

Ward: Bury East - Moorside

Item 01

Applicant: Mr Muneer

Location: Land Adjacent To 103 Walmersley Road, Bury, BL9 5AN

Proposal: Erection of 11 no. flats in 3/4 storey block together with parking (resubmission of 51191)

Application Ref: 52821/Full

Target Date: 09/11/2010

Recommendation: Minded to Approve

The application is Minded To Approve subject to the completion and signing of a s106 Planning Agreement relating to the provision of a commuted sum for the contribution to the provision of off-site recreation provision. In the event of the agreement not being signed within a reasonable time, then it is requested that delegated authority be granted to the Chief Planning Officer to determine the application.

Description

The application site is a plot of land located on the corner of Walmersley Road and Vernon Street to the north of Bury Town centre. The site is currently cleared and in the past had been the site of a Sunday School.

The site is currently fenced off from the surrounding foot ways by a mix of railing fencing, walling and herras fencing.

To the north, south and west of the site are terraced properties of mixed periods but generally are Edwardian. Opposite the site, across the main road are more terraced properties of a similar era. The properties surrounding the site are three storeys in height.

The application is seeking full planning permission for the erection of an apartment block of 11 flats with parking for 6 vehicles. The building is intended to follow the main frontage building line of properties facing Walmersley Road with a small front garden separating the front elevation from the main foot way with an enclosed amenity area to the side. The building would be three and four storeys in height and would be of a contemporary design.

Parking would be located to the rear, with access off Back Walmersley Road. Cycle provision and bin storage would also be located at the rear. The site would be bounded by a wall and railing feature 1100mm in height.

Relevant Planning History

46329 - Retention of existing railings and gates - Approve 11/07/2006.

41885 - Outline planning permission for 11 apartments - Approved - 4/6/04 (5yr approval)

51191 - Erection of 11 flats in 3 storey development together with parking - Refused -

12/08/2009 - Inappropriate design, insufficient parking without justification, impact upon residential amenity, inappropriately located parking spaces,

Publicity

41 Letters were sent to surrounding properties on 3/8/2010. Addresses included 95 - 126 Walmersley Road, 1a New Vernon Street, 1-14 Vernon Street, 1 - 11a Canning Street.

A notice was erected on site on 16/8/2010 and an advertisement placed in the Bury Times on 16/8/2010.

As a result of this publicity, 3 objections have been received from 105, 114/6, Walmersley Road and 10 Vernon Street.

Issues raised include:

- Insufficient parking for the scheme, which would add to parking problems already experienced;
- Obstruction of view (2 Vernon Street & 105 Walmersley Road);
- Traffic would use the back street where children play;
- The development would not fit in with the surroundings.

Objectors have been informed of the Planning Control Committee meeting.

Consultations

Baddac- No objections.

Chief Fire Officer - No objections.

Greater Manchester Police - designforsecurity - No objections.

Traffic Section - No response to date.

Drainage Section - No objections.

Environmental Health Contaminated Land - No objections.

Environmental Health Pollution Control - Suggest an informative is provided to the developer to ensure that there are adequate measures taken to limit the impact of traffic noise upon the development.

Waste Management - No objections received.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/7	Throughroutes and Gateways
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
RT2/2	Recreation Provision in New Housing Development
SPD1	DC Policy Guidance Note 1: Recreation Provision
SPD11	Parking Standards in Bury
PPS23	PPS23 Planning and Pollution Control
SPD3	DC Policy Guidance Note 3: Planning Out Crime
EN7/2	Noise Pollution
EN1/5	Crime Prevention
PPG24	PPG24 - Planning and Noise
EN8/2	Woodland and Tree Planting

Issues and Analysis

Principle - UDP Policy H1/2 considers that housing should be directed towards the urban areas, benefits from available infrastructure, eases the pressure on more peripheral open land, must be compatible with surrounding areas and be subject to considerations of other policy matters.

The site has recently been the subject of an approval for a residential apartment block of 11 flats, in outline. The site is a brownfield site, within the urban area and is closely located to existing infrastructure. As such the principle of residential development is accepted.

Design, Height and Form - UDP Policy EN2/1 and H2/2 consider that developments should be of a high quality design, properly accessed, should not have a detrimental impact upon existing properties and be of an appropriate form within the townscape.

The proposed design is a modern and contemporary one comprising predominantly brick, render, full height glazing and a small area of larch cladding. The surrounding properties are a mix of Edwardian properties along the frontage, with more modest terraced properties to the rear.

The site is a gap site along the frontage of Walmersley Road, with significantly altered

terraced properties surrounding it through extensions and window alterations. The main frontage of the building would contain horizontal elements within the main elevation to ensure that there is a visual tie in with the neighbouring properties on either side. Circulation space is emphasised both at the front and rear by full height glazing to provide vertical emphasis which is a feature of the traditional properties along the frontage.

Whilst the design is proposed to be modern, incorporate key features found in surrounding properties and is considered to be acceptable in terms of design.

The overall height of the building would step from three storeys next to 103 Walmersley Road to four storeys on the corner to provide both a sense of scale and balance and a feature corner on the building. The three storey element would be lower than the neighbouring property to the north by 1.3m and some 2.4m higher than the property to the south. The reasoning behind the lower element is to ensure an uninterrupted view from a high level window in the gable of 103 Walmersley Road. Furthermore, despite the increase step in height to the south, there is a separating road to 99 Walmersley Road, which would ensure that the design can sit in to the townscape appropriately.

The frontage on to Walmersley Road contains predominantly terraced properties but it does contain a significant mix of property types and forms, including apartment blocks. The mix of development types provides an interesting townscape and variation and this development would comfortably sit in with this approach.

Given the above matters, it is considered that the design, height and form of development would comply with UDP Policies EN1/2, EN1/7 H2/1 and H2/2.

Residential Amenity and Aspects - In terms of aspects and separations, a bedroom window is located in the property to the north at roof level. The development would be below the window and the roof would be sloped such that the outlook from this room would be relatively unobstructed.

To the east there would be some 30m achieved to existing properties across Walmersley Road.

To the south, the development would not have any large primary windows in the elevation but has incorporated two window slots allowing views up and down the adjoining Vernon Street. 99 Walmersley Road is a multi occupied property used as a refuge. There are numerous windows in the northerly gable of this property but none appear to be to general living spaces and are either at a high level in relation to the internal floor or obscured. Given this relationship and the proposed design of the building it is considered that there would not be any undue impact upon the amenities to this property.

To the west there is an end gable of 2 Vernon Street, which has a non original secondary bedroom window the side elevation of a rear two storey outrigger. The separation distance to the rear of the proposed building would be some 13m (to the circulation space) and 17m to the nearest habitable room windows. As the interrelationship between the bedroom window would be to non habitable space, the 13m is considered to be sufficient. To ensure privacy it is suggested that the circulation space glazing be frosted/obscured, which the agent has agreed to. There would be no other directly relating windows within the development to the property.

The density of the development has been accepted in recent times, and as such, there is an expectation of what the site can deliver. With this in mind, the siting and design the development has been done in such a way so as not to have an undue impact upon amenity and this has been challenging.

The development would comply with UDP Policies EN1/2, EN1/7 H2/1 and H2/2.

Car Parking and Traffic - The proposals have been submitted with an accompanying

Transport Statement given one of the reasons for the previous refusal was on traffic grounds. The scheme incorporates 6 parking bays (including 1 disabled bay), which would be accessed off Back Walmersley Road.

For a development of 11 apartments, the maximum provision that the Council's SPD 11 considers would be 16 spaces. The scheme as submitted would be well under this ceiling. The supporting statement has analysed the site and its sustainability credentials, its surroundings and traffic incidents in the vicinity of the vehicular access to the site.

There are bus stops in close proximity to the site (opposite and 50m to the south) and the site is within 10 minute walking distance to the town centre. Shops are again within close walking distance - both the nearby neighbourhood shopping centre on Chesham/Walmersley Road and the town centre itself.

The key issue to balance is the limited amount of parking spaces for the development and justification for this against the regeneration of this vacant gap site. The site is within close proximity to sustainable transport and the town centre itself and as such there would not need to be a heavy reliance upon car usage. Furthermore, the lack of provision for the development would be clear for future occupants to note and would need to be a clear choice not to rely upon private car usage. Additionally, Vernon Street is a cul-de-sac and there are no traffic regulation orders affecting on street parking next to the site. The development would not be in conflict with the Council's SPD11 for car parking provision or policy H2/2 and given its location and the need for the regeneration of the site, it is considered that the provision proposed is sufficient.

Access, Crime and Design - The site would be designed to meet Lifetime Homes criteria on the ground floor such that the development would have an appeal to disabled users to remain within the development. There would be no lift within the development. However, the upper floors would have sufficient turning space and manoeuvring space such that ambulant disabled would be provided for. The ground floor would have true level access and disabled parking provision is also provided.

The development has positively responded to the requirements of GM Police and their comments to minimise the potential for crime and disorder. The Police have no objections to the scheme as it stands.

