

Title	Planning Applications
To:	Planning Control Committee
On:	24 January 2012
By:	Development Manager
Status:	For Publication

Executive Summary

The attached reports present members with a description of various planning applications, the results of consultations, relevant policies, site history and issues involved.

My recommendations in each case are given in the attached reports.

This report has the following implications

Area Board/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:
The elimination of discrimination, harassment and victimisation;
The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, I have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council

under the Town & Country Planning Acts.

Development Manager

Background Documents

1. The planning application forms and plans submitted therewith.
2. Certificates relating to the ownership.
3. Letters and Documents from objectors or other interested parties.
4. Responses from Consultees.

FOR FURTHER INFORMATION ON THE CONTENTS OF EACH REPORT PLEASE CONTACT
INDIVIDUAL CASE OFFICERS IDENTIFIED IN EACH CASE.

01	Area Board-Ward: Bury East - Moorside	App No. 54507
	Location: Land at Tile Street, Bury, BL9 5BR	
	Proposal: Change of use of land to waste recycling centre in connection with adjacent site	
	Recommendation: Approve with Conditions	Site Visit: N
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02	Area Board-Ward: Bury West - Elton	App No. 54514
	Location: Wharfside Apartments, Prospect Terrace, Bury, BL8 1DE	
	Proposal: Conversion of groundfloor work units No. 1 to 8 (Use Class B1) to 5 live/work units (Use Class B1)	
	Recommendation: Minded to Approve	Site Visit: N
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03	Area Board-Ward: Whitefield + Unsworth - Unsworth	App No. 54563
	Location: Pilsworth Quarry, Pilsworth Road, Bury, BL9 8QZ	
	Proposal: Scrap metal and aggregate/soils recycling facility	
	Recommendation: Approve with Conditions	Site Visit: N
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04	Area Board-Ward: North Manor	App No. 54574
	Location: Land at 27 Pot Green, Ramsbottom, Bury, BL0 9RG	
	Proposal: Erection of 1 no. dwelling	
	Recommendation: Approve with Conditions	Site Visit: Y
<hr/>		
05	Area Board-Ward: Ramsbottom and Tottington - Ramsbottom	App No. 54594
	Location: Twine Valley Farm, Church Road, Shuttleworth	
	Proposal: Refurbishment and extension to existing barn for use for cattle rearing	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
06	Area Board-Ward: North Manor	App No. 54597
	Location: Land adjacent to Windacre House, Mather Road, Bury, BL9 6RB	
	Proposal: Erection of one dwelling to be used as a holiday let	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
07	Area Board-Ward: Whitefield + Unsworth - Besses	App No. 54621
	Location: Unit 1, Albert Close, Whitefield, Manchester, M45 8EH	
	Proposal: Retrospective change of use of existing kitchen to general food sales (Use Class A5); Extractor unit to side elevation; External seating area; Proposed installation of solar panels to roof.	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
08	Area Board-Ward: Bury East - Redvales	App No. 54645
	Location: 18 Parkhills Road, Bury, BL9 9AX	
	Proposal: Change of use from A1 to A3/A5 (cafe/takeaway), new shopfront and flue.	

Recommendation: Approve with Conditions

Site Visit: N

09	Area Board-Ward: Bury West - Elton	App No. 54671
	Location: Pavement at Woodbank Gardens, adjacent to 127 Brandlesholme Road, Bury, BL8 1BA	
	Proposal: Prior notification for installation of 14.8 metre high streetpole with 6 no. antennas and equipment cabinet to facilitate site sharing	
	Recommendation: Prior Approval Required and Granted	Site Visit: N

10	Area Board-Ward: Radcliffe - North	App No. 54703
	Location: Veterans Farm, Arthur Lane, Radcliffe, Bolton, BL2 5PW	
	Proposal: Installation of 27.1 metre high vertical wind turbine	
	Recommendation: Approve with Conditions	Site Visit: N

11	Area Board-Ward: Radcliffe - North	App No. 54712
	Location: 87 Church Street, Ainsworth, Bolton, BL2 5RD	
	Proposal: Variation of Condition 2 - Approved Drawings - of 52380 - Replacement dwelling and access	
	Recommendation: Approve with Conditions	Site Visit: N

Ward: Bury East - Moorside

Item 01

Applicant: BR Cook Environmental Consultancy

Location: Land at Tile Street, Bury, BL9 5BR

Proposal: Change of use of land to waste recycling centre in connection with adjacent site

Application Ref: 54507/Full

Target Date: 31/01/2012

Recommendation: Approve with Conditions

Description

The site is located within an Employment Generating Area (EGA) and the site is accessed from an unmade road, which connects to Tile Street. There are commercial premises to the north and east of the site and the Woodfields Retail Park is located to the south. There is an area of trees to the west, with the East Lancashire Railway line and an industrial park beyond.

