours is threatened. There are no other material considerations that outweigh this finding and as such the proposal is considered to be acceptable and complies with UDP policies listed.

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 2301.001, 002, 003, 004, 005, 006A, 020G, 021C, 022C, 023, 024, 027D, 028C, 026C and 029A, as amended by condition 4 below 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. The proposed new communal area within the extension shall not be used as a bedroom without the prior written consent of the Local Planning Authority.
Reason. To control the intensity of the use of the site in the interests of residential amenity pursuant to UDP Policy CF3/1- Residential Care Homes.
5. Prior to the commencement of work on site a scheme for the provision of car parking spaces within the site shall be submitted to and approved in writing by the Local Planning Authority. The car parking indicated within this scheme shall be surfaced, demarcated and made available for use prior to the extension hereby approved being occupied and the parking shall thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety and residential amenity pursuant to policies HT2/4 - Car Parking and New Development and CF3/1 - Residential Care Homes and Nursing Homes of the Bury Unitary Development Plan.

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

Ward: Radcliffe - North

Item 09

Applicant: Wainhomes N.W. Ltd

Location: Former railway track, Ainsworth Road, Radcliffe, Manchester, M26 4HN

Proposal: Erection of 11 dwellings

Application Ref: 52764/Full

Target Date: 17/09/2010

Recommendation: Minded to Approve

It is recommended that this application is Minded to Approve subject to the signing and completion of a Deed of Variation agreement. Should the agreement not be signed and completed within a reasonable period, it is requested that the application be determined by the Chief Planning Officer under delegated powers.

Description

The site forms part of the Bolton Bury railway line, which fronts onto Higher Ainsworth Road. The application site forms the westerly part of the former railway track and the easterly section has been the subject of various applications for residential development, with the most recent being approved in March 2010. The character of the locality is diverse with large commercial buildings located on the opposite side of Ainsworth Road, residential properties to the south of the former railway track and open fields and a bowling green to the north.

The Green Belt boundary runs through the application site. Since the Green Belt boundary was established, the railway cutting has been tipped and the site is now almost level with the road side. Directly to the south of the application site are dwellings (bungalows), which front onto Stanley Road.

Planning permission was granted in November 2008 for 10 dwellings, which were a mix of detached and semi-detached dwellings. The proposal formed an extension to the adjacent site, which has permission for 12 dwellings (52012).

The proposed development involves the change of all 10 house types plus one additional dwelling within the existing site boundary. The proposed dwellings would be detached or semi-detached dwellings and would be two storeys in height. The proposed development would share the approved access road and all of the proposed dwellings would be located to the south of the access road. The proposed access road would also act as a cycle/recreational route and a wildlife link would be formed to the north of the access road.

Relevant Planning History

44583 - Outline residential development - 8 apartments at former railway track, Ainsworth Road, Radcliffe. Approved with conditions - 2 August 2005.

47747 - Residential development: 8 apartments (reserved matters) at former railway track, Ainsworth Road, Radcliffe. Approved with conditions - 30 April 2007

50315 - Erection of 20 No. dwellings at former railway track, Ainsworth Road, Radcliffe. Approved with conditions - 6 November 2008.

Adjacent site

49310 - Erection of 13 dwellings at former railway track, Ainsworth Road, Radcliffe. Approved with conditions - 20 March 2008

52012 - Residential development - 13 dwellings at former railway track, Ainsworth Road,

Radcliffe. Approved with conditions - 3 March 2010.

52327 - Erection of 11 dwellings at former railway track, Ainsworth Road, Radcliffe.
Withdrawn - 15 June 2010.

The application was withdrawn as there were some concerns relating to aspect distances and the impact upon residential amenity.

Publicity

32 properties (6 Leander Close; 42, 44, 46, 50 - 82 (evens), 57 Stanley Road; 11, 36 Brown Street; Railway Hotel, 413, 429 Ainsworth Road; 7 Cobden Street; were notified by means of a letter on 21 June and a press notice was published in the Bury Times on 1 July. Site notices were posted on 21 June. Three letters have been received from the occupiers of 57, 76 & 78 Stanley Road, which have raised the following issues:

- Object to the close proximity of the proposed dwellings, which would result in overlooking to the detriment of the privacy of the occupiers of the existing dwellings.
- The proposed development would breach a condition of the planning consent for the tipping works, which states that the cutting had to return to agricultural use on completion.
- The proposed junction onto Ainsworth Road would be a serious traffic risk.
- No need for additional housing in the area.
- No development should take place on the former railway line to protect it should be need to be reopened in the future.
- The position of plot 22 has improved.
- Concern relating to the close proximity of the pylons.
- Noise during the construction process.
- Concern relating to the overall height of the dwellings.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to fire protection, parking and visibility splays.

Drainage Section - No objections.

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

Waste Management - No objections.

Design for security - Recommend that the development should meet Part B (physical security) of Secured By Design.

United Utilities - No objections, subject to the inclusion of a condition relating to surface water drainage.

Baddac - No comments.

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
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN6/4	Wildlife Links and Corridors
EN7/5	Waste Water Management
OL1/2	New Buildings in the Green Belt
RT2/2	Recreation Provision in New Housing Development
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
HT4	New Development
HT6/3	Cycle Routes
SPD1	DC Policy Guidance Note 1: Recreation Provision
SPD2	DC Policy Guidance Note 2: Wildlife Links & Corridors

SPD6	DC Policy Guidance Note 6: Alterations & Extensions
SPD7	DC Policy Guidance Note 7 - Managing the Supply of Housing
PPS23	PPS23 Planning and Pollution Control
PPG2	PPG2 - Green Belts

Issues and Analysis

Principle (Green Belt) - Whilst PPG 2 establishes a presumption against inappropriate development, including new buildings, within the Green Belt there are several exemptions, including development required for essential facilities for outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the green belt and do not conflict with the purposes of including land within it.

Policy OL1/2 states that the construction of new buildings within the Green Belt is inappropriate development unless it is for agriculture or forestry purposes or would provide an essential facility for outdoor sport and recreation.

The Green Belt boundary passes through the middle of the site. The location of the proposed access road was determined by the grant of planning permission in March 2008. The position of the proposed dwellings and their gardens has been designed to ensure that none of them are located within the Green Belt. As such, the proposed development would not have an adverse impact upon the openness of the Green Belt and would be in accordance with Policy OL1/2 of the adopted Unitary Development Plan and PPG2.

Principle (residential) - Policy H1/2 states that the Council would have regard to various factors when assessing a proposal for housing development, including the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

The principle of residential development was established with the grant of planning permission in November 2008. The site was previously in use as a railway cutting prior to being tipped and the site is previously developed land. Therefore, the proposed development would be in accordance with Policy H1/2 of the adopted Unitary Development Plan.

Siting, design and layout - Policy H2/1 states that all new residential development should make a positive contribution to the surrounding area and should have regard to the heights and roof types of adjacent buildings, the position and proximity of neighbouring dwellings and the density and character of the area.

Policy H2/2 states that the new residential development should demonstrate acceptable standards of layout including adequate parking available, suitable landscaping and open space.

All of the proposed dwellings would be two storeys in height and would be a mixture of detached and semi-detached dwellings. The finished floor levels of the proposed dwellings would be the same as previously approved (50315). The proposed dwellings would be constructed from brick with a tile roof, which would match the proposed dwellings to the north of the site. The dwellings on the previously approved layout were arranged in a series of cul-de-sacs, which resulted in gable walls facing the access road. Six of the proposed dwellings would be located at 45 degrees to the main road, which would provide a more active frontage to the access road.