As such, the development would comply with HT5/1 and EN1/5.

Waste and Refuse - The development would provide for general and recycling within a partially enclosed compound to the rear of the site and in close proximity to the refuse wagon. No objections have been received from the Council's waste services and the proposals are considered to be acceptable.

Amenity Space and Recreation Provision - The scheme has incorporated amenity areas to the front and side, the latter of which would be enclosed by 2.1m high hit and miss fencing in line with Police requirements. Given that the density of the development would be for 11 units, the applicant has entered into a s106 planning obligation to pay a commuted sum of £5017.32 to improve nearby recreation areas pursuant to UDP Policy RT2/2.

Response to Objectors - 105 Walmersley Road is concerned about the loss of view. This is not a material planning consideration. However there would be an intervening property from 105 to the development and the front and rear elevations of the building would not exceed existing building lines and as such, would not be visible to that property.

The other additional points raised by objectors have been dealt with within the above report.

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 regenerate a vacant site within the urban area, without undue impact upon surrounding property. The development would provide some parking and Lifetime Homes provision, would comply with Unitary Development Plan Policies and 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 409033-04 rev C, 409033-03 rev D, 49033-05, 409033-Landscaping 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. 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.

7. 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.

8. No development shall commence unless and until a suitable noise investigation has been conducted in accordance with PPG24 (Planning and Noise: 1994) to determine any appropriate mitigation required for the proposed development against road traffic noise from Walmersley Road.

The survey shall be carried out in accordance with PPG 24, and the assessment shall include mitigation measures required for the acoustic insulation and independent ventilation scheme requirements for the dwellings that would face Walmersley Road.

The findings of the survey and mitigation measures shall be made available to the Local Planning Authority and the approved mitigation measures shall be implemented and be operable within the development before its first occupation.

Reason – To ensure that appropriate measures are in place within the development to maintain acceptable residential amenity levels from the impact of traffic noise from Walmersley Road pursuant to Unitary Development Plan Policy EN7/2.

9. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the extension hereby approved being brought into use.

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 refuse store facility indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy H2/1 - The Layout of New Residential Development of the Bury Unitary Development Plan.

11. The hard and soft 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..

12. The northerly and westerly elevation of the glazed staircore to the rear of the building shall be obscure or frosted glazed in accordance with a detail to be approved by the Local Planning Authority. The details of these measures shall be submitted before development commences and shall be implemented and remain in situ whilst the staircore serves the development.

Reason - To Ensure that there would be no impacts created from overlooking whilst the stircore is being used in pursuance of Unitary Development Plan Policy H2/2 of the Bury Unitary Development Plan.

For further information on the application please contact **Dave Marno** on **0161 253 5291**

Ward: Radcliffe - North

Item 02

Applicant: Mrs L Horrocks

Location: Sunny Bank, Arthur Lane, Ainsworth, Bolton, BL2 5PN

Proposal: Change of use of single storey domestic swimming pool to bungalow with single storey side extension

Application Ref: 52826/Full

Target Date: 17/09/2010

Recommendation: Approve with Conditions

This application was deferred by the Planning Committee to carry out a site visit on 19/10/2010.

Description

The application site comprises an existing single storey log cabin structure that houses a swimming pool within the residential curtilage of a large dwelling accessed off Arthur Lane in Ainsworth.

The main property has a private drive and substantial rear garden, which is screened from Arthur Lane by high hedging, with more open boundaries to the south and east. The land levels fall away from those surrounding the main house reflecting the topography of Arthur Lane.

To the south of the log cabin structure is a detached stable building, with its own dedicated access from Arthur Lane.

The application is seeking to convert the log cabin building into a separate dwelling with an area of garden curtilage to go with the proposed conversion that is currently garden of the main dwelling.

In addition to the conversion proposal, the application also seeks to extend the log cabin structure with an extension. The extension would also be single storey and would have a footprint of 5.25m x 7.65m with a height to the ridge of 3.89m.

The external elevation of the cabin building would remain as they are today in a log finish and this material would be used for the extension. The roofing material would remain as slate.

Relevant Planning History

48715 - Formation Of gated access to agricultural land/stables - Approve with Conditions 23/01/2008

Publicity

15 Letters were sent to neighbouring properties including: Davenport Farm, Arthur Lane Nurseries, Belmont House, Craigside all on Arthur Lane and 15, 23, 25, 27, 29, 31, 33, 35, 37, 39 and 41 Delph Lane on 27/7/10.

As a result of this publicity, 9 objections have been received from:

Oaks Coppice, Meadowbank, 75 Church Street, 25C Green Side, calfhey33, 43A Bury Old Road, Ainsworth Community Association, Craigside, 26C Green Side, 41 Delph Lane, J Readyhough (email).

- The swimming pool building was constructed as a facility for the adjoining property but

does not lie within its curtilage and was built in an adjoining Greenbelt field.

- The proposals to retain the hedging along Arthur Lane to screen the proposal is an admission that the building is otherwise visually intrusive and thus has an adverse impact upon the Green Belt.
- The change of use to residential is not a use permitted under Green Belt policy. It would not be used in association with forestry, agriculture or outdoor recreation provision.
- The development is inappropriate and special circumstances need to be demonstrated where there is a presumption against this type of proposal.
- The building appears too small for conversion thus needing significant extension of up to a third of the original building.
- If the building is now redundant, then it should be removed.
- The access to the site is to share one approved for stables/agricultural land. Conditions imposed on that permission have been ignored.
- The access is a concealed one and is in a dangerous position and unsuitable for the volume of traffic generated by a residential development. The access would be a hazard to other users.
- The improvements for the access would require a substantial development within Green Belt land.
- Residential paraphernalia such as washing lines etc would harm the openness of the Green Belt.
- The building may possibly be extended upwards which would block views and open up possibilities of land being developed in Ainsworth.

Objectors have been notified of the Planning Control Committee meeting.

Consultations

Greater Manchester Police - designforsecurity - No objections. There should be clearly defined boundaries if the property is to be sold.

Traffic Section - No written response to date but verbally, the scheme is acceptable in principle subject to the need to implement visibility spays at the access point on to Arthur Lane.

Drainage Section - No objections.

Environmental Health Contaminated Land - No objections subject to conditions relating to prevention of gas ingress as a result of any works that break the ground.

Unitary Development Plan and Policies

OL1	Green Belt
OL1/4	Conversion and Re-use of Buildings in the Green Belt
OL7/2	West Pennine Moors
EN9/1	Special Landscape Areas
PPG2	PPG2 - Green Belts
PPS23	PPS23 Planning and Pollution Control
H2/2	The Layout of New Residential Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
H1/2	Further Housing Development
H2/6	Garden and Backland Development
SPD11	Parking Standards in Bury

Issues and Analysis

Principle - The site is located within the Green Belt, West Pennine Moors and within an Area of Special Landscape Value.

The scheme consists the conversion and extension of an existing building within the Green Belt and as such the proposals need to be assessed against the criteria Planning Policy Guidance Note 2 - Green Belt, OL1/2 - New Buildings within the Green Belt, OL1/4 - The Conversion and Re-Use of Buildings Within the Green Belt, EN9/1 Special Landscape Areas and West Pennine Moors OL7/2.

PPG 2 establishes a presumption against inappropriate development, including new

buildings. There are several exemptions, including development required for essential facilities for outdoor recreation, agriculture, forestry or for cemeteries, and for other uses of land that preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

OL1/2 confirms that the construction of new buildings within the Green Belt is inappropriate development unless amongst other criteria a proposal involves the limited extension, alteration or replacement of existing dwellings; that proposals do not provide disproportionate additions over and above the size of the original dwelling or in the case of a replacement dwelling, is not materially larger than the one it replaces. Policy OL1/2 requires that new buildings within the Green Belt should be restricted to those needed for the purposes of agriculture or forestry, it also provides scope for other uses which are considered to be appropriate to the green belt. The re-use of existing buildings is preferred to the erection of new buildings.

Policy OL1/4 states that the conversion and re-use of buildings within the Green Belt is not inappropriate development and will be permitted providing that the proposal would not have a materially greater impact than the present use upon the openness or character; the extension of converted buildings does not conflict with the openness or character of Green Belt; the buildings are capable of conversion without major or complete reconstruction; the form, bulk and general design are in keeping with the surroundings and suitable access and the likely traffic can be accommodated without creating a hazard or the need for major road improvements, are serviceable and that a conversion does not have an impact upon protected species without inappropriate mitigation.

OL7/2 considers that proposals should consider relevant matters including landscape character, ecology and historic features.

OL1/5 - Mineral Extraction and Other Development in the Green Belt seeks to ensure amongst other matters that development maintains openness of Green Belt land and does not conflict with the purposes of Green Belt policy.

EN9/1 states that any development should be strictly controlled and required to be sympathetic to its surroundings. High standards of design are expected and unduly unobtrusive design will not be permitted.