The proposal involves the change of use of land to a waste recycling centre in connection with the adjacent site (53054). The proposed development would be open between 07.00 and 18.30 on Mondays to Fridays and 07.00 to 18.30 on Saturdays and would match those of the existing yard. The site would be closed on Sundays and Bank Holidays.

Relevant Planning History

41305 - Erection of 2.4 metre high palisade security fencing and gates at Tile Street, Bury. Approved with conditions - 29 October 2003.

42959 - Use of part of yard as storage facility for building materials at plot 2, Tile Street, Bury. Approved with conditions - 17 August 2004.

53054 - Part change of use to retain scrap yard and form new skip transfer and recycling area at A1 Scrap & Landrover Parts, Tile Street, Bury. Approved with conditions - 25 November 2010.

Publicity

10 neighbouring properties (Units 1 - 9, Peel Industrial Estate, Tesco Stores, Woodfield Retail Park) were notified by means of a letter on 3 November and a press notice was posted in the Bury Times on 10 November. Site notices were posted on 11 November 2011.

1 letter has been received from Tesco Stores Ltd, which has raised the following issues:

- The waste recycling centre would create a strong and unpleasant odour.
- The proposal would have a negative impact upon the landscape.

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

Consultations

Drainage Section - Comments awaited.

Environmental Health - Contaminated Land - No comments.

Environmental Health - Pollution Control - No comments.

Waste Management - Comments awaited.

Environment Agency - No objections, subject to an informative relating to the need for an Environmental Permit.

Designforsecurity - No comments

GM Geological Unit - No objections, subject to the inclusion of conditions relating to height of stockpiled material, hard surfacing of the site and dust suppression scheme.

Unitary Development Plan and Policies

EC2/1	Employment Generating Areas
EC4/1	Small Businesses
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN5/1	New Development and Flood Risk
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
MW3/2	Waste Recycling and Bulk Reduction
MW4/1	Assessing Waste Disposal Proposals
MW4/2	Development Control Conditions (Waste)
SPD11	Parking Standards in Bury

Issues and Analysis

Principle - Policy MW3/2 states that the Council will give favourable consideration to proposals which facilitate the economic recycling and reclamation of waste materials and the bulk reduction in waste.

Policy EC6/1 states that all new business, industrial and commercial development will be expected to be of a high standard of design and appearance and will be assessed on the following factors:

- scale, size, density, layout and height
- access and parking provision
- landscaping and boundary treatment
- the effect on neighbouring properties
- the safety of employees, visitors and adjacent occupiers.

The proposed development would enable the recycling and reclamation of waste materials and the overall reduction in waste. The proposed development would be of a scale, which would be appropriate to the site and would be acceptable in principle. Therefore, the proposed development would be in accordance with Policies MW3/2 and EC6/1 of the adopted Unitary Development Plan.

Impact upon surrounding area/residential amenity - The site is located within the midst of other scrap yards and industrial uses and as such, the visual impact of a small extension to the site would be minimal.

The site is bounded by existing palisade fencing and there is an area of mature trees, which would screen the site and as such, would not be a prominent feature within the streetscene.

The nearest residential dwelling is over 200 metres away on Hornby Street and as such, the proposed development would not have a significant adverse impact upon the amenity of the occupiers of these properties. Therefore, the proposed development would be in accordance with Policies EC6/1 and MW3/2 of the adopted Unitary Development Plan.

Noise/pollution - The site is located within an EGA and is surrounded by other scrapyards and industrial uses. As such, there would be no significant increase in noise levels in the surrounding area. The Pollution Control Section has no objections to the proposal.

The existing site is controlled by a permit issued by the Environment Agency. The proposed extension would also be covered by the permit, which would cover the issue of odour control. The Environment Agency has no objections to the proposal, subject to the inclusion of informatives. The concerns of the objector have been passed onto the Environment Agency for consideration. In addition, a condition will be added requiring only non-putrescible waste to be dealt with at the site.

The proposed development would be open between 07.00 and 18.30 on Mondays to Fridays and 07.00 to 18.30 on Saturdays and would match those of the existing yard. The site would be closed on Sundays and Bank Holidays. There would be no significant adverse impact upon the amenity of the occupiers of the neighbouring properties in terms of noise. Therefore, the proposed development would be in accordance with Policies EN7/2 and MW4/1 of the adopted Unitary Development Plan.

Highways issues - The proposed development would be an extension to the existing site and as such, would utilise the existing accesses and visibility splays. The proposed development would not result in a significant increase in the number of vehicle movements and therefore, would have a minimal impact upon surrounding roads. The proposed development would not be detrimental to highway safety and would be in accordance with Policies MW4/1 and EC6/1 of the adopted Unitary Development Plan.

Response to objector

The issues of visual amenity and odour control have been dealt with in the above report.

