

Ward: Bury East

Item 01

Applicant: Bury Grammar Schools

Location: Bury Grammar Girls School, Bridge Road, Bury, BL9 0HH

Proposal: Extension to Bury Grammar Girls School to provide new lecture theatre and sixth form social area

Application Ref: 52491/Full

Target Date: 30/08/2010

Recommendation: Refuse

Description

The Bury Grammar Schools are located fronting onto Bridge Road, with the girls school to the east and the boys school to the west. The girls school provides education from nursery age to sixth form. The girls' school building, dates from 1900 and was built over a period of 7 years. This building is constructed from red brick with stone detail and a slate roof. It is symmetrical in appearance and has two entrances onto Bridge Road, which are located between the ground and first floor levels, accessed by steps. There are two flat roofed extensions, which are adjacent to both entrances on either side of the main elevation. These are two storeys in height and are constructed from red brick.

Vehicular access to the site is located near the junction of Tenterden Street and Jubilee Way and leads to two car parks. One parking area is located between the tennis courts and the boundary of the site and the main car park is located between the school building and Tenterden Street.

The proposed development includes the demolition of one of the existing two storey flat roofed extension and to construct a series of extensions to the existing building comprising:-

- a glazed single storey extension to provide a separate entrance for the sixth form:
- a lecture theatre
- a two storey glazed element as the main entrance and staff offices.

The glazed single storey extension would be at ground floor level along Bridge Road. This extension would provide a separate entrance for the sixth form as well as a social and dining area.

The proposed lecture theatre would be located at the corner of Tenterden Street and Bridge Road, on the existing staff car park. It would be 4.5 metres in height at its highest point and an access would be provided from the car park. It is however, set at a lower level compared to Bridge Road, with its upper third visible to the street.

The two storey glazed element would be located at the back of the footway on Bridge Road and would be used as the main entrance to the school and would provide a connection between the lecture theatre and the old school. There would be a basement level, which would not be visible from Bridge Road and would contain changing and toilet facilities for the lecture theatre. The ground floor would contain the entrance foyer, reception and the staircase and lift with office accommodation at first floor level.

The proposals have arisen as the school considers that the existing sixth form facilities are poor and inadequate for modern standards. It is hoped that the provision of improved facilities would lead to an increase in student numbers.

Relevant Planning History

31783 - Two storey junior school extension at Bury Grammar School (Girls), Bridge Road, Bury. Approved with conditions - 28 March 1996

46018 - Two storey linked building to form kindergarten and pre-school (revised scheme) at

land off Bridge Road, adjacent to Bury Grammar School, Bury. Approved with conditions - 5 June 2006

00219/E - Extension to Bury Grammar School (Girls)

Publicity

19 neighbouring properties (19 - 31 (odds) Walshe Street; 40 - 50 (evens), Bury Grammar School (Boys), Units 1 & 2 The Old County Court, Tenterden Street; Bury Magistrates Court, 72 - 74 Tenters Street) were notified by means of a letter on 6 July and site notices were posted on 7 July 2010.

As a result of this publicity no comments have been received.

Consultations

Traffic Section - Concern relating to the loss of parking spaces and these should be re-provided. There is a lack of detail regarding the interface of the proposed works and the existing public highway.

Drainage Section - No objections.

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

Environmental Health - Pollution Control - No objections, subject to the inclusion of a condition relating to noise.

Conservation Officer - The proposal has developed through the pre-application process and has a number of benefits - the removal of two extensions along the frontage and the provision of a improved and more usable forecourt around the sixth form area.

The design and scale of the proposed building is quite challenging, particularly around the entrance area. There has been extensive deliberation about the workings of the building in this area and the agent as tried to balance competing requirements. While the current scheme is, in terms of bulk, as challenging as the scheme proposed during pre-application proposals, its reliance on large glazed areas will soften its impact.

The extension meets the original building at the northern end, close to one of the original entrances. Further detail relating to the restoration of the features and the works to close off the original entrance are required.

Waste Management - No response.

GM Police - designforsecurity - No objections.

Unitary Development Plan and Policies

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|-------|---|
| EN1/1 | Visual Amenity |
| EN1/2 | Townscape and Built Design |
| EN1/3 | Landscaping Provision |
| EN7 | Pollution Control |
| EN7/2 | Noise Pollution |
| HT2/4 | Car Parking and New Development |
| HT2/6 | Replacement Car Parking |
| HT4 | New Development |
| HT5/1 | Access For Those with Special Needs |
| CF1/1 | Location of New Community Facilities |
| CF2 | Education Land and Buildings |
| Area | Bridge Road/Buckley Wells |
| BY2 | |
| SPD6 | Supplementary Planning Document 6: Alterations & Extensions |
| SPD11 | Parking Standards in Bury |
| PPS5 | PPS5 Planning for the Historic Environment |

Issues and Analysis

Principle - Policy CF/1 states that proposals for new and improved community facilities will be considered with regard to the following factors:

- Impact upon residential amenity and the local environment
- Traffic generation and car parking provision
- The scale and size of the development
- Accessibility by public and private transport

- The needs and requirements of the disabled

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

Area BY2 states that the Council will consider favourably proposals for the enhancement of the Bridge Road/Buckley Wells area of the town centre for education, residential, car parking and railway related uses.

The proposed development would provide additional and improved educational facilities for sixth form students at the school. As such, the proposed development would be essential to the provision and improvement of educational facilities within the borough. The proposed development would be accessible by public and private transport and is in close proximity to the town centre. The issues of size and scale, traffic generation, car parking and access for disabled people will be discussed later in the report. However, the proposed development would be acceptable in principle and would be in accordance with Policies CF1/1, CF2 and Area BY2 of the adopted Unitary Development Plan.

Design - PPS5 is clear in that the protection of 'heritage assets' should be seen in a much wider context, with consideration given to unlisted buildings located outside of the conservation areas.

The existing school building is not Nationally listed but is on the draft local list of historic buildings. The buildings were built over a period of 7 years from 1900 and comprise Accrington brick buildings, with decorative stone windows, with mullions, fine tracery work, door surrounds and stone banding between the ground and first floors. All of the elevations are well designed, symmetrical and balanced in appearance. As such, the building contributes greatly to the streetscene and historic character of the area.

DESIGN PRINCIPLES & CONCEPTS - The following paragraphs have been taken from the applicant's Design and Access Statement:

"The aim is to provide a distinctive building that relates well to the surroundings, whilst also providing a design solution, which integrates with the adjacent school buildings and reflects old and modern construction types and aesthetics. The solution has also sought to achieve a high level of flexibility in how the building can be used by different groups during and outside of normal school hours."

"The overall scale of the new development reflects the constraints of the site area and the need for a efficient compact design layout, which utilises the existing topography of the site taking account of the different site levels. Furthermore, the scale of the building allows it to appear as a feature within a predominantly two storey area, without being dwarfed by the surrounding development. The design and appearance of the new extension is intended to be modern, contrasting and contemporary whilst remaining in tune with the existing school building."

The proposed extension is split into three main elements - the glazed entrance at ground floor along Bridge Road, the lecture theatre and the two storey glazed element.

GLAZED ENTRANCE - The single storey extension at ground floor level would be predominantly glazed with brick piers and a central canopy. The proposed extension would retain the vertical feel and the rhythm of the openings above and the curved canopy detail would reflect the detail above the clock on the existing building. Four of the windows within the existing building would be removed to allow access into the proposed extension, but the majority of the existing window openings would be retained. The proposed extension would be a modern addition and it is considered that its design would not detract from the character and appearance of the existing building.

LECTURE THEATRE - The proposed lecture theatre is of an acceptable modern design,

which respects the original building. There is a concern that the proposed extension would restrict the public views of the existing bay window detail on the corner of the existing building. To alleviate this concern, it would be preferred if the building would be rotated towards Bridge Road, so that the existing bay window detail would be unaffected by the proposal. However, the agents consider that this would require a fundamental design change and would not entertain this suggestion. This amendment would be acceptable from the Local Planning Authority's point of view. The proposed extension would connect to the existing building at ground floor level only and a conservative mix of materials would be used at this point, comprising brick and stone. The connection at ground floor level only, allows for the re-instatement of a window in the old building, which is currently obscured by the existing two storey extension.

The materials for the proposed lecture theatre include glazing, red brick and render, with panels of artwork inserted as a relief. Overall, the mix of materials and colours would help to break up the elevations and add interest and there is no objections from the Local Planning Authority to these.

The majority of the lecture theatre would be located below street level on Bridge Road. As such, it would be partially screened from view by the existing boundary walls on Tenterden Street. The proposed lecture theatre element would be appropriate in terms of its bulk and massing.

TWO STOREY GLAZED ELEMENT - The proposals include a new glazed entrance area at Bridge Road level and office accommodation above. Changing facilities would be provided at basement level, making use of the differing levels in the site, but this element would not be visible from Bridge Road.

The applicant has undertaken pre-application discussions and on an earlier scheme, it was considered that the large office section would block the views of the main school elevation. The agent has addressed this issue with the separation of the two storey glazed element from the existing school, which now links at ground level only. The issue is now whether this amendment is sufficient. On assessment, it is considered that the proposed glazed element would still obscure the main school elevation unsatisfactorily, particularly when viewing the buildings from the junction of Bridge Road and Tenterden Street.

The main school building has a strong symmetry and balance in its appearance and as such, the addition of the proposed glazed element would result in an overly strident intrusion creating an unbalanced appearance. A suggestion from the Local Planning Authority was that this should be a single storey building, as the two storeys adds bulk to the design of the extension, preventing the views of the main school building. This in turn exacerbates the unbalanced appearance, to the detriment of the character of the building.

There are two entrances to the school on the Bridge Road elevation with steps up to them. The entrances are positioned in between the ground and first floor of the main school building and are constructed from stone with pillars supporting a arched doorway. The words 'boys entrance' are carved into the stone, with a series of windows above and a coat of arms carved into the top section. The other entrance is a copy of this with the words 'girls entrance'. These form part of the history of the building and contribute to the architectural quality of the building.

The existing boys entrance would be obscured from view by the proposed two storey glazed element, specifically the entrance lobby and by the office above. The proposed development would extend beyond the building line of the existing extension and when stood directly opposite the entrance, it would not be visible.

Not only would the existing entrance be obscured, but it would no longer be used as an entrance, which would reduce its importance in the context of the main elevation. As such, the proposed development would neither make a positive contribution to or better reveal the significance of the heritage asset. Therefore, the proposal would be detrimental to the visual

amenity and character of the building, by the loss of one of the key elements in the make up of the facade of the building.

It has been put to the agent to reduce the glazed element in size, so that it would not project beyond the building line of the existing two storey extension. However, the applicant considered this to require a fundamental re-design of the building and has declined to do so.

During the pre-application discussions, the detail of the restoration of the original entrance was discussed. No supportive conclusions were reached on this and it was requested that additional detail in relation to the treatment internally and externally should be submitted with the application. Despite, this request, it is still unclear as to how the original entrance would be treated and it appears from the plans, that it would be retained as a window, with brickwork underneath. It should be noted that this would not be used as an entrance and would appear to 'hover' in mid air, further reducing the importance of this historic entrance.

CONCLUSION - There are some elements of the proposed extensions which are acceptable, which have been clearly stated to the agent. However, there are specific concerns in connection with the two storey glazed element, which would dominate and therefore detract from the appearance of the existing building, due to its position, size, bulk and massing. The loss of the original entrance would also be detrimental to the balance of the front elevation and would have a significant adverse impact upon the character and visual amenity of the building. The agent was offered an opportunity to amend the scheme, but has decided to keep the scheme as submitted, with no changes. Therefore, the proposed development would conflict with Policies EN1/1, EN1/2 and CF1/1 of the adopted Unitary Development Plan and PPS5.

