

**Ward:** Prestwich - Sedgley

Item 01

**Applicant:** Mr Choudhry

**Location:** 46-48 Bury Old Road, Prestwich, Manchester, M25 0ER

**Proposal:** Demolition of 2 no. detached dwellings. Construction of building comprising of 8 no. apartments with associated underground parking, and landscaping.

**Application Ref:** 54066/Full

**Target Date:** 22/09/2011

**Recommendation:** Approve with Conditions

### **Description**

The site consists of two detached dwellings, which are located on the corner of Castle Hill Road and Bury Old Road, Prestwich. The dwellings are in an elevated position and are constructed from red brick with a tiled roof. There are a number of mature trees along the frontage to Bury Old Road and there is a 1 metre high stone wall, with a 2 metre timber fence on top. The site slopes upwards from Bury Old Road and there are currently two accesses, one onto Bury Old Road and one onto Castle Hill Road.

Castle Hill Road forms a crossroad with Kings Road and Bury Old Road. There is a local shopping centre opposite the site, with a layby for parking, which is accessed close to the Kings Road junction. There are residential dwellings to all other boundaries.

Planning permission for the demolition of the 2 dwellings and the provision of a single building with 14 apartments was refused at Planning Control Committee in December. An appeal has been lodged against this decision.

The proposed development involves the demolition of the two detached properties and the erection of a single building for 8 apartments. The parking would be provided at basement level (ground level to Bury Old Road) with three floors of apartments above.

The parking area would be accessed from Castle Hill Road via a ramped access and pedestrian access would be provided from Bury Old Road.

### **Relevant Planning History**

53205 - Demolition of 2 no. detached dwellings. Construction of new apartment building comprising of 14 no. apartments with associated underground parking, and amenity space at 46 - 48 Bury Old Road, Prestwich. Refused on highways grounds - 17 December 2010. Appeal received - 27 June 2011 and decision awaited.

### **Publicity**

42 neighbouring properties (1 - 17 (odds), 2A, 2B, 2C, 14 Castle Hill Road; 32 - 36 (evens), 41 - 55 (odds), 47A, 47B, 47C, 49A, 52 (Islamic Centre), 55A, 59 - 63 (odds), 63A Bury Old Road; 38 Poppythorn Lane; 67 Park Road; 82 Glebelands Road; 6, 9 Woodthorpe Court) were notified by means of a letter on 2 August 2011.

A petition containing 32 signatures and 14 letters of support have been received from 35, 65 Park Road; 4 Craigwell Road; 4, 22, 51, 52 Windsor Road; 20 Hardman Avenue; 118 Downham Crescent; 14a Blackfields, Bury Old Road; Flat 1 Mayfair, Mayfield Road; 1 The Mews, which have raised the following issues:

- Fully support the redevelopment.
- Do not believe that the proposal would cause additional accidents at the Castle Hill Road/Bury Old Road/Kings Road junction.
- The widening of the footpath would be of benefit to pedestrians
- Proposed development would improve the area
- Proposal would provide much needed accommodation in the area.

21 letters of objection have been received from the occupiers of 32, 45, 50 Bury Old Road; 1, 2A, 2B, 2C, 5, 7, 9, 11, 14, 15, 17 Castle Hill Road; 9 Woodthorpe Court; 67 Park Road; 38 Poppythorn Lane; 82 Glebelands Road; 2 Windsor Road, which have raised the following issues:

- Proposed development would be out of character with the area
- Object to the loss of trees
- Impact of the proposed development during construction
- Proposal would have an adverse impact upon the junction of Castle Hill Road, Bury Old Road, Kings Road junction
- Loss of privacy and overlooking
- Proposed development would lead to parking on Castle Hill Road
- Loss of light to neighbouring properties
- No demand for apartments currently.
- Urge the Council to maintain its position and refuse the application.

The supporters and objectors have been notified of the Planning Control Committee.

### **Consultations**

**Traffic Section** - Comments to be reported.

**Drainage Section** - No objections.

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

**Wildlife Officer** - No objections, subject to the inclusion of a condition relating to the recommendations of the bat assessment.

**Waste Management** - Comments awaited.

**Design for security** - No objections.

**Baddac** - Seek a condition to ensure that the development would be built to lifetime homes standards.

### **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                   |
| H2/6  | Garden and Backland Development                             |
| H4/1  | Affordable Housing  |
| EN1/1 | Visual Amenity  |
| EN1/2 | Townscape and Built Design                                  |
| EN1/3 | Landscaping Provision                                       |
| EN1/5 | Crime Prevention  |
| EN1/6 | Public Art  |
| EN1/7 | Throughroutes and Gateways                                  |
| EN6/3 | Features of Ecological Value                                |
| EN7   | Pollution Control   |
| EN8   | Woodland and Trees  |
| EN8/2 | Woodland and Tree Planting                                  |
| RT2/2 | Recreation Provision in New Housing Development             |
| HT2/4 | Car Parking and New Development                             |
| HT4   | New Development   |
| HT5/1 | Access For Those with Special Needs                         |
| HT6/2 | Pedestrian/Vehicular Conflict                               |
| SPD1  | DC Policy Guidance Note 1: Recreation Provision             |
| SPD4  | DC Policy Guidance Note 4: Percent for Art                  |
| SPD5  | DC Policy Guidance Note 5: Affordable Housing               |
| SPD6  | Supplementary Planning Document 6: Alterations & Extensions |
| SPD11 | Parking Standards in Bury                                   |
| PPS9  | PPS9 Biodiversity and Geological Conservation               |
| PPS23 | PPS23 Planning and Pollution Control                        |

## **Issues and Analysis**

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

Policy H2/6 states that the Council will not permit the loss of private gardens for infill development unless such proposals can be shown not to adversely affect the character and amenity of the area.

The proposed development is located within the urban area and within a residential area. As such, the proposed development would not conflict with the surrounding land uses. The proposal would not be classified as being on previously developed land as part of the land forms the gardens to the two dwellings. However, two dwellings are located on the site, giving the appearance of the site being built out and as such, there are no objections to the principle of development.

It is pertinent to note that the Planning Control Committee at the meeting in November 2010 confirmed that proposals that involved garden development would be assessed on their individual merits. Therefore, the proposed development would be in accordance with Policies H2/1 and H2/6 of the adopted Unitary Development Plan.

**Design and impact upon surrounding area** - Scale and Massing - The proposed building would be seen as a being three storeys in height, when viewed from Bury Old Road. The site slopes upwards towards No. 2A Castle Hill Road and access is provided from this road into the basement car park.

The proposed building would be a maximum of 2 metres higher than the adjacent dwelling (No. 50 Bury Old Road) and would be 1.4 metres higher than the existing dwellings on site. However, because the third floor is set back from the boundary with 50 Bury Old Road by 6.2m, the height of the new property adjacent to 50, is lower than the ridge of that property and on the same level as the eaves to that property. Similarly, the 3rd floor is also set back from the boundary with Castle Hill Road and this fact considerably reduces the bulk and massing of the proposed building and allows it to be assimilated into the street scene, especially as the proposal involves the retention of some of the mature trees on the Bury Old Road frontage. As such it is considered that the scale and massing of the building is acceptable and accords with Unitary Development plan Policy H2/1 in this regard.

**Appearance** - The proposed building would be of a modern design and would be principally constructed using brick with a feature panel of an aluminium louver screen on the Bury Old Road frontage. The roof would be a 'green roof', which would be covered with vegetation. The proposed materials and the use of recessed areas adds interest to the elevations. The smaller third floor further reduces the impact of the proposed building on the street scene. Whilst many of the buildings in the area are of a similar age, there is no particularly strong vernacular to the architecture of the buildings in the area. Given that stark modernist approach of the design of this building it is considered that careful thought will need to be given to the choice of the brick finish and whilst the applicant originally proposed a 'buff brick' it was not considered that this would be acceptable and as such, following positive negotiations which the agent, a condition is recommended requiring a 'red brick' to be used. With this condition it is considered that the appearance of the building would accord with Unitary development Plan Policy H2/1.

**Boundary treatment** - A 1.5 metre high timber boarded fencing would be located between the existing dwellings and the proposed site. The existing stone wall would be retained along Bury Old Road and a 1.5 metre high brick wall would be constructed along the boundary with Castle Hill Road. The proposed boundary treatments would match the existing boundary treatments in the locality and would be acceptable and would accord with Unitary development Plan Policy H2/1.

**Amenity space** - 750 square metres of amenity space would be provided at the rear of the

site, which would be acceptable in terms of size for this number of dwellings. Level access will be provided to this area from the properties via a secure entrance and it will be solely for the use of residents.

**Storage** - The bin store would be located on the Castle Hill Road elevation and would be a brick built structure. The Waste Management Section has no objections to the proposal.

**Trees** - There are a number of mature trees on the frontage of the site. Whilst some of these are of poor quality, a number are intended to be retained and these will 'soften' the impact of the new building on the site. The trees are being assessed as to if they warrant formal protection via a Tree Preservation Order or if sufficient protection can be given via conditions on the consent and this matter will be reported on in the Supplementary Report.

Therefore, the proposed development would not be unduly prominent within the street scene and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the adopted Unitary Development Plan in this respect.

**Impact upon residential amenity** - SPD6 provides guidance on aspect standards between residential properties and is relevant in this case. There would be 21 metres from the front elevation of 1 Castle Hill Road to the gable of the proposed building. At this point, the building would be two storeys in height and would exceed the aspect distance of 20 metres.

The proposed building would project some 5 metres past the rear elevation of No. 50 Bury Old Road and is set further from the boundary with this property than the existing house. The proposed building would not obstruct the 45 degree line when drawn from the corner of 50 Bury Old Road. When drawn from the corner of No. 2A Castle Hill Road, the 45 degree line would cross the proposed building at a distance of 19.5 metres, which would be in excess of the aspect distance of 16 metres required in SPD6. As such, the proposed building would not have a significant adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policies H2/1 and H2/2 of the adopted Unitary Development Plan.

**Highways issues** - There are currently two vehicular accesses onto Bury Old Road and one onto Castle Hill Road, which serve the two dwellings. The proposed development would be solely accessed from Castle Hill Road and the two other vehicular accesses would be closed.

