

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 01

Applicant: Mr Hoyle

Location: Land Between 1 Spring Wood Street and 82 Carr Street, Ramsbottom, Bury

Proposal: Demolition of existing sheds and erection of a two storey dwelling incorporating single garage.

Application Ref: 53920/Full

Target Date: 29/06/2011

Recommendation: Approve with Conditions

Description

The application proposes a detached two storey dwellinghouse on a site that is currently overgrown with three small sheds on it. The site slopes up from east to west and measures 0.03ha and has a frontage onto Carr Street of approximately 22m. There is a stone retaining wall along the Carr Street frontage with the land behind raised up by approximately 2m. Historical evidence indicates that there was a row of terraced properties on the site, fronting Carr Street and it is probably the rubble from the demolished housing that accounts in part to the increase in the level of the land.

The area is within the Ramsbottom Conservation Area and is residential in character. The adjacent property to the east is a two storey semi-detached house on the corner of Carr Street and Spring Wood Street. To the rear of the site are a row of two storey terraces fronting Spring Wood Street. To the west is an unmade access track, leading to the backland area to the rear of properties on Spring Wood Street. Across the access track, to the west, is a row of two storey terraced houses fronting Carr Street. To the south, across Carr Street are a further row of two storey terraced houses.

The proposal involves reducing the levels of the land down to that of Carr Street and constructing a two storey detached dwellinghouse on the site. Whilst the primary elevation would front Carr Street, the main vehicular and pedestrian access would be from the unmade track that runs along the western side of the site. Due to the sloping nature of the site, the proposed house would have an unconventional split level design with the entrance, kitchen and living room at ground floor and bedrooms on a lower ground floor. The house would be constructed in natural coursed stone with a slate roof. Windows would be timber and in a sliding sash and case style with stone cills and lintels. There would be integral single garage at the end of the driveway with a parking and turning area to the side.

Relevant Planning History

00794/E - Pre-application enquiry residential development - Enquiry completed 3/05/2011. This enquiry has resulted in this application.

Publicity

The following neighbours were notified by letter dated 5/05/2011. Nos.1-27 (odds) Springwood Street, 82 and 84 Carr Street, 1-14 (evens) Grant Mews and 107 Callander Street.

Four objections have been received from the occupiers of 5, 7 11 and 17 Springwood Street. Their concerns are summarised as follows:

- The house would block light to properties at the rear.
- Increase overlooking.
- The area is already congested and doesn't need more houses.
- The proposed entrance may restrict existing parking along the access track at the side of the site.
- Additional car pulling onto Carr Street would be dangerous.

- Restrictions to public access.
- The boundary of site appears to be on a neighbour's land.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic - Formal comments awaited and no objections at pre-application subject to standard conditions.

Conservation - No objection.

Drainage Section - No objection

Environmental Health - No objection subject to conditions relating to land contamination.

Wildlife Officer - No objection.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN6/3	Features of Ecological Value
HT6/2	Pedestrian/Vehicular Conflict
PPS9	PPS9 Biodiversity and Geological Conservation
PPS23	PPS23 Planning and Pollution Control

Issues and Analysis

Principle - Policy H1/2 (Further Housing Development) states that the Council will have regard to various factors when determining a proposal for residential development including the availability of infrastructure, the suitability of the site, the nature of the local environment and the surrounding land uses. The site is a brownfield site as it has had housing on it in the past and as such, subject to compliance with other policy considerations, the proposed development would be in accordance with Policy H1/2.

Siting and Design within the Conservation Area - The proposed site is considered to be of sufficient size to accommodate a single dwelling without appearing to constitute overdevelopment or be out of character within the locality. Lowering the existing ground levels and setting the house down, generally level with Carr Street means that it would not be significantly higher than adjacent properties and not appear incongruous on the streetscene.

The traditional design and appearance of the proposed house is considered to be appropriate within the site and would not be out of character with the conservation area in which it is set. The natural stone and slate finish is considered to be acceptable.