Impact upon surrounding area/residential amenity - SPD6 provides guidance on aspect standards between residential properties and would be relevant in this instance. There would be 23 metres between the existing residential properties on Tenterden Street and the proposed lecture theatre. The proposed building would be 4.5 metres in height above Bridge Road level and is partially screened by 1.5 metre high brick walls (to Tenterden Street), this distance would be acceptable. Therefore, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties in terms of loss of light or privacy.

Bats - A bat survey was submitted as part of the application and found that the extensions can be demolished with negligible risk to roosting bats. The Wildlife Officer has no objections to the proposed development. Therefore, the proposal 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.

Highways issues - The access point to the car parks within the girls school would be retained and would remain as they are in positional terms, close to the junction of Tenterden Street and Jubilee Way. The proposed plans indicate that the entrance gates would be located further back into the site, to allow a larger turning area into the existing car park, which is located next to the tennis courts.

The Traffic Section states that there is a lack of information relating to the interface of the proposed works and the adopted footways in terms of the permanent finish. However, this could be secured with a condition.

Parking provision - SPD11 states that the maximum parking standards are 1.5 spaces per classroom, which would equate to 114 parking spaces based on the senior school, junior school and kindergarten.

There are currently 129 parking spaces and 16 would be lost by the proposed development. This would leave 113 parking spaces left and as the SPD required 114 as a maximum for the site, the resultant parking provision would be an acceptable level of parking provision.

The site is located close to the town centre and has good access to public transport. The proposed extension may be used for public performances, but these would take place in the evening or weekend, when all the parking spaces would be available.

The proposed development would result in the loss of 16 parking spaces in total from the main car park. As the surrounding streets are controlled by a residents parking scheme, the Traffic Section are concerned that existing users of this car park would be displaced and would park on the adjacent streets. A plan has been provided, which indicates that these additional cars can be accommodated within the school site. Therefore, on this basis the proposed development would provide an acceptable level of parking provision and would not be detrimental to highway safety. The proposal would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11.

Access issues - The existing school building is constructed on a variety of levels and currently, there is no level access. The proposed development would provide level access into the buildings and the provision of a lift and platform lift would allow level access to the majority of the school. The provision of the disabled toilets is welcomed. Therefore, the proposed development would be accessible for all and would be in accordance with Policy HT5/1 of the adopted Unitary Development Plan.

Summary of reasons for Recommendation

Recommendation: Refuse

Conditions/ Reasons

1. The proposed two storey glazed extension at the front of the site would neither be appropriate to, nor sympathetic with the existing structure, and would be detrimental to the visual amenity of the area, by reason of its height, size and position. The proposed development therefore conflicts with Policies HE7, HE8, HE9 and HE10 of PPS5 - Planning for the Historic Environment and the following policies of the Bury Unitary Development Plan:
Policy EN1/1 - Visual Amenity
Policy EN1/2 - Townscape and Built Design
Policy CF1/1 - Location of New Community Facilities
2. The proposed two storey glazed extension would unacceptably obscure the boys entrance, which is a significant feature on a building of local architectural quality, from view to the detriment of the building's balance, appearance, historic character and interest. The proposal therefore conflicts with Policies HE7, HE8, HE9 and HE10 of PPS5 - Planning for the Historic Environment and the following policies of the Unitary Development Plan:
Policy EN1/1 - Visual Amenity
Policy EN1/2 - Townscape and Built Design
3. The application and submitted plans contain insufficient information in relation to the restoration of the boys entrance, to enable the impact of the proposal upon a building of historic character to be properly assessed. Therefore, the proposed development would be conflict with PPS5 - Planning for the Historic Environment and the following Policies of the Bury Unitary Development Plan:
Policy EN1/1 - Visual Amenity
Policy EN1/2 - Townscape and Built Design

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

Ward: Ramsbottom + Tottington - Tottington

Item 02

Applicant: Tottington Primary School

Location: Tottington South County Primary School, Moorside Road, Tottington, Bury, BL8 3HR

Proposal: Replacement of perimeter railings and gates with 2m and 2.4m high wire mesh fencing and gates.

Application Ref: 52853/Full

Target Date: 11/11/2010

Recommendation: Approve with Conditions

Description

Tottington Primary School is surrounded by houses fronting Moorside Road, Hilda Avenue and Booth Street. The main school building is single storey with a playground and playing field to the north and east. Apart from along the northern boundary where rear garden fences (1.8m) of houses fronting Hilda Avenue abut the site, there are existing steel railings (1.2m) around the boundary of the school.

It is proposed to replace the existing railings along the front (Moorside Road) with a 2m high weld mesh steel fence in a powder coated dark or navy blue colour. Around the boundary of the playing field, the existing fence would be replaced by a 2.4m high weld mesh fence, also in dark blue (RAL5003).

Relevant Planning History

50771 - Timber Decking Area And Ramped Access - Approved 28/01/2009

Publicity

The following neighbours were notified by letter dated 24/09/2010. 169 - 223(odd) Booth Street, Booth Dene Booth Street, 93-99(odd), 122 Moorside Road, 1 and 2 Moorside View, 2-8(even), 15a, 15b, 30 Hilda Avenue.

Five representations received from residents at 93 and 95 Moorside Road, 211 and 219 Booth Street and 4 Hilda Avenue and concerns are summarised:

- The fence is too high, intrusive and overbearing.
- It would spoil views.
- The proposed blue colour is inappropriate and a dark green or black would be better.

The representees have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Securebydesign - No comment.

Baddac Access - No objection.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN1/5 Crime Prevention

CF2 Education Land and Buildings

Issues and Analysis

Policy - UDP Policy CF2 Education Land and Buildings states that, where appropriate, the council will considered favourably proposals for the improvement of education facilities.

Policy EN1/2 Townscape and Built Design states that favourable consideration will be given to proposals that do not have an adverse impact on the character of settlements within the

Borough.

Policy EN1/5 Crime Prevention and the supporting Guidance Note 3 Planning Out Crime in New Development encourages proposals that are sensitive and aim at discouraging crime, including the use and creation of defensible space.

The principle of replacement fencing around the school grounds is acceptable given the need for safety and site security. It is not unusual today that a school requires a more secure weld mesh fence around its boundary. The existing fence is in poor condition and, at a height of 1.2m, is not considered by the school to afford the level of security required. The main issues in assessing any fence would relate to its impact on visual and residential amenity, in particular the design and appearance of the fence and its overall height and siting in relation to surrounding houses.

Visual Amenity - Whilst the proposed fence would be significantly higher than the existing fence, its appearance would not be out of keeping with the street scene along Moorside Road or the access road to the rear of properties fronting Booth Street.

Whilst blue would not be a traditional colour of fencing around a school, a darker navy blue would not be incongruous particularly as the exact shade could be controlled through an appropriate condition attached to any approval.

Residential Amenity - Along Moorside Road, the proposed fence at a height of 2m would contrast to a certain extent with the open plan nature of the residential plots opposite. However, given that the school requires a greater level of security, in terms of height it is considered acceptable. The weld mesh design, which is used on other school sites within the Borough, allows views through it and blends in with its background and as such would be considered acceptable. In terms of colour, the proposed dark blue/navy would not appear incongruous and would be considered acceptable. The proposal complies with UDP Policies EN1/2 and CF2 in respect of residential amenity.

Security - The new fence would improve safety and security at the school and as such is in accordance with UDP Policy EN1/5 Crime Prevention and guidance on Design for Security.

Traffic - The new fence follows a similar line to the previous fence and visibility splays from the entrance to the school are not affected. As such the proposal complies with UDP Policy.

Objections - The objections are primarily related to the visual impact of the fence and these have been addressed above.

Summary of reasons for Recommendation

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

The proposed fence would improve safety and security at the school and, on balance, forms an acceptable boundary treatment that would not have a seriously detrimental impact on the visual amenity of the locality or residential amenity of local residents. There are no highway issues of concern. The scheme therefore complies with UDP Policies listed. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. 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 16th 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. Prior to commencement of development, details of the exact colour of the proposed fencing shall be submitted to and agreed in writing by the Local Planning Authority.
Reason. In the interest of visual amenity pursuant to UDP Policy EN1/2 Townscape and Built Design.

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

Ward: Bury East - Redvales

Item 03

Applicant: Michael Duffy Developments

Location: Church Buildings, Warth Road, Bury, BL9 9NG

Proposal: Extension of time limit for implementation of planning permission 47911 for outline residential development and means of access

Application Ref: 52882/Outline Planning
Permission

Target Date: 01/12/2010

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 for affordable housing. 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 1.2 hectares in size and is located at the end of Warth Road, on its northerly side. The site was formerly occupied by a haulage company and there is a red brick building on the frontage with a yard to the rear. Beyond the yard is an open and disused area, which was covered with vegetation, but has now been stripped and cleared.

The Metrolink line is located to the west of the site and there are residential properties to the east. Beyond Warth Road to the south of the site, is an industrial estate.

Outline planning permission was granted in April 2007 for residential development. A Section 106 agreement was completed to ensure all of the dwellings would be affordable units. All matters of detail, with the exception of the means of access to the site were reserved for subsequent approval. An indicative layout was provided, which showed vehicular access would be taken from the Warth Road frontage.

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 this development.

Relevant Planning History

47911 - Outline application for residential development (resubmission) at Church Buildings, Warth Road, Bury. Approved with conditions - 19 September 2007

49831 - 71 dwellings (reserved matters application) at Church Buildings, Warth Road, Bury. Refused - 23 July 2008

Publicity

70 neighbouring properties (2 - 34 (evens) Openshaw Fold Road; 1 - 11 (odds) Read Close; 8, 39, 41, 50, 52 Inglewhite Close; Derby High School; 2 - 16 (evens) Whitewell Close; Park Haulage, Church Buildings; 30, 32, 40 - 62 (evens) Warth Road; 1 - 7 (odds) Mellor Drive; 1 - 8 Bealey Drive) were notified by means of a letter on 6 September and a press notice was published in the Bury Times on 16 September. Site notices were posted on 7 September 2010.

One letter has been received from the occupiers of 8 Inglewhite Close, which has raised the following issues:

- There is no requirement for further housing in this area
- Concerns relating to the access and the increase in traffic resulting from the development

One letter of support has been received from the occupiers of 6 Openshaw Fold Road, which has raised the following issues:

- The proposal would improve the area
- The proposed development would prevent lorries from parking here overnight, which is a nuisance to local residents.

Those who made representations have been notified of Planning Control Committee.

Consultations

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

Environmental Health - Contaminated Land - No comments.

Baddac - No comments.

Unitary Development Plan and Policies

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| H1/1 | Housing Land Allocations |
| H2/2 | The Layout of New Residential Development |
| EN1/3 | Landscaping Provision |
| H4/1 | Affordable Housing |
| EN1/6 | Public Art |
| EN5/1 | New Development and Flood Risk |
| EN6/3 | Features of Ecological Value |
| EN6/4 | Wildlife Links and Corridors |
| EN7 | Pollution Control |
| EN7/2 | Noise Pollution |
| EN9 | Landscape |
| RT2/2 | Recreation Provision in New Housing Development |
| SPD1 | DC Policy Guidance Note 1: Recreation Provision |
| SPD2 | DC Policy Guidance Note 2: Wildlife Links & Corridors |
| SPD4 | DC Policy Guidance Note 4: Percent for Art |
| SPD5 | DC Policy Guidance Note 5: Affordable Housing |
| SPD7 | DC Policy Guidance Note 7 - Managing the Supply of Housing |
| PPS3 | PPS3 - Housing |
| PPS7 | PPS 7 Sustainable Development in Rural Areas |
| PPS23 | PPS23 Planning and Pollution Control |
| PPG24 | PPG24 - Planning and Noise |
| PPS25 | PPS25 Development and Flood Risk |

Issues and Analysis

Principle - The proposed development was granted planning permission in April 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 is the relaxation of the housing restrictions policy (SPD7) and protected species, which are analysed below.