All of the proposed dwellings would have side or rear gardens of an acceptable size and there would be adequate room for bin storage within the gardens. The proposed rear garden would be bounded by 1.8 metre high screen or boundary fencing, securing rear gardens and would reflect the existing boundary treatments in the locality and the proposed boundary treatments on the adjacent site. Therefore, it is considered that the proposed development would be in accordance with Policies H2/1, H2/2 and EN1/2 of the adopted Unitary Development Plan.

Residential amenity - There would be at least 13 metres between the existing dwellings and a two storey blank gable wall and at least 20 metres between directly facing habitable room windows. There would be 10.2 metres between the rear elevation of No. 50 Stanley Road and plot 14. However, this aspect would be acceptable as it is the corner of the building on plot 14. As such, the proposed dwellings would comply with the aspect standards as set out in SPD6 and would not have a significant adverse impact upon the amenity of the neighbouring properties.

Drainage - The site is a former railway cutting and was tipped during the 1990s. A condition relating to drainage was placed on the planning consent (50315).

During the previous application, the residents on Stanley Road commented that there was some ground water seepage into the sub-floor space of the dwellings on Stanley Road. The agent submitted a note stating that there were no areas of saturated ground or any plant species indicative of poor drainage on the site. The soil was draining well with no evidence of water accumulating.

It is possible that the drainage put into place during the tipping of the site may have failed and no evidence has been provided to show that the localised flooding on Stanley Road is not connected with the site. United Utilities has no objections to the scheme, subject to the inclusion of a condition relating to surface water drainage. Therefore, subject to conditional control, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policy EN7/5 of the adopted Unitary Development Plan.

Wildlife corridor - The application site forms part of the wildlife corridor. Policy EN6/4 states that the Council will seek to consolidate and strengthen wildlife links and corridors and development which would adversely affect identified areas will not be permitted. DCPGN2 states that where a development principle is considered acceptable in principle and would avoid harm to any features of ecological value, mitigation would be required.

As per the previous application, the proposal includes a landscaped strip, which would continue the landscaped strip approved under planning permission 52012. This area would contain native trees and shrubs, which would provide structural habitat diversity and contribute to the effectiveness of the wildlife link. The provision of the landscaped strip would be secured via a condition. Therefore, the proposed redevelopment for residential use would not have an adverse impact to features of ecological importance and would be in accordance with Policy EN6/4 of the adopted Unitary Development Plan.

Highways issues - The proposed development would be accessed by the extension of the access road, which was approved as part of planning permissions 49310 & 52012. The proposed extension road passes along the northern boundary of the site and forms a junction with Ainsworth Road. The visibility splays at this junction are acceptable.

The proposal allows for the extension of the cycle/recreational route along the access road and provision for the continuation of the cycle route has been included adjacent to the gable of plot 23. The provision of the cycle route and public access along the route have been secured via a condition and the Section 106 agreement.

Five of the proposed dwellings would be located beyond the 250 metre cul-de-sac length limit used by the emergency services. On the previous application, the proposed dwellings which were beyond the limit were served by a sprinkler system. The agent has confirmed that the proposed dwellings would be served by a sprinkler system and this would be secured via a condition.

Parking - SPD11 states that the maximum parking standards for a 3 bed dwelling is 2 spaces and a 2 bed dwelling is 1.5 spaces. Therefore, the proposed development should be providing a maximum of 30 spaces.

The proposed development would provide 22 parking spaces. The site is located within a high access area; has good access to public transport and there is the potential to park on road. As such, the parking provision is acceptable and would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11.

Access issues - Level access would be provided to the proposed dwellings as per the previous application. There would be level roads, paths and as such, the proposed development would be accessible and would be in accordance with Policy HT5/1 of the adopted Unitary Development Plan.

Planning obligations - A deed of variation is required to ensure compliance with the previous Section 106 agreement (50315). The deed of variation seeks a contribution of £10,307.24 towards recreation provision in accordance with Policy RT2/2 and SPD1, to reflect the change in the type of units proposed. The other contributions remain the same.

Requirements from previous Section 106 agreement:

- Maintenance of the wildlife link/landscaped strip - £16,688.90
- Transfer of wildlife link/landscaped strip to the Council
- Maintain public access along access road and cycle way in absence of the road becoming an adopted highway.

The Deed of Variation has been sent to the applicant for signing and completion.

Response to objectors - The issues of privacy, height of the dwellings, need for residential development and impact upon highway safety have been addressed within the main report. The issue of noise during the construction process is not a material planning consideration. The grant of planning permission would supercede any conditions relating to the tipping of the site. The principle of residential development on the former railway line was established with the grant of planning consent in November 2008 and other sections of the former railway line have already been built upon. As such, the redevelopment of the former railway line is acceptable. The proposed dwellings would be no closer to the electricity pylons than on the previously approved scheme and as such, the proposed development would be acceptable.

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 would be acceptable in principle and the proposed development is appropriate in terms of design, scale and layout. The proposed development would not look out of place within the locality, subject to conditional control and would contribute to the wildlife link. The proposed development would allow for use of the cycle route 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 Location plan, 072.01.22.P.01(2) A, 020.15.P.01, AINS/2.107/P/B/L - Dunham Special, 3.113/P/B/L - Brancaster, 3.113/P/B/L - Brancaster Sp1, 3.113/P/B/L - Brancaster Sp2, 3.205/P/B/L - Trevithick, 0536/05, 0536/06 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. Notwithstanding the terms of the General Development Order 1995, or as subsequently amended, no windows shall be inserted or enlarged in plots 15 and 18, within the terms of Part 1, Class A, A1 (d) of the Order, without the prior written consent of the Local Planning Authority.

Reason: To protect the residential amenities of the occupants of the adjoining properties pursuant to Bury UDP Policy H2/3 - Extensions and Alterations and SPD6 - DC Policy Guidance Note 6: Alterations & Extensions

4. No development shall commence unless and until:-

- 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. 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.

7. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in

writing;

- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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.

8. 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.
9. 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.
10. Development shall not commence unless and until details of a land drainage system to deal with ground water contained within the existing filled railway cutting has been submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to first occupation.
Reason. To protect the amenity of the adjacent neighbouring residents pursuant to Policy EN7/5 - Waste Water Management) of the Bury Unitary Development Plan
11. No development shall commence unless or until details of appropriate measures for fire protection for all properties located beyond the 250 metres cul-de-sac length have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the dwellings.
Reason. To ensure compliance with the requirements of Greater Manchester Fire & Rescue Service, in the interests of highway safety, pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
12. A minimum hardstanding of 5.5m measured between the highway boundary and any proposed garage doors shall be provided to the written satisfaction of the Local Planning Authority and thereafter maintained.
Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to Policy H2/2 -The Layout of New Residential Development of the Bury Unitary Development Plan.
13. Visibility splays measuring 4.5 metres by 90 metres shall be provided on land within the applicants control at the junction of the site access with Ainsworth Road to the written satisfaction of the Local Planning Authority before the development is first occupied and shall subsequently be 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 pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

14. The turning facilities indicated on the approved plans shall be provided before the development is first occupied and shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

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

Ward: Whitefield + Unsworth - Unsworth

Item 10

Applicant: Mr Richard Foulkes

Location: The Dragon, Parr Lane, Bury, BL9 8LU

Proposal: Single storey extension at rear; Removal of bay window at side and external alterations

Application Ref: 52783/Full

Target Date: 19/08/2010

Recommendation: Approve with Conditions

Description

The application site is a currently vacant public houses allocated within the Bury Unitary Development Plan as part of a Neighbourhood Shopping Centre. Adjacent is a 3 storey 1970's building consisting of a parade of shops at ground floor and residential flats at first and second floor. To the north, east and south on Parr Lane are residential properties.