Residential Amenity - Across Carr Street, the proposed house is a sufficient distance to the principle elevations of houses opposite and to the west (approx 20m). At the rear, given that the house would be set down within the site, the ground floor bedroom windows would be looking towards the retaining wall rather than properties to the rear and the first floor non-habitable kitchen and utility windows on the rear would not overlook neighbours directly and there is further mitigation in the form of a 1.8m timber screen fence proposed along the rear boundary.

Given the relative levels in the land and relationship with neighbouring houses, it is not considered that the new property would have a detrimental impact on light into properties to the side or rear of the site. It is considered appropriate to remove permitted development rights on the proposed dwelling given the nature of the site and relationship with surrounding properties. In terms of residential amenity, the proposal complies with UDP Policy H2/1 The Form of New Residential Development.

Access and Parking - The proposed access to the site would be moved further north, away from the junction with Carr Street thereby making it more acceptable in high safety terms. The proposed access arrangements and parking for two cars is considered to be acceptable and complies with UDP Policy H2/2 The Layout of New Residential Development and adopted parking standards.

Servicing - There would be a bin store at the rear of the site with access to Carr Street via the unmade track. As such it will comply with H2/1.

Ecology - There are a number of self-seeded small trees and shrubs on the site and it is the intention to remove these and provide a small garden area to the side of the new house. The loss of the existing vegetation on the site is not considered to warrant refusing the application. Whilst it is unlikely that bats are roosting within the existing sheds on site, it is considered appropriate to attach an informative to any decision notice, stating that if evidence of bats is found, expert advice should be sought immediately. As such it will comply with PPS 9.

Public Footpath - There is a public footpath (No.278) running past the proposed site entrance from Carr Street to Spring Wood Street. This will not be affected by the proposal.

Objections - The concerns of the neighbours to the rear with regard to need, highway safety, overlooking and light have been addressed above. With regard to the proposal restricting informal parking along the existing track is a private matter rather than one which is subject to planning control.

The concern that the proposed boundary strays onto neighbouring land is also a private matter, particularly as the applicant has stated that the site is wholly owned by himself and no other party.

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 dwellinghouse would be in keeping with the existing streetscene and would not have a seriously detrimental impact on the amenity of surrounding residents. The access and parking is considered to be acceptable and the proposal complies with UDP Policies and guidance listed. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered ph-00, 01, 02, 03, 04, 05 and 06 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. A sample panel of the proposed coursed stonework and mortar for the elevations of the dwellinghouse and external retaining and boundary walls, demonstrating the colour, texture and pointing, not less than 1 sq.m in size, shall be erected on site for inspection, and approval in writing, by the Local Planning Authority prior to the

commencement of the development. Samples of materials for the roof and all external areas of hardstanding shall also be made available for inspection on site. Thereafter the development shall be constructed in the approved materials and manner of construction.

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

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. 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.

6. Following the provisions of Condition 5 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.

7. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and; The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

8. 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.

9. No development shall commence unless and until full details of the construction and maintenance of the proposed stone retaining wall shall be submitted to and approved by the Local Planning Authority. The retaining wall shall be constructed in strict accordance with the approved details and maintained in a safe and stable condition thereafter.

Reason. To ensure the structural integrity of the proposed retaining wall in the interests of public safety, 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 West - Elton

Item 02

Applicant: Bury Council - Planning Division

Location: Woolfold Gap Recreational Route, Off Brandlesholme Road, Bury

Proposal: Construction of ramped access for cyclists & pedestrians to connect Woolfold Recreational Park to Brandle Avenue; with associated works

Application Ref: 53922/Full

Target Date: 23/06/2011

Recommendation: Approve with Conditions

Description

The site consists of a strip of land between 15 and 17 Brandle Avenue. The Brandle Avenue part of the site is grassed with a hedgerow and tree forming the boundary on one side and a 2 metre high timber fence on the other. The site connects Brandle Avenue to the former railway line. The remainder of the site has many trees, some of which are self seeded.