The Traffic Section has raised a concern relating to the increase in the number of vehicles for 8 apartments, which would use the Castle Hill Road/Kings Road/Bury Old Road junction and its impact upon highway safety.

Previous proposal was for 14 units and was refused. The current proposal is for 8, albeit larger units.

The proposed development would result in an increase in the number of vehicles accessing Castle Hill Road. However, Castle Hill Road connects to Park Road and therefore, some of these vehicles may not use the Castle Hill Road/Bury Old Road junction. In addition, the application presents a number of benefits. The two existing accesses onto Bury Old Road would be closed and the existing boundary treatment on the Bury Old Road frontage would be lowered to 1.5 metres. Also, the position of the boundary wall along the frontage would be pulled back behind the line of the visibility splay, which would also have the benefit of widening the pavement. Therefore, on balance, the proposed development coupled with the improvements would not be detrimental to highway safety and would be in accordance with Policies H2/1 and H2/2 of the adopted Unitary Development Plan.

**Ecology** - A bat survey has been submitted as part of the application and states that no evidence was found that would suggest that the dwellings had been used by bats. The survey goes on to state that the demolition of the buildings would not result in the loss of high value bat potential. The Wildlife Officer has no objections, subject to the inclusion of a

condition relating to bats and nesting birds. Therefore, the proposed development would not have an adverse impact upon a protected species and would be in accordance with Policy EN6/3 of the adopted Unitary Development Plan.

**Landscaping/Trees** - A tree survey was submitted with the application. The site is overcrowded in terms of tree canopies with inappropriate conifer planting and there are a number of self seeded and under managed trees. As such, it is accepted that some removals are required to ensure the long term survival of the trees. The trees to be removed are of poor quality and there is no objection to this. Additional trees would be planted in the frontage and this would be secured via a condition and as stated above, an assessment of the remaining trees is being carried out to see if the warrant protection via a TPO.

Therefore, the proposed development would be in accordance with Policy EN8 of the adopted Unitary Development Plan.

### **Parking**

SPD11 states that the maximum parking standards should be 1.5 spaces per 2 bed units and 2 spaces per 3 bed unit, which equates to 15 spaces in a high access area. The capacity for visitors is an additional consideration and where provided, visitor spaces should be shared.

The site is within a high access area where there is ready access to good transport links and public facilities. The proposed development would provide 15 spaces, including one disabled bay, space for motorbikes/scooters and secured storage space for cycles.

One concern is how visitors would be accommodated. However, the agent states that the total numbers of spaces match the maximum requirement by the Council. The number of spaces within the development includes visitor spaces noting that a 2 bedroom apartment has a requirement for 1.5 spaces, which obviously cannot be taken literally. The agent confirms that they do not envisage that all 15 spaces will be allocated to all apartments and are would accept a condition that retains a certain number unallocated spaces for visitors. They also state that realistically, there would also be the possibility of small numbers of on road parking for visitors. However this would be no different to the current arrangement for the houses on this or most other residential streets.

The parking area within the building would be accessed by a visual and audio remote control system with a keypad, which would connect to each apartment. Visitors would be able to stop off the highway and call the apartment to gain access. As such, the proposed development would comply with the maximum parking standards and would allow access for visitors. Therefore, the proposed development would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11.

**Access issues** - The proposed development would provide level access to the building from Bury Old Road via a new gate and a lift would connect to all floors, including the parking area. A disabled parking bay has been located in close proximity to the lobby. The Design and Access statement indicates that all the apartments would be built to lifetime homes standard and this would be secured via a condition. Therefore, the proposed development would be accessible for all and would be in accordance with Policy HT5/1 of the adopted Unitary Development Plan.

**Response to objectors** - The issues relating to disruption to local residents during construction, in terms of noise, is not a material planning consideration. However, this issue is covered by the Environment Protection Act.

The entrance to the car park is in the same position as the existing access to the dwelling and is located 38 metres away from the Castle Hill Road/Bury Old Road junction. As such, the access to the car park would not be detrimental to highway safety. The remaining issues have been dealt with in the report above.

### Summary of reasons for Recommendation

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

The proposed development would be acceptable in principle and would not be unduly prominent within the streetscene. The proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties nor would it be detrimental to highway safety. There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### Conditions/ Reasons

1. The development must be begun not later than three 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 1343 E(100), 1343 E(200), 1343 E(201), 1343 E(202), 1343 E(203), 1343 E(300), 1343 E(900), 1343 P(110), 1343 P(111), 1343 P(112); 1343 P(113); 1343 P(114), 1343 P(210), 1343 P(211), 1343 P(212), 1343 P(213), 1343 P(310), 1343 P(410), 1742\_01 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; which shall include a red facing brick, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. The approved materials shall be used in the approved scheme.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. No development shall commence unless and until:-
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
  - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. To secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.  
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
6. Following the provisions of Condition 4 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation

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

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

7. A minimum of 5 working days written notice shall be provided to the LPA of intended commencement of the development. The notification of commencement shall include a timetabled schedule of the intended tree protection measures and tree works. Any subsequent variation of the timetable shall be subject to further written notice.  
Reason - To ensure that the development is carried out in accordance with the approved plans, to protect trees which are of amenity value on the site and pursuant to Policies EN8/1 – Tree Preservation Orders and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
8. A landscaping scheme, including details of the replacement tree planting, 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.
9. Provision for lifetime homes shall be incorporated into the development in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the development hereby approved commencing. The development shall then be carried out incorporating the measures in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.  
Reason. To ensure that the development is fully accessible to disabled persons pursuant to Policies HT5/1 – Access for Those with Special Needs of the Bury Unitary Development Plan.
10. No demolition works shall take place, unless a licensed bat person is present. If bats or evidence of a roost is found during the supervised works, then demolition should cease until a European Protected Species Licence (EPSL) has been granted.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and PPS9 - Biodiversity and Geological Conservation.
11. The development hereby approved shall not be first occupied unless and until the highway improvements indicated on approved plan reference 1343P(100) C have been implemented to the written satisfaction of the Local Planning Authority.  
Reason. To ensure good highway design in the interests of highway safety and to accord with Bury Unitary Development Plan Policy H2/2 - The Layout of New Residential Development.
12. The car parking indicated on the approved plans shall be surfaced, demarcated

and made available for use prior to the building hereby approved being first occupied.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan and SPD11.

13. No development shall commence unless or until full details of an intercom system to provide access for visitors to the car park has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full before the dwellings are occupied.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan and SPD11.
14. Notwithstanding the submitted plans, the access to the car park shall be 5.5 metres in width.  
Reason. To ensure good highway design in the interests of road safety pursuant to Policy H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
15. Prior to the commencement of the development hereby approved, details of the boundary treatments and the replacement streetlighting column shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented as part of the approved development  
Reason. In the interests of good highway design pursuant to Policy H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
16. No development shall commence unless or until a scheme of visibility improvements at the junction of the access road and Castle Hill Road have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be brought into use prior to occupation of the dwellings hereby approved and maintained free of obstruction above the height of 0.6 metres.  
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Policy H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
17. No development shall commence unless or until details demonstrating the number of visitor parking spaces to be provided within the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be accried in accordance with the approved details relating to visitor parking and the approved provision shall remain within the site whilst the spaces serve the development hereby approved.  
Reason. To ensure the development makes provision for on-site visitor parking pursuant to Policy H2/2 - The Layout of New Residential Development and Supplementary Planning Document 11 - Parking Standards in Bury.

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



**Ward:** Radcliffe - East

Item 02

**Applicant:** Eton Business Park Self Storage LLP

**Location:** Eton Business Park, Eton Hill Road, Radcliffe, Manchester, M26 2XS

**Proposal:** Erection of 194 no. self-storage container units stacked in 2 storeys

**Application Ref:** 54131/Full

**Target Date:** 28/09/2011

**Recommendation:** Approve with Conditions

### **Description**

The site forms part of an employment generating area and is located close to the junction of Bury Road and Eton Hill Road. The site consists of a hard standing, with trees and vegetation on the perimeter. There is a low brick wall along the boundary with Bury Road and 2 metre high palisade fencing to all other boundaries. Access to the site is from the existing vehicular access, which is shared with the adjacent property.

There is open grazing land to the north of the site and Hutchinson's Goit forms the boundary to the east. To the south and south east are industrial buildings and residential dwellings to the west.

The proposal involves the provision of 194 self-storage containers, which would be stacked in 2 storeys in height. The units would be let to commercial and members of the public for both short and long term storage. The ground floor units would measure 3 metres by 6 metres each and the smaller first floor units would measure 3 metres by 3 metres each. Access would be achieved using the existing vehicular access to/from Bury Road and supplementary landscaping would be provided.

### **Relevant Planning History**

35433 - External storage of the steel work and cladding of a dismantled prefabricated building to a maximum height of 2 metres for a period of no more than 2 years at land adjacent to Remploy factory at junction of Bury Road and Eton Hill Road, Radcliffe. Approved with conditions - 29 July 1999

Adjacent site

45808 - Temporary sales cabin at land at Bury Road, adjacent to Remploy Ltd, Radcliffe. Approved with conditions - 29 March 2006.

49849 - Change of use to include the reception, storage and treatment to recycle electrical and electronic equipment at remploy, Eton Hill Road, Radcliffe. Approved with conditions - 21 July 2008.

51808 - Change of use of industrial unit from electrical and electronic equipment recycling (sui generis) to vehicle repair and MOT testing centre (Class B2) use; addition of mezzanine floor; new vehicular entrance and alterations to car park at Remploy, Eton Hill Road, Radcliffe. Approved with conditions - 16 December 2009.

52569 - Application for non-material amendment to approved application 51808 to reduce size of approved vehicle repair and mot testing scheme; deletion of exhaust/extraction flues; elevational alterations at Eton Business Park, Eton Hill Road, Radcliffe. Approved - 12 July 2010

### **Publicity**

26 neighbouring properties (1, 2, 4 Warth Road; 261 - 293 (odds) Radcliffe Road) were

notified by means of a letter on 5 July and a press notice was posted in the Bury Times on 14 July. Site notices were posted on 19 July 2011.