The current building was constructed in the 1960's and there have been little if any alterations to it in that time. Externally, the appearance is in poor condition and this application seeks to modernise and update the appearance of the building and extend the kitchen facilities. There is no proposed change of use of the building.

The application involves an extension to the existing kitchen and external alterations.

The kitchen extension would be single storey and infill a small area to the rear of the building which would measure 3.1m wide by 5.3m long and 2.8m high to match the existing kitchen height.

External alterations are:

- Existing bay window to the side elevation (to Chadderton Drive) to be infilled and rendered;
- Two new door openings in the ground floor rear elevation (to Thurston Close);
- Replacement upvc windows to the living accommodation at 1st floor;
- Full height glazing across the ground floor front elevation;
- New fascia boards across all elevations;
- Creation of ramped access to the front entrance.

Relevant Planning History

51711 - Demolition of public house and redevelopment to provide a 353 m2 ground floor A1 retail unit with 8 no. apartments at 1st and 2nd floor and associated parking - Withdrawn by Applicant 02/10/2009

52029 - Demolition of public house and redevelopment to provide a 322 m2 ground floor class A1 retail unit with 7 no. apartments over and associated parking and external works (resubmission) - Withdrawn by Applicant 11/02/2010

52374 - 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) - Refused 18/06/2010

Publicity

41 Letters sent to Nos 295-329 (odds) Parr Lane, 378-388 (evens) Parr Lane, 135-145 (odds) Randale Drive, 18, 20, 22 Thurston Close, 60-70 (evens) Chadderton Close.

3 letters of objection received from Nos 14 and 18 Thurston Close and one with no address provided, which raise the following issues:

- A larger proportion of neighbours should have been notified;
- There is no indication to the proposed use of the building;
- The Dragon pub has a long history of complaints regarding noise and anti-social behaviour;
- The local police have a previous awareness of the pub related to criminal and drug issues and there is no guarantee that its reinstatement as a pub will not attract elements which will instigate similar issues;
- There will be noise associated with the use of the beer garden;
- Previously, people have climbed over their fence and into their garden;
- The extension to the kitchen implies that improved catering facilities would generate more custom and potential for more noise and disturbance;
- There are no details on the drawing relating the first floor balcony area which is accessed from the residential kitchen and has previously caused noise issues due to its elevated position;
- In terms of today's legislation a public house would not be allowed to open in such a residential area;
- There is a condition on the property and land it not be used as a licensed premises;
- Any significant renovation of the site in regards to making it a retail premises would be against the best interests of the local community and store owners.

Comment received from No 360 Parr Lane - returning to use of a pub is much better than leaving the building as the eyesore it is at the moment, and not being used as a shop which would impact on current businesses.

Those respondents who expressed an interest have been informed of The Planning Control Committee Meeting.

Consultations

Traffic Section - No objection

Drainage Section - No objection.

Environmental Health Pollution Control - No comment received to date.

Design for security - No objections.

BADDAC - Access group welcome disabled toilet and provision of ramped access to the pub.

Unitary Development Plan and Policies

S1/5 Neighbourhood Centres and Local Shops

EN1/2 Townscape and Built Design

HT5/1 Access For Those with Special Needs

EN1/5 Crime Prevention

S2/6 Food and Drink

Issues and Analysis

Siting and appearance - In terms of scale and massing of the extension, being a single storey build located at the rear of the site and screened by trees along the boundary, the extension would not be visible to the street scene. It would be simple in design to match the existing building and would be rendered along with rest of the rear elevation. As such, the extension is considered appropriate in terms of size, position and design and would not be detrimental to the appearance of the existing building.

The external alterations to provide ground floor glazing to the front elevation would introduce a modern approach to the building and would open up the frontage to the street scene facing onto Parr Lane. The remaining facade would be rendered to provide a uniform and balanced appearance and would be an improvement to the current state of the existing building. New Upvc windows to the residential accommodation at first floor would also upgrade the appearance of the building.

As such, the proposals are considered acceptable and comply with UDP Policy EN1/2 - Townscape and Built Design.

Residential amenity - The proposed kitchen extension would be no closer to the residential properties on Thurston Close than the existing rear elevation of the pub. The existing 1st floor windows would be replaced with new frames and there would be no additional openings at 1st floor level. The elevational alterations would be aesthetic only and as such there would be no impact on the residential amenity of adjacent neighbours. The proposals would comply with EN1/2 - Townscape and Built Design.

The kitchen extension would create an additional 16.5 sq m of food preparation area. Whilst this may increase the food sales and potentially the number of customers to the establishment, the development is relatively small in scale and would not result in an increase in public floor area or the numbers of customers who could be accommodated at one time. As such, it is considered the proposal would not create undue noise and disturbance to nearby residential properties and would comply with UDP Policy S2/6 - Food and Drink.

Access - There are two proposed access ramps to the front entrance of the pub, one from the Parr Lane entrance and the other at the side of the building to allow safe access from the rear car park. Internally, a disabled toilet would be installed. BADDAC welcome the proposals and as such complies with HT5/1 - Access for Those with Special Needs.

Response to objectors -

- There are no proposed changes to the existing access door from the 1st floor residential kitchen to the balcony area.
- There is no proposed change of use of the building.
- Previous complaints and issues of anti social behaviour are not material to these proposals.
- The pub is an existing lawful use and it is not relevant to this scheme as to whether it would receive permission today to operate in a residential area.
- Conditions or covenants of sale are private matters of the land owners and applicant.
- The Council's normal requirements for notification and publicity have been carried out.

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 proposals are considered appropriate and in keeping with the existing public house and would not harm the residential and visual amenities of the occupiers of the nearby residential properties.

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 C1424-P01; P02; P03; P04 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: Bury West - Church

Item 11

Applicant: Board of Governors

Location: Guardian Angels RC Primary School, Leigh Lane, Bury, BL8 2RH

Proposal: Erection of 2.4m high security fencing within school grounds to match existing

Application Ref: 52796/Full

Target Date: 23/08/2010

Recommendation: Approve with Conditions

Description

Guardian Angels Primary School is a single storey building with by playing fields to the south and west, playground to the east and Leigh Lane to the north. There are houses around the southern, western and eastern boundaries.

The proposed fencing scheme has three elements although the main one, being a 57m straight section of green chain link fencing 1.2m high, between the driveway and parking area and the playing field in the north west section of the site would not require specific approval as it is less than 2m high and considered 'permitted development' within the current planning regulations. The other two elements require planning permission and comprise two short sections of powder coated green steel railings, 2.4m high and in the same style as the existing boundary fencing. One 10m long section between the existing fencing along Leigh Lane and the school building at the front of the site and the other, a 4.4m long between the existing railings around the playing field and the school building at the rear. All sections of fencing would have a gate for pedestrian access.