The original planning permission was granted in April 2007 for 100% affordable housing. The provision of 100% affordable housing was an exception within SPD7 and as such, residential development was granted on the site.

Since the previous application was determined, the Regional Spatial Strategy has been revised and abolished and the Council no longer has a oversupply of housing and SPD7 has been relaxed. As such, the proposal should be assessed against current policies, which state 25% of the dwellings should be affordable. A deed of variation would be completed to amend the original agreement and to ensure that 25% of the dwellings would be affordable, in line with SPD5 and government guidance in the form of PPS3.

The site is 'greenfield', but is allocated within the Unitary Development Plan as being suitable for housing development (Policy H1/1/20). The release of this site for housing development would have significant regeneration benefits to the immediate area. The site is bounded by existing housing, an industrial estate and the Metrolink line and as such, would not be considered to be 'peripheral land'. Given the economic climate, the allocation of the site, the location of the site and the regenerative benefits, the release of this greenfield site for housing development would be acceptable.

Therefore, the proposed residential development would be acceptable in principle.

Ecology - Himalayan Balsam and Japanese Knotweed have been found to be present along the Metrolink line and as such, may be present within the site. A condition will be placed on any consent requiring a survey to be undertaken to ascertain if these are present and if they are, appropriate mitigation measures should be provided.

A bat survey was submitted as part of the previous application, which stated that there was no evidence that the building was used by bats. The agent has submitted an update, which states that the fabric of the building has and the roost potential of the building has degraded. The report goes on to state, that nocturnal surveys are no longer required and the areas identified as having potential for roosts should be carefully dismantled.

The Wildlife Officer has no objections, subject to the inclusion of a condition requiring a further survey to be undertaken and submitted at the reserved matters stage. 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 Unitary Development Plan and PPS7.

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 residential development would include only affordable housing units and, therefore, it can be treated as an exception to the current housing restrictions. Also, in these circumstances, the proposal receives sequential preference notwithstanding that the site includes previously undeveloped land. The proposal deals satisfactorily with issues of land contamination, flood risk and ecology.
There are no other material considerations that outweigh this finding.

Recommendation: Minded to Approve

Conditions/ Reasons

1. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters: layout, scale, appearance, and landscaping.
Reason. To ensure the satisfactory development of the site and because this application is in outline only.
2. Applications for approval of reserved matters must be made not later than:
 - the expiration of three years beginning with the date of the grant of outline planning permission; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason. Required to be imposed pursuant to Section 51 of the Planning and

Compulsory Purchase Act 2004

3. The development hereby approved shall include an element of public art that would be sufficient to be in accordance with Bury Unitary Development Plan Policy EN1/6 - Public Art and the associated Development Control Policy Guidance Note 4 Per Cent for Public Art.
Reason - To ensure that the development would contribute to satisfying the need for public art pursuant Bury Unitary Development Plan Policy EN1/6 - Public Art and the associated Development Control Policy Guidance Note 4 Per Cent for Public Art.
4. No development shall take place unless and until temporary protective fencing has been erected along the northerly site boundary with the wetland area. The protective fencing shall be kept in place until construction operations have been completed and shall then be removed. Details of the type of protective fencing to be used shall be submitted and approved by the Local Planning Authority before it is erected.
Reason: To protect a feature of ecological value in accordance with Policy EN6/3 of the Bury Unitary Development Plan by preventing vehicles, machinery, debris and construction material from encroaching into this area.
5. The development hereby approved shall include provision that would be sufficient to be in accordance with Bury Unitary Development Plan Policy H4/1 - Affordable Housing and the associated Development Control Policy Guidance Note 5 - Affordable Housing Provision In New Residential Developments and the Deed of Variation. The approved details shall be submitted as part of the first reserved matters application relating to the housing proposals within the site and the approved provision shall be implemented prior to the first occupation of the residential element of the site or as otherwise agreed in writing by the Local Planning Authority.
Reason. To ensure that the development would contribute to satisfying the need for recreation provision pursuant to Bury Unitary Development Plan Policy H4/1 - Affordable Housing and the associated Development Control Policy Guidance Note 5 - Affordable Housing Provision In New Residential Developments.
6. The development hereby approved shall include an element of recreational provision that would be sufficient to be in accordance with Bury Unitary Development Plan Policy RT2/2 - Recreation Provision In New Residential Development and the associated Development Control Policy Guidance Note 1 Recreational Provision in New Housing Development.
Reason - To ensure that the development would contribute to satisfying the need for recreation provision pursuant to Bury Unitary Development Plan Policy RT2/2 - Recreation Provision In New Residential Development and the associated Development Control Policy Guidance Note 1 Recreational Provision in New Housing Development
7. The landscaping scheme to form part of the development shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building is first occupied. This scheme shall include details of landscape treatment along the westerly boundary of the site to achieve a landscaped buffer zone not less than 3 metres wide at any point. 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 Policies H2/2 - The Layout of New Residential Development, EN1/3 - Landscaping Provision and EN6/4 - Wildlife Links and Corridors of the Bury Unitary Development Plan.

8. No development shall commence until full details of a scheme for the eradication and/or control of any Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) present within the site is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.
Reason: To ensure that the site is free from Japanese Knotweed in the interest of UDP Policy EN9 - Landscape.
9. No clearance of vegetation or demolition work shall take place within the site between 1st March and 31st August inclusive in any year unless otherwise agreed in writing by the Local Planning Authority.
Reason: Birds on the nest are protected and in order to ensure that clearance of buildings or vegetation does not occur unless it is proven that birds are not present, pursuant to Policy EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and PPS9.
10. No demolition shall take place unless and until a resurvey for bats has been carried out and the associated report has been submitted for the approval of the Local Planning Authority. Subsequently, any mitigation measures in regard to bats and the demolition work shall be carried out fully in accordance with the approved report.
Reason: In order to establish the up to date status of bats within the site that are a protected species and to ensure their protection pursuant to Policy EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and PPS9.
11. Planning permission is granted for the principle of residential use, including access to the development, and not for the specific number and layout of dwellings indicated on the submitted planning layout drawing.
Reason: It is not possible to grant permission for a specific number of dwellings without a more detailed layout and the layout of the development is specified to be considered as a reserved matter pursuant to the following Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
12. The residential accommodation hereby approved shall include acoustic glazing and acoustically treated ventilation in accordance with an acoustic attenuation scheme to be submitted to and approved in writing by the Local Planning Authority before the development commences. This scheme shall be supported by a suitable noise investigation conducted in accordance with PPG24 (Planning and Noise: 1994). The approved acoustic attenuation scheme shall be implemented in full before use of the residential premises first commences.
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 and PPS23.
13. Notwithstanding the access details indicated on the approved 'Planning layout' plan dated 15.09.07, the development hereby approved shall not be commenced unless and until full details of the highway improvements on Warth Road from its junction with Openshaw Fold Road to its cul-de-sac end, site access onto Warth Road and emergency access onto Openshaw Fold Road have been submitted to and approved in writing by the Local Planning Authority: The highway works subsequently approved shall be implemented to the written satisfaction of the Local Planning Authority before the development is first occupied.
Reason: To ensure good highway design in the interests of road safety and to ensure that adequate provision for access for emergency service vehicles is made pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

14. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicle leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the adopted highways are kept free of deposited material from the ground works operations.

15. No development approved by this permission shall be commenced unless and until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal pursuant to Policy EN5/1 - New Development and Flood Risk of the Bury Unitary Development Plan and PPS25.

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

Ward: Whitefield + Unsworth - Besses

Item 04

Applicant: Aarhus Fire Protection Ltd

Location: 4 Moss Lane, Whitefield, Manchester, M45 6HG

Proposal: Two storey extension at side

Application Ref: 52992/Full

Target Date: 15/11/2010

Recommendation: Approve with Conditions

Description

The application site is located within Whitefield district shopping centre and consists of a two storey detached building with a car park to the east of the split level site. The building was granted a change of use to an office and laboratory in 2008. To the west of the site are offices and retail units and to the south of the site are residential terraced properties which front onto Charnley Street and are at a lower level. There are metal railings along the boundary of the car park and a slide opening lockable gate to the car park entrance. There is a stone wall marking the boundary of the car park with Moss Lane.

The proposal is for a two storey outrigger extension at the side which would be located towards the rear of the existing building. It would extend across the rear boundary of the site by 7.8m and would be 3.9m deep, with a total floor area of 48 sqm. All window openings would be on the front elevation facing Moss Lane. The extension would be positioned on a raised concrete slab which is not formally part of the car park. The external staircase would be removed and the bin store relocated adjacent to the extension.

The extension would be constructed of red brick and tiles to match the existing. There is parking provision for 9 cars which would remain as existing.

The applicant states the proposed extension would add more flexibility to the existing office layout and provide additional accommodation for their growing business.

Relevant Planning History

36094/99 - Two storey rear extension, formation of car park, change of use to beauty salon - Approved with Conditions - March 2000.

36678/00 – Erection of two storey building for health and beauty salon with car parking. Approved with conditions – July 2000.

49642/08 - Change of use from beauty salon & hairdressers (sui generis) to offices and laboratory (Class B1) - Approve with Conditions 14/05/2008.

Publicity

26 Neighbours were notified at Nos 2, Moss Lane; 14a-30 (evens) Nuttall Avenue and 1-31 Charnley Street .

Three letters of objection have been received from Nos 13, 15 ,19 and Charnley Street with the following comments:

- The building proposed is behind their house and elevated which will block the light, compromise privacy and cause security problems;
- The additional business would create even further traffic congestion in this residential area;
- The area behind Charnley Street is used as a play area in summer and there is concern the extension would be too close to this and their properties;
- There would be potential overflow parking onto Charnley Street.
- Disruption and noise levels that will be generated;
- Impact on house prices.

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

Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health Contaminated Land - No comments to make.

Wildlife Officer - No objection. The building is in a low risk area and recommends a note be added should bats be found.

Unitary Development Plan and Policies

| | |
|-------|-------------------------------------|
| S1/3 | Shopping in District Centres |
| HT2/4 | Car Parking and New Development |
| EN1/2 | Townscape and Built Design |
| EC4/1 | Small Businesses |
| HT5/1 | Access For Those with Special Needs |

Issues and Analysis

Principle - Unitary Development Plan Policy EC4/1 - Small Businesses. Proposals for small businesses will be acceptable when the scale of development is appropriate to, and the use is environmentally compatible with the surrounding area where it is located, and where there is no conflict with other policies and proposals of the Plan.

UDP Policy EC5/2 - Other Centres and Preferred Office Locations considers favourably office developments in town and district centres, particularly in relation to existing or proposed transport infrastructure.

The site is an established small business and the principle to extend the building to facilitate business growth is considered acceptable subject to impact on the surrounding area.

Planning permission was granted in 2000 for a 2 storey rear extension, car park and change of use to health and beauty salon and from the plans the extension was to be in the same position which is the subject of this application. The proposed extension was not implemented. Whilst this was some time ago, the principle of an extension in this position has previously been considered acceptable.

Impact upon the surrounding properties - The houses directly affected by the position of the extension are Nos 1,3 and 5 Charnley Street which have 2 storey outriggers, with obscure glazed bathroom windows on the rear elevations of Nos 1 and 3 and a blank rear elevation to No 5.

There are no aspect standards for this type of development. However, Supplementary Planning Document 6 does provide guidance on aspect relationships. Using this as a reference, the guidance states that a minimal distance of 13m between a principal window to a habitable room and a blank elevation should be maintained.

There would be a distance of 13.5m from the proposed extension to the original rear elevation of the houses on Charnley Street. In this instance, regard should be given to the position of the extension in relation to the houses to the south. The extension is on the north side and therefore will not block or affect light.