As a result of this publicity, 10 letters of objection and a 119 signature petition against the proposals have been received from 269, 271, 281, 283, 289 Bury Road; 38 Greenmount Drive (on behalf of occupants of 283 Bury Road); 3, 44 Warth Fold Road; 21 Kingston Close, which have raised the following issues:

- The site is an area of wildlife interest.
- Proposed development would be a blight on the visual amenity of the area.
- Other vacant industrial sites should be used for this purpose.
- There is no need for another storage facility in Radcliffe.
- Object to any outside lighting being used at the site.
- Object to the loss of any trees.
- Proposed units would be an eyesore.
- Object to the increase in traffic and the associated noise.
- Query what would be stored?
- The site would attract motorbike users, local youths etc.
- Would there be a restriction on the size of vehicle accessing the site?
- No office facilities would be provided. Would the site be manned?
- Impact upon local wildlife and adjacent SBI.
- Noise from the units.
- The applicant has applied for a similar development twice and has been refused twice.

The objectors have been notified of the Planning Control Committee.

### **Consultations**

**Traffic Section** - No objections, subject to the inclusion of conditions relating to signage of 1 way system, turning and servicing facilities.

**Environmental Health - Contaminated Land** - No comments to make.

**Environmental Health - Pollution Control** - No objections attach conditions concerning noise mitigation and hours of operation.

**Wildlife Officer** - No objections, subject to the inclusion of a condition relating to Japanese Knotweed and Himalayan Balsam.

**Chief Fire Officer** - No response.

**Baddac** - Seek clarification of policy for assisting disabled people to access storage units

### **Unitary Development Plan and Policies**

|       |   |
|-------|---|
| EC1   | Employment Land Provision                   |
| EC3/1 | Measures to Improve Industrial Areas        |
| EC6/1 | New Business, Industrial and Commercial     |
| EN1/2 | Townscape and Built Design                  |
| EN1/3 | Landscaping Provision                       |
| EN1/5 | Crime Prevention                            |
| EN1/7 | Throughroutes and Gateways                  |
| EN5/1 | New Development and Flood Risk              |
| EN6/2 | Sites of Nature Conservation Interest LNR's |
| EN6/3 | Features of Ecological Value                |
| EN6/4 | Wildlife Links and Corridors                |
| EN7   | Pollution Control                           |
| EN7/2 | Noise Pollution                             |
| EN7/3 | Water Pollution                             |
| EN7/5 | Waste Water Management                      |
| EN8   | Woodland and Trees                          |
| HT2/4 | Car Parking and New Development             |
| HT5/1 | Access For Those with Special Needs         |
| SPD11 | Parking Standards in Bury                   |

### **Issues and Analysis**

**Principle** - Policy EC2/1 states that the Council will only allow development for business (B1), general industrial (B2) and warehousing (B8). Other uses will only be permitted where they constitute limited development or do not substantially detract from an area's value as an Employment Generating Area.

The application site is located within an Employment Generating Area and the proposed development would involve the provision of storage units on site, which would fall within use class B8. As such, the proposed development would be acceptable in principle and would be in accordance with Policy EC2/1 of the adopted Unitary Development Plan.

**Design and appearance** - The proposed development would consist of 2 storey containers, which would be arranged in rows on the site. The proposed containers would be relatively low in comparison to a 2 storey building, at a height of 5.2 metres. However, the proposed containers along Bury Road and the ends of the containers as viewed from the north would be clad to give the appearance of a single industrial building. In addition, a landscaped strip of 6.8 metres would be provided along Bury Road, which would retain the trees that currently exist and would be added to by further planting and a bunding. This would further reduce their prominence. Therefore, the proposed development would not be unduly prominent in the street scene and would be in accordance with Policies EN1/2 and EC6/1 of the adopted Unitary Development Plan.

**Impact upon residential properties** - All of the containers within 26 metres of the boundary of the site to Bury Road would be fitted with electrically operated shutter doors and would be lined with plywood to minimise the impact from noise. In addition, the hours of operation would be restricted to 7am to 6pm on Mondays to Fridays, and 8am to 5pm on Saturdays and 10am to 5pm on Sundays and Bank Holidays. On this basis, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties in terms of noise and would be in accordance with Policy EN7/2 of the adopted Unitary Development Plan.

**Security** - The objectors have raised concerns about security at the site and the potential for anti-social behaviour. Until the site was taken over by Hamilton Heath, the site has been subject to misuse by trespassers. However, the occupancy of the site together with security measures would remove this concern. The agent has confirmed that the site would be operated as part of the larger Eton Business Park, which is manned from 6pm until 7am on a daily basis. CCTV would be installed around the site, which would feed back to the security lodge. There would be a barrier at the entrance to the site and patrons would be issued with a swipe card to gain access. As such, it is considered that the security measures would be acceptable and the proposed development would be in accordance with Policy EN1/5 of the adopted Unitary Development Plan.

**Highways issues** - The proposed development would utilise the existing approved access for the whole site onto Bury Road, which is shared with the adjacent building. There would be adequate visibility and the Traffic Section has no objections, subject to the inclusion of conditions. Therefore, the proposed development would not be detrimental to highway safety.

Parking areas would be provided by allowing parking to occur in front of the containers without blocking access. Long term parking however would not be permitted within the development as the spacing in front of the containers is to be used solely for collection or delivery to the containers. As such, the level of parking provision would be acceptable and would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan.

**Access issues** - The site is level and the ground floor containers would provide for the needs for disabled people to use them. However, there would be a small step into each container which may prove difficult for disabled users without some form of ramp provision, be it permanent or mobile. As it is considered that some form of provision is achievable, it is considered that a planning condition be imposed to require further consideration of this point.

**Response to Objectors - Wildlife and Trees** - The site itself is not within any area of ecological value but there is a Site of Biological Interest (SBI) designation that tightly follows the position of the Goit to the east, some 40m away. However, given the nature of the scheme, the fact that there would be no new works close to the SBI feature relating to this scheme and the Council's Ecologist confirms that there would be no requirements for mitigation in relation to the SBI, it is considered that there would be no impact upon the SBI.

There would be a need for trees to be lost within the inner part of site. However they are sporadic, not the subject of a Tree Preservation Order, have been self seeded located within hard standing and are of a poor quality. Ecologically, the trees within the area have no merit. Trees along the frontage of the site and northerly boundary would be retained and further planting would be required to be carried out along the frontage to more than offset the concerns raised about the trees required to be lost within the middle of the site. There would be a requirement through a planning condition to ensure that tree removal does not take place during the nesting season.

**Lighting** - The site forms part of a wider industrial allocation and lighting would be provided within the development. The applicant has indicated that this is likely to comprise lighting fixtures to the poles located within the development to ensure that the CCTV is effective but not so that the lighting spills beyond the site itself. The details relating to lighting spread would be controlled through the imposition of a planning condition.

**Additional Traffic** - The development would bring an increase of traffic into the site. However, the access would use an existing approved access, which has good intervisibility and suitable width to accommodate passing vehicles. The development of existing vacant land within the Employment Generating Area is accepted in principle through the allocation within the Unitary Development Plan and could contain, in land use terms, any business use. Experience from storage sites such as these tends not to have concentrated levels of traffic coming to or from the site due to diverse letting arrangements.

### **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 development would provide for a Class B8 storage use on land currently identified within the Unitary Development Plan as Employment Generating Land. The development can be accommodated within the site without detriment to the surrounding residential properties either visually or in terms of disturbance or other features of ecological value and in an acceptable way in traffic terms through the use of conditions. The development would comply with the Unitary Development Plan Policies and there are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 3097 93; 3097 62 Rev D; 3097 90; 3097 92; 3097 91 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 details relating to the provision of security cameras and site lighting (including the intensity, direction and

positioning) has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and remain on site in the approved manner whilst they served the development.

Reason. To ensure that measures are put in place to reduce the risk of crime and disorder pursuant to Unitary Development Plan Policy EN1/5 - Crime Prevention and SPD - 3 - Planning Out Crime in New Development.

4. No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year unless otherwise agreed in writing with the Local Planning Authority.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and PPS9 - Biodiversity and Geological Conservation.

5. No development shall commence unless or until a detailed scheme for noise attenuation to be used to reduce the potential of noise arising from the general use of the storage containers within the site, or as otherwise agreed in writing, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the containers being first being brought into use and shall remain in place and in good working order whilst the containers remain on site.

reason. To protect the amenity of the neighbouring properties pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

6. No work or other activity shall take place on the site on Sundays or Bank Holidays and all work and other activity on other days shall be confined to the following hours:-

0700 hrs to 1800 hrs, Monday to Fridays

0800 hrs to 1700 hrs, Saturdays,

1000 hrs to 1700 hrs, Sundays & Bank Holidays.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/6 – Food and Drink, EC4/1 – Small Businesses, EC6/1 – Assessing New Business, Industrial and Commercial Development and H3/1 – Assessing Non-Conforming Uses of the Bury Unitary Development Plan.

7. A hard and soft landscaping scheme, including details relating to road surfacing and all planting to be located within the site 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 any of the containers 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.

8. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) 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 and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape

9. Samples of the cladding materials to be used in the external elevations facing Bury Road and the northerly boundary of the site shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
10. The development hereby approved shall not be brought into use unless and until the one way traffic arrangements, including all associated signing and carriageway markings, indicated on the approved plans have been implemented to an agreed specification and to the written satisfaction of the Local Planning Authority.  
Reason - To minimise the standing and turning movements of vehicles on the highway in the interests of highway safety pursuant to Unitary Development Plan Policy HT2/4 - Car Parking and New Development.
11. The turning and servicing facilities indicated on the approved plans shall be provided before the development is brought into use. The service yard areas used for the maneuvering of vehicles shall subsequently be maintained free of obstruction at all times.  
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement.
12. There shall be no direct means of vehicular access between the site and the adjacent industrial part of the former Remploy site indicated on the approved plans other than for maintenance and emergency access purposes.  
Reason - To ensure that the site access onto Bury Road is not unduly intensified by traffic, especially articulated heavy goods vehicles, associated with the adjacent industrial use, in the interests of road safety pursuant to Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement.
13. The development hereby permitted shall not be commenced until such time as a scheme for the provision of surface water run-off and drainage works has been submitted to, and approved in writing by, the local planning authority. The scheme shall include discharge rates and it shall be fully implemented and subsequently maintained, in accordance with the approved scheme details.  
Reason - To reduce the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site pursuant to Planning Policy Statement 25 - Development and Flood Risk.