Relevant Planning History

50930 - Relocation of Existing Fencing and Formation Of Car Park - Approved 02/03/2009

Publicity

The following neighbours were notified by letter dated 1/07/2010: 1-19(odd) Portinscale Close, 2-18 Elton Brook Close, 5 Jackson Close, Guardian Angels Church and Elton Fold Working Men's Club Leigh Lane, 45 Moreton Close, 11 Melrose Avenue.

Objections received from 7, 15 and 17 Portinscale Close whose concerns are summarised :

- The fencing would be at the bottom of the gardens along Portinscale and would be visually intrusive and overshadow the gardens.
- Whilst there may be no objection to a fence, the proposed fence would be too high.
- The new fence would be bright green.

All objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Greater Manchester Police - No comment.

Baddac - No comment.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN1/5 Crime Prevention

CF2 Education Land and Buildings

Issues and Analysis

Need - The proposed fencing would provide additional security around the school site, in particular segregating the public/visitor area from the playing fields and playgrounds. In this

respect the proposal complies with UDP Policies CF2 and EN1/5 relating to security and crime prevention.

Visual Amenity - Those relatively short sections of 2.4m high fencing that require planning permission would be well within the site, away from surrounding residential properties and would not have a detrimental impact on the visual amenity of the locality. The proposal in this respect complies with UDP Policy EN1/2 relating to Townscape and Built Design.

Residential Amenity - Given that the proposed sections of fencing are well away from surrounding houses and comprise short links from existing fencing to the school building, it is not considered that there are any serious concerns with regard to residential amenity. therefore the proposal complies with UDP Policy CF2 Education Land and Buildings.

Objections - Given the relative modest scale of development and location of the fencing, it is considered that the objections are not sustainable and perhaps based on an assumption that the existing boundary fence is to be replaced.

The proposed fencing is considered to be acceptable for the reasons given and complies with UDP Policies EN1/2, EN1/5 and CF2 listed above.

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 proposed fence would improve safety and security at the school and, in terms of visual amenity would not be out of keeping with the surrounding site. There are no residential amenity concerns. The proposal therefore 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 drawings numbered 1263/01, 02 and 03 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 12

Applicant: Mr Damian McCabe

Location: Land adjacent to 506 Bolton Road, Bury, BL8 2DU

Proposal: Erection of 1 no. detached dwelling

Application Ref: 52805/Full

Target Date: 26/08/2010

Recommendation: Approve with Conditions

Description

Outline planning permission was granted in 2008 for a single dwelling on the site. The applicant seeks full planning permission for a two storey dwelling on the site, as the access arrangements have changed from the outline scheme. The proposed dwelling would be accessed from a single access, which would be shared with No. 506 Bolton Road. The proposed access would provide 4 parking spaces, which would be shared between the proposed dwelling and No. 506.

The application site is located within a residential area. There are bungalows, which front onto Kenmor Avenue at the rear of the site and the dwellings along Bolton Road are typical 1930s semi-detached properties, which are at a higher level than the road (approximately 1 metre). No's 506 and 508 have generous side and rear gardens and as a result No. 508 has been extended at the side, which included a first floor balcony. The site is currently in use as garden curtilage for No. 506 and there is a detached garage and shed on the land.

Relevant Planning History

50127 - Residential development - one dwelling on land adjacent to 506 Bolton Road, Bury. Refused - 5 August 2008.

The application was refused as the proposed development did not comply with the housing restrictions policy (SPD7), which was in force at the time.

50603 - Residential development - 1 dwelling (outline) at land adjacent to 506 Bolton Road, Bury. Approved with conditions - 26 November 2008.

Publicity

10 properties (35 - 41 (odds) Kenmor Avenue; 504, 505, 508, 509, 511 & 515 Bolton Road) were notified by means of a letter on 1 July. Four letters have been received from the occupiers of 37, 39, 41 Kenmore Avenue & 508 Bolton Road, which has raised the following issues:

- There is a coal mine shaft in the garden of 510 Bolton Road
- The proposed house is wider than the previously approved dwelling
- A single storey dwelling would be more appropriate
- Loss of light to the occupiers of the adjacent dwellings and those on Kenmor Avenue
- The proposed trees would be inappropriate and would prefer to see the retention of the existing shrubs
- Impact upon the boundary fence and occupiers of the adjacent property would be unable to undertake maintenance.
- Is there any insurance in place to cover damage to neighbouring properties?
- The current view would be blocked by the proposed dwelling.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to the access, parking and turning facilities.

Drainage Section - No objections.

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

Design for security - No objections

Coal Authority - No objections, subject to the inclusion of an informative.

Baddac - No comments.

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

EN7 Pollution Control

HT2/4 Car Parking and New Development

SPD6 Supplementary Planning Document 6: Alterations & Extensions

SPD11 Parking Standards in Bury

Issues and Analysis

Principle - Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for housing development, including the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

The site is located within a residential area and as such, there would be adequate infrastructure and would not conflict with the surrounding land uses. The principle of residential development was established with the grant of planning permission (50603) in November 2008. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the adopted Unitary Development Plan.

Impact upon the surrounding area - The proposed development would be a two storey dwelling. The agent has amended the plans to ensure that the proposed dwelling would be of a similar height to the properties on Bolton Road. The design of the proposed dwelling has incorporated various details from the surrounding properties including the bay windows and the canopy at ground floor level. The proposed dwelling would be in accordance with Policies H2/1, H2/2 and EN1/2 of the adopted Unitary Development Plan.

Amenity space would be provided at the rear of the dwelling and the bins would be stored in this area. The proposed amenity space would be acceptable in terms of size.

A timber boundary fence of 1.8 metres in height would be provided around the rear garden and a 0.75 metre high brick wall would be provided along the frontage. The proposed boundary treatments would match those in the locality. Therefore, the proposed development would be in accordance with Policies H2/1 and H2/2 of the adopted Unitary Development Plan.

Residential amenity - There would be 14 metres between the rear elevation of the proposed dwelling and the boundary of the site and a further 7.4 metres to the rear elevation of the nearest property, giving a total of 21.4 metres. SPD 6 states that there should be a minimum of 20 metres between directly facing windows. It is acknowledged that the properties to the rear are bungalows. Given the height of the proposed dwelling and the distance of 21.4 metres, the proposal would not have a significant adverse impact upon the amenity of the occupiers of the dwellings on Kenmor Avenue.

The proposed dwelling would not impact upon the amenity of the occupiers of Nos 506 or 510 Bolton Road. Therefore, the proposed development would be in accordance with Policy H2/1 of the adopted Unitary Development Plan.

Highways issues - The proposed site plan indicates a single, central access point with

parking on either side, which would be shared with the proposed and the existing dwelling. The proposed layout would allow vehicles to enter and leave in a forward gear and the Traffic Section has no objections, subject to the inclusion of conditions relating to access, parking and turning facilities. Therefore, the proposed development would be in accordance with Policy H2/2 of the adopted Unitary Development Plan.

Parking - SPD 11 states that the maximum parking standards for a 4 bedroom dwelling is 3 spaces. The proposed development would provide 4 parking spaces, but these would be shared between the proposed and existing dwelling (No. 506).

The site has good access to public transport and is located within a high access area and the parking provision would be acceptable. Therefore, the proposed development would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11.