Planning Policy Statement 3 - Housing- National and regional planning guidance provides Bury Council with the amount and type of land that should be released for housing. In particular Planning Policy Statement 3 (PPS 3) for the plan, monitor and manage approach relates to the release of land for housing and giving Brownfield land priority before Greenfield sites and the quantity of new housing to be delivered in the plan period.

The building is an existing building within the Green Belt, is of a substantial construction, in an ancillary residential use already. It is constructed as a log cabin structure and is in good order. The building sits on foundations and houses a swimming pool currently. The building can be converted to a residential dwelling use in its own right through the installation of internal walling and insulation without the need to change the extant appearance. This reflects the proposals submitted and as such qualifies as a building suitable for conversion.

The building is within the established residential curtilage of a dwelling. A study of aerial photography clearly shows that the building existed within cultivated residential curtilage in 1997 and as such the use of land and the building is established as residential use.

The Strategic Housing Land Availability Assessment of Bury Council has identified sufficient sites for current housing requirements, however, the number of sites identified has only just been met and as such if a identified sites were not to come forwards then the SHLA could be questioned.

The scheme seeks permission for an additional single house within residential curtilage of

an existing house. In this instance the release of the site for a dwelling would not have any significant material impact on the need to ensure that over 80% of the Borough's housing will be built on previously developed land. Given the fact that it is for a single house, it is considered that there would be no significant material impact on the ability of the Council to deliver over 80% of its housing land on previously developed sites. Even if repeated elsewhere, it is unlikely that the housing numbers being proposed (e.g. individual plots) would harm the overall aim of the local plan to deliver the majority of housing on brownfield land. The release of appropriate infill sites can also help to meet specific local housing needs. As such it can be considered that the release of this land would not be contrary to PPS 3 or UDP Policy H1/2 - Further Housing Development.

The land within residential use can already be used for a general domestic purpose and as such, the conversion of the building to a separate residence is acceptable in principle.

Design, Appearance and Character - The proposals seek to retain the external materials of the existing building and these would be used in the proposed extension to the side of the existing structure.

SPD6 considers that where dwellings are located within the Green Belt, additions should not exceed 30% of the original volume of a building thus provides a yardstick by which extensions maintain an appropriate relationship to the original structure. The scheme proposes an extension that would amount to 26% of the original volume. Its external materials would match those of the existing building, would be sited set back from the front plane of the building so as to appear subservient and on this basis the extension is considered to apply with the policy. To ensure that the development would have no further uncontrolled impact from extensions and other alterations, a planning condition should be imposed to remove any permitted development rights with respect to extensions and alterations to the building, garden buildings, fences, satellite dishes, painting of the exterior and swimming pools.

The scheme includes the additions of 7 roof lights four on the front and three on the rear. They would sit within the roof slope and would be circa 500mm x 500mm square. These are not large and would be spaces along the roof slope. On this basis, the changes to the external appearance are minor and are not considered to conflict with Policy OL1/4.

In terms of the delineation of curtilage and character of the land, the scheme seeks to use land that is already within the curtilage of Sunnybank and would not extend beyond already identified boundaries. Boundaries to the south and east currently consist of post and rail fencing and this is proposed to be retained. For the purposes of the character of the land, this should be conditioned to be retained as such.

The land is already a residential curtilage and concerns about the addition of residential paraphernalia are relevant. However, the land can be used as such now without planning intervention. This can include swings, slides, washing lines, hard standings planting areas, rockeries and so on. Of consideration is that the site is already well screened from public views and is separated from established other residential properties by either gardens or open land. Given the lawful use of the site and the relationship of the site to its surroundings, it is considered that the character of the land would not change nor would it be in conflict with OL1/4.

Residential Amenity - Policies H2/2 and H2/6 seek sufficient amenity space, good layout, parking and aspect relationships within new residential developments. In this instance, the site would have its own access discussed in detail below, curtilage (whilst ensuring sufficient curtilage for the remaining dwelling) and an aspect distance between Sunny Bank of some 32m. The building is single storey with its main outlook east and west and as such the scheme would exceed minimum aspect requirements.

In terms of parking the scheme would make provision for 3 spaces, in an area to the immediate south of the property. The Council's SPD11 considers that a maximum of three

spaces should be provided for a dwelling of this type. As such the scheme would comply with this policy.

Access - The development is seeking to utilise a partially implemented access to the south of the site that was given to facilitate access to a detached stable block and paddock belonging to the applicant. The access is gated but the gate is set back from the back of carriageway by some 5.5m which enables a vehicle to stand clear of the highway whilst the gate is being opened or closed. The scheme proposes to install an area of crush and run in front of the stable block continuing to the proposed dwelling conversion such that vehicular access can be achieved without conflicting with the unloading or loading of horses and associated equine materials. The choice of this material maintains a low level of intervention within the Green Belt and would through conditional controls ensure that the rural feel is maintained.

The access itself has already in part been formed and a tarmac surface installed at the point of joining Arthur Lane. However, the kerb has yet to be lowered and some clearance of a 10m stretch of hedging from the access point to the north, with replanting set back to replace the hedge. These matters are currently with the Planning Enforcement Team. This arrangement is required to ensure that visibility splays of 2m x 90m are achieved and are equally required for the current scheme. This detail and requirement is accepted by the applicant and is to be incorporated into the proposals and shall be further reported to the Committee within the supplementary agenda. Irrespective of the current scheme, the access works should be completed and would suitably double up for access to the scheme currently under consideration. The Traffic Section have no objections to the proposals on this basis and the scheme would not conflict with OL1/4 or H2/2.

Response to Objections - These have been dealt with within the main report.

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 building is an existing one and is capable of conversion without significant alteration. The extension would be minimal and subservient, match existing materials and the development can be safely accessed. The development would not unduly impact upon the character and setting of the area, would comply with Unitary Development Plan Policies and there are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to the drawings received on 23 July 2010 plans amended by the access, hardstanding and visibility splay plan received 9 September 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. Samples of the materials to be used in the external elevations and the formation of hardstanding areas shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The approved materials only shall be implemented.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policies OL1/2 - New Buildings within the Green Belt and OL1/4 - The Conversion and Re-Use of Buildings Within the Green Belt of Bury Unitary Development Plan.

4. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) Order 2008, or as subsequently amended, in relation to the existing dwelling Sunny Bank and the proposed conversion property, no development shall be carried out within the terms of Classes A to H of Part 1 of Schedule 2; and Classes A to C of Part 2 Minor Operations of Schedule 2 of the Order, without the prior written approval of the Local Planning Authority.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed below.
(See informative No.4)

5. The fencing to the boundaries of the site (north, east and south) shall be of a post and rail design not to exceed 1.2m in height and shall remain as such whilst these boundaries serve the development. No other means of enclosure shall be erected without the prior written consent of the Local Planning Authority.

Reason - To maintain the openness and character of the Green Belt and its setting in relation to the development pursuant to OL1/4 - Conversion and Re-Use of Buildings in the Green Belt and OL1/5 - Mineral Extraction and Other Development in the Green Belt.

6. A visibility splay measuring 2 metres by 90 metres shall be provided at the junction of the site with Arthur Lane to the written satisfaction of the Local Planning Authority before the development is brought into use 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 Unitary Development Plan Policy H2/2 - The Layout of New Residential Development.

7. No development shall commence unless and until a replacement landscaping hedge replanting scheme has been submitted to and approved in writing by the Local Planning Authority. It shall be implemented 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.

8. No development shall commence unless and until a Preliminary Risk Assessment report to assess the actual/potential ground gas / landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority.

- Where actual/potential ground gas/landfill gas risks have been identified, a detailed site investigation(s), ground gas monitoring and suitable risk assessment(s) shall be submitted to, and approved in writing by the Local Planning Authority;
- Where remediation / protection measures are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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. Following the provisions of condition 8 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.
10. The visibility splays indicated on the plan received 9 September 2010 shall be implemented to the written satisfaction of the Local Planning Authority before the use hereby approved commences 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 Unitary Development Plan Policy H2/2 - The Layout of New Residential Development.
11. The extension of the existing turning facilities indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the use hereby approved commences 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 Unitary Development Plan Policy H2/2 - The Layout of New Residential Development.
12. The access hereby approved shall be used for domestic purposes and existing agricultural uses only. It shall not be used in part or whole for any commercial livery, equestrian or other use.
Reason - The scale of the access proposed would be sufficient solely for the scale of the development subject to this proposal and not a commercial venture pursuant to Unitary Development Plan Policy H2/2 - The Layout of New Residential Development.

For further information on the application please contact **Dave Marno** on **0161 253 5291**

Ward: Radcliffe - East

Item 03

Applicant: C/O Mr D Kotecha

Location: St Annes House, North Street, Radcliffe, Manchester, M26 2RN

Proposal: Application to extend the time limit for implementation of extant planning permission 48659 for demolition of existing building and construction of 36 no. apartments with 36 no. car parking spaces

Application Ref: 52849/Full

Target Date: 26/10/2010

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 to ensure the proposed development is carried out in accordance with the original Section 106 agreement. Should the deed of variation 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 is located on the corner of North Street and Wellington Street, which is a no through road. The site contains a single storey stone building on the corner, which has been extended in red brick along the frontage of North Street, with the rest of the site in use as a hardstanding and servicing area.