Summary of reasons for Recommendation

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

The proposed development would be acceptable in principle and would not have an adverse impact upon the amenity of the nearest residential properties. The proposed development would not be a prominent feature in the streetscene nor would it be detrimental to highway safety.

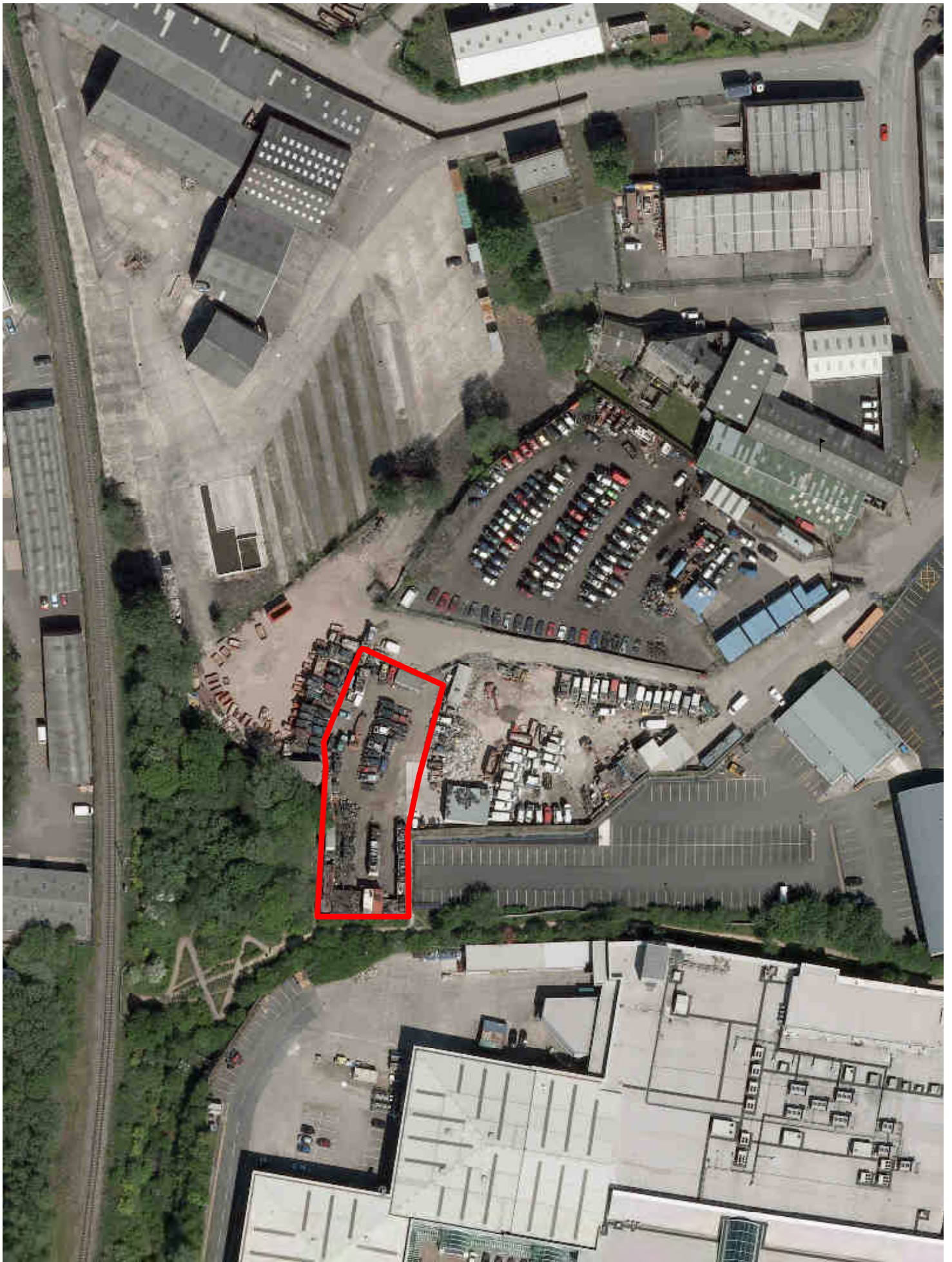
There are no other material considerations that outweigh this finding.

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 MA1 REV A, MA2 REV A, MA4, MA6 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 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:-
0700hrs to 1830 hrs, Monday to Saturdays.
Reason. To safeguard the general amenity pursuant to UDP Policies EC2/1 - Employment Generating Areas, EN7/2 - Noise Pollution and MW3/2 - Waste Recycling.
4. No putrescible waste shall be brought onto the site at any time without the prior written permission of the Local Planning Authority.
Reason: In the interests of environmental amenity pursuant to UDP Policy MW3/2 Waste Recycling, MW4/1 Assessing Waste Disposal Proposals and MW4/2 Development Control Conditions (Waste).