Planning permission was granted in February 2010 for an extension of the Kirklees Trail from Pickering Close to Brandlesholme Road. This extension follows the route of the former railway line and passes along the back of Brandle Avenue. A second permission was granted in February 2011, which realligned the position of the path and amended the levels along the first 125 metres. The construction of the trail is underway currently.

The Trail formed part of a national bid (Sustrans Connect 2) to the Big Lottery Fund, which aimed to complete missing links in important pedestrian and cycle routes. The bid was determined using a public telephone vote and Sustrans' Connect 2 won with 42% of the vote. Sustrans have 5 years to deliver the Connect 2 programme.

The proposed development involves the provision of a new pedestrian link access link between Nos 15 and 17 Brandle Avenue and the provision of two ramped accesses to the trail. The proposed link would specifically serve the residents on the Bankhouse estate and children walking or cycling to Woodbank School from the Tottington Road area and beyond.

Relevant Planning History

51876 - Extension of the Kirklees Trail, from Brandlesholme Road to rear of 12 Pickering Close; works include provision of a 3 metre wide path; street lighting, land shaping, construction of new bridge and associated works at Woolfold Gap recreational Route, Bury. Approved with conditions - 17 February 2010

53542 - Variation of condition No. 2 of planning permission 51876 to include a realignment of the path at Darlington Close and at Brandlesholme Road and changes to levels for first 125 metres of the path at Woolfold Gap Recreational Route, Bury. Approved with conditions - 15 February 2011

Publicity

27 neighbouring properties (1 - 17, 19 - 35 (odds) Brandle Avenue; 21 Hawthorn Avenue) were notified by means of a letter on 3 May and site notices were posted on 10 May 2011. One petition containing 66 signatures has been received and has raised the following issues:

- There is an existing access to the trail via a route behind Nos 175 - 151 Brandlesholme Road and an overgrown but passable route from Hebburn Drive.
- Proposed development would lead to an increase in crime in the surrounding area.
- The character of the quiet area would be changed.
- The proposed development would lead to increased parking on Brandle Avenue.

- Brandle Avenue is mainly occupied by elderly and retired residents, who are concerned about extra noise, traffic and passers by generated by the ramp.
- Safety concerns relating to cyclists in an area where there are elderly residents.
- Impact of the proposed development upon anti-social behaviour.

13 letters have been received from the occupiers of 1, 2, 5, 11, 13, 14, 17, 23, 25 Brandle Avenue; 56 Fairlands Road; 23 Hawthorn Avenue, which have raised the following issues:

- Access to the recreational route should be from Brandlesholme Road and not Brandle Avenue.
- Impact of the proposal on anti-social behaviour.
- Impact upon parking in the area.
- Would provision be made to prevent motorcyclists from accessing the route.
- Problems with parking at school times.
- Guidance from Sustrans states that cycle routes should be located in front of houses rather than around the backs.
- Proposed development would lead to more crime and break-ins within the area and Architectural Liaison Officer should be consulted.
- Proposed development would bring about problems with litter.
- The applicant is Bury Planning Department, which is a clear conflict of interest.

An email has been received from Councillor Cresswell, which has raised the following comments:

- Object to the scheme
- Share the concerns of the residents with regard to security and anti-social behaviour.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections.

Drainage Section - No response to date.

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

Public Rights of Way Officer - No objections.

Landscape Practice - Recommend the use of a mixed native hedge to deter access to adjacent dwellings. Seek a management plan for any planting.

Design for security - No comments.