In terms of outlook from these houses, the habitable room windows on their rear elevations are already tunnelled by the 2 storey outriggers and it is considered the size and position of the extension would have no additional impact on these properties.

There have been no objections received from Nos 1,3 and 5 Charnley Street which are the properties most likely to be affected by the proposal. Nos 13, 15 and 19 who have objected to the proposal are a minimum of 21m away and would not be affected by the extension.

In consideration of the above issues, the proposed extension would not be detrimental to the residential amenity of the nearby properties and as such would comply with EC4/1 -

Small Businesses.

Visual amenity - The proposed extension would adopt the same appearance as the existing building in terms of design and materials. The extension would be set back from the Moss Lane and would not be a highly visible structure from the public highway. The proposal complies with EN1/2 - Townscape and Built Design.

Parking and Access - Development Control Policy Guidance Note 11 - Parking Standards in Bury requires a maximum of 7 parking spaces be provided for the existing office including the proposed extension. There would be 9 spaces provided and as such the proposal would comply with policy guidance. There would be level access into the extension from the car park. All other access arrangements would remain as existing. The proposal would comply with HT5/1 - Access for Those with Special Needs.

Response to objectors - The orientation and openings in the proposed means there would be no additional noise or activity associated with the use of the additional build. The site is adequately secured with boundary treatment and lockable gate and would remain as existing. Impact on house prices is not a material planning consideration. All other objections have been discussed in 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 extension would not adversely impact on the amenities of the neighbouring residents and would not harm the character of the area. The scheme includes adequate parking provision and will not adversely impact on highway safety issues.
There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered AARHUS-01; 02 A; 03A;04A; 05B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

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

Ward: North Manor

Item 05

Applicant: Mr Coxen

Location: Melrose, Hawkshaw Lane, Hawkshaw, Bury, BL8 4LD

Proposal: Demolition and replacement of existing dwelling (resubmission of 52310): detached garage/store, waste treatment system and domestic oil store.

Application Ref: 53079/Full

Target Date: 10/11/2010

Recommendation: Approve with Conditions

Description

The property is a detached two storey house with integral garage siting within a large garden plot of approximately 0.065ha. It is red brick at ground floor level and rendered to the first floor and has a suburban character. Access to the property is via a single track unmade road from Hawkshaw Lane, located to the east. The site is bounded by open countryside to the north, west and east with houses forming the settlement of Hawkshaw to the south. There are trees and shrubs along the northern and eastern boundaries.

The proposal involves demolishing the existing house and constructing a replacement dwelling in a similar location within the plot. It is also proposed to site a detached double garage with store to the side of the new house. A domestic oil store would be at the rear of the garage and a new water treatment plant would replace the existing septic tank within the corner of the field, adjacent to the entrance.

The replacement house would be two storey with a gabled roof and have a footprint of approximately 135sqm, compared with the existing footprint of 102sqm (120sqm including the former conservatory). The proposed roof would be pitched to a height of 8.2m although the base level would be reduced by 0.5m. It would be finished in coursed stone with stone heads and cills and a slate roof.

The proposed detached double garage/garden store would be located between the house and the eastern boundary and have a footprint of approximately 48sq.m. It would be constructed in coursed stone with a slate pitched roof to a height of approximately 3.8m.

The applicant has submitted a Design and Access statement which includes a summary of calculations with regard to increases in floorspace and volume between existing and proposed houses. In terms of floorspace, there would be an increase of approximately 42sq.m (19%). The volume increase would be approximately 216cu.m (32%). It is recognised that the difference between the floorspace and volume figures is due in part to the fact that the ground floor level has been lowered and the roof changed to a gable rather than a hip, both of which increase volume without adding floorspace. It should also be noted that the applicant's calculations include the conservatory that has already been demolished.

The existing house is currently served by a septic tank, situated within the adjacent field, to the south west of the house. It is the intention to replace the existing septic tank with a new Klargest BioDisc tank and sample chamber (approx diameter 2m) in a similar location. Foul drainage would be connected into the treatment plant and surface water would drain into an outflow pipe beyond the sample chamber. The treated waste water would then link into the existing culvert that in turn runs along the back of gardens of properties on Quarlton Drive, into the mains drain along Bolton Road.

The proposed oil tank would be situated at the rear of the proposed garage and the water supply would be obtained from the well below the stone built water supply hut within the

front garden.

Relevant Planning History

52310 - Demolition and replacement of existing dwelling - Withdrawn 29/04/2010

50264 - Porch & First Floor Extension At Front, Single Storey Extension With Chimney At Side, Two Storey And Single Storey Extension At Rear - Approved 09/09/2008

48275 - Two Storey Extension at Rear; Two Storey Extension at Side; Detached Garage at Front - Refused 24/07/2007

23027 - First floor extension over garage - Approved 06/06/1089

22653 - First floor extension over garage - Approved 25/07/1089

08/1326 Building Regs approval for double garage and store - Approved 6/01/2009

Publicity

Press advert in Bury Times 23/9/2010 and Site notice posted 24/9/2010. The following neighbours were notified by letters dated 8/9/2010 and 11/10/2010(amended plan).

Holcombe Hey farm, 2, 4 and 6 Tonge Fold Cottages, Kenyon's Farm, 1 and 7 Hawkshaw Lane, 6 -12(evens), 29, 31 Quarlton Drive.

Ten representations received from residents at 6, 8, 10, 12 and 29 Quarlton Drive, 1 Hawkshaw Lane, Kenyons Farm, Bramley Fold Farm, 4 Tonge Fold and Tonge Fold Cottage. Objections and concerns are summarised below:

The majority of representations were raised the issue of drainage:

- The application contains insufficient information with regard to proposed drainage arrangements.
- The new house with extra bathrooms is not suitable for the proposed drainage system.
- Concerns that the proposed drainage system is inadequate and would lead to excessive water run off into gardens on Quarlton Drive.
- The clay soil means that surface water would not drain adequately but run off on surrounding land.
- Inadequate foul water drainage may increase pollution of the existing watercourse and nearby properties.
- The new treatment system would require more room than the existing septic tank and permission would not be given for this.
- Permission would also not be given for the electricity link to the proposed treatment plant.
- The applicant has no legal rights to run a surface water drain into the adjacent field.

The residents at Bramley Fold Farm and 29 Quarlton Drive raised concerns about the visual impact of the scheme and the effect on the Green Belt.

- The proposal is contrary to Green belt policy in that it represents an increase of more than 30% of the volume of the original house.
- The proposed garage is too large and would be incongruous within the Green Belt.
- It appears that the applicant will have to fell a number of trees to fit the garage in, increasing the impact of the scheme.
- The new house would be unsightly and would be more visible in winter.

The residents of Bramley Fold Farm also raised concerns about the inadequacy of the application and submitted plans:

- The application should not have been validated due to lack of information.
- Initial plans submitted showed the boundary and trees incorrectly drawn.

Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health - No objection.

Public Rights of Way - No objection.

Baddac - No objection.

United Utilities - No objection.

SecurebyDesign - designforsecurity -

Environment Agency - No objection subject to conditions.

Landscape Practice - No objection subject to tree protection measures.

The objectors have been notified of the Planning Control Committee.

Unitary Development Plan and Policies

| | |
|--------|---|
| OL1 | Green Belt |
| OL1/2 | New Buildings in the Green Belt |
| EN1/1 | Visual Amenity |
| EN1/11 | Public Utility Infrastructure |
| EN7 | Pollution Control |
| EN7/3 | Water Pollution |
| EN7/4 | Groundwater Protection |
| EN7/5 | Waste Water Management |
| EN8 | Woodland and Trees |
| EN9/1 | Special Landscape Areas |
| H1/2 | Further Housing Development |
| H2/1 | The Form of New Residential Development |
| H2/2 | The Layout of New Residential Development |
| OL7/2 | West Pennine Moors |
| SPD8 | DC Policy Guidance Note 8 - New Buildings in the Green Belt |
| SPD16 | Design and Layout of New Development in Bury |
| PPS1 | PPS1 Delivering Sustainable Development |
| PPG2 | PPG2 - Green Belts |
| PPS3 | PPS3 - Housing |
| PPS23 | PPS23 Planning and Pollution Control |
| PPS25 | PPS25 Development and Flood Risk |

Issues and Analysis

Policy - National Policy Guidance - Planning Policy Statement 1 (PPS1) supports the reuse of previously developed land and encourages high quality design. Guidance on Green Belts, set out in PPG2, sets out criteria for new buildings in the Green Belt and advises that the openness and visual amenities of the Green Belt should not be detrimentally affected. Whilst recognising that a replacement dwelling can be acceptable in the Green Belt it should not normally be materially larger than the one it replaces.

Further national advice within PPS3 Housing emphasises quality of design, housing mix and need as well as sustainability and the effective and efficient use of land.

PPS23 Planning and Pollution Control advises that the impact on water quality is capable of being a material consideration in so far as it may affect land use. With the co-operation of the Environment Agency and other relevant water and sewerage undertakers, the Local Planning Authority should be satisfied that any development would not result in pollution of water resources. UDP Policies EN7/3 Water Pollution, EN7/4 Groundwater protection and EN7/5 Waste Water Management reflect advice within PPS23 and indicate that proposals that have an unacceptable impact on water quality and/or do not have satisfactory arrangements for the disposal of foul sewage and surface water discharge.

UDP Policy H1/2 Further Housing Development states that in assessing applications for residential development regard should be given to the need to direct development towards the urban area thereby avoiding the release of peripheral open land, the suitability of the site in terms of land use and amenity and other policies and proposals of the UDP.

UDP Policy OL1/2 New Buildings in the Green Belt accepts that replacement dwellings can be acceptable if the dwelling is of an appropriate size. Development Control Guidance Note 8 - New Buildings and Associated Development advises that where a replacement dwelling is proposed the new dwelling should reflect the original dwelling in terms of massing, siting and area of footprint, height and should not be materially larger than the one it replaces. A

new dwelling that is disproportionately larger or differs materially in position or footprint to the existing house would only be permitted in 'very special circumstances' and only after the applicant has demonstrated why in these circumstances permission should be granted.

The proposed replacement dwelling is in a similar position to the original house, and although it is larger, it is not disproportionately so. Moreover the new house would have a more appropriate appearance within the surrounding countryside and is not particularly prominent within the landscape, being partly screened by boundary planting and not occupying a high point within the locality. As such the replacement dwelling would not have a significantly detrimental impact on the openness and visual amenity of the Green Belt and complies with policy and guidance.

Design - The design of the proposed replacement dwelling with its coursed natural stone walls and slate roof would be more appropriate than the existing house with its rather suburban mix of red brick and render. The overall massing and design of the proposed dwelling is considered to be appropriate and consistent with its semi-rural location on the edge of Hawkshaw. In this sense, the proposal would improve the character and appearance of the Green Belt and Area Special Landscape.

Openness of Green Belt - The applicant argues that the proposed replacement house would not have a detrimental impact on the openness of the Green Belt as the increase in the volume of the new house would not represent a disproportionate increase over the existing house within the meaning of Green Belt Policy. It is noted that advice within PPG2 and the council's own guidance on development with the Green Belt is not prescriptive in terms of precise percentages. Whilst there are general guidelines, the real test is whether the proposal has a detrimental impact on the character and openness of the Green Belt.

Even taking into consideration previous extensions to the house, the additions to the volume of the replacement dwelling would not be disproportionate or have a detrimental impact on the character and openness of the Green Belt. The existence of trees and shrubs on the eastern boundary and around the rear garden helps to screen the site from the east/Hawkshaw lane and trees to the south, along the access road would screen it from the south and houses on Quarlton Drive. Due to the replacement house being set at a lower ground level, its overall height would be lower than the existing house. It is also noted that, in terms of bulk and prominence, the new house would not appear to have a materially greater impact within the landscape than the existing house.