The buildings on the site were last used by an engineering company and the building to the north east is in use as a warehouse. There are residential properties to the other boundaries.

Planning permission was granted in November 2007 for the demolition of the existing buildings and the erection of a single building to incorporate 36 apartments. There would be pedestrian access onto North Street and Wellington Street and the existing vehicular access from North Street would be used. Parking would be provided in the courtyard area. The planning permission was accompanied by a Section 106 agreement for a contribution towards recreation provision and affordable housing.

The proposed development involves the extension of time to the above proposal. The justification for extending the time period is that the current economic climate has restricted the viability of the development.

Relevant Planning History

37117 – Residential development (outline) at St Anne's House, North Street, Radcliffe. Refused 25 January 2001

37698 – Residential development (outline) at St Anne's House, North Street, Radcliffe. Approved with conditions – 12 December 2001

48267 – Demolition of existing building and construction of 36 no. apartments with 36 no. parking spaces at St Anne's House, North Street, Radcliffe. Withdrawn – 11 September 2007

48659 - Demolition of existing building and construction of 36 no. apartments with 36 no. car parking spaces (resubmission) at St Anne's House, North Street, Radcliffe. Approved with conditions - 21 November 2007.

Publicity

28 neighbouring properties (12 - 30 (evens) Holland Court; 4 - 10 (evens) 10A North Street; 27, 28 - 46 (evens) Wellington Street) were notified by means of a letter on 28 July and a press notice was published in the Bury Times on 5 August. Site notices were posted on 3 August.

One letter has been received via e-mail, which has raised the following issues:

- St Annes House adds to the character of the area
- Anti-social behaviour and the construction would add to this problem.
- Impact upon highway safety along North Street.

The objector has been notified of the Planning Control Committee.

Consultations

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

Environment Agency - No objections, subject to the inclusion of a condition relating to the finished floor levels.

Unitary Development Plan and Policies

PPS9	PPS9 Biodiversity and Geological Conservation
H1/2	Further Housing Development
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
EN1/6	Public Art
EN5/1	New Development and Flood Risk
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
SPD1	DC Policy Guidance Note 1: Recreation Provision
SPD4	DC Policy Guidance Note 4: Percent for Art
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD7	DC Policy Guidance Note 7 - Managing the Supply of Housing
PPS1	PPS1 Delivering Sustainable Development
PPS3	PPS3 - Housing
PPS22	PPS22 Renewable Energy
PPG24	PPG24 - Planning and Noise
PPS25	PPS25 Development and Flood Risk
EN6/4	Wildlife Links and Corridors

Issues and Analysis

Principle - The proposed development was granted planning permission in November 2007 and the applicant has not been able to commence the proposal due to the economic downturn. The only change in circumstances since the original consent was granted in 2007 are SPD11, flood risk and protected species which are analysed below.

The site is suitable in principle for residential development and would be in accordance with Policy H1/2 of the adopted Unitary Development Plan.

Bats - A bat survey was submitted as part of the application and states that buildings 1 and 2 are unlikely to be used by roosting bats. Building 3 has features suitable for use by roosting bats, but the probability of use by bats is low. The survey concludes that the

buildings could be demolished with minimal risk of disturbing roosting bats. The Wildlife Officer has no objections to the proposal, subject to the inclusion of a condition relating to the recommendations of the survey. Therefore, the proposed development would not have an adverse impact upon a protected species and would be in accordance with Policy EN6/4 of the adopted Unitary Development Plan and PPS9.

Flood Risk - The site is located within flood risk zone 2. The Environment Agency has no objections to the proposal, subject to a condition relating to the finished floor level. Therefore, the proposed development would not have an adverse impact upon flood risk, subject to conditions and would be in accordance with Policy EN5/1 of the adopted Unitary Development Plan and PPS25.

Parking - SPD11 states that there should be a minimum of 1.5 spaces per 2 bed units, which equates to 54 spaces. The proposed development would provide 43 parking spaces and a cycle store. The proposed development is located within a high access area, and is close to the Metrolink and bus stops; thereby benefitting from good links to public transport. On this basis, the parking provision at the site would be acceptable and would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11.

Planning Obligations - The original planning permission was accompanied by a Section 106 agreement for a contribution towards recreation provision in accordance with Policy RT2/2; a contribution towards public art in accordance with Policy EN1/6 and affordable housing in accordance with Policy H4/1 of the adopted Unitary Development Plan.

A deed of variation has been drafted to ensure that the proposed development is carried out in accordance with the original section 106 agreement.

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 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 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 two 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 K282/01, K282/02G, K282/03F, K282/04E, K282/05C 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. Details 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 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. Prior to the commencement of the development, appropriate site investigations, gas monitoring and risk assessment shall be carried out to assess any possible

risks associated with the production of landfill gas or ground gas. Where required, detailed design features shall be incorporated into the development, as shown necessary by the site investigation and risk assessment, to alleviate risks to the written satisfaction of the Local Planning Authority, and;

A Site Verification Report detailing the design and installation of the incorporated design features, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.

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. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or 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 EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
10. Notwithstanding Condition 9, details of the species, size, planting medium and method of fixing of the trees within the landscaping strip along the north west boundary of the site, along with adequate protection measures are to be submitted and approved in writing by the Local Planning Authority.
Only the approved details shall be implemented not later than 12 months from the date the building(s) is first occupied, and any trees removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees of a similar size 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 EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
11. The ground floor level shall be set at 69.78m AOD.
Reason. To reduce the danger to intended occupants of the building(s) from potential flooding pursuant to Policy EN5/1 - New Development and Flood Risk and PPS25.
12. The visibility splays 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 pursuant to Policy H2/2 - The Layout of New Residential Development of the adopted Unitary Development Plan.
13. The car and cycle 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 building 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.
14. The refuse store indicated on the approved plans shall be built and available for use prior to first occupation of the apartments.
Reason. To ensure adequate refuse facilities are in place pursuant to Policy H2/2 - The Layout of New Residential Development of the adopted Unitary Development

Plan.

15. Prior to the commencement of the development, hereby approved, a noise assessment of the site shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of any acoustic insulation and independent ventilation for any dwellings, to ensure internal noise levels do not exceed the World Health Guideline values (Guidelines for Community Noise 1999). Only the approved details shall be implemented.
Reason. To protect the amenity of the occupants of the premises once the development hereby approved is occupied pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 04

Applicant: Emmanuel Holcombe C of E Primary School

Location: Emmanuel Church Of England Primary School, Helmshore Road, Holcombe, Bury,
BL8 4PA

Proposal: Two storey extension, new rendered entrance lobby tower and various external works to improve site access

Application Ref: 52919/Full

Target Date: 05/10/2010

Recommendation: Approve with Conditions

Description

The school buildings are located within the Holcombe Village Conservation Area. The site is steeply sloping, with steps up to the main entrance fronting on Helmshore Road and level access to first floor at the rear of the site from Moor Road. The school buildings are constructed from a variety of traditional materials, including stone, render and slate.

There is a playground in an elevation position in relation to the school and is accessed by a steep ramp by the steps from the main entrance.

The site is surrounded by a riding school to the northwest of the site and residential properties to the south west and south east. There is open land to the north of the site, with residential properties beyond.

The proposed development involves the reconfiguration of the existing 1970s extension to form two floors of accommodation and alterations and external works to the site to improve site access. The proposed extension would be over the existing 1970s extension and would be constructed from stone and slate. In addition there is a two storey circulation space, which would be rendered. The original school buildings would be unaffected by the scheme.

A platform lift and stairs would be provided to the main entrance and the existing ramp to the playground would be retained.

Relevant Planning History

45813 – Conservatory and provision of disabled toilet at Emmanuel CE Primary School, Helmshore Road, Holcombe. Approved with conditions – 15 March 2006

Publicity

23 neighbouring properties at 2, 3, 4 - 12 (evens), 13, 14, 18, 20, 85 Helmshore Road; 23 - 33 (odds), Old Rectory, Chapel Lane; 4 Rake Fold; Higher Barn Farm, Higher Barn House, Higher House, Moor Road were notified by means of a letter on 10 August and a press notice was published in the Bury Times on 2 September. Site notices were posted on 26 August 2010.

7 letters have been received from the occupiers of Exeter Bank, 25 – 29, 33 Chapel Lane; 6, 16, Caxton End Cottage, 18 Helmshore Road; Plant House, Cross Lane; Ramsbottom Heritage Society, Holcombe Society, which have raised the following issues:

- The height of the new building is overwhelming in proportion to the surrounding properties in the village;
- The proposed windows look out of place;
- The proposed extension would obscure the original school bell, dated 1696;
- Concerned that the consultation period is so short;

- Object to a lack of parking;
- Concern as to where facilities for workers would be located;
- Prefer the extension to be built entirely of stone and not render and aluminium frames;
- Impact of the playground on residential amenity;
- Loss of view;
- Proposed extension would be unsympathetic to the conservation area;
- The proposed rendered tower is more akin to a supermarket building.