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

**Ward:** Radcliffe - West

Item 03

**Applicant:** BDW Trading Ltd

**Location:** Land at James Street/Johnson Street, Radcliffe, Manchester

**Proposal:** Residential development - 90 dwellings including associated roads, footways and open space

**Application Ref:** 54148/Full

**Target Date:** 14/10/2011

**Recommendation:** Minded to Approve

**It is recommended that this application is Minded to Approve subject to the signing and completion a Section 106 agreement for recreation provision in accordance with Policy RT2/2 of the adopted Unitary Development Plan and DCPGN1 and to secure the provision of affordable housing in accordance with Policy H4/1 of the adopted Unitary Development Plan and SPD5. Should the Section 106 not be signed and/or completed within a reasonable period, it is requested that the application be determined by the Assistant Director of Planning, Environmental and Regulatory Services Division under delegated powers.**

#### **Description**

The site is a vacant piece of land, 2.48ha in size in close proximity to Radcliffe town centre. It is a particularly challenging site, with the land sloping steeply from James Street towards the modern residential development to the south east and is currently undergoing remediation works in preparation for residential development.

To the north is a row of terrace properties on James Street which has an extant permission to convert from offices to dwellings and to the north west is a commercial distribution depot operation. To the west of the site is predominantly residential terrace properties fronting James Street and St John's Primary School is directly opposite the site to the west across Johnson Street. To the east are a row of terrace houses on Morton Street which are located on a single track unmade road.

The site is part of a wider allocation under Unitary Development Plan Policy EC2/1/14 and historically was occupied by Radcliffe Paper Board. Part of the land has been redeveloped for housing and the application land was left to retain provision for employment purposes. Planning permission was granted for 15 industrial factory buildings in December 2001, but this was not implemented.

Outline consent was granted approval in 2009 for up to 82 dwellings with a concurrent application approved for remediation of the site. All matters were reserved for a future submission of reserved matters.

This application seeks full planning permission for the erection of 90 dwellings with associated roads, footways and open space. The development would be accessed via one new road off James Street and lead to two turning heads to the south of the site, with footpath links to the existing Barratt's development and the recreation area behind.

The proposed accommodation would comprise of a mix of house types which are made up of a single apartment, 19 two bed properties, 38 three bed properties and 32 four bed properties in a mix of two and two and a half storey properties.

#### **Relevant Planning History**

51849 - Remediation of land in preparation for development - Approved 16/12/2009.

51848 - Outline residential development - up to 82 dwellings - Approved 16/12/2009.  
43313 - Conversion of offices into 8 terraced dwellings - Approved - 14/1/2005.  
36520 - Residential Development 288 dwellings - Approved 12/12/2001.  
36519 - Outline for the Erection of 15 Factory Buildings - Approved - 6/2/2002.

### **Publicity**

304 letters sent to properties on James Street, James Street North, Coronation Road, Outwood Road, Rupert Street, Johnson Street, Albion Street, Greendale Drive, Merebrook Close, Glenwood Close, Woodvale Road, Lawndale Close, Stand Lane, Joseph Street, Morton Street, Lodge Brow, Mill Bank, Fir Street and Aldwyn Close on 18/7/2011. (A full list of the addresses can be found in the working file).

Site notices were erected on 21/7/2011 and a press advert was published in the Bury Times on 28/7/2011.

As a result of the publicity, 4 letters have been received. 3 letters of objection from Nos 30 James Street, 4 Aldwyn Close, 115 Coronation Road which raise the following issues:

- The road layout is too narrow and would encourage pavement parking which is costly to ratepayers;
- Cannot determine how high the dwellings would be and whether views would be restricted;
- Concern that public street lights would interfere with their property and the proximity of the road would be noisy;
- Object to the opening of the blocked section of James St North as it would be used as a rat run for large vehicles and motorcycles. The volume of traffic would be greater.

1 letter of support received from Endura Properties, James Street, stating the site has been derelict for too long and the proposals would enhance the area which would hopefully lead to further investment in Radcliffe.

An additional 41 letters were sent to properties on Merebrook Close, Aldwyn Close, Glenwood Close and Greendale Drive on 17/8/2011, to inform of the addition of a link pathway between the proposed site and the adjacent Barratt's development.

1 letter of objection received from 24 Glenwood Close in response to the link path which raises the following issues:

- The creation of a pedestrian route linking to the existing Barratts development is senseless;
- The existing wooden fence has been destroyed in various places which allows youths to use the estate as a short cut and cause trouble (neighbours been burgled, noise, rubbish, general disruption);
- A legitimate route would cause further disruption and would be used as a short cut to Stand Lane;
- Glenwood Close would be terribly affected;
- The police report is against an authorised pathway linking the 2 developments.

Respondents have been informed of the Planning Control Committee meeting.

### **Consultations**

**Traffic Section** - No objection subject to conditions.

**Drainage Section** - No objection subject to a condition to provide additional information for the provision of surface water drainage works.

**Environmental Health Contaminated Land** - No objection subject to conditions.

**Public Rights of Way Officer** - No public rights of way would be affected.

**Waste Management** - No objection. For information, each property would have a total of 4 bins.

**Wildlife Officer** - The previous outline application advised the use of native tree species in any landscaping of the sites as well as retention of a few mature trees around the periphery of the site. As such a revised landscaping proposal is requested with native tree species



only. A second condition of the outline referred to a method statement for Japanese Knotweed and balsam which should be submitted prior to determination of this application  
**Environment Agency** - No objection subject to conditions to incorporate flood protection measures and prevent water pollution of the environment.

**Design for security** - No objections to the proposals as a whole, subject to recommendations of the Crime Impact Assessment.

**United Utilities (Water and Waste)** - No objection subject to conditions.

**Electricity North West Ltd** - Potential impact on infrastructure. Applicant to contact ENWL prior to commencement of development.

**Chief Fire Officer** - Comments to be reported in the Supplementary Agenda.

**Transport for Greater Manchester** - The application is accompanied by an Interim Residential Travel Plan to help encourage future residents to use sustainable modes of travel. However, the document proposes generic measures such as providing information and raising awareness of existing services. It is suggested that the further development, submission, implementation and monitoring of the Residential Travel Plan be attached as conditions of any planning consent and could include measures such as improvements to the pedestrian environment and walking routes including the provision of pedestrian crossing facilities, signage, cycle paths and cycle storage.

**G M Archaeological Unit** - No objection.

### **Unitary Development Plan and Policies**

|        |   |
|--------|---|
| PPS1   | PPS1 Delivering Sustainable Development                     |
| PPS3   | PPS3 - Housing  |
| PPS9   | PPS9 Biodiversity and Geological Conservation               |
| PPG13  | PPG13 - Transport   |
| PPS23  | PPS23 Planning and Pollution Control                        |
| PPS25  | PPS25 Development and Flood Risk                            |
| RSS 13 | Regional Spatial Strategy for the North West                |
| EN1/5  | Crime Prevention  |
| EN1/6  | Public Art  |
| EN6/3  | Features of Ecological Value                                |
| EN9    | Landscape   |
| EC2/1  | Employment Generating Areas                                 |
| H1/2   | Further Housing Development                                 |
| H4/1   | Affordable Housing  |
| RT2/2  | Recreation Provision in New Housing Development             |
| EN7/3  | Water Pollution   |
| SPD4   | DC Policy Guidance Note 4: Percent for Art                  |
| SPD1   | DC Policy Guidance Note 1: Recreation Provision             |
| SPD5   | DC Policy Guidance Note 5: Affordable Housing               |
| SPD3   | DC Policy Guidance Note 3: Planning Out Crime               |
| H5/1   | Area Improvement  |
| SPD6   | Supplementary Planning Document 6: Alterations & Extensions |
| HT2/4  | Car Parking and New Development                             |
| HT6/2  | Pedestrian/Vehicular Conflict                               |
| HT4    | New Development   |

### **Issues and Analysis**

**Policies** - UDP Policy H1/2 - Further Housing Development will have regard to the following factors:

- the need to direct development towards the urban area;
- the availability of infrastructure;
- the need to avoid the release of peripheral open land;
- the suitability of the site in land use terms with regards to amenity, the nature of the local environment and surrounding land uses;
- other policies and proposals of the Plan.

H2/1 - The Form of New Residential Development - Factors to be considered include:

- the height and roof type of adjacent buildings;

- the impact of developments on residential amenity;
- the density and character of the surrounding area;
- the position and proximity of neighbouring properties;
- materials.

H2/2 - The Layout of new Residential Development takes into consideration:

- car parking provision;
- access;
- traffic calming measures;
- space about and between dwellings;
- landscaping and screening;
- protection/provision of trees and hedgerows;
- open space/play areas;
- design for safety and security;
- access/facilities for the disabled.

**Principle** - The suitability of the site for residential development was considered under the previous outline approval and concluded that it was no longer appropriate for continued employment use. The loss of the site to residential development was therefore considered to be acceptable and outline consent was granted.

The proposed development would be located within the urban core and adequately serviced with infrastructure. The principle of residential development has previously been established on this site and there have been no changes in circumstances which would alter this established principle. As such, the proposal for residential development is acceptable.

**Layout** - The layout of the scheme has largely been dictated by the challenging site levels, the location of a culverted watercourse through the site, and the surrounding traditional linear street patterns which are characteristic of this part of Radcliffe. The layout has sought to address these issues by diverting the culvert, utilising the contours of the rising topography of the site and using the local linear street context as the basis for the scheme.