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



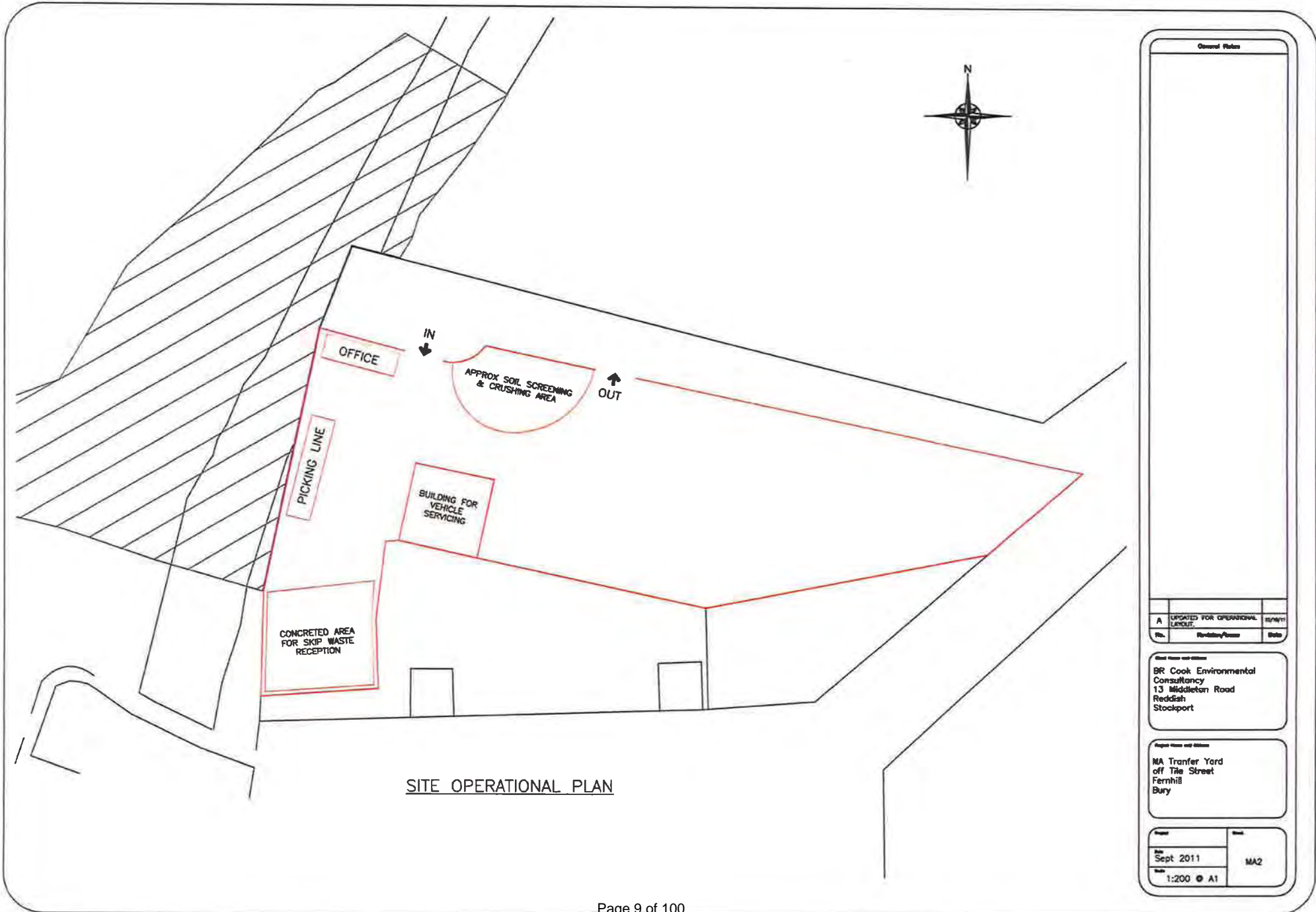
SCALE: 1:1250 DATE:

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General Notes

A	UPDATED FOR OPERATIONAL LAYOUT	25/09/11
No.	Revisions/Author	Date

Client Name and Address
 BR Cook Environmental Consultancy
 13 Middleton Road
 Reddish
 Stockport

Project Name and Address
 MA Transfer Yard
 off Tile Street
 Fernhill
 Bury

Issue	Date
1	Sept 2011
Scale	MA2
1:200 © A1	

Ward: Bury West - Elton

Item 02

Applicant: August Blake

Location: Wharfside Apartments, Prospect Terrace, Bury, BL8 1DE

Proposal: Conversion of groundfloor work units No. 1 to 8 (Use Class B1) to 5 live/work units (Use Class B1)

Application Ref: 54514/Full

Target Date: 06/01/2012

Recommendation: Minded to Approve

The application is Minded to Approve subject to the completion and signing of a s106 Planning Obligation concerning off site recreation provision. In the event of the agreement not being signed within a reasonable time, it is requested that the Assistant Director utilise delegated authority to determine the application.