Following the receipt of revised plans and a change to the description, 28 properties were re-notified. 5 letters were received from 1 Lumb Carr Road, Exeter bank, 25 - 29 Chapel Lane, Holcombe Society, Ramsbottom Heritage Society, which have raised the following issues:

- Pleased that the window size has been reduced, but remainder of original comments still stand

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections, subject to conditions.

Drainage Section – No objections.

Environmental Health - Contaminated Land – No objections, subject to the inclusion of standard conditions.

Conservation Officer – No objections, subject to the inclusion of a condition relating to the window frames, detail of the coping and handrails and external finishes.

Design for security – No objections.

Baddac - Welcome the lift access to the main access and internally.

Unitary Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
OL7/2	West Pennine Moors
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN9/1	Special Landscape Areas
CF1/1	Location of New Community Facilities
CF2	Education Land and Buildings
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
SPD11	Parking Standards in Bury
PPG2	PPG2 - Green Belts
PPS23	PPS23 Planning and Pollution Control

Issues and Analysis

Principle - Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the impact upon residential amenity, traffic generation and car parking, the scale and size of the development, accessibility by public and private transport and the needs and requirements of the disabled.

Policy CF2 states that the Council will consider proposals for the improvement of educational facilities favourably.

The proposed development would provide an additional classroom at the school, which would be acceptable in principle. The scale and size of the proposed extension and the impact upon parking will be discussed later in the report. As such, the proposed development would in accordance with Policy CF2 of the adopted Unitary Development Plan.

Design - The proposed development would replace an 1970s extension, which adds little to

the character of the conservation area in terms of shape, design and detail. As such, its loss would not be detrimental to the character of the Conservation Area. The other school buildings would be unaffected by the proposals.

Negotiations have taken place with the agent and the plans show a solid structure with openings of the correct proportion and emphasis. The proposed extension would be constructed from ashlar stone, which distinguishes between the old and the new. The colour of the rendered circulation space should create a subtle rather than strong feature. The Conservation Officer has no objections, subject to the inclusion of conditions relating to the window frames, the detail of the handrail and the coping to the circulation space and the external materials.

PPS5 encourages positive development in conservation areas, but not the creation of copies of existing architecture. The proposed extension would provide a modern extension, which in terms of materials and design, respects the original character of the school. The scale of the building is larger than the current buildings, it is set back from the highway sufficiently to reduce its impact. Therefore, the proposed development would be in accordance with Policies CF1/1, EN1/2, EN2/1 and EN2/2 of the adopted Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards between residential properties. The proposed extension would be located on the same footprint as the existing extension, but would be a storey higher. There would be 27 metres from the proposed extension to the rear elevation of the dwellings on Chapel Lane and 25 metres from the two storey tower element to the dwellings on Chapel Lane. The proposed development would comply with the aspect standards set out in SPD6 and would not be detrimental to residential amenity.

Car parking - SPD 11 states that the maximum parking standards are 1.5 spaces per classroom. There is no off-road parking associated with the school, due to the topography of the land. There is capacity for on-street parking and the school are preparing a Green Travel Plan, with the aim of reducing the number of vehicular movements. The Green Travel Plan would be secured through a condition and on this basis, the level of parking provision is acceptable.

Access issues - The existing school buildings are located on a split level site and currently, there is no level access to the main entrance fronting Helmshore Road. The proposed development would provide a platform lift at the main entrance to Helmshore Road as well as retaining the stairs. Internally, a lift would be provided within the existing school building and there is level access to the first floor level at the rear of the school to Moor Road. Therefore, the proposed development would be accessible for all from all aspects and would be in accordance with Policies CF1/1 and HT5/1 of the adopted Unitary Development Plan.

Response to objectors

Concerns were expressed by the objectors about the height of the extension. The proposals have been amended to respond to this issue. The bell would still be visible and the other issues relating to design and materials have been addressed in the main report.

The location of the playground is not changing and the mature trees, which currently screen it would be retained.

The location of the facilities for the workers is not a material planning consideration, but the concerns of the residents have been passed to the agent. The loss of view is not a material consideration.

Summary of reasons for Recommendation

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

The proposed development is acceptable in principle and would not have an adverse impact upon the amenity of the neighbouring residents. The proposed extension would not be detrimental to the character of the conservation area 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 PL001, PL002 Rev A, PL003, PL004 Rev C, PL005 Rev A, PL006 Rev C, PL007 Rev B, PL008 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. 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.
4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
5. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

6. 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.

7. Following the provisions of Condition 3 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and

A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

8. A sample panel of stonework and mortar, demonstrating the colour, texture, face bond and pointing, not less than 1 sq.m in size, shall be erected on site for inspection, and approval in writing, by the Local Planning Authority prior to the commencement of the development. Samples of the roofing materials, render and all other external materials shall also be made available for inspection on site. Thereafter the development shall be constructed in the approved materials and manner of construction.

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.

9. No works shall be carried out on the site until full details of the handrails and the coping to the circulation space have been supplied to and approved in writing by the Local Planning Authority and the works shall then be carried out in complete accordance with those details.

Reason. In order to preserve features of special architectural or historical interest and as provided for under Section 17(1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. No works shall be carried out on the site until full details of the window frames at a scale of 1:20 have been supplied to and approved in writing by the Local Planning Authority and the works shall then be carried out in complete accordance with those details.

Reason. In order to preserve features of special architectural or historical interest

and as provided for under Section 17(1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Ward: Prestwich - St Mary's

Item 05

Applicant: Bury Council

Location: Philips Park, Prestwich

Proposal: Construction of new car park for 85 spaces (including 6 disabled car parking spaces)

Application Ref: 52944/Full

Target Date: 01/10/2010

Recommendation: Minded to Approve

The application is minded to approve, subject to the expiration of the period for advertising the application as a departure.

Description

The site is located within a historic park, which is accessed from Park Lane. North Lodge, which is a Grade II listed building, is adjacent to the main entrance. The access passes over the M60 motorway, which splits the park.

The site, which is located to the south of the motorway is currently grassed with mature trees surrounding the site.

The proposed development involves the replacement of the three existing car parks, with one car park. The proposed parking area would contain 85 spaces and would be located 300 metres from the park entrance, adjacent to North Lodge.

Relevant Planning History

34858/98 - Childrens play area together with boundary fencing and landscaping works at Philips Park, Prestwich. Approved with conditions - 26 January 1999

Adjacent site within park

34551/98 - Erection of wind turbine to generate electricity at Barn, Countryside centre, Philips Park, Whitefield. Approved with conditions - 27 November 1998

Publicity

5 neighbouring properties (Outwood Cottage, Outwood Farm, Philips Park Hall, Philips Park Lodge, Philips Park; North Lodge, Park Lane) were notified by means of a letter on 10 August and a press notice was posted in the Bury Times on 19 August. Site notices were posted on 17 August.

Two letters have been received from the occupiers of Outwood Farm, and North Lodge, which have raised the following issues:

- Question the need for a large car park. The remaining car park has parking for 8 vehicles and is very rarely full. Parking on the access road has taken place with no more than 14 vehicles.
- Impact of anti social behaviour upon the residents of the dwellings in and adjacent to the park.
- Preference for the park to be shut after 8pm.
- Would the car park be lit and road signs provided?

As the application is recommended for approval, a further press notice regarding the departure from the Unitary Development Plan will be published on 14 October and the site notice was posted on 7 October 2010. The publicity will expire on 28 October 2010.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections.

Environmental Health - Contaminated Land - No comments.

Conservation Officer - No objections, subject to the inclusion of a condition relating to the potential for archaeological remains.

Landscape Practice - No objections, subject to the inclusion of a condition relating to tree protection measures.

Design for security - No objections.

Baddac - Welcome the provision of disabled parking bays.

Unitary Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN2/3	Listed Buildings
EN2/4	Historic Parks
EN7	Pollution Control
EN7/5	Waste Water Management
EN8	Woodland and Trees
OL1/5	Mineral Extraction and Other Dev in the Green Belt
RT3/3	Access to the Countryside
HT2/4	Car Parking and New Development
HT2/6	Replacement Car Parking
HT5/1	Access For Those with Special Needs
SPD3	DC Policy Guidance Note 3: Planning Out Crime
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 - 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 OL1/5 states that within the Green Belt other development will be inappropriate unless it maintains openness and does not conflict with the purposes of including land in the Green Belt.

The proposed development would be providing car parking for use in connection with visitors to the historic park, ie a recreational use. The proposed development would be screened from view by the existing trees, which are to be retained and would not have an adverse impact upon the openness of the Green Belt.