Response to objectors - The design of the proposed dwelling and the impact upon residential amenity has been addressed within the main report. The Coal Authority were consulted on the application and have no objections, subject to the inclusion of an informative relating to coal. The loss of view is not a material planning consideration and the details of insurance to cover any damage to the neighbouring properties would be a private matter between the developer and the residents.

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 would be acceptable in principle and would not have an adverse impact upon the amenity of the neighbouring properties. The proposed development would not be unduly prominent in the streetscene nor would it 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 Location plan, PL056, 03/PL01, 03/PL02, 03/PL03 Rev A, 506/PL04 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. 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 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.
5. 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.
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.
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.
7. The development hereby approved shall not be first occupied unless and until the access improvement works indicated on the approved plans to form a shared access to the proposed dwelling and 506 Bolton Road, including the reinstatement of the redundant vehicular access to adjacent footway levels, have been implemented to the written satisfaction of the Local Planning Authority.
Reason. To ensure good highway design in the interests of road safety pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
8. The turning facilities for both dwellings indicated on the approved plans shall be provided before the development is first occupied and shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

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

Ward: Radcliffe - West

Item 13

Applicant: Mrs Okhiria

Location: 73-75 Ainsworth Road, Bury, BL8 2PY

Proposal: Change of use of part of ground floor shop to self contained flat; Change of use of first floor to self contained flat

Application Ref: 52830/Full

Target Date: 06/09/2010

Recommendation: Approve with Conditions

Description

The site consists of a end terraced shop with a residential accommodation on the ground and first floor in the Ainsworth Road Neighbourhood Centre. The premises have a walled yard area to the rear that backs onto Back Ainsworth Road South.

The properties on Knight Street to the rear are residential and on the opposite side of Ainsworth Road is Whitehead Park Recreational Ground.

The application is to retain the shop but change the use of part of the ground floor to residential from storage and create a separate flat at ground floor. The first floor flat will have two bedrooms and will be accessed by the existing door at the front and the ground floor flat will have one bedroom and will be accessed via the rear yard.

The only external alteration will be to the rear elevation where an obscure glazed bathroom window will be introduced at first floor level. The applicant intends to replace all of the existing windows with new windows, re-paint the exterior and remove the dilapidated canopies on the main road frontage.

Relevant Planning History

None.

Publicity

Neighbours at 66 to 81 Ainsworth Road and 1, 2 and 4 Knight Street were written to on the 13th July 2010. An objection has been received from No. 87 Ainsworth Road and this can be summarised as follows:

- inadequate parking in for area for more flats
- don't need any more new residential units
- corner shop is convenient for local users

The objector has been informed of the Planning Control Committee.

Consultations

Traffic Section - No objections.

Environmental Health - No objections

Baddac - No objections

Unitary Development Plan and Policies

S1/5 Neighbourhood Centres and Local Shops

H1/2 Further Housing Development

H2/4 Conversions

EN1/2 Townscape and Built Design

SPD11 Parking Standards in Bury

Issues and Analysis

Principal - The site is in a Neighbourhood Shopping Centre in an urban area and as such the application needs to be assessed against Policy S1/5 - Neighbourhood Centres and H1/2 - Further Housing Development.

The proposed changes will retain the existing corner shop use on the main frontage, albeit without a storeroom.

Policy H1/2 states that the Council will have regard to various factors when determining a proposal for residential development including the availability of infrastructure, the suitability of the site, the nature of the local environment and the surrounding land uses.

The application site is within the urban area of Bury and as such the proposed development would be appropriate in land use terms and would not conflict with the surrounding uses. Furthermore it is considered that there is adequate infrastructure to support the development. Subject to compliance with other policy considerations, the proposed development would be in accordance with Policy H1/2.

If the site is acceptable in principal then it needs to be assessed against Policy H2/4 - Conversions.

In this cases, as the application is for the conversion of an existing property with no external alterations the key issues are as follows:

- the impact on neighbouring property through noise, visual intrusions, position of entrances and fire escapes
- the general character of the area
- the amenity of the occupants
- parking provision

Impact on surrounding area - The adjacent and surrounding properties are terraced and maisonettes. A scheme for sound insulation is included in the application and a condition is recommended requiring this schemes implementation prior to the occupation of the flats. As there are no other material alterations the proposal complies with this criteria.

General Character of the Area - The surrounding residential properties are terraced or maisonettes. The provision of a 2 bed and single bed flat within this building will not be out of character with the area. The removal of the canopies, new windows and re-painting will improve the general appearance of the building and improve its impact on the character of the area and as such will comply with this criteria.

The amenity of the occupants - Both flats have open views from the main habitable room windows over the street or rear yard area. A bin store is provided in the rear yard area for the flats and shop. As such it considered that the proposal will accord with this criteria.

Parking - There is unrestricted parking both on Ainsworth Road and Knight Street. Given the maximum parking requirement for the two flats and shop would be 4 spaces to accord with SPD 11. The fact that the property has road frontage of 42m it is considered that there is adequate on-street park to not require any off street provision.

Objection - the issue of parking, type of development and the retention of the shop are dealt with in the report above and it is not considered that these issues are sufficient to warrant refusal.

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 conversion of part of the existing shop unit to residential and the sub division of the

existing residential accommodation into 2 units will not be contrary to the Bury Councils Unitary development Plan Policies H2/4 - Conversion or S1/5 - Neighbourhood Centres. 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 K508/03 and 04 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 first occupation of either of the new flats hereby approved, the following works shall be completed to the written satisfaction of the local planning authority:
 - Removal of the advertising canopies fronting Ainsworth Road
 - Replacement of all of the windows in the property in accord with drawing
 - Re-painting of the exterior of the property.Reason. To ensure that the development is carried out in accordance with the approved plans to accord with Bury Unitary development Plan Policies EN2/4 - Conversions and EN1/2 - Townscape and Built Design.
4. The sound insulation shown on the approved plans shall be implemented in accordance with the method outlined in the Building Research Establishment Digest 293 (or similar method), prior to the occupation of the flat.
Reason. To reduce nuisance from noise to the occupiers of the adjoining dwellings and to accord with Bury Unitary development Plan Policy H2/4 - Conversions..

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

Ward: Prestwich - St Mary's

Item 14

Applicant: HPL Motors Ltd

Location: HPL Motors Ltd, Bury New Road, Prestwich, Manchester, M25 1AR

Proposal: Retrospective - Extension of sales area and re-positioning of palisade fence (resubmission)

Application Ref: 52855/Full

Target Date: 06/09/2010

Recommendation: Approve with Conditions

Description

The site comprises an established second hand car dealership on east side of Bury New Road, to the south of Prestwich Town Centre. The Red Lion public house is located to the north and across Bury New Road, to the west are commercial premises. To the east, on higher ground are residential properties fronting Oakhurst Gardens and to the south is a church social club. Land immediately to the north is St Mary's Conservation Area and trees along the boundary on the Red Lion side are subject to a Tree Preservation Order (No.150).

The previous palisade fence that formed the boundary on the north side of the site was removed, the land levelled and tarmaced and a new galvanised steel palisade fence (2.3m high) erected 5-6m further north, along the boundary with the Red Lion Public House. The new area created for an extended sales area is approximately 5-6m wide and runs the back 45m to the rear boundary.

Relevant Planning History

52195 - Extension of sales area and re-positioning of palisade fence (retrospective)
Refused 22/03/2010 on grounds that the fence was unsightly and had a detrimental impact on the character of the adjacent conservation area.