Baddac - Welcome the scheme, but seek level resting points in the proposed ramps and handrails should be provided.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN5/1	New Development and Flood Risk
EN6/1	Sites of Nature Conservation Interest SSSI's NNR's
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
EN7/2	Noise Pollution
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
OL1/2	New Buildings in the Green Belt
OL5/2	Development in River Valleys
RT3/3	Access to the Countryside
RT3/4	Recreational Routes
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/3	Cycle Routes

SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
PPG2	PPG2 - Green Belts
PPS23	PPS23 Planning and Pollution Control

Issues and Analysis

Principle - Policy RT3/3 states that the Council will seek to improve and extend opportunities for all to gain access to the countryside by

- Maintaining, improving and, where appropriate, extending the existing networks of Public Rights of Way, footpaths, bridleways and cycleways
- Improving facilities for the mobility impaired
- Creating new access points and areas of public access

Policy RT3/4 states that the Council will seek to establish a network of designated recreational routes to provide access for pedestrians, cyclists and horse riders.

The principle of providing a recreational route and the associated bridge was established with the grant of planning permission in February 2010 (51876) and February 2011 (53542). As such, the proposal of a trail has been accepted in principle. The proposed development would form a link to the approved trail and as such, would improve and extend the network of footpaths and cycle routes. Therefore, the principle of the development would be in accordance with Policies OL1/2, RT3/3 and RT3/4 of the adopted Unitary Development Plan and PPG2.

Need - The proposed development is required to allow a link from the Bankhouse estate to the Kirklees Trail. The idea of the link to the Trail originated with Sustrans, who have considerable experience elsewhere, believe that a link would encourage more use of the Kirklees Trail by people on the Bankhouse Road estate and Woodbank Primary School. Currently, the nearest public rights of access to the trail are at Garside Hey Road and at the entrance to Brandlesholme Road. The residents of the Bankhouse estate would have to do a significant detour of some 400 metres to access the trail from Brandlesholme Road. The route suggested by the objectors, is not a public access and as such, any users would have to use Brandlesholme Road. The applicant states that the link path was discussed at meetings of the Friends of Kirklees Valley and with the Headteacher of Woodbank Primary School and neither raised objections. The proposed development would be provided to encourage more people to walk and cycle and making it pleasant and convenient is critical in achieving this.

Design and impact upon the surrounding area - The position of the proposed path would be between 3 and 8 metres from the rear boundaries of the residential properties. The proposed path surfacing would be 2.1 metres wide and would slope down to the existing trail, preventing overlooking into the rear gardens of the neighbouring properties. The plans indicate that no trees would be removed as part of the proposal and a mixed native hedge, including thorny species would be planted along the rear boundary of the dwellings to discourage access and to provide screening. Therefore, the proposed development would not be visually prominent in the area and would be in accordance with Policies EN1/2 and EN8 of the adopted Unitary Development Plan.

Crime/anti-social behaviour - Guidance from Sustrans states that cycle routes should be located in front of houses rather than around the backs. It is preferable for houses to face a cycle route/highway, but this is not always possible and it does not automatically follow that these routes would lead to increased problems with crime. The proposed plans indicate that provision of a hedge along the boundary with the dwellings, which would discourage access. In addition the trail would be at a lower level, which would deter access into other people's property. Similar links to trails are in place near residential properties in Stockton Drive, Bowes Close, Keld Close and Sunnywood Close, some of which have been longstanding access routes. To date, there is no increase in anti-social behaviour or crime at these points. Designforsecurity, GM Police's architectural liaison unit have been consulted on the application and has no objections to the proposed development. Therefore, the proposed development would not have an adverse impact upon crime and

safety and would be in accordance with Policy EN1/5 of the adopted Unitary Development Plan.

Response to objectors

The issues of crime, anti-social behaviour and access to the trail have been addressed within the main report. The aim of the proposed development is to encourage people to cycle or walk rather than use the car and as such, the proposed development would not lead to an increase in parking in the surrounding area. The plans indicate that a lockable removable bollard would be located at the entrance with Brandle Avenue, to prevent access by motorcyclists. Litter bins would be provided along the trail and the trail would be maintained and litter picked by the Council.

The application has been processed in accordance with the Town and Country Planning General Regulations 1992, which deals with applications on land owned by the Council. There is no conflict of interest as the decision will be taken by the Planning Control Committee, which has no responsibility for the management of the land. The management of the land is undertaken by the Estates department.