The proposed development would replace three existing car parks and these would be landscaped following the completion of the proposed car park. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy OL1/5 of the adopted Unitary Development Plan and PPG2.

Impact upon surrounding area - The creation of a single car park would consolidate the car parking near to the park entrance, in line with best practice for historic parks. The proposed development would reduce conflict between pedestrians and motor vehicles and would preserve the character of the historic core. The Conservation Officer has no objections to the scheme, subject to the inclusion of a condition to deal with any archaeological remains, which may be found during construction. Therefore, the proposed development would be in accordance with Policies EN1/1, EN1/2, EN2/4 and EN7/5 of the adopted Unitary Development Plan.

Security - The objectors are concerned that the provision of the proposed car park would lead to anti-social behaviour. There is an existing barrier, which is located on the access road and to the south west of the proposed car park. This barrier would prevent unauthorised vehicular access to the residential properties, but would allow access to the car park. The park is currently patrolled by Council security and site ranger on a regular basis. Design for Security has no objections to the proposed development. On this basis, the proposed development would not have an adverse impact upon crime safety and would be in accordance with Policy EN1/5 of the adopted Unitary Development Plan.

Trees - The proposed development would be surrounded by mature trees. The proposed car park surfacing would be constructed from porous asphalt and has been positioned to minimise any impact upon the trees. The Landscape Practice has no objections to the proposal, subject to the inclusion of conditions relating to tree protection measures during construction. The proposed development would not have an adverse impact upon the trees and would be in accordance with Policy EN8/2 of the adopted Unitary Development Plan.

Highways issues - The proposed car park would use the existing access into the park from Park Lane over the motorway bridge. The proposed car park would be constructed off the main access in close proximity to the play area. The Traffic Section has no objections, subject to the inclusion of conditions. The provision of 6 disabled parking bays is welcomed by Baddac. Therefore, the proposed development would be in accordance with Policies HT2/4 and HT5/1 of the adopted Unitary Development Plan and SPD11.

Response to objectors - The issues raised by the objectors have been dealt within the main report.

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 residential amenity. The proposed development would not be detrimental to the surrounding trees nor 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 HS001/PHILIPS/002, HS001/PHILIPS/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. The surfacing material for the car park shall be as stated on the application form and approved plans, unless otherwise agreed in writing with the Local Planning Authority.
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 car parking indicated on the approved plan shall be surfaced and demarcated to the written satisfaction of the Local Planning Authority.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the

Bury Unitary Development Plan.

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

Ward: Whitefield + Unsworth - Besses

Item 06

Applicant: Telefonica 02 (UK) Ltd

Location: Land adjacent Junction 17, M60 and Hardmans Road, Whitefield, Manchester, M45 7BD

Proposal: Prior notification for replacement of existing 15m pole with new 15m high monopole including 3 no. antennae and equipment cabinet to facilitate site sharing

Application Ref: 52946/Telecom Determination **Target Date:** 20/10/2010
(56 Days)

Recommendation: Prior Approval Required and Granted

Description

Site is adjacent to M60 roundabout on Bury New Road at the end of Hardmans Road in Whitefield. There is an existing mast and two cabinets, which are located near the access to the pedestrian underpass.

There are residential properties to the north and there are residential and commercial development on the opposite side of the roundabout. There is a commercial use to the north west of the site.

The proposal would facilitate site sharing by operators and therefore involves the replacement of the existing 15 metre pole, with a new 15 metre high monopole. The mono pole would be 150mm wider in diameter (445mm overall) and would include 3 antennae and an additional equipment cabinet (three).

Relevant Planning History

46241 - Installation of 17.5m high streetworks monopole and equipment cabin for telecommunications equipment at land at M60 roundabout, Bury New Road, Whitefield. Refused - 11 May 2006

46781 - Prior approval determination for 15m streetworks monopole and ground based cabinet (resubmission) at land at M60 roundabout, Bury New Road, Whitefield. Prior approval granted - 1 September 2006

47850 - Installation of 15m high telecommunications monopole and two associated equipment cabinets (prior approval) at land adjacent junction 17, M60 and Hardmans Road, Whitefield. Prior approval required and refused - 8 May 2007.

48133 - Radio base station comprising 15 metre streetworks monopole and equipment cabinets (prior approval) at land at junction 17, M60 and Hardmans Road, Whitefield. Prior approval granted - 20 June 2007

52958 - 1.1 Metre high infill post in connection with the creation of an Eruv at site at junction of Bury New Road, Hardmans Road and M60, Junction 17m Whitefield. Received - 17 August 2010.

Publicity

151 neighbouring properties were notified by means of a letter on 26 August and a site notice was posted on 3 September 2010. Two letters have been received from the occupiers of 10 and 12 Hardmans Road, which have raised the following issues:

- Proposed mast would be more prominent within the streetscene
- Other non-residential sites are available

- The proposed mast would be less than 20 yards from a residential dwelling. A minimum spacing of 50 yards should be provided.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections.

Drainage Section - No objections.

Environmental Health - Contaminated Land - No comments.

Environmental Health - Pollution Control - No response.

Design for security - No objections.

Highways Agency - No objections.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN1/7 Throughroutes and Gateways

EN1/10 Telecommunications

PPG8 PPG8 - Telecommunications

Issues and Analysis

Health Issue - Current government guidance (PPG8) with respect to potential health risks, states that providing such proposals meet the ICNIRP guidelines, local authorities should not consider those aspects, or any concerns about them, any further. In this case, the applicant has indicated that the proposal would meet the ICNIRP guidelines, through the submission of a certificate.

Supporting Information - No additional sites would be required as the proposal involves the sharing of a single mast, which is encouraged within PPG8. The site for the proposed development accommodates an existing mast, which would be replaced to facilitate sharing. The applicant has provided sufficient information to justify the need of the proposed, thereby reducing the need for additional masts. Therefore, the proposed development would be in accordance with Policy EN1/10 of the adopted Unitary Development Plan.

Visual Amenity - The proposed mast and equipment cabinet would be located near the existing equipment cabinets in the grass verge adjacent to the roundabout. The nearest residential property would be some 17.5 metres away. However, there are no openings within the gable elevation and this property would not have a direct view of the proposed mast. The property to the north west is commercial and would not directly overlook the site.

The proposed mast would be the same height as the existing mast and although it would be 150mm bigger in diameter, this change is not significant. The streetscene is dominated by the major road junction and the variety of street furniture in the vicinity - telegraph pole, streetlights and signage. The proposed mast and associated equipment would be viewed in association with the existing street furniture and would not be unduly prominent in the locality.

Therefore, the proposed development would be in accordance with Policies EN1/2, EN1/7 and EN1/10 of the adopted Unitary Development Plan.

Highways Issues - The proposed equipment would be located on the grass verge and would not affect pedestrian access. The Traffic Section and the Highways Agency has no objections to the proposal. Therefore, the proposed development would not be detrimental to highway safety.

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:-

Having due regard to both National and Local Policy, in particular Policy EN1/10

(Telecommunications), it is considered that the proposed development is acceptable in

relation to health and safety issues, due to the submission of the relevant certificate under ICNIRP. The location of the proposed apparatus would not result in a detrimental impact upon the trees in the locality and would not be unduly prominent in the streetscene. Therefore, the proposed development is considered to be acceptable. There are no other material considerations that outweigh this finding.

Recommendation: Prior Approval Required and Granted

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 100, 200, 300, 301, 400, 500 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 commencement of development, details of the exact colour of the mast and related equipment hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented as part of the development hereby approved.
Reason. In the interest of visual amenity pursuant to the following policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN1/10 - Telecommunications

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

Ward: Radcliffe - East

Item 07

Applicant: Mr N Jehan

Location: 121 Eton Hill Road, Radcliffe, Manchester, M26 2XQ

Proposal: Change of use from dwelling to 2 no. self-contained flats

Application Ref: 52969/Full

Target Date: 15/10/2010

Recommendation: Approve with Conditions

Description

The property is a traditional mid two bedroom terrace with a small garden to the front and yard to the rear. The area is predominantly residential with terraces and some semi detached houses. Directly opposite is Eton Hill Industrial Estate which is screened by tall conifer trees.

The application is to convert the existing house into two self contained flats; one at ground floor and one at first. The existing front door would be the entrance for both flats with each having a living room/bedroom at the front and a kitchen/diner and bathroom to the rear. No external changes are proposed to the front elevation. To the rear an additional window would be added to the ground floor for a bathroom.

Relevant Planning History

None.

Publicity

9 notification letters were sent to addresses at 117, 119, 123, 125 Eton Hill Road and 114-122 Cranbrook Street, Radcliffe. Two objections have been received from 123 Eton Hill Road, an adjoining neighbour, and 122 Cranbrook Street to the rear. The comments in summary are:-

123 Eton Hill Road

- They have lived there 55 years and there has never seemed a demand for flats
- The property was gutted by the new owner and the plaster is not as thick as the original
- The stairs are against the party wall and noisy when used and they have had to ask tenants to remove radio's or equipment that emits noise from under the stairs
- Having upstairs living quarters next to their bedrooms is a bad idea

122 Cranbrook Street

- The change of use will devalue properties in the area
- Radcliffe has purpose built flats that are still empty
- If one of the flats is accessed at the rear there could be a problem with parked cars and access for the bin lorries

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - no objection.