Publicity

Press advert in Bury Times 22/7/2010, site notice posted 15/7/2010 and the following neighbours notified by letters dated 14/7/2010.

Prestwich Church Institute, 369 - 399(odd) and 398 Bury New Road, 8 - 26 Oakhurst Gardens, 1 - 36 Clarks Hill, 14 and 15 Branksome Avenue, 44 Rectory Lane

One objection from occupier of No.8 Oakhurst Gardens whose concerns are as follows:

- The new fence is unsightly
- The dealership is now more visible due to the removal of trees and shrubs.
- Increased disturbance from noise and light pollution from properties and traffic on Bury New Road.
- Wildlife habitat destroyed.

The objections has been notified of the Planning Control Committee.

Consultations

Conservation Officer - No objection to the revised scheme.

Landscape Practice - Concern about the impact on the roots of the TPO trees close to the boundary.

Baddac - No objection.

Design for Security - No comment.

Environmental Health - No objection.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN1/5 Crime Prevention

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN1/7	Throughroutes and Gateways

Issues and Analysis

Principle - As the site is an established commercial area the principle of extending the existing car sales area to the boundary would be acceptable subject to compliance with the policies relating to design, impact on amenity and character of the conservation area and existing trees.

Visual Amenity and Impact on adjacent Conservation Area - Although the site is an established commercial operation, the new 2.3m galvanised steel palisade fence, as it currently appears, constitutes a prominent feature that is out of character with the adjoining conservation area when viewed from Bury New Road and residential properties to the north.

The revised scheme, following the previous refusal of permission in March this year, proposes to reduce its visual impact by painting the fence green and introducing climbing plants along its length. Given its commercial setting, albeit on the edge of St Marys Conservation Area, these mitigation measures would be considered sufficient to soften its appearance enable it to blend in more with its surroundings. It is considered that the amended scheme would not raise any serious concerns with regard to visual amenity and its impact on the adjacent conservation area. The proposal would therefore comply with UDP policies EN1/2 Townscape and Built Design, EN2/1 Character of Conservation Areas and EN2/2 Conservation Area Control.

Residential Amenity - Whilst there is substantial existing planting along the back boundary, to the rear of properties on Oakhursts Gardens, the clearance of planting along the side boundary with the Red Lion may have had some impact on noise, light and general disturbance to these properties from activities on Bury New Road. However this would not have required planning permission and therefore cannot be a material issue in assessing this planning application in terms of residential amenity. The new fence in itself would not have a seriously detrimental impact on the residential amenity residents at Oakhurst Gardens. In terms of residential amenity, the proposal complies with UDP policies listed.

TPO Trees - Although there are trees adjacent to the boundary at the Red Lion, it is not considered that the palisade fence has had such a serious affect as to warrant refusing the application and it is pertinent to note that the removal of the fence and replacement with another style of fencing may damage the root structure to a greater degree. Any pruning of the TPO trees would be subject to the approval of the Local Planning Authority under the current TPO regulations.

Objections - The concerns with regard to the appearance of the new fence would be addressed in part at least, by the proposals to paint it and introduce planting along its base. The clearance of smaller trees and shrubs within the HPL sit , although unfortunate in terms of local habitat, cannot be controlled and would not require planning permission. The concerns about noise and light pollution are a matter that would be regulated by environmental health legislation.

The proposal to retain the extended hardstanding and fencing is considered to be acceptable subject to conditions requiring painting and screen planting and would comply with UDP policies listed.

Summary of reasons for Recommendation

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered R2313/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.

2. Within one month of the date of this decision notice, a detailed programme of works to initially prime and then paint the approved galvanised fence shall be submitted to the Local Planning Authority and approved in writing prior to work commencing. The approved programme of works shall be fully implemented within two months of the date of the decision notice and the finish to the fence maintained to the satisfaction of the Local planning Authority for the duration of the existing use or until the fence is removed.

Reason. In the interest of visual amenity pursuant to UDP Policies EN1/2 Townscape and Built Design, EN1/2 Character of Conservation Areas and EN2/2 Conservation Area Control.

3. Within one month of the date of this decision notice, a detailed scheme for the planting of ivy along the fencing shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the sizes, exact species and timetable for planting. Any plants removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced to the written satisfaction of the Local Planning Authority.

Reason. In the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan..

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 15

Applicant: Mr Stephen Entwistle

Location: 12 Bolton Street, Ramsbottom, Bury, BL0 9HX

Proposal: Change of use of ground floor from shop (Class A1) to financial and professional services (Class A2)

Application Ref: 52859/Full

Target Date: 06/09/2010

Recommendation: Approve with Conditions

Description

The application comprises the ground floor of a currently vacant A1 retail shop unit located in Ramsbottom Town Centre, the Ramsbottom Conservation Area and also within an allocated Prime Shopping Area and Frontage. The shop is located within a row of 16 other shops; nine of which are in A1 use (shops), three in A3 use (cafes/restaurants), two in A5 use (hot food takeaway), one in B1 use (business) and one sui generis use (tanning shop).

The application seeks the change of use from A1 retail to A2 (professional and financial services some examples of which include estate agents and employment agencies, banks and building societies, betting shops. Principally where services are provided to visiting members of the public). There would be no alterations to the shop frontage which is timber framed and glazed. Proposed opening hours would be Monday to Friday 8am to 6pm, with weekend opening on Saturday 8am to 1pm and Sunday 10am to 1pm. There is no identified occupant as yet.

Bin storage provision would be as existing within the secured rear yard area.

Relevant Planning History

27585/92 - Change of use of 1st floor to flat and 2 storey rear extension - Approved 26/11/92.

Publicity

28 notification letters were sent to properties on Bolton Street, Back Square Street, Carr Street and Central Street, Ramsbottom on 15/07/2010.

A site notice was posted at the site on 19/07/2010.

A press Advert was placed in the Bury Times on 22/7/2010.

As a result of this publicity, 4 letters of objection have been received from Nos 2, 9, 20 and 22 Bolton Street which raise the following issues:

- An increase in office accommodation would harm the character of the town and detrimental to local businesses;
- The town centre has migrated towards Bridge Street and offices would not help this;
- The town needs more small, diverse; independent retail which brings more footfall;
- Small independents are needed to counter balance the larger retail outlets;
- Financial and professional services would bring nothing to the town;
- There are other empty premises more suitable for office accommodation;
- The adjacent property is not retail and has blinds covering the windows which may happen in this case;
- The town should be encouraging businesses to attract tourists;
- Ground floor units should be maintained as A1 retail;
- The town as a whole has too many existing A2 uses, many close at weekends which does not encourage visitors;
- There are 3 vacant properties. Another dead property would aggravate the situation;

- As a trader would have to reconsider their position in the town if approved(No 22);
- Bacup, Waterfoot and Rawtenstall have suffered and Ramsbottom will follow suit;
- As an active member of the Business Group they have been trying to encourage retail development.

The respondents have been informed of the Planning Control Committee Meeting.

Consultations

Traffic Section - No objection.

Conservation Officer - There has been a perceived difference over the years of occupancy and footfall comparing Bolton Street with Bridge Street. The latter seemingly more steady in terms of occupancy. Should the proposed use provide a service to visiting members of the public, the use should maintain an active daytime frontage within the street.