Summary of reasons for Recommendation

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

The proposed development would be acceptable in principle and design. It would not have a significant adverse impact upon the amenity of the neighbouring residents, nor would it have an adverse impact upon crime and anti-social behaviour and would be accessible for all. The proposals would comply with relevant UDP Policies and there are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered DL89/002, DL89/003 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. 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. 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. Prior to the commencement of the footpath link hereby approved, full details of the species of the hedgerow to be located at the back of the residential properties shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full before the path is first brought into use.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8 - Woodland and Trees of the Bury Unitary Development Plan.

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

Ward: Bury West - Church

Item 03

Applicant: Vodafone UK Ltd

Location: Pavement at Ainsworth Road, Bury, BL8 2LU

Proposal: Prior notification for 12.5 m high street pole with shrouded antennas and equipment cabinets to facilitate site sharing

Application Ref: 53953/Telecom Determination **Target Date:** 30/06/2011
(56 Days)

Recommendation: Prior Approval Required and Granted

Description

The site is located on the pavement on the northern side of Ainsworth Road and opposite Abbey Drive. There is a grass verge to the north and south of the pavement , with a 5 metre high hedgerow marking the boundary with Bidston Close.

There is a bus shelter and stop to the west of the site, which is served by a blocked paved layby. Ainsworth Road runs east to west and there are residential properties to the north and south of this road.

The proposed development includes the installation of a 12.5 metre high streetpole, including 6 antennae, an equipment cabinet and an electrical meter cabinet. The proposed mast would be shared by two operators.

Relevant Planning History

None relevant.

Publicity

165 properties within 150 metres (Bidston Drive, Bourneville Drive, Wadebridge Close, Sowerby Close, Dow Lane, Parkstone Close, Bank Hall Close, Fieldhead Avenue, Heapy Close, Blackrod Drive, Abbey Drive, Rothbury Close, Ainsworth Road, Tarleton Close, Ashington Drive, Foulds Avenue, Mlle Lane) of the site were notified by means of a letter and a site notice was posted on 10 May 2011.

A petition containing 391 signatures has been received and has raised the following issues:

- The proposed development would have a detrimental impact upon the community and environment.
- The proposed development would impact upon current and future generations of children.
- The proposed development should be stopped.

15 letters have been received from the occupiers of 2, 7, 8, 9, 15, 19, 29 Bidston Close; 3, 7 Bourneville Drive; 7 Wadebridge Drive; 28, 32, 40, 44 Abbey Drive; 339 Ainsworth Road and has raised the following issues:

- Impact upon the streetscene.
- Impact upon health and in particular young children.
- The mast should be located well away from residential properties or underground.
- There is no problem with reception in the area and the use of broadband/wifi has eased the need for more masts.
- The proposed development would be prominent in the streetscene.
- The hedgerow is only 5 metres and is bare during winter and would not screen the mast.
- Not all the neighbours on Bidston Close have received letters about the application.
- Impact upon property prices.

- The applicant should dig up the existing trees and replace them with conifers.
- The application should be rejected as it would seriously blight the sale prospects and values of many houses within 100 metres of the mast.
- If one mast is approved, further masts will follow.
- Impact upon wildlife.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections.

Environmental Health Contaminated Land - No response.

Environmental Health Pollution Control - No response

Unitary Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/4	Street Furniture
EN1/10	Telecommunications
EN7	Pollution Control
PPG8	PPG8 - Telecommunications

Issues and Analysis

Health Issue - Current government guidance in the form of PPG8 with respect to health risk, states that "Providing such proposals meet the ICNIRP guidelines, local authorities should not need to 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 - 9 alternative sites were put forward by the agent and include the existing site at Bury & Bolton Road, pavement at Mile Lane, junction of Bolton Road and Watling Street, Starling Road and Ainsworth Road, Mile Lane Shopping Centre and the existing Vodafone site on the Water Tower, Cockey Moor Road.