The addition of the double garage between the house and the eastern boundary would, if it is taken as part of the replacement house, take the increase in the size of the development to beyond what would be considered 'non material' as set out in UDP Policy OL1/2 New Buildings in the Green Belt. However there are mitigating factors that reduce the impact of the garage on the openness of the surrounding Green Belt. Firstly, the garage, in its proposed location, would be well screened by the house and tree and shrub planting along the eastern boundary. Even in the Winter months the trees would serve to veil the development to significant extent. In addition to the screening, the garage would be set down in relation to the house and built close to where there were previously two large greenhouses, within the side garden area.

It is also noted that the applicant, has gained Building Regulations approval in January 2009 for a similar sized garage that could be built under the existing permitted development rights should the existing house remain on the site. Whilst this would not be a major determining factor in terms of the current proposal, the applicant is arguing that this 'fall back' position is a material consideration.

On balance, it is considered that the proposal is acceptable and does not conflict with Green Belt policies and guidance.

Trees - A report on the trees along the eastern boundary was submitted and it is concluded that the trees, given their distance to the development, would not be adversely affected. It

is recommended however that root protection measures are implemented prior to work commencing. This would be a condition of any approval, should the proposal be deemed acceptable. In this respect the proposal complies with policies relating to new development and trees.

Traffic - As the house is a replacement, the traffic section has no objection to the existing access road and the proposed in-out driveway is considered acceptable. With regard to concerns about construction traffic, this would be controlled by existing highway regulations and private property law. With regard to emergency vehicles accessing the site, the situation would be no different than it is at present.

Drainage - It is apparent from representations received, there is concern from neighbours about drainage from the site and the possibility of increasing flood risk and pollution of nearby properties.

With regard to foul sewage, the proposed replacement Klargestor BioDisc tank is a modern system that would be cleaner and more efficient than the existing septic tank. The replacement treatment tank would be located in a similar location to the existing septic tank, north west of the entrance, and have a overall diameter of approximately 2m.

With regard to surface water drainage, drains would take run off from roofs to a connection running off from the new BioDisc tank and the driveway to the front would be constructed of permeable hardcore with a rolled stone finish. This arrangement would be acceptable from a strictly drainage point of view and should not result in excessive discharge from the site although there are objections from the occupier of Bramley Fold Farm who state that the applicant has no rights to drain surface water into their field. Likewise the resident of Bramley Fold Farm states that the applicant has no rights to site the new Biodisc treatment tank where it is proposed as it would take up more land than the existing septic tank. Further, it is stated that the applicant has no rights to run an electricity cable across their land to power the treatment system.

Whilst drainage is clearly a material consideration in the planning process, legal disputes over whether an applicant has a right to replace an existing septic tank with a new sewage treatment system, with an electric power connection, are more difficult to discern. On the basis that, in principle, agreement over siting of any drainage system could be overcome, the issues regarding neighbour's 'rights' are private matters and not considered material to the determination of the application. It should be noted that a condition can be attached to any approval that requires drainage details to be submitted to and approved by the Local Planning Authority prior to commencement of development. Further to this, a condition can be added that prevents the occupancy of the dwellinghouse unless and until the replacement sewage treatment system is installed and connected, via the existing culvert, to the mains drainage on Bolton Road. Given the information supplied by the applicant, in land use planning terms, the proposal is considered to be acceptable in relation to drainage and does not conflict with policies and guidance.

Objections - Most of the concerns raised by neighbours have been addressed in the above report. The objections to the validation of the application have been assessed and it is considered that the application was properly registered. With regard to claims that the application and plans are incorrect, it is important to state that, at least initially, information is taken in good faith and as in this case, where necessary, the application and plans have been amended.

Summary of reasons for Recommendation

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

The replacement dwelling and garage would not have a detrimental impact on the character and openness of the Green belt, West Pennine Moors and Special Landscape Area. There would be no serious harm to residential amenity, highway safety and there are no serious

drainage concerns. The proposal therefore acceptable and 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 1:1250 location plan and drawings numbered S:01B, Sk6:01/A, Sk06:03, Sk6:02B 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, retaining walls and areas of hardstanding 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 UDP Policy EN1/1 Visual Amenity.
4. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) Order 2008, or as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed below.
5. The proposed garage shall not be converted to additional living accommodation without the written approval of the Local Planning Authority.
Reason. To ensure adequate car parking provision is retained pursuant to Policy H2/2 Layout of New residential Development and OL1/2 New Buildings in the Green Belt
6. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:2005 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
7. The development hereby approved shall not commence until a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved before the dwelling hereby approved is first occupied.
Reasons: To prevent pollution of the water environment pursuant to UDP Policy 7/3 Water Pollution and PPS23 Planning and Pollution Control.
8. Prior to first occupation of the dwelling hereby approved, the Klargester Biodisc treatment tank shall be installed, commissioned and operating satisfactorily and connected to the culvert which connects to the mains drainage on Bolton Road as indicated on drawing SK6:03. If there is any discharge to land, surface or

groundwater then a discharge consent complying with all legislative regulations would be required.

Reason: To prevent pollution of the water environment pursuant to UDP Policy EN7/3 Water Pollution, EN7/4 Groundwater Protection, EN7/5 Waste Water Management and PPS23 Planning and Pollution Control.

9. The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved before commencement of development.

Reasons: To prevent pollution to any watercourse pursuant to UDP Policy EN7/3 Water Pollution and PPS23 Planning and Pollution Control.

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

Ward: Prestwich - Holyrood

Item 06

Applicant: MD Homes (North West) Ltd

Location: 11 Corday Lane, Prestwich, Manchester, M25 2RP

Proposal: New detached garage

Application Ref: 53100/Full

Target Date: 12/11/2010

Recommendation: Approve with Conditions

Description

The application relates to a recently completed residential development located off Corday Lane, on the north side of Heywood Road. The site is located within the Green Belt and surrounded by open countryside. To the north is a detached dwelling and beyond that is the M60 motorway.

Permission was granted in 2006 for the conversion and extension of agricultural buildings into 3 dwellings; units 1 and 2 being part of a converted large barn and a smaller hayloft building into a separate unit 3. A detached 4 space garage with hardstanding is located on the south side of the courtyard and serves the two dwellings on the western side of the courtyard.

This is a revised application, following the refusal of a double garage proposed on land between the existing garage block and Corday Lane. The new location would be adjacent to the eastern elevation of the recently converted barn that forms one of the three dwellings making up the residential development. The double garage would have a gross external area of 31.9sq.m and be 5.6m wide 5.7m long and 4m high. It would have brick faced external walls and a slate roof.

Relevant Planning History

45641 - Conversion & extension of barn into 2 dwellings - Approved 31/01/2006

45642 - Conversion & extension of barn into 1 dwelling - Approved 18/01/2006

48646 - Conversion of barn into 1 dwelling (revised) - Approved 8/11/2007

51320 - Detached double garage - Refused 19/06/2009.

Publicity

The following neighbours were notified by letter dated 24/9/2010: 1-9 and 10 Simister Lane, St Margaret's Primary School. One objection from the resident at East View, Corday Lane, located to the north of the site.

- The garage should be refused as it is in the Green Belt and not an essential building.
- The existing garages should accommodate a vehicle for the property in question.
- Nothing has altered since the previous application was refused (51320)

The objector has been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Conservation Officer - No comment.

Unitary Development Plan and Policies

OL1 Green Belt

OL1/2 New Buildings in the Green Belt

EN1/1 Visual Amenity

Issues and Analysis

Policy - UDP Policy EN1/1 Visual Amenity states development will not be permitted where proposals would have a detrimental impact on the visual amenity within areas such as the Green Belt.

OL1/2 New Buildings in the Green Belt indicates that new buildings within the Green belt are inappropriate unless they are for agriculture, are essential for outdoor recreation or represent limited extensions, alterations or are replacement of existing dwellings.

Visual Amenity and Impact on Green Belt - The previous application for a garage, on a site across the courtyard from the current location, was refused on grounds that it would have a seriously detrimental impact on the openness of the Green Belt. This decision was based on its proposed location in the south east corner of the site, a relatively exposed position that would be more readily viewed from the south/Heywood Road.

The revised location, immediately adjacent to the gable of the detached dwelling on the northern boundary would be seen as more integrated within the existing building complex and more effectively screened from the south and west. The new building would be more prominent on the northern boundary but would be viewed as an ancillary element of the existing dwelling. In design terms the garage, finished in brick and slate, would not appear out of keeping with the existing buildings. The hardstanding in front of the garage would be an extension of the existing courtyard and constructed of permeable block paving to limit surface water run-off. On balance, the garage would not have a significant impact on the character and openness of the Green Belt and would therefore be acceptable in terms of policy.

Residential Amenity - Given its location next to the existing dwelling, the garage does not raise any serious residential amenity concerns.

Objection - The concerns of the neighbour to the north have been addressed above.

The proposal is considered to be acceptable in terms of its design, siting and impact on the Green Belt.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed and the reason for granting permissions can be summarised as follows;-
The proposed garage would not have a seriously detrimental impact on the character or openness of the Green Belt and there are no concerns with regard to residential amenity or 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 986-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. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development

is commenced.

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

4. The garage hereby approved shall not be converted to additional living accommodation without the written approval of the Local Planning Authority.

Reason. To ensure adequate car parking provision is retained pursuant to Policy H2/3 -Extensions and Alterations of the Bury Unitary Development Plan and Associated DC Guidance Note 6- Extensions and Alterations.

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

Ward: Whitefield + Unsworth - Unsworth

Item 07

Applicant: Ms Caroline Berry

Location: 328 Hollins Lane, Bury, BL9 8BS

Proposal: Two storey extension to side

Application Ref: 53144/Full

Target Date: 08/12/2010

Recommendation: Approve with Conditions

Description

The application site is the area adjacent 328 Hollins Lane which is a two storey end rendered terraced house. Between 328 and 330 is a gap approximately 4.4m wide which is part cobbled with some concreting. The application states that this land is owned by No.328 but Nos.324 and 326 have pedestrian access across it to their rear. There is a yard to the rear with the boundary screened by the conifers belonging to the property behind and which are around 1.8m high at the level from 328.

The neighbour to the side of the proposal is also an end terrace and the two storey side elevation is a blank wall.

To the rear is 28 Heaton Close which is a semi detached house around a storey lower. It is set at an angle and has been extended single storey at the side/rear. There is a ground floor window and door in the extension at ground floor and one in the side. At first floor the bedroom window is to the party wall side and the side elevation has two obscure windows. As the property is at an angle none of the windows directly face 328.

The proposal is for a two storey extension to No.328. It would come 3.5m out at the side from the front elevation and run 6.1m along the side. The ground floor forms a lounge and the first floor a bedroom with ensuite. A gap of 950mm remains to the side to provide the right of access for Nos. 324 and 326.

Relevant Planning History

None.

Publicity

9 notification letters were sent to addresses at 319, 321, 323, 324, 326, 330, 332 Hollins Lane and 28 & 30 Heaton Close. One objection has been received via the councils website raising concerns relating to 330 Hollins Lane which in summary are:-

- 330 have right of access and the proposed extension will prevent the erection of scaffolding and make repairs more difficult and expensive
- restriction of access to the rear of the houses for emergency services
- reduction in value of 330
- the 95cm gap to the boundary should be precise not thereabouts to judge the effect on 330 and its occupants
- the proposal may restrict future improvements to 330, e.g adding windows to the gable
- Bats have been found roosting less than 30m away and no bat survey has been carried out

The objector has been notified of the Planning Control Committee.

Consultations

Environmental Health Contaminated Land - no comments received to date.

Baddac - no comments.