The main entrance would be from James Street which is the lowest point of the site with a road pattern which reflects the form of the surrounding street pattern. To improve connectivity and permeability through the site, 2 pathways (1 of them stepped) would link the development to the existing housing estate to the south which would improve the permeability through the site, as well as enabling a connection between the two developments to facilitate a more direct throughroute to the town centre.

Johnson Street - The Johnson Street frontage embraces the traditional street patterns of the area in terms of the urban design relationship within the local context. The frontage alignment with Johnson Street, and the spacing and roof form of the proposed Ashford semi-detached dwelling would generate a clear terrace-like effect indigenous to the area. The Ashford house type has a regular fenestration pattern, which has a more appropriate relationship with the neighbouring terrace properties than any of the other standard house types proposed for the scheme. The end property, Plot 15 is the only 4 bed detached on this row, but its orientation and position lends itself more to a relationship with the other larger houses on plots 16, 17 and 18.

James Street - The properties fronting James Street would consist of a mix of house types comprising the Barwick and Aycliffe and the Aylesbury/Barwick/Morpeth combination, with some garages positioned inbetween some of the properties. The front elevations of the proposed houses would line up with each other and the roof pitches would be continuous across the blocks. In addition, the way the house types are grouped in rows of three and four would also promote the terrace-like feel. The garages would reinforce the strong building line and would also provide in curtilage parking which would reduce the need to park on the street.

As such this frontage is considered to reflect the general context of the area and would be visually acceptable.

The development would provide private garden areas and dedicated in curtilage parking for all the houses, apart from plots 58 to 62 which would have communal parking with spaces allocated to the individual houses. The 'left-over' areas of space adjacent to the streets would be enclosed with either a low rooted hedge or railing giving these areas a sense of ownership and security.

Despite the level differences on site, the internal arrangements are such that aspect standards are met in this regard, with additional privacy and security afforded by the boundary fences between the properties.

The layout of the scheme is considered to be appropriate to the surrounding area and respect the local vernacular and traditional linear layouts. The internal roads would adequately serve the development and the layout of the houses would optimise the density of the development without compromising the amenity of future occupiers.

As such, the proposed layout is considered acceptable and would comply with UDP policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development.

**Impact upon surrounding area and residential amenity** - The houses on the periphery of the site on Johnson Street and James Street are predominantly terrace properties and the proposed dwellings which would face these streets reflect the scale, massing and design of the area. There would be a separation distance of 20m from the new dwellings to the existing frontages on Johnson Street and James Street which would comply with aspect standards.

The rear of the houses on the north east elevation of the development would face the houses on Morton Street and would be 21m away and would also be separated by a fence and heavy planting along this boundary. The communal parking area for 8 cars would be adjacent to the boundary with Morton Street but again this area is densely planted and the car park would not be visible from these houses. The trees are outside the site boundary and would not be affected by the proposal.

Access into the site would be opposite the commercial property on James Street and would not interfere with access into their car park.

The proposed development would comply with the aspect standards as set out in SPD6 and would not have an adverse impact upon the amenity of the nearby residents. Therefore, it is considered that the proposed development would be in accordance with Policies EN1/2 and H2/2 of the adopted Unitary Development Plan.

**Design and appearance** - The proposed development would comprise a mix of properties of two and two and a half storeys in height. The house types would be generic in design, with the properties on Johnson Street in particular reflecting the massing and character of the surrounding townscape. The houses within the internal part of the development have allow for a more diverse approach to be taken and whilst the elevations have used a generally standard property developed by the company, additional features have been included including balcony details, dormer windows and porches.

The proposed houses would be constructed from a red facing brick and concrete tiles with a mix of render. Samples of which would be requested for further approval. Boundary treatments comprise 1.8m and 2m high timber fences to separate the properties and they afford suitable privacy as well as security of the garden areas. Hard and soft landscaping would be provided throughout the site and the open areas. These would be delineated with low level planting, which would not interfere with visibility through the site.

Overall, it is considered that the proposed dwellings would be acceptable in terms of appearance, form and scale and would be in accordance with Policies EN1/2 and H2/1 of the adopted Unitary Development Plan.

The orientation of the internal accommodation of the majority of the houses chosen for this development have provided principle living spaces which have been designed to look onto private back gardens rather than facing onto the public realm. The design of some of the houses is such that it is not possible to alter the internal layout to improve this situation. However, there are some changes to the Helmsley and Aycliffe house types which are feasible where the living accommodation can easily be re-orientated to provide an outlook to the front. The applicant has incorporated these changes into the layout and as such the majority of the development would have good levels of natural surveillance.

The designforsecurity team have raised no objection to the proposal, subject to the recommendation of the Crime Impact Statement and as such the proposal is considered to comply with EN1/5 - Crime Prevention and SPD 3 - Planning Out Crime in New Development.

**Parking and Access** - There would be a new access point into the site off James Street which would be so located so as not to interfere with the approach from Lodge Brow or access to the commercial premises opposite.

SPD 11 - Parking Standards in Bury states that the maximum parking standards for residential dwellings within a high access area are 1 space per 1 bed, 1.5 per 2 bed, 2 per 3 bed and 3 per 4 bed. Apart from the properties fronting Johnson Street which provide 1 space per 2 bed dwelling, these standards would be complied with. The site is located in close proximity to the town centre and has good links to public transport and on this basis, it is considered that the parking provision would be acceptable. The majority of the parking provided in-curtilage would minimise the need for on-street parking. Therefore, the proposed development would not have an adverse impact upon highway safety, and would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11.

Highways Works - The agreed extent of works with the developer would include resurfacing the nearside footpath to both James Street and Johnson Street and limited re-surfacing of James Street and Lodge Brow. A street lighting scheme would be required to be submitted for James Street and Johnson Street and included as a condition. As such, access, parking and improvement works are considered to be acceptable and would comply with HT4 - New Development and HT2/4 Car Parking and New Development.

**Lifetime Homes** - Although the site is challenging in terms of levels, James Street is reasonably accessible and it would be expected the residential properties fronting onto James Street would be of a design that meets Lifetime Homes standards. Information with this regard has not been submitted at this stage and as such a condition to require the submission of details for Lifetime Homes provisions within the development is suggested.

**Ecology** - A thorough ecological assessment of the site dated March 2008 was submitted with the remediation application. Some retained grassland and trees are now the only remaining ecological features that remain on the site, and are not of any notable flora or fauna.

A condition was attached to the land remediation application for the treatment of Japanese Knotweed and has subsequently been complied with and discharged. However, given the delay between the remediation of the land and its redevelopment, the condition once again has been included.

### **Planning Obligations**

Recreation Provision - UDP Policy RT2/2 - Recreation Provision in New Housing Development and Supplementary Planning Guidance Note 1 - Recreation Provision in New Housing Development (updated June 2011) requires residential development of more than

10 dwellings to provide for the recreational needs of prospective residents. For houses of 50 or more, such provision would be expected to incorporate a single area of open space within or adjacent to the scheme or well related to the development it is intended to serve.

The topography of this site is particularly problematic, with the only open space being at the 'top' of the site directly adjacent to the existing Barratt's development. This is neither practical or feasible to develop as a recreational area given its gradient.

It is therefore proposed to provide 2 footpath links from the proposed site to the recreational areas in the adjacent housing estate, which would both facilitate access to this area and promote a permeable infrastructure.

Given that there would be no on site recreational provision, the applicant has committed to the full recreation payment in accordance with the Council's adopted policy, for a sum of £94,273.41 for the equivalent enhancement of public open space or implementation of an outstanding allocation in a nearby area.

Affordable Housing - UDP Policy H4/1 - seeks the provision of affordable housing as an integral part of housing developments. Supplementary Planning Document 5 - Affordable Housing Provision in New Residential Developments seeks to secure 25% of the units comprising of a mixture of different house types and sizes. For this development of 90 dwellings, this would equate to 22.5 units of affordable housing.

Originally, the developer sought a nil provision for Affordable Housing and included within their submitted documentation viability assessment report to support their case. However, following further discussions with the applicant, the proposals for affordable housing has improved to provide 6 units in total, of 1x1 bed, 2x 2 bed, 2x 3 bed and 1x4 bed. A relative total discount of £181,875.

The provision of 6 units would result in a shortfall of 16 units against the full requirements of the Council's Affordable Housing Policy. The applicant's case is that the proposed development would bring forward a large regeneration project on a site which has been redundant for some time. Additionally, the current economic climate is also such that it is not possible to provide the full provision which would normally be sought for a development of this size. The application is supported by a viability study that argues that it would not be financially feasible to provide the maximum provision. The Council has accepted this position following consideration.

However, the Council has agreed with the applicant to provide an overage-type provision, in order that the Council shall not, where affordable housing is concerned, be at a disadvantage should the scheme achieve a greater financial return than is indicated in the submitted viability assessments. The applicant has fully accepted the principle of such a provision, the precise details of which are to be established shortly. The outcome of this shall be reported within the Supplementary Agenda.

Public Art - Supplementary Planning Document 4 states that the provision of Public Art will be treated as a material planning consideration on residential development comprising of more than 25 dwellings. Similarly, the viability assessment argues a nil provision due to economic commitments and difficulties on this site. The Council has accepted in these circumstances that it considers this to be the appropriate position.

Notwithstanding this, the applicant has agreed that, although not a direct contribution to public art, a suitable condition shall provide that a scheme or appropriate physical feature(s) shall be included within the development and agreed in writing prior to implementation.

The applicant has been notified and is fully aware of the contributions. A draft of the Section 106 Agreement is at the time of writing this report being compiled and negotiated with the Applicant's Solicitors.

**Statement of Community Involvement** - The applicant sought to inform the local community of the proposed development by way of a leaflet drop to local residents and businesses - 450 distributed in total. A letter was sent to all residents on Morton Street to consider their views to open up Morton Street for access to the new development. A petition was received with 12 signatures which did not support this part of the proposal with the preference to maintaining the existing boundary treatment to the site. These views were taken into account and the scheme designed as such.

**Response to Objectors** - The proposed houses would be 35m from the houses to the south of the site on Aldwyn Close and given the substantially levels differences, there would be no impact upon them from overlooking, street lighting or noise from the roads.