These sites included installations on existing structures and buildings, site sharing and installations on greenfield sites and were discounted for the following reasons:

- the site provider was not interested;
- the site would not provide the required level of coverage;
- the installation would be visually prominent;
- there would be insufficient space for the required equipment;
- the site would result in network interference.

The proposed development is required to increase network capacity and to provide 3G coverage to this area. Sufficient information has been provided to justify the need for the proposed development in terms of improved coverage for both operators for the site. Therefore, the proposed development would be in accordance with Policy EN1/10 of the adopted Unitary Development Plan.

Impact upon surrounding area - The proposed mast would be located at the back of the footway at the easterly edge of the bus layby. The proposed pole has been designed to reflect the existing street furniture in the immediate vicinity, which includes the bus stop and shelter, streetlights and road signs. As such, the proposed development would be viewed in the context of the existing street furniture and would not be a prominent feature within the streetscene.

The proposed development would be over 2 metres from the hedgerow and would not impact upon its retention.

The proposed development would not be directly overlooked by any residential property and would be a minimum of 20 metres from a dwelling. As such, the proposed development would not have a detrimental impact upon the amenity of the neighbouring residents.

Therefore, the proposed development would be in accordance with Policies EN1/2, EN1/10 and EN8 of the adopted Unitary Development Plan.

Highways issues - The proposed development has been sited at the back of the footway and as such, would not impact upon the visibility splays at the junction of Ainsworth Road and Wadebridge Drive. Therefore, the proposed development would not be detrimental to highway safety.

The proposed development includes the widening of the existing footpath by 0.6 metres into the grass verge, As such, the pavement would not be reduced to a substandard level. The Traffic Section has no objections to the proposal. Therefore, the proposed development would not be detrimental to pedestrian safety and would be in accordance with Policy EN1/2 of the adopted Unitary Development Plan.

Response to objectors

The issues of health, impact upon visual and residential amenity and the need for the proposed development have been addressed in the main report.

All of the properties on Bidston Close were consulted by letter and all the letters were sent by post on 6 May.

The proposed mast would not impact upon the wildlife in the surrounding area. Each application is looked at and dealt with on it's own merits. As such, future applications may be refused.

The impact upon property prices is not a material consideration and cannot be taken into consideration.

Summary of reasons for Recommendation

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

Having due regard to both National and Local Policy, in particular Policy EN1/10 (Telecommunications), it is considered that the proposed development is acceptable in relation to health and safety issues, due to the submission of the relevant certificate under ICNIRP. The proposed apparatus would not be unduly prominent in the streetscene.

Therefore, the proposed development is considered to be acceptable.

There are no other material considerations that outweigh this finding.

Recommendation: Prior Approval Required and Granted

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 100, 200, 300 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: Prestwich - Sedgley

Item 04

Applicant: Mr Chadha

Location: 27 Bury Old Road, Prestwich, Manchester, M25 0EY

Proposal: Two storey and single storey rear extensions (resubmission)

Application Ref: 53959/Full

Target Date: 30/06/2011

Recommendation: Approve with Conditions

Description

The application site comprises a two storey property within a terraced commercial row, forming part of a Local Shopping Centre. The premises, currently vacant, was previously a hot food take-away with a flat above. No.25 is a Chinese take-away and No.29 is a newsagent. There is a concrete hardstanding at the rear that opens onto the rear access road. There is a flue on the rear elevation, positioned adjacent to one attached to No.25. There is a flat above No.25 with a habitable room window on the rear elevation.

The two storey rear extension would infill the gap between the existing two storey outrigger and the shared boundary with No.25 Bury Old Road. It would project out 3m along the shared boundary and have a pitched roof.

The flat roof single storey rear extension would project out from the two storey element over the rear yard area to form a general storage area and refuse store and allow covered parking for a car. A roller shutter door would allow access from the rear access road.