Description

The site contains a former mill, which has recently been converted to 46 apartments and 8 B1 workspaces. The building is 3 - 4 storeys in height and is constructed from stone. The site is bounded to the north by an access road, which is shared by the development and Prospect Terrace. Beyond the access is a petrol filling station and further residential properties. There is a canal feeder to the south of the site and beyond that Woodhill Works.

The proposed development involves an amendment to the previously approved scheme (50779) from 46 residential units and 413 square metres of workspace in 8 units to 46 residential units and 5 live/work units.

Relevant Planning History

42293 - Outline - Conversion of building to residential and live/work units at Bury Boot and Shoe Company, Woodhill Mill, Brandlesholme Road, Bury. Approved with conditions - 28 July 2004

44581 - Conversion of former industrial warehouse to 40 residential units and 500 square metres of workspace units at Bury Boot & Shoe Co. Brandlesholme Road, Bury. Approved with conditions - 19 August 2005

50779 - Amendment to approved scheme 44581 (40 residential units and 8 workspaces) to 46 residential units and 8 workspaces at Bury Boot & Shoe Factory, Brandlesholme Road, Bury. Approved with conditions - 25 February 2009

Publicity

119 neighbouring properties (1 - 45 (odds) Lichfield Drive; 1 - 6, Woodhill Cottage, Prospect Terrace; 1 - 40 Wharfside; 2 - 50 (evens), Alfred Works, The Flat, Unit 1, Woodhill Street; 126 - 134; 136 - 144 (evens), Service Station, Brandlesholme Road) were notified by means of a letter on 11 November 2011.

Two letters have been received from the occupiers of Wharfside Apartments, and the owners of Woodhill Works, which have raised the following issues:

- Impact of disruption and noise during works to the proposed units.
- How many workmen would be walking around the apartment block?
- Impact upon the existing overloaded drainage system.

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

Consultations

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

Drainage Section - Comments awaited.

Environmental Health - Contaminated Land - No comments.

Designforsecurity - Prefer to see a separate commercial entrance to the unit.

British Waterways - No objections.

Baddac - No comments.

Unitary Development Plan and Policies

EN8/2	Woodland and Tree Planting
EN7/5	Waste Water Management
H1/2	Further Housing Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EC2/2	Employment Land and Premises
EC3/1	Measures to Improve Industrial Areas
EC4/1	Small Businesses
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
OL5/3	Riverside and Canalside Development in Urban Areas
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
SPD11	Parking Standards in Bury
PPS23	PPS23 Planning and Pollution Control

Issues and Analysis

Principle - Policy EC2/2 states that the Council will seek the retention of existing employment land and premises outside the Employment Generating Areas.

Policy EC3/1 states that the Council will be concerned with improving older industrial areas and premises and will encourage measures to improve the condition and appearance of buildings, improve access, servicing and car parking arrangements, facilitate the re-use of vacant buildings, improve the visual appearance and environment and to promote the introduction of new industrial development.

Policy EC6/1 states that all new business, industrial and commercial development will be expected to be of a high standard of design and appearance and to take account of the surrounding environment, amenity and the safety of employees, visitors and adjacent occupiers. Factors to be considered include the scale, size, density, layout, height and materials, access and car parking provision, landscaping and boundary treatment and the effect on neighbouring properties.

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 and other policies and proposals of the plan.

The proposed development would provide 5 live/work units, with separate access to the commercial elements. As the proposed development would be located in a building where a mixed use of commercial units and residential use was established by the previous permission (50779), uses within use class B1, which refers to offices and light industry, would be appropriate. The proposed use would not conflict with the surrounding uses or the amenity of the neighbouring occupiers. The proposed development would result in the continuation of the use of the site for employment purposes and would provide for the needs of small businesses. Therefore, the proposed development would be in accordance with Policies H1/2, EC2/2, EC3/1 and EC6/1 of the adopted Unitary Development Plan.

Impact upon surrounding area - The proposed development would not include any

external changes to the building and as such, the proposed development would have no impact upon the streetscene. The proposed live/work units would be restricted to B1 use and as such, would not have an adverse impact upon the amenity of the neighbouring occupiers. The agent has confirmed that there are separate external entrances for the commercial unit, which would be accessed from the access to the north of the building. As such, Designforsecurity have no objections to the scheme. Therefore, the proposed development would be in accordance with Policies EC6/1 and H2/2 of the adopted Unitary Development Plan.

Drainage - The applicant currently has permission for 46 residential units and 8 (B1) industrial units, with a floorspace of 438 square metres in total. There would be 1 employee per 19 square metres of floor space, which could equate to approximately 23 people within the 8 units on a daily basis. The provision of 5 live/work units (a 1 bedroom apartment and smaller office) would equate to approximately 15 people. As such, the proposed development would place less strain on the drainage system than the currently approved scheme (50779). An informative would be placed on any grant of planning consent, drawing the applicant's attention to the issues raised by the objectors. Therefore, the proposed development would not have an adverse impact upon drainage and would be in accordance with Policy EN7/5 of the adopted Unitary Development Plan.