Planning Policy - no comments received.

Environmental Services (Commercial Section) - no comments received.

Environmental Services (Contaminated Land) - no comment to make.

Environmental Services (Pollution) - have concerns about probable noise disturbance to both the adjacent and potential residents in relation to the following:-

- the entrance to the stairway for the first floor flat is adjacent the ground floor flat entrance which opens on to the bedroom
- there is no access for the first floor flat to the rear bin area
- properties at either side may be disturbed as their bedrooms are adjacent the first floor flat living area
- similarly the ground floor flat may be disturbed by adjacent properties

Unitary Development Plan and Policies

H1/2 Further Housing Development

H2/4 Conversions

EN7/2 Noise Pollution

SPD11 Parking Standards in Bury

Issues and Analysis

Principle – The property is residential as existing and therefore the principle of a residential conversion is considered acceptable.

UDP Policy H2/4 – Conversions has regard to the effect on the amenity of neighbouring properties, general character of the area, effect on the street scene and parking and servicing arrangements.

Visual Amenity - There would be no impact on the street scene as there are no changes to the front elevation of the property with the front door as existing to serve both flats. The bin storage for both flats would be in the existing rear yard with no external alterations.

Residential Amenity – The flats would provide adequate self-contained living space for future occupants with the ground floor having outside amenity space.

The property would retain a residential use and with the exception of a window to the rear the alterations are internal. As identified by Environmental Health there is a potential issue to do with noise between the new flats and the neighbouring properties. The agent has been advised that a condition is recommended regarding the soundproofing of the floor and party walls to ensure that the proposal complies with current regulations. The proposal would then comply with UDP Policy H2/4 – Conversions and EN7/2 - Noise Pollution.

Parking – There is no off street parking for the property at present and the proposal does not increase the number of bedrooms compared to the existing house. SPD11 – Parking Standards has no minimum requirements for parking and as the site is located close to Bury Road a main route between Bury and Radcliffe has easy access to public transport and there is unrestricted on street parking on both sides of Eton Hill Road and as such the development would comply with UDP Policy H2/4 - Conversions.

Response to objections – The access to both flats and on street parking is to the front and there would be no more likelihood of an occupant parking at the rear than there is at present.

The first floor occupant would not have access to the bin storage area through the property itself but this is often the case for developments containing flats where refuse has to be taken to a communal point.

The proposals would provide an alternative mix of residential accommodation and tenancy to the area in line with the requirements of PPS 3 - Housing.

With regard to potential noise nuisance a condition is added for sound proofing to meet current regulations.

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 conversion of the property into two-self contained flats would not have a detrimental impact on the visual amenity of the area, character of the locality or residential amenity. The scheme complies with UDP policies listed above. 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 817/1 and revised plan 817/2 received 17/09/10 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. No development shall take place unless and until a scheme to soundproof the ground and first floor of the proposed flats and the ground and first floor party walls between 119 and 123 Eton Hill Road , which shall be in accordance with standards of construction specified in current Building Regulations, has been submitted to and approved by the Local Planning Authority. Such works that form the approved scheme shall be completed before the development is brought into use.
Reason: To protect the residential amenities pursuant Bury UDP Policy EN7/2 - Noise Pollution.

For further information on the application please contact **Jane Langan** on **0161 253 5316**

Ward: Bury East

Item 08

Applicant: Mr Iqbal Javed

Location: 173 Rochdale Road, Bury, BL9 7BB

Proposal: Alterations to front elevation and ground floor shop to form new entrance to self-contained flat at first floor.

Application Ref: 53046/Full

Target Date: 18/10/2010

Recommendation: Approve with Conditions

Description

The site relates to a two storey mid terraced property within a neighbourhood centre to the east of Bury Town Centre. There is a baker's shop on the ground floor and a vacant flat above. There is an Asian confectionary shop at No.171 and a jewellery shop at No.177.

It is proposed to convert the first floor accommodation into a self-contained flat by repositioning the existing entrance to the bakery to accommodate a separate entrance for the first floor flat on the front elevation. Internally an area measuring approximately 3.7m by 1m would be removed from the bakery to form the internal staircase up from the new entrance to the first floor flat, effectively reducing the width of the shopfront from 4.5m to 3.2m. The existing stairs from the bakery to the first floor would be removed.

Relevant Planning History

None relevant.

Publicity

Ten neighbouring properties notified by letter dated 25/8/2010 at 169 - 175 Rochdale Road, 14 and 142 Rochdale Road, 2a and 2b Tinline Street, 17 and 18 Barrett Court.

One objections from the existing tenant who operates from the ground floor bakery can be summarised as follows:

- The shop would have to be closed for a period and as a consequence he would lose valuable custom.
- Parking would be an issue as there are double yellow lines at the front and parking is difficult at the rear.

The objector has been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Environmental Health - No objection

Baddac Access Officer - No objection.

Greater Manchester Police - No objection.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN1/5 Crime Prevention

EN1/8 Shop Fronts

EN7/2 Noise Pollution

S1/5 Neighbourhood Centres and Local Shops

Issues and Analysis

Use - The property above the existing shop is residential and therefore the conversion to a self-contained flat is considered acceptable in principle. The loss of part of the ground floor shop and reduction in width of the shopfront to accommodate the new staircase would be

relatively small scale and would not have a significantly detrimental impact on the long term viability and vitality of the existing neighbourhood shopping centre. As such the proposal complies with UDP Policy S1/5 Neighbourhood Centres and Local Shops.

UDP Policy H2/4 – Conversions has regard to the effect on the amenity of neighbouring properties, general character of the area, effect on the street scene and parking and servicing arrangements.

Visual Amenity - The existing shopfront would be reduced in width to accommodate the new door. These external alterations would not significantly harm the visual amenity of the streetscape and would be considered acceptable. The proposal complies with UDP Policy EN1/2 Townscape and Built Design and EN1/8 Shopfronts.

Residential Amenity – There would be no serious impact to adjacent neighbours as the use of the upper floor would not change although it is considered that soundproofing of the floor and party walls to ensure that the proposal complies with current environmental health and building regulations. The proposal would comply with UDP Policy EN7/2 - Noise Pollution.

Parking – There is no off-street parking for the existing flat above the shop and as such the situation would not alter. The site is close to the town centre and public transport and is considered a high access area.

Objection – The access to both flats and on street parking is to the front and there would be no more likelihood of an occupant parking at the rear than there is at present. The loss of custom whilst building work is carried out is not a material consideration and would not be a valid to refuse the application.

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 alterations would not have a significant impact on the long term vitality or viability of the existing shopping centre or the character and visual amenity of the area. The proposal complies with UDP policies listed. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 1 -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. The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. No development shall take place unless and until a scheme to soundproof the party walls between the flat and adjacent properties, the wall between the stairway

and flat & shop, and the floor/ceiling between shop and flat has been submitted to and approved by the Local Planning Authority. The levels of acoustic insulation to be provided shall be, as a minimum, those deemed to be acceptable and specified as standards of construction in current Building Regulations. Such works that form the approved scheme shall be completed before the development is brought into use.

Reason: In the interests of residential amenity pursuant to UDP Policy EN7/2 Noise Pollution.

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

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 09

Applicant: Ms Bethell

Location: Hillside Kennels, Pike Farm, Bury Old Road, Bury, BL9 6SY

Proposal: Erection of two stable blocks housing 12 stables, erection of covered midden, use of existing barn for 4 stables, and formation of horse exercise area / manege

Application Ref: 53087/Full

Target Date: 28/10/2010

Recommendation: Approve with Conditions

Description

Pike farm has a landholding of 5.6 hectares and is near the remains of Grants Tower. The site is accessed by a private road from Walmersley Old Road and the private road forms the route of Public Footpath No. 197.

There is a radio mast in the field to the south of the site and there are open fields to the east. The access road is located to the north and beyond there are mature trees. The access road to the radio mast forms the western boundary and beyond this is the farmhouse.

The application site consists of an area of land, containing an open fronted barn and other buildings. The existing buildings are located on a hardstanding, with a field to the south.

The proposed development involves the creation of 16 stables and a outdoor riding arena together with extensive landscaping. The stables are to house the applicant's existing thoroughbred horses that are currently on other sites in the country.

The existing barn would be converted to form 4 stables and a storage area for feed and hay. Two further buildings would be built. Block 1 would be located along the eastern boundary and would contain 5 stables and block 2 would contain 7 stables and the existing water filter. The proposed stable buildings would measure 2.1 metres to the eaves and 3 metres in height overall. A further building measuring 6.4 metres by 4 metres and 2.9 metres in height would contain the midden.