The proposal does not include any alterations to the accesses arrangements on James Street North, the area is not part of the red edge site, nor are there any future plans to open this road.

The street layout has been designed to adoption standards. There would be sufficient in-curtilage parking for each of the new dwellings and the proposal complies with parking standards.

The link pathway would provide a permeable link through to the existing estate. Consultation with the Designforsecurity Officer advises that should the link be incorporated in the scheme, it should be free from obstructions or seating along the route.

### **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 residential development is acceptable in principle and would make a positive contribution to the regeneration of the site and the Radcliffe area. The proposed development would not have a significant adverse impact on the amenity of the occupiers of the surrounding properties. There would be no detrimental impact on the surrounding highway network or conflict with access arrangements to and from the site. There are no other material considerations that outweigh this finding.

**Recommendation:** Minded to Approve

### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered - SDL/1846/1 ; 418 / P/ OS01 B ;418 / P/ PL01 C; 418 / P/ ML01 B; 418 / P/ BT01 B; 418 / P/ RS01 B ; 418/ ED/ 01 C ; 418/ ED/ 03 D; C-750-10; C-750-02; C-750-03; 418/ HT/ SEVWAS/C/01 A ; 418/ HT/ ASH/C/01 A; 418/ HT/ AYL/C/01 A ; 418/ HT/ BAR/C/01 A ; 418/ HT/ AYC/C/01 A ; 418/ HT/ AYC/C/02; 418/ HT/ FAL/C/01 A; 418/ HT/ MOR/C/01 A ;418/ HT/ AYCBARMOR/C/01 A; 418/ HT/ HEL/C/01 A; 418/ HT/ TAV/C/01 A ; 418/ HT/ LIN/C/01 A; 418/ P/ SS01 B ; 418/ P/ SS02 A ; 418/ P/ SS03 A; 2010/ DET/ C/ 135; 2010/ DET/ C/ 136; WF01 B Wall and Fence Details and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development

is commenced.

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

4. No development shall commence unless and until:-
- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
  - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

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

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

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

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

Reason. To secure the satisfactory development of the site in terms of human

health and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

8. Following the provisions of Condition 4 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and  
A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.  
Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
9. A landscaping scheme (including both hard and soft landscaping - which shall include the use of native plant species) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.  
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
10. Notwithstanding the submission of the Interim Travel Plan dated June 2011, details of the proposed schemes along with future implementation and monitoring measures shall be submitted to and approved in writing by the Local planning Authority. The approved scheme and measures shall be implemented prior to the new residential units first being occupied .  
Reason. To promote sustainable transport measures identified within the approved Travel Plan and pursuant to Planning Policy Statement 13 - Transport and Land Use.
11. A scheme shall be submitted to include an element of public art that would be sufficient to satisfy Bury Unitary Development Plan Policy EN1/6 - Public Art and the associated Development Control Policy Guidance Note 4 Per Cent for Public Art. The approved scheme only shall be implemented prior to the first occupation of the dwellings unless otherwise approved in writing.  
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.
12. Provision for lifetime homes shall be incorporated into the development in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the development hereby approved commencing. The development shall then be carried out incorporating the measures in accordance with the approved scheme.  
Reason. To ensure that the development is fully accessible to disabled persons pursuant to Policies HT5/1 – Access for Those with Special Needs of the Bury Unitary Development Plan.
13. The development hereby approved shall be carried out in accordance with the recommendations in the Crime Impact Statement, to secure by design standards unless otherwise agreed in writing with the Local Planning Authority.  
Reason. In the interests of crime prevention pursuant to Policy EN1/5 - Crime



Prevention of the Bury Unitary Development Plan.

14. The development hereby permitted shall not be commenced until such time as a scheme for the provision of surface water run-off and drainage works has been submitted to, and approved in writing by, the local planning authority. The scheme shall confirm that discharge rates will be no more than 112 l/s and be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.  
Reason. To reduce the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site pursuant to Planning Policy Statement 25 - Development and Flood Risk.
15. 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.  
Reason. To prevent pollution of the water environment pursuant to Bury Unitary Development Plan Policy EN7/3 - Water Pollution.
16. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface and foul water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.  
Reason. To prevent pollution entering any groundwater or watercourse pursuant to Planning Policy Statement 25 - Development and Flood Risk and Bury Unitary Development Plan Policy EN7/3 - Water Pollution.
17. 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 vehicles 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 pursuant to Unitary Development Plan Policy HT6/2 - Pedestrian/Vehicular Conflict and H2/2 - The Layout of New Residential Development.
18. Details of a street lighting scheme for James Street and Johnson Street shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme only shall be implemented and be available for use before first occupation of the approved dwellings on James Street and Johnson Street or as otherwise agreed in writing by the Local Planning Authority.  
Reason. To reduce the potential for crime and disorder and to provide sufficient street lighting for the future occupants of the site pursuant to Planning Policy Statement 1 - Delivering Sustainable Development and Bury Unitary Development Plan Policy H2/2 - The Layout of New Residential Development, EN1/5 - Crime prevention and Development Control Policy Guidance Note 3 - Planning Out Crime in New Development.
19. Notwithstanding the details indicated on approved plan reference 418/P/PL01 Revision C, the development hereby approved shall not be commenced unless and until full details of the limits of adoption and proposed fencing and landscaping details on Johnson Street opposite No. 2 Rupert Street have been submitted to and agreed in writing with the Local Planning Authority.  
Reason. To maintain the integrity of the adopted highway in the interests of pedestrian safety pursuant to Bury Unitary Development Plan Policy HT6/2 - Pedestrian and Vehicular Conflict.

20. Notwithstanding the details indicated on approved plan reference 418/P/PL01 Revision C, all in-curtilage parking spaces shall be a minimum of 5m in length.  
Reason. To allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policy HT2/4 - Car parking and New Development.
21. The development hereby approved shall not be first occupied unless and until full details of improvements to the adopted highways that abut the site, (including the widening of the easterly footway on Johnson Street to a minimum width of 2m) and a programme for their implementation have been submitted to and agreed in writing with the Local Planning Authority.  
Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to Bury Unitary Development Plan Policy HT6/2 - Pedestrian/Vehicular Conflict.
22. The development hereby approved shall not be first occupied unless and until a scheme of traffic calming measures on the proposed estate roads and a programme for their implementation has been submitted to and agreed in writing with the Local Planning Authority.  
Reason. To ensure good highway design in the interests of road safety pursuant to Bury Unitary Development Plan Policy HT4 - New Development and HT6/2 - Pedestrian and Vehicular Conflict.
23. The visibility splays and forward visibility envelope indicated on approved plan reference 418/P/PL01 Revision C shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m.  
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Bury Unitary Development Plan Policy HT6/2 - Pedestrian/Vehicular Conflict.
24. The communal car parking indicated on approved plan reference 418/P/PL01 Revision C shall be surfaced, demarcated and made available for use before the dwellings to which they are allocated to hereby approved being occupied and thereafter maintained at all times available for thier use, unless otherwise approved in writing with the Local Planning Authority  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

**Ward:** Prestwich - Sedgley

Item 04

**Applicant:** PTS Property Ltd

**Location:** Unit 2, Sedgley Gardens, George Street, Prestwich, Manchester, M25 9LW

**Proposal:** Variation of condition no. 4 of planning permission 53823 to change the opening hours from 0730 - 2200 hours Monday to Friday and 1100 - 1600 hours Sundays and bank holidays to 0730 - 2400 hours Monday to Sunday inclusive and bank holidays

**Application Ref:** 54214/Full

**Target Date:** 12/09/2011

**Recommendation:** Approve with Conditions

### **Description**

The application site is a ground floor retail unit within a three storey building which comprises of retail units at ground floor and apartments above. It is located within Sedgley district shopping centre at the junction of George Street and Bury New Road and is on the site of the former George Hotel.

A change of use of the ground floor unit 2 from retail (Class A1) to restaurant (Class A3) was granted on 25/05/11. Condition 4 related to the opening hours which were that the use permitted shall not be open to customers outside the following times: 07.30 - 22.00 hrs Monday to Friday and 11.00 - 16.00 hrs Sundays and Bank Holidays.

This application seeks to vary the condition for the opening hours for customers to be 07.30 – 24.00 hours Monday - Sunday inclusive and Bank Holidays.

### **Relevant Planning History**

53823 - Change of Use of ground floor Unit 2 from retail (Class A1) to restaurant (Class A3) - AC 25/05/2011

43920 - 523 square metres retail development - 24 no. apartments with associated parking & public open space including tennis court - AC 24/08/05

### **Publicity**

75 notification letters were sent on 20/07/11 to addresses at 2,4,5,7,11 George Street, Flats 1-5 7 George Street, Flats 1-6 9 George Street. 1-7 Sedgley Gardens 9,11,11A,11B,13,13A,15,15A,15B,16,17,17A,17B,18,19,20,21,21A,22,23,23A,24,24A,26,27,28A,28-30,32,34,36,38,40,40A 42,44,46,48,50,52,54 Bury New Road.

1,3,3A,5 Kings Road, 16 & 17 Jesmond Avenue, 12,18 Arlington Avenue, 2 Richmond Avenue.

Site notices were posted on 27/07/11 at George Street and Bury New Road.

Correspondence has been received from 11 George Street querying if the application was the Sainsburys unit and has been responded to. One objection has been received from 18 Arlington Avenue whose concerns are:-

- there are residents living very nearby
- late opening times plus extra opening time for Saturday, Sunday and bank Holidays would cause disturbance
- there would be further parking problems

The objector has been notified of the Planning Control Committee.

### **Consultations**

**Baddac** - No objection.

### **Unitary Development Plan and Policies**

S1/3 Shopping in District Centres

S2/3 Secondary Shopping Areas and Frontages  
S2/6 Food and Drink

### **Issues and Analysis**

**Residential amenity** - There are apartments directly above the unit and the opening hours would now be up to 24.00hrs daily. This unit is located within a district shopping centre where there is a high level of activity night and day and other cafes and takeaways in close proximity with extended opening hours.

There is also a level of noise from the main road which is a busy route between Prestwich and Manchester.