Highways issues - Vehicular access to the proposed development would be taken from the existing approved access and would utilise the turning facilities as approved under application 50779. The turning facility has not been completed and this would be secured via a condition. The Traffic Section has no objections, subject to the inclusion of conditions relating to turning facilities and parking. Therefore, the proposed development would not be detrimental to highway safety.

Parking - With regard to parking provision, there is no equivalent use within SPD11 for live/work units, but there are standards for residential and for B1 floorspace.

The building currently contains 46 residential units and 413 square metres of B1 floorspace, which equates to a maximum of 69 spaces. The proposed development would provide an additional 5 residential units and 52 square metres of B1 floorspace, which would equate to 6.5 spaces or a total of 75 parking spaces. The proposed development would provide 75 spaces and is located on a main bus route into Bury and as such, the level of parking provision is acceptable.

Planning obligations - The proposed development would provide 5 live/work units and would increase the number of residential units at the site. As such, a contribution of £2,399.40 towards recreation provision is required in accordance with SPD1. The applicant has confirmed in an e-mail that they would be willing to enter into a Section 106 agreement to secure this.

Response to objectors

The agent has confirmed that there would be separate access to the live/work units, which would prevent workmen/visitors to these units from accessing the apartment block generally. The issue of drainage has been dealt with in the above report. The issue of disruption and noise during construction is not a material planning consideration as these are dealt with by Environmental Health.

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 detrimental to highway safety and would not have an adverse impact upon drainage. There are no other material considerations that outweigh this finding.