The proposed outdoor riding arena would be located to the south of the stable blocks and would measure 40 metres by 20 metres. The proposed outdoor riding arena would be cut back into the existing field and would be 1.3 metres lower than the surrounding field.

Relevant Planning History

44525 - Prior approval determination for hay barn/tractor store at Pike Farm, Walmersley Old Road, Nangreaves. Prior approval not required - 23 May 2005.

46100 - Change of use from piggery to boarding kennels at Hillside Kennels, Pike Farm, Bury Old Road, Nangreaves. Approved with conditions - 17 May 2006.

52175 - Conversion of existing barn to 4 no. stables and storage; erection of 16 no. stables in 2 blocks; creation of exercise arena at Pike Farm, Bury Old Road, Nangreaves. Withdrawn - 12 April 2010.

This application is the result of negotiations following the withdrawal of 52175.

Publicity

8 neighbouring properties (Pinfold Farm, Hoof Farm, Bent House Farm, Bury Old Road;

Park Farm, Park Chapel, Park Wood Farm, Top O' Th' Hoof Farm, 211 Manchester Road) were notified by means of a letter on 14 September and a press notice was published in the Bury Times on 23 September. Site notices were posted on 15 September. There has been no response.

Consultations

Traffic Section - No objections, subject to the inclusion of a condition relating to domestic use of the stables.

Drainage Section - No objections.

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

Environmental Health - Pollution Control - No response.

Public Rights of Way Officer - No objections.

Designforsecurity - No comments.

Baddac - No comments

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
EN9/1	Special Landscape Areas
OL1/2	New Buildings in the Green Belt
OL4/7	Development Involving Horses
HT2/4	Car Parking and New Development
HT4	New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD 9	Conversion and Re-use of Buildings in the Green Belt
SPD10	Planning for Equestrian Development
PPG2	PPG2 - Green Belts

Issues and Analysis

Principle - The application is a departure from the Unitary Development Plan and as such, is presented to Planning Control Committee.

Whilst PPG2 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.

Whilst Policy OL1/2 requires that new buildings within the Green Belt should be restricted to those needed for the purposes of agriculture or forestry, it also provides scope for other uses which are considered to be appropriate to the Green Belt. The re-use of existing buildings is preferred to the erection of new buildings. However, a new building within the Green Belt may be considered acceptable if it is appropriate in scale and does not detract from the openness of the Green Belt.

Policy OL4/7 states that the keeping of horses for recreational purposes or on a commercial basis would be considered acceptable where it would not have an adverse impact upon the appearance of the rural areas and high standards of design will be expected as part of any proposals.

Stables are appropriate development within the Green Belt, although the number of stables

would be too large to be considered 'small stables' for the purposes of conforming to PPG2. Therefore, the applicant must demonstrate a case for special circumstances, which would outweigh the harm to the Green Belt.

All of the horses are owned by the applicant and horse passports have been provided. The horses are Arabian Thoroughbreds, which are of particular value. The design and access statement explains the particular characteristics of pure-bred Arabian horses and the need to have regular access to care for them on one site. The applicant shows the horses at venues throughout the world and has won several awards. It is the applicant's ambition to breed a World Champion. As such, the proposed stables would be for the private use of the applicant.

SPD10 states that the British Horse Society recommend 0.4 hectares of good grazing land per horse, which equates to 6.4 hectares. The applicant has reduced the number of stables from the previous application by 4 and the farm has an extensive land holding of 5.6 hectares. While the horses do graze, they are not wholly reliant on grazing, due to the need to control the diet and condition of the horses. As such, a smaller landholding of 5.6 hectares would be acceptable in this instance.

The horses are currently stabled all around the country including Chorley, Tottington, Newbury, Suffolk, Norfolk and North Wales at commercial liveries. This arrangement cannot be sustained as the applicant is unable to provide the necessary level of close care, supervision and training of the horses. The proposed development would also significantly reduce the number of vehicular movements around the country.

The kennels building is visible from Ramsbottom and Holcombe, but the existing mature trees screen the existing barn, which would be converted to form 4 stables and a hay store, and the application site from view. The application includes additional planting and landscaping, which would further screen the proposed development. Therefore, the proposed site would be the most suitable as it would have the least visual intrusion into the landscape.

The agent has provided information, which indicates that there is no suitable alternative stables within the surrounding areas, including Rochdale, Bury and Rossendale. By bringing all of the horses to the one site, the applicant would be able to provide the necessary close level of care, supervision and training of the horses. This, together with the provision of 5.6 hectares landholding to support the horses, forms the case of very special circumstances to outweigh the in-principle harm of inappropriateness in this case.

Impact upon the surrounding area - The proposed stables would be constructed on the existing hardstanding and would be located in a small group around the existing barn. The buildings would be constructed from timber with green profile sheeting, which are acceptable materials. The proposed stables would have a maximum height of 3 metres and would be screened from view to the west by the existing buildings and the bank of mature trees. The proposed development includes the retention of the planting to the north of the site and additional planting to all other boundaries of the site. The landscaping, coupled with the topography of the surrounding land would ensure that there would be limited visibility of the stables. Therefore, the proposed development would be acceptable in terms of height, form and scale and would not have an adverse impact upon the openness of the Green Belt. The proposal would be in accordance with Policies OL1/2, EN1/2, EN1/3 and EN8/2 of the adopted Unitary Development Plan.

The proposed outdoor riding arena would be located in the field to the south of the stables and would cut into the field. The proposed riding arena would have a gradual slope of 0.5 metres across the arena and would be 1.3 metres below the adjacent field. A chipped rubber surface would be used for the riding arena, which would be enclosed with timber post and rail fencing. Additional planting would be provided along the eastern boundary to further screen the riding arena. As such, the proposed development would not have an adverse impact upon the openness of the Green belt and would be in accordance with

Policies OL4/7 and EN1/2 of the adopted Unitary Development Plan and SPD10.

The existing stone wall along the eastern and northern boundaries would be retained. A 1.35 metre high timber post and rail fence and screen planting would be located along the northern boundary between the proposed stables and the riding arena. The proposed boundary treatments and screen planting are acceptable and would not harm the visual amenity of the area or the openness of the Green Belt.

Therefore, the proposed development would not conflict with Policies OL1/2 and OL4/7 of the adopted Unitary Development Plan and PPG2.

Bats - The existing barn is constructed from timber and is open fronted. The conversion of the barn to stables would not prevent bats from roosting in the barn in the future. 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.

Impact upon residential properties - The proposed development would result in additional vehicular movements on the access lane. However, these would be restricted to the occupiers of the property, a farrier every 8 - 12 weeks and a vet 3 - 4 times a year. Hay and feed would be delivered once a month. There would be no significant increase in vehicular movements and therefore, no significant increase in noise and disturbance. The nearest residential dwelling would be over 210 metres away. 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 - Access to the site is from Walmersley Old Road along the existing track to the barn, which is a public footpath (No. 197). The last use of the site was for agricultural purposes, which would equate to a similar level of vehicular movements as described above. The Traffic Section has no objections, subject to the inclusion of a condition restricting the use of the stables as a livery. Therefore the proposed development would not result in a significant increase in vehicular movements along the access and would not be detrimental to highway or pedestrian safety. The proposed development would be in accordance with Policy HT6/2 of the adopted Unitary Development Plan.

Parking - The existing parking facilities at the existing barn would be suitable for use by the occupiers and any occasional visits, such as farrier, vet and deliveries, can be accommodated within the site. Therefore, the level of parking provision is acceptable and would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan.

Summary of reasons for Recommendation

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

Although the application involves inappropriate development in the Green Belt, it includes a satisfactory case for 'very special circumstances' to justify the development. The proposed development would not have an adverse impact upon the amenity of the neighbouring residents. The proposed development would not be unduly prominent within the Green Belt, subject to conditional control and would not have a detrimental impact upon 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 423/1, 423/3 C, 423/4 B, 423/5, 423/6,

423/7, 423/8, 423/9 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 of the buildings and details of the chipped rubber surfacing for the riding arena shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The approved materials shall be implemented as part of the development hereby approved.
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 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.
5. The stables hereby permitted shall not be used in part or whole for any commercial livery.
Reason. In the interests of amenity having regard to the location of the site pursuant to Policies H3/1 – Assessing Non-Conforming Uses and OL1/2 – New Buildings in the Green Belt of the Bury Unitary Development Plan.
6. The stables and riding arena hereby approved shall be removed from site to the written satisfaction of the Local planning Authority within 6 months of it ceasing operation.
Reason: In the interests of the visual amenity pursuant to Policies H3/1 – Assessing Non-Conforming Uses and OL1/2 – New Buildings in the Green Belt of the Bury Unitary Development Plan.
7. No development approved by this permission shall be commenced until, a scheme for the containment and storage of manure, has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed, in accordance with approved plans.
Reason: To prevent the pollution of the environment pursuant to Policies H3/1 – Assessing Non-Conforming Uses and OL1/2 – New Buildings in the Green Belt of the Bury Unitary Development Plan.
8. 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.

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