Wildlife Officer - recommends an informative regarding bats

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

Issues and Analysis

Visual amenity and design – the proposal has a ridge at a lower level which would be in character with the terraces in the area. The road slopes up and the roof line along the terrace rows has breaks. The materials are slate to the roof and rendered walls to match the existing house. The extension is then considered to be acceptable in terms of its design. Parking would be as existing.

Residential amenity – the adjacent neighbour at No.330 has a blank side wall. The property to the rear has no windows that would directly face the proposal and set at an angle the closest habitable first floor windows are over 20m away. The proposed extension is set back 2.4m from the existing rear elevation and as such would not result in any further overlooking than exists at present from No.328 or the adjacent No.330. The proposal would not then have a serious impact on the residential amenity of the neighbours.

Ecology - the agent provided information on the likely level of disturbance to the roof and the Wildlife Officer has recommended an informative regarding bats.

Response to objections - the issues regarding any access rights for 330 for whatever purpose are a civil or legal matter between the two neighbours.

The access for emergency services in areas of terraced properties is often restricted and in this case there would still be pedestrian access and access via the properties themselves. Property value is not a planning matter.

The agent has revised the ground floor plan to confirm there will be a 950mm gap between 328 and 330 and a condition is added for this to be maintained.

The proposal would comply with UDP Policies EN1/2 - Townscape and Built Design, H2/3 - Extensions and Alterations and associated SPD 6 - Alterations and extensions to Residential Properties.

Summary of reasons for Recommendation

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

The proposal accords with the policy and guidance in that the design is of an acceptable standard which would not adversely affect the character of the area nor the amenity of nearby residents, and would not adversely impact on highway safety issues.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 1027/01, 1027/03a, 1027/04, 1027/05, 1027/06, 1027/07, 1027/09 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 H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

4. There shall be a minimum distance of 950mm from the side of the extension hereby approved and the boundary as shown on plan 1027/03a and which shall be maintained thereafter.

Reason. In the interests of residential amenity and to ensure a satisfactory development pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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

Ward: Whitefield + Unsworth - Pilkington Park

Item 08

Applicant: Piccadilly Partnership Ltd

Location: Land Adjacent To 1 Park Terrace, Whitefield, Manchester, M45 7HQ

Proposal: Variation of Condition 2 of application 51555 to allow alteration to the roof (Retrospective)

Application Ref: 53148/Full

Target Date: 16/11/2010

Recommendation: Approve with Conditions

Description

The application site is a vacant piece of land, which is currently overgrown. The site is accessed from a unmade road between Parkfield Inn and 97 Park Lane.

There are residential properties to the northwest, which is a traditional block of terraced properties. The residential properties to the southeast are more modern. There are garages along the north east boundary of the site and beyond are an access road and a three storey block of flats. To the south west of the site is the Parkfield Inn.

Permission was granted in September 2009 for two semi-detached dwellings on the site. Work commenced and it was found that the proposed dwellings were too tall and the eaves were in the wrong position.

The applicant seeks permission to remove the front section of the roof and increase the pitch, which would achieve a eaves height, which would match the adjacent properties.

Relevant Planning History

43697 - Two storey rear extension at 1 Park Terrace, Whitefield. Withdrawn by applicant - 22 December 2004

44146 - Residential development - 3 No. apartments (resubmission) at land adjacent to 1 Park Terrace, Whitefield. Approved with conditions - 13 April 2005

44147 - Front porch and two storey extension at rear (resubmission) at 1 Park Terrace, Whitefield. Approved with conditions - 15 April 2005

51555 - Proposed two new semi-detached dwellings with parking on land adjacent to 1 Park Terrace, Whitefield. Approved with conditions - 17 September 2009.

Enforcement

10/0433 - Not built as plan. Application received - 21 September 2010, which has resulted in this application.

Publicity

54 neighbouring properties (1 - 11 (odds) Park Terrace; 12 - 21 Philips Drive; 81, 83, 97 - 115 (odds) Park Lane; 1 - 25 Links View Court;) were notified by means of a letter on 23 September 2010.

Three letters have been received from the occupiers of 1, 5, 11 Park Terrace, which have raised the following issues:

- The eaves tower above the eaves of the cottages and overwhelms them
- The builders must have known the plans were incorrect
- It spoils the special architecture of the row
- The extra height would have a significant adverse impact upon the amenity of the neighbouring properties
- The extra height would make the buildings prominent
- The building work has continued after the planning department were alerted to the issue

- The additional height makes the windows appear too small and out of context with the surrounding properties.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections.

Drainage Section - No objections.

Environmental Health - Contaminated Land -

Waste Management - No response.

Designforsecurity - No comments.

Unitary Development Plan and Policies

| | |
|-------|---|
| H1/2 | Further Housing Development |
| H2/1 | The Form of New Residential Development |
| H2/2 | The Layout of New Residential Development |
| EN1/1 | Visual Amenity |
| EN1/2 | Townscape and Built Design |
| EN1/3 | Landscaping Provision |
| EN7 | Pollution Control |
| HT2/4 | Car Parking and New Development |
| HT4 | New Development |
| HT5/1 | Access For Those with Special Needs |
| SPD6 | Supplementary Planning Document 6: Alterations & Extensions |
| SPD11 | Parking Standards in Bury |

Issues and Analysis

Design and impact upon surrounding area - The submitted plans indicate that the front section of the roof and the dormers would be removed and the pitch of this part of the roof would be increased to 35 degrees. This would result in the eaves height of the proposed dwellings matching that of the existing terrace of properties. Therefore, the proposed development would not significantly alter the design of the proposed dwellings and would not look out of place within the locality.

The ridge of the roof as approved was 0.16 metres taller than the chimney on the adjacent property. The proposed dwellings would be 0.44 metres taller than the chimney on the adjacent properties. A increase of 28mm would not be significant when viewed from ground level. Therefore, the increase in height would not have a significant adverse impact upon the appearance of the dwellings.

Overall, the proposed development would be acceptable in terms of height, form and scale and would be in accordance with Policies H2/1, H2/2 and EN1/2 of the adopted Unitary Development Plan.

Impact upon residential amenity - The proposed development would result in an increase of the ridge of 0.28 metres. The height difference would not have a significant impact on residential amenity due to the separation distances. As such, the proposed development would not have a greater impact upon than the previously approved dwelling and would not be detrimental to the amenity of the neighbouring residents and would be in accordance with Policies H1/2 and H2/2 of the adopted Unitary Development Plan.

Response to objectors - The eaves as built currently are higher than the eaves of the existing properties. However, the proposed development would address this and the eaves would be level with those of the adjacent properties. On investigation, it was found that the ground and first floors of the properties were built in accordance with the approved plans. As such, there was no objection to the builders continuing works on these floors of the dwellings. The other issues have been addressed in 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 changes would not have an adverse impact upon the amenity of the neighbouring properties and would not be unduly prominent in the locality.
There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun within three months of 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 8052.01 A, 8052.02, 8052.16 C, 8052.17 G and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Within 1 month of the date of the decision:-
 - 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. 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.

6. Within 1 month of the date of the decision, samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority. The approved details 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.

7. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) Order 2008, or as subsequently amended, no development shall be carried out within the terms of Classes A to H of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed below.

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

Ward: Bury East - Moorside

Item 09

Applicant: Telefonica 02 UK Ltd

Location: Pavement outside Tower House, 269 Walmersley Road, (opposite Linton Avenue), Bury, BL9 6NX

Proposal: Prior notification for installation of 15m street pole including 3 no. antennae, 1 no. equipment cabinet and 1 no. electrical meter pillar to facilitate site sharing

Application Ref: 53163/Telecom Determination **Target Date:** 22/11/2010
(56 Days)

Recommendation: Prior Approval Required and Granted

Description

The proposed development would be located at the back of the footway outside No. 269 Walmersley Road. No. 269 Walmersley Road is also known as Tower House and is used as offices for an accountancy firm.

Sunny Avenue is to the north of the site, with a three storey block of apartments beyond. There are residential properties to the east and south of the site. St John with St Mark Church and the church hall are located to the west.

The proposed development involves the installation of a 15 metre high pole including 3 antennae, 1 equipment cabinet and an electrical meter pillar. The equipment would be located at the back of the footway.

The mast will be shared by two operators and is required to increase network capacity and to provide 3G coverage.

Relevant Planning History

None relevant.

Publicity

303 properties within 150 metres of the site were notified by means of a letter and a full list can be found in the planning file. A site notice was posted on 5 October 2010.

Three letters have been received from the occupiers of Tower House, 269 Walmersley Road, 10 The Drive and 5 Littlewood Avenue, which have raised the following issues:

- The mast is not needed, as there is a good signal for O2 currently.
- Health risks associated with the masts are unknown.
- Site sharing would equate to more masts and a greater health risk
- The masts are a blight on the landscape
- The proposed mast would be in close proximity to residential properties
- The possibility of thermal and non-thermal radiation products/effects on human health
- The proposed mast would be unacceptably high and unsightly
- The proposed mast and equipment would be an obstruction to pedestrians, prams and wheelchair users.

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.

Designforsecurity - No response.

Unitary Development Plan and Policies

EN1/1 Visual Amenity
EN1/2 Townscape and Built Design
EN1/4 Street Furniture
EN1/7 Throughroutes and Gateways
EN1/10 Telecommunications
EN7 Pollution Control
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 - The agent has provided a list of 8 alternative sites, including installations on buildings, site sharing and installations on greenfield sites. These 8 sites were discounted as either the site provider was not interested; the site would not provide the required coverage; the site would result in network interference or the installation would be visually prominent. Sufficient information has been provided to justify the need of the proposed development in terms of improved coverage for the site. Therefore, the proposed development would be in accordance with Policy EN1/10 of the adopted Unitary Development Plan.

Visual Amenity - The proposed mast would be located directly opposite the junction of Linton Avenue with Walmersley Road. As such, the proposed equipment would not be overlooked directly from the residential properties.

The existing street furniture in the vicinity of the site includes a bus shelter and sign, streetlights and signage. The proposed mast has been designed so as to reflect and match the existing street furniture in the locality. Therefore, the proposed development would not look out of place within the locality, subject to conditional control and would not be an unduly intrusive feature in the landscape.

Highways Issues - The proposed development has been sited at the rear of the footway and it would not reduce the width of the pavement to a substandard level and therefore, would not impact upon highway safety.

Therefore, the proposed development would be in accordance with Policies EN1/2, EN1/4, EN1/7, EN1/10 and HT2 of the adopted Unitary Development Plan.

Response to objectors - The proposed mast is required to provide better 3G coverage rather than provide general coverage and to facilitate sharing, thus reducing the need for additional masts in the area. The remaining issues have been addressed in 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;-
Having due regard to both National and Local Policy, in particular UDP 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 be unduly prominent within the street scene and 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 A, 200 B, 300 B, 400 B, 500 B 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.
Reason. In the interest of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

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

Ward: Bury East

Item 10

Applicant: Bury Car Wash

Location: Hooley Bridge Service Station, Rochdale Old Road, Bury, BL9 7TL

Proposal: A: 5 No. non-illuminated board signs (retrospective)
B: 2 No. non-illuminated rotating pole signs (proposed)

Application Ref: 53176/Advertisement

Target Date: 24/11/2010

Recommendation: Split Decision

Description

The site is a Total Petrol Station with a 'Nearbuy' shop building and car wash facilities. There are residential properties adjacent, opposite and to the rear. The petrol filling station and shop are separately run businesses from the car wash. The car wash is to the rear of the shop building with access along the side from the furthest entrance along Rochdale Old Road.