Relevant Planning History

47688 - Change of Use from Office To Hot Food Takeaway (ground Floor) - Approved 18/04/2007

53786 - Front Single Storey Extension And Rear Two Storey Extension - Withdrawn 06/05/2011

Publicity

Ten individual neighbours were notified by letter dated 9/5/2011. Nos.25, 28, 29 and 30 Bury Old Road, 2 Danesway, 141 and 188 Albert Avenue and Vangate House Bury Old Road.

Three objections have been received from the occupiers of 188 Albert Avenue and the proprietors of the adjoining properties at Nos.25 and 29 Bury Old Road. Their concerns are summarised:

- The proposed new bedroom in the first floor extension would overlook 188 Albert Avenue and reduce privacy.
- The public access at the rear would be reduced, making it more difficult to use and would prevent access to the garage, used by No.188 Albert Avenue, which is accessed from the rear driveway.
- The single storey extension is out of keeping with the area and would block light from the neighbouring properties.

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

Consultations

Environmental Health - No objection.

Baddac Access - No objection.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
S1/4	Local Shopping Centres
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
EN7/2	Noise Pollution
SPD11	Parking Standards in Bury

Issues and Analysis

Use - The use of the premises as a shop is not an issue in planning terms, indeed in terms of maintaining the vitality of the shopping centre during daytime hours, the change back from a hot food takeaway to retail shop is welcomed and complies with UDP Policy S1/4 Local Shopping Centres.

Visual Amenity - The two storey extension is to the rear of the premises and set back slightly from the existing rear two storey outrigger. As such it would not appear to be incongruous within the streetscene and would be keeping with the existing property. The single storey extension, also at the rear, whilst extending out over the existing small yard area, would not be particularly prominent and would not be out of keeping with the existing property. The existing flue at the rear of the property would be removed.

The proposal is considered to be acceptable and complies with UDP Policy EN1/2 Townscape and Built Design.

Residential Amenity - With the two storey rear extension projecting out 3m at the rear, the impact on the first floor flat above the takeaway at No.25 would be limited. The single storey extension, at a maximum height of 2.8m, would not have a seriously detrimental impact on the adjacent rear yard areas which are used for parking a bin storage. It is also noted that there are no habitable room windows on the ground floor rear elevations of the adjacent properties.

Whilst there is a new first floor bedroom window on the rear elevation facing towards the side of No.188 Albert Avenue, it is not considered that there is a serious overlooking problem. It is noted that the new window would be over 8m away from the side boundary of No.188 and this is in excess of the minimum separation distance of 7m required by the Council's adopted guidance on domestic extensions.

Access - The proposed extensions are within the existing curtilage of the property and as such would not restrict the existing right of way neighbours have for everyday access to the rear of shops on the commercial row or other garages served of the rear driveway.

There would be no change to the existing public access on the Bury Old Road frontage and as there is no public access at the rear, the proposal complies with UDP Policy HT5/1 Access for those with Special Needs.

Servicing - Servicing would not be affected by the proposal as the refuse would be stored at the rear with access onto the rear driveway via a roller shutter door.

Parking - There would be adequate space for one vehicle within the newly formed single storey rear extension and as such the scheme is considered acceptable and complies with UDP Policy HT2/4 and guidance on parking standards.

Objections - The concerns of the objectors have been addressed above.

Given the size and position of the extensions, it is not considered that there would be a seriously detrimental impact on visual or residential amenity of surrounding neighbours and as such is considered acceptable.

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 extensions are considered to be acceptable in terms of their size and siting and would not have a seriously detrimental impact on the visual amenity of the area or residential amenity of neighbours. The scheme complies with UDP policies and guidance listed. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 01/11/007-A and 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. The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. No development shall take place unless and until a scheme to soundproof the floor/ceiling between the ground floor and the first floor flat, which shall be in accordance with standards of construction specified in current Building Regulations, has been submitted to and approved by the Local Planning Authority. Such works that form the approved scheme shall be completed before the development is brought into use.
Reason. To protect residential amenities pursuant to UDP Policy EN7/2 Noise Pollution.

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