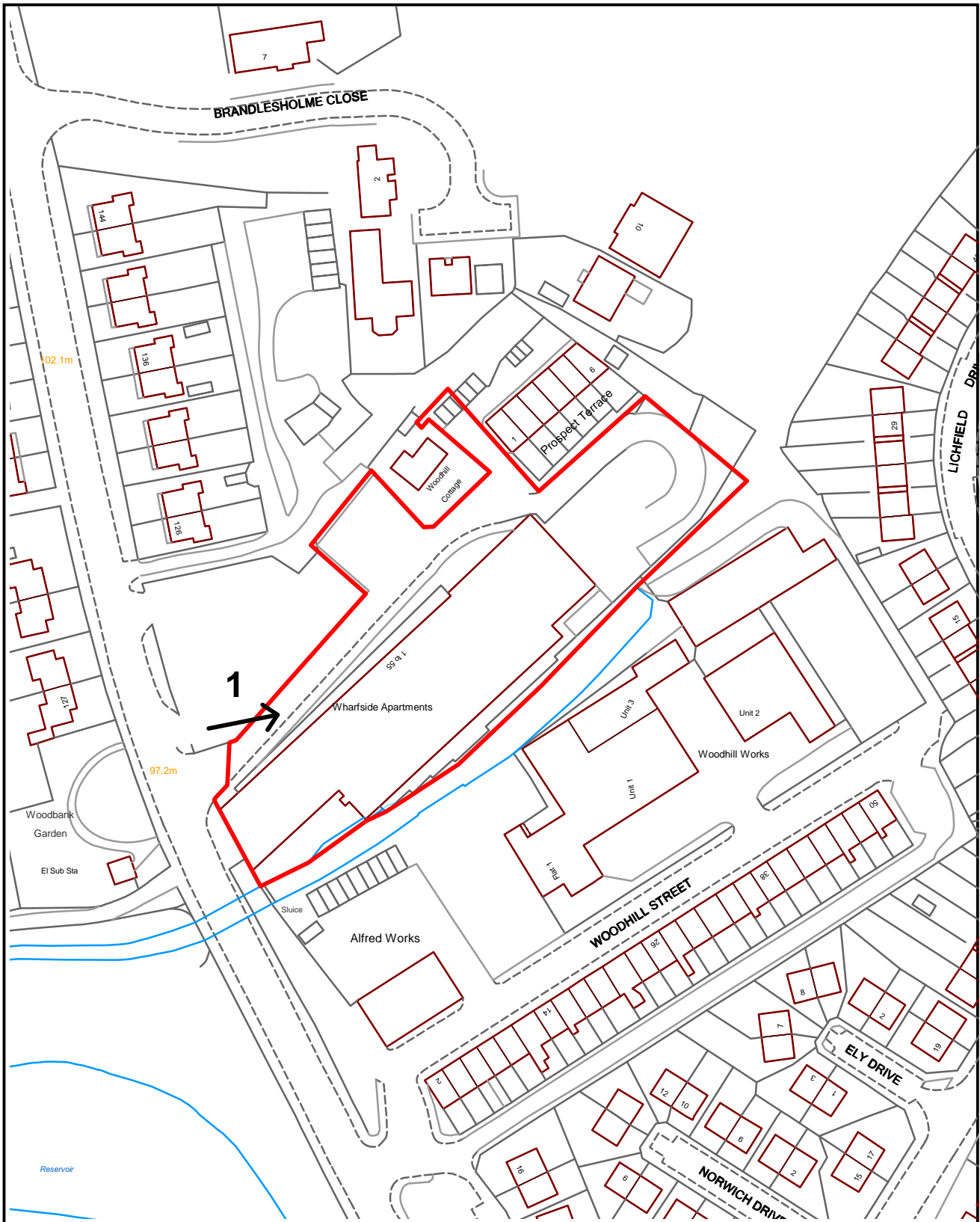
Recommendation: Minded to Approve

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location plan, AB/BBS/2011/1 A, AB/BBS/2011/3 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 development hereby approved shall not be brought into use unless or until the works to provide a 1.8 metre footway on the southerly side of Prospect Terrace between Brandlesholme Road and the car park access have been completed in full to the written satisfaction of the Local Planning Authority.
Reason. To ensure good highway design in the interests of highway safety pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
4. The turning facilities indicated on the approved plan reference 3951/P/101 shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to UDP Policy H2/2 - The Layout of New Residential Development.
5. There shall be no direct means of vehicular access between the site and Woodhill Street.
Reason. To ensure good highway design in the interests of road safety pursuant to UDP Policy H2/2 - The Layout of New Residential Development.
6. The car parking indicated on the approved plans 3951/P/101, BBS/OD/0, BBS/OD/5 and Cork Toft Landscaping plan 01 shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being occupied and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
7. The work units hereby approved shall be used for no other purpose than as B1 light industrial units. The units shall be made available, as soon as practicable, for sale or to let only to occupants of the dwellings hereby approved unless otherwise approved in writing by the Local Planning Authority. The work units shall be provided as shown on the approved plan and shall be maintained as B1 Units (as defined within the Town and Country Planning (Use Classes) Order 1987 or as amended unless an application is submitted and approved for an alternative use.
Reason - To ensure the provision and appropriate occupation of the work units pursuant to UDP Policy EC4/1 - Small Businesses.
8. The bin and cycle storage areas shall be provided as shown on the approved plan BBS/OD/5, made available for use and thereafter maintained for such use for as long as the development remains in existence.
Reason - To ensure adequate bin storage and cycle parking pursuant to Development Control Policy Guidance Note 11 - Parking Standards in Bury and H2/4 - Conversions.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 54514

**ADDRESS: Wharfside, Prospect Terrace
Bury**

EDS

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1:1250

54514

Photo 1



Ward: Whitefield + Unsworth - Unsworth

Item 03

Applicant: Virridor Waste Management Ltd

Location: Pilsworth Quarry, Pilsworth Road, Bury, BL9 8QZ

Proposal: Scrap metal and aggregate/soils recycling facility

Application Ref: 54563/Full

Target Date: 01/02/2012

Recommendation: Approve with Conditions

Description

The application site is located adjacent to the main site access road, weighbridges that serves the existing landfill operation on Pilsworth north site. Land to the north, east and south is currently subject to the existing landfilling operation and to the west of the site is a tree topped embankment adjacent to the M66 motorway. Access to the site would be via an existing dedicated access road that serves the existing Pilsworth South Landfill Site, which is off Pilsworth Road, approximately 80m east of Junction 3 of the M66.

The application is intended for the construction of a scrap metal and aggregate/soils recycling facility within the existing boundary of the Pilsworth South Landfill site. The works would comprise the creation of a concrete pad formerly occupied by a minerals washing plant (which has since been removed) and is located directly north east of the Viridor's existing on-site offices. The compound would be contained by a screening mound/bund and steel fencing and the footprint would be 1814sqm for the development.

The proposals in detail would comprise:

- A mobile trommel screening unit and crusher;
- A reception area for the materials;
- A picking area;
- A skip area for the sorted metal prior to transportation off site; and
- Aggregate and stockpile areas for the temporary storage of materials.

It is anticipated that 16,000 and 15000 tonnes of scrap metal and aggregate/soils waste respectively would be received and processed annually and for a period of 10 years.

The operations that would take place within the screening mound/bunded area include, for the metal screening operations:

Off loading;

- Examination of scrap deposits for contraries (e.g. plastic bags);
- Sorting of metals within the picking area; and
- Sorting of materials into skips for distribution to the regulated market.

And for the aggregate and soils operation;

- Off loading;
- Examination of deposited materials for contraries (e.g. plastic bags);
- Stockpiling of deposited material using a loading shovel; and
- Loading and screening of materials and if necessary crushing prior to exportation off the site.