The application is for non illuminated signs relating to the car wash business 5 of which are existing and 2 proposed the details as follows:-

The existing signs are :-

- To the entrance the 'welcome' board 3.3m wide and 0.6m high in yellow with red text indicating the car wash entrance.
- On approaching the car wash the board to the rear boundary 4.9m wide and 1.2m high in yellow with red/blue text to indicate prices.
- The car wash structure boards 4.9m wide and 0.6m high and 4.5m wide and 0.6m high to the front and side placed just below the roof level a yellow background with red text and indicate the opening hours and exit.
- To the rear boundary wall of the forecourt site is a board 4.9m wide and 1.2m high in yellow with red/blue text and is a second pricing sign.

The proposed signs are:-

- Two rotating pole signs 3m high and 0.10 and 0.40 wide to the grass verges at each entrance to the forecourt. They are metal poles with rotating plastic signs advertising the car wash.

Relevant Planning History

52063 - 2 x internally illuminated fascia signs; 1 x externally illuminated wall sign; 1 x internally illuminated projecting sign; 1 x non-illuminated projecting sign (all retrospective) - Approved with Conditions 20/01/2010

Publicity

13 notification letters were sent to addresses at 452,454,456,462,605,607, 623 & 625 Rochdale Old Road, 4-10 Winifred Avenue and 1 Smethurst Hall Road. Responses have been received from 456 & 462 Rochdale Old Road and 1 Smethurst Hall Road.

The comments from 456 Rochdale Old Road in summary are :-

- it is a refreshing change to have a proposal from Hooley Bridge Service Station but they object to it
- signs were previously removed but gradually more have been erected including 2 free standing

- a lean to structure has recently been erected, no doubt without permission
- there have been many accidents as a result of traffic entering and exiting the site
- the rotating signs will attract the attention of drivers on this fast stretch of road
- Hooley Bridge Service and Bury Car Wash appear to have no regard for planning procedures, local residents or the village
- local residents have lost interest or are disillusioned by the garage and how the planning department have not supported them

The comments from 1 Smethurst Hall Road in summary are :-

- the rotating signs would be environmentally unfriendly and visibly domineering
- low level 1m signs at the rear of the public footpath would be visible in both directions
- there are 6 existing board signs not 5 but no comment
- planning have been informed of the extension to the vehicle washing bay

The comments from 462 Rochdale Old Road in summary are :-

- there are too many signs
- the rotating signs would be noisy and a hazard to vehicles

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

Consultations

Traffic Section - no objection to the 5 existing signs but recommend refusal of the rotating signs as there is insufficient information to assess their impact on the adopted highway.

Baddac - no comment.

Unitary Development Plan and Policies

EN1/9 Advertisements

Issues and Analysis

UDP Policy EN1/9 relates to adverts and signage and states that proposals should have regard to the character of the locality, scale of the existing building and land use and be considered on their impact on amenity and safety.

Amenity – Existing signs - although the boards are fairly basic in terms of the materials they provide useful customer information and direction. The site is a commercial garage where signage regarding direction and services would be expected and their location along the boundaries and to the car wash building is not considered to appear out of place or detrimental to the visual amenity of the area. One of the standard advertisement conditions applied to all approvals requires adverts to be maintained in a clean and tidy condition to the satisfaction of the local authority and therefore their appearance can be controlled should they become unsatisfactory.

Rotating signs - these would be located on the grass verge towards the front of the site. A site layout has been provided but does not make clear the exact location of the poles and no elevation plans have been provided only a photograph of a similar sign at an unknown location.

There are residential properties adjacent each of the accesses to the garage and to locate a rotating pole in any part of the grass verge is considered inappropriate and detrimental to the amenity of these properties. The existing signs provide adequate advertising of the car wash and with the garage having its own adverts the addition of the two poles would result in a cluttered appearance of the site from advertising which would be seriously detrimental to the visual amenity of this predominantly residential area.

Safety - the existing board signs are located where they will not cause hazard to pedestrians or motorists. There is insufficient information to properly assess the impact of the rotating signs in relation to the public highway. It is not considered that they would be a hazard to motorists.

Response to objections - the existing board signs are not considered to be detrimental to

highway safety and the Traffic Section has raised no objections.

The lean to structure has been reported to the Enforcement team and is currently under investigation.

The placing of A boards on the pavement is a matter for the Highways Section to pursue under the Highways Acts and has been reported to them.

As the existing signs would comply with UDP Policy EN1/9 - Advertisements, but the proposed ones would not, a split decision is recommended to approve the existing and refuse the proposed.

Recommendation: Split Decision

Conditions/ Reasons

1. The proposed rotating pole signs by reason of their size, siting and design would be out of character and severely detrimental to the general visual amenities of the area and the residential properties adjacent and therefore contrary to the following policy of the Bury Unitary Development Plan: EN1/9 - Advertisements.
1. Standard Conditions
 1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
 2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
 3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
 4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
 5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigate by water or air, or so as to render hazardous the use of the highway, railway, waterway or aerodrome (civil or military).

Reason for standard conditions: In the interests of amenity and in accordance with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

Ward: North Manor

Item 11

Applicant: Telefonica 02 UK Ltd

Location: Pavement adjacent Gin Hall (opposite Falshaw Drive), Walmersley Road, Bury, BL9 5JX

Proposal: Prior notification for installation of 15m replica telegraph pole including 3 no. antennae, 1 no. equipment cabinet and 1 no. electrical meter pillar to facilitate site sharing

Application Ref: 53197/Telecom Determination **Target Date:** 29/11/2010
(56 Days)

Recommendation: Prior Approval Required and Granted

Description

The proposed development would be located at the back of footway opposite the junction of Falshaw Drive and Walmersley Road.

There are residential properties to the south and south west of the site. The former Gin Hall tip is located to the east of the site. Walmersley Road continues to the north and there are residential properties to the west of the road and several mature trees to the east. Junction 1 of the M66 is located some 735 metres to the north and there is an existing mast installation next to the junction.

The proposed development involves the erection of a 15 metre high replica telegraph pole, including 3 antennae, 1 equipment cabinet and 1 electrical meter pillar. The equipment would be located at the back of the footway.

The mast would be shared by two operators and is required to provide better 3G coverage.

Relevant Planning History

None relevant.

Publicity

72 neighbouring residents within 150 metres of the site were notified by means of a letter on 6 October and site notices were posted on 12 October 2010.

Two letters have been received from the occupiers of 901 Burnley Road and one without an address, which have raised the following issues:

- This is not the site for a tall mast
- There is already too much street furniture in the area
- The proposed development would block the views of Nangreaves.
- Alternative locations include the former Tetrosyl site, the tower at Christ Church and further up Walmersley Road.
- There is an existing installation on land near junction 1 of M66. Query why another installation is required?
- The proposed mast would be a prominent, intrusive and alien feature in the street scene.
- The site is on a classified road and would give an unfavourable impression of the borough
- The proposed site is directly opposite residential dwellings and would be detrimental to residential amenity.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections.

Drainage Section - No objections.

Environmental Health - Contaminated Land - No response.

Environmental Health - Pollution Control - No response.

Design for security - No response.

Unitary Development Plan and Policies

EN1/1 Visual Amenity

EN1/2 Townscape and Built Design

EN1/4 Street Furniture

EN1/1 Visual Amenity

EN1/10 Telecommunications

EN7 Pollution Control

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

HT5 Accessibility For Those With Special Needs

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 though the submission of a certificate.

Supporting information - The agent has provided a list of 8 alternative sites, including installations on buildings, site sharing and installations on greenfield and existing telecom sites. These sites were discounted as either the site provider was not interested; the site would not provide the required coverage, the site was being redeveloped, the site had technical difficulties and would result in network interference.

The objectors have put forward two alternative sites further up Walmersley Road, where the mast would be partially screened by mature trees. One site would be located outside of the search area and the other site would cause an unacceptable level of interference. Therefore, the suggested sites would not meet the technical requirements and should be discounted.

Therefore, the proposed development would be in accordance with Policy EN1/10 of the adopted Unitary Development Plan.

Visual Amenity - The proposed mast would be located directly opposite the junction of Walmersley Road and Falshaw Road. The existing street furniture in the vicinity includes bus shelter and sign, streetlights and signage denoting the change in speed limit and the provision of cycle lanes. The proposed mast has been designed so as to look like a telegraph pole and would be clad in brown fibre glass cladding. As such, the proposed mast would reflect the existing street furniture and would not look out of place in the locality.

There are residential dwellings on the opposite side of Walmersley Road and these are set on an angle and would not directly overlook the site. The nearest dwelling (No. 833 Walmersley Road) would be some 38 metres away from the site and as such, the proposed mast would not have a significant adverse impact upon the amenity of the occupiers of these properties.

The proposed development would be located at the back of the footway and would not reduce the width of the pavement to a substandard level. Therefore, the proposed development would not impact upon highway safety.

Therefore, the proposed development would be in accordance with Policies EN1/2, EN1/5, EN1/7, EN1/10 and HT2 of the adopted Unitary Development Plan.

Response to objectors - The loss of view is not a material planning consideration and the issues raised have been addressed in 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;-
Having due regard to both National and Local Policy, in particular UDP 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 be unduly prominent within the street scene and 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 1, 200 1, 300 2, 400 1, 500 1 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

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

Ward: North Manor

Item 12

Applicant: Bury Council

Location: Springside County Primary School, Springside Road, Bury, BL9 5JB

Proposal: Re submission of planning application 52668 to include a building for extended services attached to the new foundation unit.

Application Ref: 53207/Full

Target Date: 06/12/2010

Recommendation: Approve with Conditions

Description

The application site is located in a residential area off Springside Road. The school boundary is on the fringe of the Green Belt boundary to the south and west, and part of the school site to the west lies within the River Valley. To the north and east are the residential properties on Springside Road and Sabden Close respectively.

The school encompasses single storey buildings constructed of brick and render and reflects the design and style of the majority of the primary schools in the Borough. There is a detached single storey modular building to the north of the main school behind the houses on Springside Road which accommodates the school's foundation unit.

A scheme was previously granted approval by the Planning Control Committee on 20th July 2010. The scheme comprised of demolition of the existing detached classroom and replacement with a new build foundation unit with associated playground and fencing, extension to the main entrance and incorporation of a separate pupil's entrance, relocation of bin store and construction of a link covered walkway in the internal courtyard area.

This application is a resubmission of the scheme to also include a building for extended services which would be attached to the new foundation unit. It would have a separate entrance and there would not be internal access to the foundation unit. Opening hours would be on an ad-hoc basis but constrained between the hours of 8am to 6pm on weekdays. Typical uses for the facility may include parenting classes, medical consultations and workshops for the benefit of the children, parents and local community. No additional staff would be based in the Extended Services facility as functions will be booked as and when required.

Relevant Planning History

52668 - New foundation unit with playgrounds & fencing. New main entrance, and relocation of bin store. Construction of link covered walkway in courtyard area. - Approved with Conditions 21/07/2010

Publicity

31 Letters sent on 13/10/10 to Nos 651 Walmersley Road, 2-20 (evens) Sabden Close, 8-18 (evens) Springside Road, 9, 11, 31-53 (odds) Springside Road.

Two letters received from No 41 Springside Road requesting additional information on the scheme. Concerns raised that the position of the fence would be unsightly.

One letter from No 53 Springside Road requesting confirmation of the opening hours of the extended services unit.

No further correspondence has been received to date.

Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health Contaminated Land - No objection subject to conditions.

Design for security - The canopies are located in accessible areas which can be vulnerable to Anti-Social Behaviour.

BADDAC - Following comments about the need for level access to be provided, revised plans have been submitted showing this to all entrances.

Unitary Development Plan and Policies

PPS23 PPS23 Planning and Pollution Control

CF2 Education Land and Buildings

EN1/2 Townscape and Built Design

EN8/2 Woodland and Tree Planting

OL5/2 Development in River Valleys

OL1 Green Belt

Issues and Analysis

Policies - Unitary Development Plan Policy CF2 - Education Land and Buildings seeks to consider favourably proposals for the provision, improvement and dual use of educational facilities.