Unitary Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
Area	Bolton Street/Bridge Street
RM3	
S1/2	Shopping in Other Town Centres
S2/2	Prime Shopping Areas and Frontages
EN1/2	Townscape and Built Design
EN1/8	Shop Fronts
HT5/1	Access For Those with Special Needs

Issues and Analysis

Policy - Unitary Development Plan Policy S2/2 - Prime Shopping Frontages seeks to maintain retailing (Class A1) as the predominant land use at ground floor level. Proposals for change of use or redevelopment within these areas will be assessed on their merits and by taking into account criteria a-d:

- a) design and appearance of the frontage;
- b) maintenance of a display window at ground floor;
- c) access for the mobility impaired;
- d) associated noise and disturbance.

The proposal is not considered to conflict with any of these criteria.

In addition, the Policy stipulates that where a proposal would lead to more than 10% of any identified prime shopping frontage being in non-retail use, further criteria are considered:

- e) the location and prominence of the proposal within the prime shopping frontage;
- f) the number, distribution and proximity of other premises in non-retail use;
- g) the nature and character of the use proposed, including the activity associated with it.

In many of the identified prime shopping frontages, opportunities still exist for non-retail uses and the Council recognises the contribution that these uses can make to the retail character and vitality of shopping centres. However, the stipulated threshold of 10% of non-retail uses ensures that such proposals should be assessed and considered on their merits. In addition, the policy assists the control of the concentration or grouping of non-retail uses.

Principle - This recognised frontage extends from No 2 - 42 Bolton Street. Although the proposal would result in 44% of the frontage being in non-retail use the majority of the other units would remain Class A1 (shops). The proposal therefore needs to be assessed against the criteria listed above as well as the impact on the character of the town centre.

- e) Location and prominence of the proposal - The premises is located close to the main junction and centre of Ramsbottom where there is a relatively significant amount of activity. However, it is recognised that the character of Ramsbottom and the change in shopping trends and patterns has shifted some activity and trade from the Bolton Street part of town towards the Bridge Street vicinity. This may be due to a number of factors including the

provision of larger retail establishments into this part of town, the railway station and steam train which is busy at weekends, car boot sales and generally more "tourist orientated" shops. As a consequence, there is less pedestrian footfall to the Bridge Street area and the prominence of this area as a main shopping part of town has somewhat diminished. Notwithstanding this, Bolton Street has a variety of shops and services on offer and there is a responsibility to maintain the vitality and viability of this area.

UDP Policy S2/2 - Prime Shopping Areas and Frontages recognises that non - A1 uses can make a contribution to the retail character and vitality of an area and therefore encouragement should be given to a type of business, which although not an A1 use, can still contribute to the character and vitality of the shopping centre. A2 falls within this remit where they should be aimed principally at visiting members of the public to purchase a service or goods and it is arguable that this use would contribute to any further decline in general day-time activity.

Additionally, the premises are currently vacant and as such its occupation would be an improvement to the existing situation.

f) Number, distribution and proximity of non-retail uses - Currently, there are nine A1 retail shops and seven other properties on this row comprising of 2 restaurants, a tanning shop, 2 takeaways, an accountants and cafe. The uses are fairly evenly distributed with no more than two non A1 premises next to each other. The change of use of No 12 Bolton Street would result in a row of three non A1 uses together. That said, it would be the only A2 on this row and it is a type of business which would still attract footfall to the area. Given A1 would still remain the predominant use, it is considered the loss of one retail unit would not have a seriously detrimental impact to this part of Bolton Street.

g) Nature, character and associated activity of the proposed use - An A2 use is defined as a "financial, professional or other services which it is appropriate to provide in a shopping area, where the services provided are principally to visiting members of the public." (The Town and Country Planning (Use Classes) Order 1987 (amended 2006). As such, members of the public would visit the premises to purchase a product or service which would encourage activity to the area.

The proposed opening hours would be similar to that of an A1 shop, and would offer the type of service which people often visit at weekends. There are no proposed changes to the shop front and the applicant supports the inclusion of a condition to maintain an open and active shop frontage/window display.

As such, it is considered the proposed use would continue to generate activity to this area and be of an appropriate character to comply with UDP Policy S2/2.

Access - There is level access into the premises and this would remain as existing. The proposal complies with HT5/1 - Access for Those with Special Needs.

Response to objectors -

- The proposed use is for A2 where members of the public visit the premises, as opposed to solely an office use which are private offices and fall within a different use class (B1).
- There is no guarantee the premises in the future would be occupied by an independent small retailer.
- A condition would be attached to any grant of permission to ensure an open and active display shop frontage was maintained.
- The proposed opening hours include weekend opening.
- All other issues have been raised in the report above.

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 change of use would not adversely affect the character of Ramsbottom Town

Centre or be detrimental to the vitality or viability of the shopping centre. There would be no impact on the amenity of local residents or 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 floor plan received on 12/7/2010 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 shop window shall be retained for display purposes and shall not be painted over or have any type of film, screening or material fixed to the shop window frontage either internally or externally to promote an active frontage.
Reason. In order to retain the retail character of the premises in the interests of visual amenity pursuant to Unitary Development Plan Policies S2/2 - Prime Shopping Areas and Frontages, EN1/2 - Townscape and Built Design and EN1/8 - Shop Fronts.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 16

Applicant: Park Farm Garden Centre and Farm Shop

Location: Park Farm, 206 Manchester Road, Ramsbottom, Bury, BL9 5NP

Proposal: Retention of hardstanding for use as a car park to the rear of Park Farm Garden centre/cafe (Retrospective)

Application Ref: 52867/Full

Target Date: 09/09/2010

Recommendation: Approve with Conditions

Description

The site is a piece of land at the rear of Park Farm Garden Centre. It is edged by trees along the northern and eastern boundaries some of which are covered by Tree Preservation Order 39 (TPO 39). To the west is the outdoor plant display area and the garden centre/café building/access road is to the south.

The application is for retrospective consent to retain a hardstanding to the rear of Park Farm Garden centre/café that was constructed in September 2009 and is the subject of Enforcement enquiry 09/0402. The submitted planning application is as a result of negotiations with the applicant and involves the removal of the imported 'road plainings' and their replacement by locally quarried stone chipping's. The scheme also includes protection measures for the trees covered by a tree preservation order.

The application is a full application for the use of the land for parking without any time limit and for it to act as an overflow car park for the existing cafe and garden centre.

Relevant Planning History

18835 - Additional retails sales from existing farm shop - Refused 16/10/1986 - Appeal Dismissed 30/10/1987

23647 - Use of land for continuation of the mixed use for agriculture and the sale of retail and wholesale of perishable and non-perishable produce other than produce grown or produced on the farm, subject to the condition that the present area of the permitted use within the barn on the south boundary of the site shall not be extended without the prior permission of the local planning authority - Planning permission granted by the Secretary of State following Enforcement Action by Bury MBC - Appeal Allowed 20/10/1989.

26655 - Change of use and extension of part of barn to create a canopy, extend café, kitchen, retail and storage areas, Alterations of access, creation of service area and surfacing of car park - Approved Conditionally 13/08/1992

52226 - Retrospective application for the retention of hardstanding to the rear of Park Farm Garden centre / cafe - Withdrawn by Applicant 10/05/2010.

This application is as a result of extensive negotiations with the applicant and his agent since the application was withdrawn.