It is not considered that the additional opening hours would add significant noise and disturbance that would stand out above existing customer activity and road noise within the area. As such it is not considered that the increase in hours to midnight would materially increase disturbance to nearby residents to a level that would warrant refusal and as such the proposal therefore complies with UDP Policy S2/6 – Food and Drink.

**Response to objection** - The issue raised relating to noise and disturbance has been dealt with in the report above.

Parking was assessed as part of the previous application for the change of use of the unit and it is not considered that the additional hours would create any significant increase in traffic.

The objector has been notified of the Planning Control Committee.

### **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 studied the submitted documents, assessed the proposed development on site and taken into account any representations and consultation responses, in particular Bury Unitary Development Plan Policy S2/6 - Food and Drink, it is considered that the proposed additional opening hours would not effect the character of the area, cause significant harm to the occupiers of the adjacent shops and residential properties, nor adversely impact on highway safety issues. It would not 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. 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. The use hereby permitted shall not be open to customers outside the following times: 07.30 - 24.00 hrs Monday to Sunday inclusive and Bank Holidays.  
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy S2/6 – Food and Drink of the Bury Unitary Development Plan.

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

**Ward:** Ramsbottom + Tottington - Tottington

Item 05

**Applicant:** Mr Whittle

**Location:** Water Tower, Land off Bradshaw Road, Affetside, BL8 3QT

**Proposal:** Conversion of water storage tower to form 8 bed bunkhouse accommodation (Resubmission of 54026).

**Application Ref:** 54249/Full

**Target Date:** 16/09/2011

**Recommendation:** Approve with Conditions

### **Description**

The application site was formerly owned by United Utilities and consists of a redundant water storage tower and tank. The tank is a circular building of 8.2 metres diameter and is 3.8 metres in height including the railings. There are three mature trees within the site, which is at a lower level than the surrounding land (approximately 1 - 2 metres). The site is bounded by timber post and rail fencing. There is an access from Bradshaw Road, which is directly at the back of the roadside.

The site is surrounded by open fields. There is a farm complex some 120 metres to the north and residential dwellings are some 130 metres to the south of the site.

The proposal involves the conversion and extension of the water storage tower to form a bunk house for hikers and cyclists. The proposed building would be extended vertically and include a pitched roof, giving a total height of 6.5 metres. There would be residential accommodation (bedrooms and bathrooms) at ground level with living accommodation (kitchen and communal area) at first floor level. A outdoor picnic area and cycle store would be created externally. A parking layby for 2 cars would be provided adjacent to the boundary with Bradshaw Road.

### **Relevant Planning History**

52472 - Removal of redundant water storage tank/tower; erection of 4 no. stable and storage block and midden at land to the south west side of Bradshaw Road, Tottington. Refused - 12 July 2010

54026 - Change of use of water storage tower to form 8 bed bunkhouse accommodation at Water Tower, land off Bradshaw Road, Affetside. Withdrawn - 22 July 2011.

### **Publicity**

The neighbouring properties were notified by means of a letter on 28 July and site notices were posted on 8 August 2011.

1 letter of support has been received from the occupiers of 6 Watling Street, which has raised the following issues:

- The proposal would improve the appearance of the building.
- Proposed development should not be allowed to become a dwelling house.

8 letters have been received from the occupiers of White Hill Farm, Four Acre Cottage, Harwood Road; Bannisters Farm, 23, 27, 51, Bradshaw Road; Homewatch co-ordinator, which have raised the following issues:

- Entry and exit point would be hazardous for passing traffic.
- Not enough parking is provided.
- Impact upon the openness of the Green Belt.
- How would the property be kept secure?

- There are existing facilities for visitors in the area
- Surrounding land would not be made available for use by walkers

The supporter and objectors have been notified of the Planning Control Committee.

### **Consultations**

**Traffic Section** - No objections, subject to the inclusion of conditions relating to provision of the layby.

**Drainage Section** - No response.

**Environmental Health - Contaminated Land** - No comments.

**Wildlife Officer** - No objections, subject to the inclusion of an informative relating to bats.

**Designforsecurity** - No objections.

### **Unitary Development Plan and Policies**

|       |   |
|-------|---|
| EN1/1 | Visual Amenity  |
| EN1/2 | Townscape and Built Design                                  |
| EN1/3 | Landscaping Provision                                       |
| EN1/5 | Crime Prevention  |
| EN6/4 | Wildlife Links and Corridors                                |
| EN7   | Pollution Control   |
| EN8   | Woodland and Trees  |
| EN8/2 | Woodland and Tree Planting                                  |
| EN9   | Landscape   |
| OL1/4 | Conversion and Re-use of Buildings in the Green Belt        |
| RT3/2 | Additional Provision for Recreation in the Countryside      |
| RT4/3 | Visitor Accommodation                                       |
| HT2/4 | Car Parking and New Development                             |
| HT4   | New Development   |
| HT5/1 | Access For Those with Special Needs                         |
| HT6/2 | Pedestrian/Vehicular Conflict                               |
| SPD8  | DC Policy Guidance Note 8 - New Buildings in the Green Belt |
| SPD 9 | Conversion and Re-use of Buildings in the Green Belt        |
| SPD11 | Parking Standards in Bury                                   |
| PPG2  | PPG2 - Green Belts  |
| PPS9  | PPS9 Biodiversity and Geological Conservation               |

### **Issues and Analysis**

**Principle** - The proposed development would be located within the Green Belt and PPG2 establishes a general presumption against inappropriate development, including new buildings, within the Green Belt, unless it involves development required for essential facilities for outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

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

Policy RT4/3 states that the Council will encourage and support proposals for development which would extend the range of visitor accommodation in the Borough. Any development will be assessed against the following factors:

- the appropriateness in terms of the design, scale and setting and the effect on the character, quality and visual amenity of the locality;
- the provision of satisfactory access;
- ability to accommodate the necessary car parking, service areas and landscaping in the site.

The draft National Planning Policy Framework indicates that all proposals for the conversion of existing buildings would be looked at favourably.

The proposed building would be converted to provide visitor accommodation for cyclists and hikers and as such, would be an essential facilities for outdoor recreation. The building is capable of conversion and the other issues will be addressed later in the report. Therefore, the proposal would be acceptable in principle and would be in accordance with Policy OL1/4 of the adopted Unitary Development Plan.

**Design** - The proposed development would be extended vertically to a height of 6.5 metres and would include a pitched roof. The design of the proposed extension would not detract from the character of the building. The land surrounding the building slopes up steeply and is approximately 3 metres higher than the ground level with trees and vegetation on the perimeter of the site. As such, the proposed building would be partially screened by the surrounding land and the additional landscaping proposed. As such, would not have an adverse impact upon the openness of the Green Belt. Therefore, the proposed development would be in accordance with Policies OL1/4, EN1/1 and EN1/2 of the adopted Unitary Development Plan.

A cycle store would be provided to the north of the building and a picnic area to the south. The proposed structures would be cut into the slope of the land using retaining structures. The details of the retaining wall, including it's appearance would be sought as a condition. Therefore, the proposed development, subject to conditional control, would not have a significant adverse impact upon the openness and character of the Green Belt and would be in accordance with Policies OL1/4, EN1/1 and EN1/2 of the adopted Unitary Development Plan.

**Impact upon surrounding area** - The land surrounding the proposed site is 2 metres higher than the site and as such, the proposed development would be screened from view. The proposed development would be over 125 metres from the nearest residential property and as such, would not have an adverse impact upon the amenity of the neighbouring residents in terms of noise or privacy. Therefore, the proposed development would be in accordance with Policies EN1/2 and EN7/2 of the adopted Unitary Development Plan.

The agent has confirmed that the site would benefit from a number of prevention measures including CCTV, an access control system and an intruder alarm system. Designbysecurity has no objections to the scheme. As such, the proposed development would not have a significant adverse impact upon crime, subject to conditional control and would be in accordance with Policy EN1/5 of the adopted Unitary Development Plan.

**Highways issues** - A parking layby would be provided for 2 cars, which would allow for intervisibility between the parked and passing vehicles. The Traffic Section has no objections to the proposal, subject to the inclusion of conditions relating to the provision of the layby. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with UDP Policy HT4.

**Parking** - There is no equivalent standard within SPD11 for visitor accommodation. As a guide, the maximum parking standards for a hotel is 1 space per bedroom. The proposed development would provide 2 parking spaces for 2 bedrooms and as such, the level of parking provision is acceptable in this instance. Therefore, the proposed development would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11.

**Access** - Level access would be provided to the site and the scheme includes the provision of a shower room, which would be suitable for use by the disabled. Therefore, the proposed development would be accessible and would be in accordance with Policy HT5/1 of the adopted Unitary Development Plan.

**Response to objectors**

The proposed buildings would be used as holiday lets and a condition restricting occupancy of these units has been included.

The issues of access and the impact upon the occupiers of the residential dwellings have been dealt with 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 development is acceptable in principle and would not have an adverse impact upon the amenity of the neighbouring properties. The proposed development would not be unduly prominent in the streetscene nor would it be detrimental to highway safety.

There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location plan, Existing plans, Proposed plans (received on 12 August 2011) 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. The approved details will be implemented as part of the development hereby approved.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. Notwithstanding the plans submitted, no development shall commence unless or until, details of the gabion retaining walls and their appearance have been submitted to and approved in writing by the Local planning Authority. The approved details shall be implemented prior to first occupation of the building hereby approved.  
Reason. In the interests of the visual amenity of the area pursuant to the following policies of the Bury Unitary Development Plan:  
Policy EN1/2 - Townscape and Built Design  
Policy OL1/4 - Conversion and Re-use of Buildings in the Green Belt
5. 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.
6. The use hereby approved shall not be commenced unless and until the proposed drop-off lay-by on Bradshaw Road indicatively shown on the approved plans has



been implemented to an agreed specification and to the written satisfaction of the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

Reason. To ensure good highway design in the interests of highway safety pursuant to Policy EN1/2 - Townscape and Built Design and Policy OL1/4 - Conversion and Re-use of Buildings in the Green Belt of the Bury Unitary Development Plan.

7. There shall be no direct means of vehicular access between the site and Bradshaw Road other than the lay-by arrangements indicated on the approved plans.