UDP Policy EN1/2 - Townscape and Built Design has regard to factors including external appearance and design of the proposal, relationship to the surrounding area, materials, access, parking and servicing provision and landscaping.

Principle - The proposed foundation unit and alterations would provide improved facilities to serve the educational needs of the pupils, parents and school. As such, the proposal is considered acceptable subject to impact on the surrounding area.

Residential amenity - The existing single storey portable classroom is sited 8.3m from the boundary fence which runs along the rear gardens of houses on Springside Road. The proposed foundation unit is also single storey and would be positioned 9m away from these houses. As such, the proposed building would not be any more detrimental to the outlook or amenity of occupiers of these houses than the existing situation. The existing trees on the northern boundary would be retained and this affords some screening to the school site.

The position of the front entrance and courtyard area is such that there are no residencies would be affected by the additions in these area.

The proposed extended services facility would be attached to the foundation unit and be 9.2m long. It would also be positioned 9m away from the houses and would not be any more detrimental to the outlook or amenity of the occupiers of Springside Road.

The replacement fence which runs from the side of the new unit to the rear boundary of No 41 Springside would replace an existing fence in an almost identical position and as such there would be no adverse impact on this property.

As such, the proposal is considered to be acceptable in terms of its siting and relationship to the houses on Springside Road and complies with UDP Policy EN1/2.

Visual amenity - The proposed foundation unit and Extended Services facility have been designed to complement the existing school and would be constructed of red brick and buff brick band course. The new entrances would also have matching brickwork and white aluminium doors and frames.

The proposed canopies within the courtyard area to provide a covered walkway between the two key stage units are a departure from the more traditional materials associated with schools extensions. It is not the intention to cover the entire courtyard area as this also used for secured outdoor play. However, the canopies provide an inexpensive, yet fun and colourful way solution to covering part of the courtyard area.

As such, the proposal complies with UDP Policy EN1/2 - Townscape and Built Design.

Parking - The proposed development would not result in either an increase in children or staff to the school, and there would be no reduction in parking availability in the school grounds for staff on completion of the development.

There will be some disruption whilst the works are carried out. Staff will continue to park in the staff car park whilst the foundation unit is under construction. This car park will then be made available for use by the contractors which may result in some of the staff having to find alternative parking. However, this arrangement is to ensure the safety of the children in and around the school during the works and would be for a temporary period only.

A Travel Plan has been compiled by the school and submitted as part of the application. The school has taken a positive approach to investigating and promoting alternative travel arrangements and initiatives have been put forward to reduce car travel to the school, including journeys made by staff.

The Traffic Team have raised no objection and as such the proposals comply with HT2/4 - Car Parking and New Development.

Trees - There is a row of cherry trees lining the access into the school which would need to be taken out at the start of the works to allow construction access. The proposed plan shows that these trees would be replaced by the same specimen. The applicant and landscape officer involved in this scheme confirmed that some of the trees are poor quality, are at the end of their natural life and unlikely to survive much longer. Given this, it was agreed that these trees be removed on the provision they are replaced with the same specimen. This has been included as a condition of the planning approval.

Security - In response to the recommendations of the designforsecurity team, the applicant intend to secure the courtyard area following completion of the works by means of fencing. To ensure these recommendations to secure the area and the school are implemented, a condition has been attached requiring the submission of a security scheme.

Access - A temporary road and site area would be required to facilitate access to the development area. This would accessed off the existing vehicular entrance into the school and would be far enough within the school grounds not to impact on adjacent residential properties. Following completion of the works, this area would be re-instated to a grassed area. There would be level access to the main entrance, foundation unit and Extended Services facility.

As such, the proposal complies with UDP Policy EN1/2 - Townscape and Built Design and and HT5/1 - Access for Those with Special Needs.

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 extensions and alterations are considered to be acceptable in terms of siting, design and materials and would not be detrimental to the amenity of the nearby residents or impact on their visual amenity. The scheme includes adequate parking provision and will not adversely impact on highway safety issues. The scheme incorporates satisfactory landscaping measures.

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 E 10301 A PL1001; E 10301 A PL1002; E 09334 A 1003 B; E 09334 A PL006; E 09334 A PL008 B; E 09334 A PL009; main school entrance levels Rev A, entrance levels foundation/extended services plans Rev A, rear door entrance levels - foundation unit 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. Following the provisions of Condition 3 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
6. 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.

7. No development shall commence unless and until a scheme detailing the security measures to be provided within the development site in response to the comments raised by the designforsecurity team have been submitted to and approved in writing by the Local Planning Authority. The approved scheme only shall be implemented and be operable before the development is first occupied.

Reason - To secure the satisfactory development of the site in relation to crime and design pursuant to Unitary Development Plan Policy EN1/5 - Crime and Design.

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

Ward: Bury East - Moorside

Item 13

Applicant: Tesco Stores Ltd

Location: Tesco Stores Limited, Woodfield Retail Park, Peel Way, Bury, BL9 5BY

Proposal: Highway access alterations and landscaping works

Application Ref: 53222/Full

Target Date: 06/12/2010

Recommendation: Approve with Conditions

Description

The application site comprises the access/egress into the car park for Woodfield Retail Park off Peel Way. There is an existing mini roundabout which filters traffic either into the retail car park, a service road or McDonald's. On exit from the site, there is a dedicated single left turn lane and single right hand turn lane out onto Peel Way.

It is proposed to remove the existing roundabout and create a new road layout from the car park onto Peel Way, which would comprise the creation of an additional right hand turn lane. The proposal also includes a landscaping scheme around the amended road layout and within the main retailing car parking area.

The application is a resubmission of a previously approved scheme reference 48206 which had not commenced and has since expired. There have been no changes to the proposed development that was previously approved.

Relevant Planning History

48206 - Highway Access Alterations - Approved 14/8/2007

Publicity

The 8 Units in the Woodfield retail park notified by letter on 12/10/10.

One letter of objection has been received from a Traffic Engineering Consultancy on behalf of Mc Donald's which can be summarised as follows:

- The access arrangements would be detrimental to highway safety;
- There is no Transport Assessment submitted with the application and there should be one;
- Further technical information should be sought from the applicant on traffic flows and turning movements, capacity analysis of existing and proposed junction arrangements, likely increase in traffic due too the re-modelling of the car park, assessment of future traffic flows, assessment of the priority junction arrangement with the access to Mc Donald's, impact on accessibility by non car modes, accident analysis, Safety Audit.
- There would be conflict with the McDonald's delivery vehicles and the service road;
- The scheme incorporates substandard designs when taking into consideration activity and vehicle movements other than those to and from the Woodfield Retail Park.

The objector has been notified of the Planning Committee meeting.

Consultations

Traffic Section - No objection.

Drainage Section - No objection

Environment Agency - No comments to make.

Environmental Health Contaminated Land - No objection subject to conditions.

Unitary Development Plan and Policies

Area The Rock/Peel Way

| | |
|-------|---|
| BY5 | |
| HT2/1 | The Strategic Route Network |
| S3/1 | New Retail Dev Opportunities Within or Adj Town Centres |
| HT2/3 | Improvements to Other Roads |
| HT6/1 | Pedestrian and Cyclist Movement |
| HT6/2 | Pedestrian/Vehicular Conflict |
| EN1/2 | Townscape and Built Design |
| PPS23 | PPS23 Planning and Pollution Control |

Issues and Analysis

Principle and the Current problems experienced on site - The proposals are intended to address long standing capacity issues by managing existing peak traffic at the junction of the site access with Peel Way and the resultant congestion problems within Woodfields Retail Park. In view of the ongoing problems with the access arrangements, discussions with the landowner and complaints received from members of the public about these issues, the improvements proposed are to be welcomed. Subject to full details of the alterations, the development is considered acceptable and would comply with Unitary Development Plan Policies HT2/3 - Improvements to Other Roads, HT6/1 - Pedestrian and Cyclist Movement and HT6/2 - Pedestrian/Vehicular Conflict.

Highways Matters and Safety Issues - The application was submitted with plans that provided a clear understanding of what the scheme seeks to achieve and how the site would change. It is important to note that the adopted highway boundary is located only part way into the access of the site from Peel Way and there is a need to ensure that the access and egress onto the classified Peel Way highway maintains the free flow of pedestrians and traffic.

The proposed layout would provide an increased capacity for traffic both entering and leaving the site and thus would maintain traffic flows on the adopted highway network.

Work had been carried out on the originally approved scheme under s278 highway designs that included a full safety audit to ensure that the designs were correctly shown and could be implemented to ensure safe usage of the junction. However, the failure to implement the permission meant that the planning process had to be restarted.

The scheme now under consideration has included the s278 audit works has been considered and accepted by the Council's Engineering Consultancy, Highway Network Services and the Greater Manchester Urban Traffic Control Unit and the layout accords with the Council's highway requirements.

On this basis, the proposals would mean that there would be no adverse impact on highway or pedestrian safety and the Highways Section have raised no objection to the proposed alterations and fully support the scheme. A condition to ensure that full detailed design of the proposed highway alterations (construction specifications etc) are submitted for approval by the Local Planning Authority is suggested and as is normally the case, to undertake the Section 278 Agreement under the Highways Act to implement the fully approved scheme.

Landscaping - The scheme would include tree pruning and block paving laid to the central strip which runs between the parking spaces leading to the recently developed main entrance. Additional planting would be incorporated on the end of the parking bays. The proposals would be acceptable in terms of location within the site and density of the planting and would not conflict with highway or pedestrian safety, whilst ensuring that pedestrians can use the pavement for permeability through the site.

Response to Objector - The scheme would not raise concerns in terms of safety given the safety audit that has been carried out.

Transport Assessment - The Department for Transport Guidance is clear that the

development would not require a full Transport Assessment. One has not been requested. The scheme is dealing with an existing development and the proposals do not add any new retail floorspace within Woodfields retail park. The application is seeking to improve the existing demands arising from traffic, not the generation of new traffic.

The development proposes changes to internal site layouts which are not part of the adopted highway and where works have been shown within the adopted highway boundary, the s278 audit works that have been done sufficiently, demonstrate that there would be no concerns arising from the layout.

The issue concerning conflicts with the service road arising from the objector's delivery vehicles does not make a cogent argument. Any conflicts arising would not impact upon access or egress along the main site access road. Delivery vehicles should not wait or stand on the service road but even if they did, the site still provides sufficient stacking accommodation such that the main entrance to the site would remain unaffected. It would not be unreasonable to expect that the service users co-ordinate and organise themselves to ensure that they work together in carrying out their servicing requirements.

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 result in the improvement of the road layout and access and would not be detrimental to highway safety, or conflict with pedestrian access nor cause demonstrable harm to other interests of acknowledged importance.

There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. Notwithstanding the highway improvement works indicated on the approved plans, the development hereby approved shall not be commenced unless and until full details of the proposed highway alterations to the junction of Peel Way with the Woodfields Retail Park access have been submitted to and approved in writing by the Local Planning Authority.

Reason. To ensure good highway design in the interests of road safety pursuant to Unitary Development Plan Policy HT2/3 - Improvements to Other Roads.

2. A comprehensive construction design commensurate with existing contaminated land remediation and landfill gas protection and monitoring measures shall be incorporated into the proposed development, to be agreed in writing with the Local Planning Authority before work commences, and;

The approved measures implemented 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.

3. 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.

4. If during any works on site, contamination is suspected or found, or contamination is caused, the Local Planning Authority shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales to the approval of the Local Planning Authority.

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

5. This decision relates to drawings numbered 206663/09 Rev A Location Plan; 207740/101 Rev E Proposed General Layout and the development shall not be carried out except in accordance with the drawings hereby approved.

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

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