Publicity

Nine neighbouring properties were notified by letter dated 19/07/2010 at 119, 129, 211, Gollinrod Farm, Park Wood Farm, Shipperbottom Barn, Shipperbottom Cottage, Shipperbottom House all Manchester Road Ramsbottom and Hillside Kennel, Pike Farm, Bury Old Road, Bury.

Site notice was posted 20/07/2010 and a press advert placed in The Bury Times on 22/07/2010.

No comments have been received as a result of this publicity.

Consultations

Traffic Section - No objections

Drainage Section - No objections

Environmental Health Contaminated Land - No objection subject to a condition regarding the safe disposal of the material originally used for the hard standing.

Public Rights of Way Officer - Comments awaited

Baddac - Welcome proposal as it improves access for the disabled to the restaurant.

Landscape Practice - Comments awaited

Unitary Development Plan and Policies

OL1	Green Belt
OL1/1	Designation of Green Belt
OL1/5	Mineral Extraction and Other Dev in the Green Belt
OL4/4	Agricultural Diversification
EN9/1	Special Landscape Areas
EN1/2	Townscape and Built Design
EN8/1	Tree Preservation Orders
EN9/1	Special Landscape Areas
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD11	Parking Standards in Bury
PPG2	PPG2 - Green Belts

Issues and Analysis

Principle – The site is land within the Green Belt and a Special Landscape Area and the proposal needs to be assessed against the criteria of Planning Policy Guidance 2 – Green Belts, Bury UDP policies OL1/5 - Mineral Extraction and Other Development in the Green Belt in the Green Belt and EN9/1 – Special Landscape Areas and Development Control Guidance Note 8 – New Buildings in the Green Belt.

PPG 2 establishes a presumption against inappropriate development within the Green Belt. There are several exemptions, including development required for essential facilities for outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Proposals for development, which do not fall into one of the above categories is inappropriate development and will only be permitted if very special circumstances are demonstrated by the applicant.

Policy OL1/5 states that other development will be inappropriate unless: 'it maintains the openness and does not conflict with the purpose of including land in the Green Belt'.

The proposed over flow car park is not considered to be development required for essential facilities for outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and therefore judged to be inappropriate unless very special circumstances have been demonstrated.

The application includes a Design and Access Statement that makes reference to the history of the site and how the garden centre and Cafe are part of a farm diversification strategy which accords with UDP Policy OL 4/4 - Agricultural Diversification. This policy recognises the role that 'commerce and tourism' can play in maintaining a thriving countryside.

The land in question is landlocked by the garden centre and the hill and woodland at the

rear and is not readily visible from the surrounding vantage points. Given the success of the Farm diversification to date, there is a need for additional parking and given the location of this land it is considered that it would not impact on the openness and character of the Green Belt. As such the use for parking in conjunction with the farm diversification can be considered a very special circumstance in this case.

The proposal is therefore not contrary to PPG2 - Green Belt, Bury UDP Policies OL1/5 - Mineral Extraction and Other Development in the Green Belt and EN9/1 – Special Landscape Areas and Development Control Guidance Note 8 – New Buildings in the Green Belt and is acceptable.

Design & impact upon surrounding area - The existing hardstanding has been constructed of 200mm of compacted hardcore then topped 200mm of black road plainings. SPD 10 includes a section on the type of surfaces that may be appropriate in the Green Belt. These are listed as crushed stone, rolled gravel or 'grascrete' (a proprietary product that allows land to be used for parking whilst allowing grass to grow through it) and these have a substantial different character to black tarmac plainings which have an urban and visual detrimental impact on the character of the area. The applicant has also indicated that a low timber rail will be provided around the parking area to 'tidy up' the edge and as such a condition is recommended to confirm these details.

The Design and Access Statement and plans specify that the 'road plainings' are to be removed and that 'crushed stone' from the adjacent quarry is to be used. As such the type of materials used for the car park are in accord with Bury UDP Policies Bury UDP Policies OL1/5 - Mineral Extraction and Other Development in the Green Belt and EN9/1 – Special Landscape Areas and Development Control Guidance Note 8 – New Buildings in the Green Belt.

Effect on Surrounding Trees – The hardstanding is surrounded on two sides by mature trees some of which are protected by TPO 39. The Design and Access Statement includes a method statement and practice for the protection of these trees during the removal of the existing 'road plainings' and the importation of the new stone. In addition the scheme makes mention of new protection measures to the trees near the access to the and further details to confirm the acceptability of this will be required by condition. The proposal, subject to suitable conditions will accord with Bury UDP Policy EN8/1 - Tree Preservation Orders.

Highways and Parking Issues – The access onto Manchester Road is not altered by the proposal and the Traffic Section has no objections to the scheme. Given the nature of the proposed finish to the car park no formal bays will be provided. The car park will be managed by the Centre staff and access will only be allowed as and when the main car park at the front of the site is full. The additional spaces will stop vehicles having to manoeuvre on and off of the existing car park at busy times and as such will improve highway safety.

Footpaths - The site has 2 Public Foot Paths in close proximity to it. One FP 194 runs through the existing garden centre car park and along the northern boundary of the site and FP195 runs along the southern boundary of the site. Neither are affected by the development.

Contamination - The use of road plainings for the existing surface is a potential pollutant. As such a condition and advisory note are recommended requiring them to be removed from the site within 6 months and for a licence to be obtained for the proper disposal of the plainings. This will ensure compliance with PPS 23 - Planning and Pollution Control.

Departure - Given the fact that the development is within the Green Belt it is a Departure from the adopted Policy. In this case it is not considered that the impact of the development would be so great as to warrant referral to Government Office for the North West as it only limited in scale and will not have an adverse effect on the overall character of the Green Belt outside the immediate area of the site.

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 application has demonstrated sufficient special circumstances to overcome the principal of development in the Green Belt and as such the proposal conforms with both Unitary Development Plan Policy OL1/5 - Mineral Extraction and Other Development in the Green Belt.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered ML/JL/4919 and the development shall not be carried out except in accordance with the drawings hereby approved as amended by the conditions below.
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.
2. Within 3 months of the date of this consent the existing 'road plainings' used for the surface shall be removed from the site and satisfactorily disposed of and they shall be replaced by a 200mm depth of 10mm local stone to the written satisfaction of the local planning authority.
Reason. To ensure the satisfactory development of the site and to accord with Unitary Development Plan Policies OL1/5 - Mineral Extraction and Other Development in the Green Belt.
3. The development shall not commence unless and until the tree protection measures described in the Design and Access Statement have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN8/1 – Tree Preservation Orders of the Bury Unitary Development Plan.
4. Within 6 months of the date of this consent the tree protection measures to the trees adjacent to the access to the site and the low boundary rail shall be implemented to the written satisfaction of the Local Planning Authority.
Reason. To protect the surrounding natural features and to accord with Bury Unitary development Plan Policies OL 1/2- Green Belt and EN 8/1- Tree Preservation Orders.
5. Within 3 months of the date of this consent, details relating to the proposed boundary treatment in the form of a low knee rail around the car park for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented within 1 month of the date of this consent and thereafter maintained during the life of the car park.
Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
6. Within 3 months of the date of this consent, a scheme relating to the details of the proposed tree protection measures to the trees adjacent to the access to the car park shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented within 1 month of the date of this approval and thereafter maintained so that they continue to protect the trees during their lifetime. The approved details only shall be implemented as part of the approved development.

Reason - To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN8/1 – Tree Preservation Orders of the Bury Unitary Development Plan.

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