Reason. To ensure good highway design in the interests of highway safety pursuant to Policy EN1/2 - Townscape and Built Design and Policy OL1/4 - Conversion and Re-use of Buildings in the Green Belt of the Bury Unitary Development Plan.

8. The development hereby approved shall be used as a bunkhouse for the purposes of outdoor recreation and shall not be used as a dwelling or dwellings.

Reason. The site is within the Green Belt and to ensure that the development remains in use in connection with the purposes of Green Belt Policy contained within PPG2 - Green Belts and pursuant to Unitary Development Plan Policy OL1/1/4 - Conversion and Re-Use of Buildings in the Green Belt.

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

**Ward:** Radcliffe - West

Item 06

**Applicant:** Mr Handley

**Location:** 2 Beechfield Avenue, Radcliffe, Manchester, M26 1FN

**Proposal:** Single storey rear extension and alterations to change the use to two maisonettes

**Application Ref:** 54253/Full

**Target Date:** 20/09/2011

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a two storey red brick semi-detached house on a residential cul-de-sac of similar properties, most of which are served by on street parking. Nos.33 and 35 Hollinhurst Road back onto the side boundary and are set down at a lower level. There is a boundary hedge along the frontage with Beechfield Avenue and a 2m timber fence along the boundary with the attached neighbour at No.4.

It is proposed to extend the ground floor at the rear and convert the property into two self-contained 1-bed flats. The front garden boundary hedge would be removed and two car parking spaces (permeable surfacing) would be provided within the front garden. Access to the upper flat would be from the front entrance whilst the access to the ground floor would be via a new door on the side elevation.

The single storey rear extension would project out almost 3m and run across the width of the rear elevation. It would have a mono-pitched roof and constructed in red brick and tile to match the existing house.

### **Relevant Planning History**

None relevant.

### **Publicity**

The following neighbours were notified by letter dated 28/07/2011. 29-39(odd) Hollinhurst Road, 1-12 Beechfield Avenue, 183-193 Stand Lane(odd).

One objection from the occupier of 64 New Road whose concerns are summarised below:

- The proposal would reduce family housing.
- There are enough flats in the area.
- The property wasn't designed for off street parking.
- Street parking would be reduced.

The objector has been notified of the Planning Control Committee meeting.

### **Consultations**

**Traffic** - No objection.

**Baddac Access** - No objection.

**Environmental Services** - No objection.

### **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

HT2/4 Car Parking and New Development

EN1/2 Townscape and Built Design

SPD6 Supplementary Planning Document 6: Alterations & Extensions

SPD11 Parking Standards in Bury

## **Issues and Analysis**

**Principle** - The principle of creating two 1-bed flats within the property is considered to be acceptable, particularly as the property appears to have accommodated two bed-sits for a number of years. The proposal complies with UDP Policy H1/2 in this respect.

**Visual Amenity** - The main visual impact would be from the single storey extension at the rear and the removal of the front boundary to Beechfield and the creation of two parking spaces in the front garden.

With regard to the extension, it is considered acceptable given it would not project more than 3m beyond the rear elevation and be finished in materials to match the existing house. The removal of the existing hedge and boundary fence to create the parking spaces would not have a significant impact on the amenity of the streetscape. Indeed it is noted that the property opposite has a parking space within the front garden. The proposal is considered to comply with UDP Policies with regard to visual amenity.

**Residential Amenity** - Given that the use of the premises is not changing and the property has been split into two bed-sits for a number of years, there is unlikely to be any serious residential amenity issues. As such the proposal complies with UDP Policy in this respect.

**Traffic and Parking** - The provision of two parking spaces within the front garden area would mean that, in allowing for access, there would be one space lost on the road, in front of the property. Therefore there would be a net increase of one space. Given the size of the flats, two off-street parking spaces is considered acceptable and complies with UDP Policy H2/2 and HT2/4 relating to parking.

**Objections** - The change from what was originally a two bed house into two separate 1-bed flats within this location is not considered so significantly detrimental as to warrant refusing the application. Whilst it could be argued that the loss of the house reduces choice slightly, on the contrary, it could also be argued that the choice of smaller properties is increased.

The issue of parking has been addressed in the appropriate section of this report.

## **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 proposal is considered to be acceptable in that it would not have a seriously detrimental impact on the visual amenity of the area or residential amenity of neighbours. The proposed off-street parking provision is considered acceptable. 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 2BA/1A 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.

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

**Ward:** Radcliffe - East

Item 07

**Applicant:** Mr C Haslam

**Location:** 45 and 47 Church Street West, Radcliffe, Manchester, M26 2SP

**Proposal:** Change of use of first floor and second floor extension to form three flats

**Application Ref:** 54326/Full

**Target Date:** 06/10/2011

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a former club, last used as a dance studio and adjacent premises above the neighbouring pharmacy on the west side of Church Street West. The premises, now vacant, lies on the edge of Radcliffe Town Centre, within a secondary shopping area that has struggled economically over recent years. There is an A1 pound shop with residential above at Nos.37-41. The ground floor of No.47 is a Pharmacy under separate ownership.

An earlier application gained approval under delegated powers in May this year for the ground floor of No.45 to operate as a canine hydrotherapy centre and dog grooming parlour. This latest application proposes to add a second floor above both No.45 and 47 and changing the use of the first and second floors to residential in the form of three apartments.

### **Relevant Planning History**

53842 - Change of use of ground floor from dance studio/club to canine hydrotherapy centre and dog grooming parlour (Sui Generis) - Approved 17/05/2011

### **Publicity**

The following neighbours were notified by letter dated 12/08/2011. 44-54a(even) Church Street West, 37-41(odd) and 47-49(odd) and Irwell Cottage Church Street West.

One letter of objection from the owner of the pharmacy at No.47 Church Street West. Concerns are summarised below:

- The proposal would be overbearing and out of character with the neighbouring properties.
- The traffic problems will be made worse.
- Noise and disturbance will increase.
- Inadequate sound insulation may impinge on the privacy of patients using the pharmacy on the ground floor.
- The development will disrupt services at the pharmacy and reduce profitability eg.scaffolding obstructing the highway.

The objector has been notified of the Planning Control Committee meeting.

### **Consultations**

**Drainage Section** - No objection.

**Environmental Health** - No objection.

**Wildlife Officer** - No objection.

**Baddac Access** - No objection.

### **Unitary Development Plan and Policies**

EN1/2 Townscape and Built Design

EN1/5 Crime Prevention

|       |  |
|-------|--|
| EN7   | Pollution Control                            |
| EN7/2 | Noise Pollution                              |
| H1/2  | Further Housing Development                  |
| H2/1  | The Form of New Residential Development      |
| H2/2  | The Layout of New Residential Development    |
| HT2/4 | Car Parking and New Development              |
| SPD11 | Parking Standards in Bury                    |
| SPD16 | Design and Layout of New Development in Bury |

### **Issues and Analysis**

**Use** - The proposed use of the first and additional second floors over the premises would bring previously vacant space back into use. In principle, residential use of the upper floors of shops and other commercial premises within existing centres is generally encouraged by government policy and guidance and often helps in maintaining the viability and vitality of those commercial centres by increasing activity around them. This is just such a situation and as such the proposal is considered to be acceptable within what is a rather run down part of the town centre. The proposal complies with UDP Policies S1/2 and S2/3 relating to shopping centres.

**Visual Amenity** - Whilst additional floors above would increase the height of the buildings by approximately 2.2m, this is not considered overly obtrusive given the mix of building heights and styles along the street. Although the properties immediately adjoining No.45 are two storey, there is the new PCT building to the north and the three storey former Radcliffe Times building across the road. The external alterations and extensions would help bring the buildings back into use and would not have a detrimental impact on the streetscape. Indeed the proposal to finish the front and rear elevations in a new outer leaf of brickwork is likely to improve the appearance of the building. In this respect the proposal complies with UDP Policies EN1/2 Townscape and Built Design and H2/1 The Form of New Residential Development.

**Residential Amenity** - Given the site is within the existing town centre and an appropriate level of soundproofing would be installed between the new flats and the commercial uses on the ground floor of both No.45 (dog grooming) and No.47 (pharmacy) as a requirement of building regulations, there would not be significant harm to the residential amenity of nearby occupiers, or indeed the privacy of clients of the pharmacy. To ensure this is the case, an appropriate condition would be required by any approval of planning permission. Complies with UDP Policies H2/1 and EN7/2 relating to housing.

**Traffic** - Given the fact that the site is within the town centre, close to public transport and with a public car park to the rear, there are no significant traffic or parking issues. Whilst the car park gets busy during the day, it is likely there would be spaces available outside peak times. The proposal is considered to be acceptable and complies with UDP Policies H2/2 and HT2/4 with regard to parking.

**Access and Servicing** - The access to the flats would be to the rear and there would be shuttered bin store on the rear elevation.

**Ecology** - A bat assessment has been carried out at the premises and it was found that the proposal would present a low risk and that roosting bats in the building were considered unlikely.

**Objection** - The issues relating to size, traffic and sound insulation have been addressed in the above report.

Any new development is likely to lead to some noise and disruption, however these are not planning issues. There are existing highway and environmental health regulations in place to control building work and its impact on neighbours.

## Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed and the reason(s) for granting permissions can be summarised as follows;-  
The proposed change of use and extension to the building would not have an adverse impact on the character of the streetscene or amenity of immediate neighbours. The proposal is acceptable and 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 45CSW/10 and 45CSW/11A and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. No development shall take place unless and until a scheme to soundproof the floor/ceiling between the ground floor and the first floor flats, which shall be in accordance with standards of construction specified in current Building Regulations, has been submitted to and approved by the Local Planning Authority. Such works that form the approved scheme shall be completed before the development is brought into use.  
Reason. To protect the residential amenities pursuant to UDP Policy EN7/2 Noise Pollution.
5. Before first occupation of the flats hereby approved, the refuse storage area shall be completed and made available for use by the future residents.  
Reason: In the interests of visual and residential amenity pursuant to UDP Policies H2/1 and H2/1 relating to residential development.

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