Hours of operation are proposed to be

- Monday to Friday 0700 - 1800hrs
- Saturday 0700 - 1300 hrs.

The facility would require 7 to 8 personnel to run it and car parking would be provided by the existing car park that is used for the Viridor office.

Relevant Planning History

53453 - Vertical and lateral extension, re-phasing and enhanced restoration and ecological scheme at Pilsworth South Landfill within the consented site boundary - Minded To Approve
54012 - Waste Reception, Transfer, Recycling and Pre-treatment Facility. - Approve with Conditions 09/08/2011

Publicity

3 Neighbouring land owners/properties were written to directly including the Earl of Wilton Estates, A1 Limos and Jackson Fold Farm on 4/11/11. A site notice was put on site on 10/11/11 and a press notice was published in the Bury Times on 17/11/11. As a result of this publicity, no objections have been received.

Consultations

Drainage Section - No objections.

Environmental Health Contaminated Land - No objections.

Environmental Health Pollution Control - No objections.

Environment Agency - No objections.

Greater Manchester Police - designforsecurity - No objections.

Baddac - No objections.

Greater Manchester Geological Unit - No objections.

The Highways Agency - No objections.

Rochdale MBC - No objections.

Unitary Development Plan and Policies

OL1/5 Mineral Extraction and Other Dev in the Green Belt
EN9/1 Special Landscape Areas
PPS10 PPS10 Planning for Sustainable Waste Management
MW3/2 Waste Recycling and Bulk Reduction
MW4/1 Assessing Waste Disposal Proposals
GMMWP Greater Manchester Minerals and Waste Plan

Issues and Analysis

The site is designated within the Bury Unitary Development Plan as Green Belt (OL1/5) and is also a Special Landscape Area (EN9/1).

Policy OL1/5: Mineral Extraction and Other Development in the Green Belt states: Within the Green Belt other development, not including buildings, will be inappropriate unless:

- it maintains openness and does not conflict with the purposes of including land in the Green Belt; or in the case of mineral extraction,
- it does not conflict with the purposes of including land in the Green Belt, and high environmental standards will be maintained and the site well restored.

A proposal for other development not falling into one of the above categories is inappropriate development and is, by definition, harmful to the Green Belt. Any development proposal considered to involve inappropriate development will only be permitted in very special circumstances.

Policy EN9/1: Special Landscape Areas states: In those areas identified on the Proposals Map as Special Landscape Areas, any development which is permitted will be strictly controlled and required to be sympathetic to its surroundings in terms of its visual impact. High standards of design, siting and landscaping will be expected. Unduly obtrusive development will not be permitted in such areas.

The proposed development may be deemed as inappropriate development in the Green Belt. However, it is considered that special circumstances exist to outweigh this. These special circumstances are:

- the facility is temporary and will be removed and the site restored in line with the existing landfill site;
- there are no built structures being proposed; and
- the proposal is supported by European, National and Local waste policy.

European and National Policy

The *EU Waste Framework Directive* seeks to reduce the production of waste and its impacts on the environment. It states that where disposal of waste is necessary, it should be carried out without creating environmental problems. The EU Waste Framework Directive also promotes the development of clean technologies to process waste and promotes the ideals of the Waste Hierarchy.

Waste Strategy for England 2007 sets out the Government's vision for managing waste and resources in a sustainable manner and sets targets for municipal and commercial and industrial waste. New targets for commercial and industrial waste are expected shortly.

Planning Policy Statement 10 (PPS 10): Planning for Sustainable Waste Management sets out the Government's policy to be taken into account by waste planning authorities and forms part of the national waste management plan for the UK. The key aim of PPS10 is to achieve sustainable waste management by driving waste up the hierarchy. The guidance looks to Waste Planning Authorities to bring forward an integrated approach to waste management in line with Waste Strategy 2007. This proposal is supported by PPS10 in that it will assist in delivering national targets and the move away from a reliance on landfill.

Local Policy

The Minerals and Waste Planning Unit have recently produced the Greater Manchester Joint Waste Development Plan Document (Waste Plan). The adopted document will provide the basis for planning for the future provision of the necessary waste management infrastructure in Greater Manchester and will contain both site allocations and development management policies.

Waste Plan Weight

Government guidance stipulates that the weight to be attached to emerging Development Plan Document policies in determining planning applications depends upon the stage of preparation or review, and increases as successive stages are reached. (See: ODPM (2005) *The Planning System; General Principles* and DCLG (2009) *Development Management; Pro active planning from pre-application to delivery*.)

The Waste Plan was submitted to the Secretary of State on 28th February 2011, the Hearing into the Waste Plan took place between 28th June 2011 and 1st July 2011. The Inspectors binding report has declared the waste plan sound and final adoption is in early 2012. As the Waste Plan has been found sound, significant weight should be attached to its contents when assessing proposals for waste management facilities.

Waste Plan Policy 10

The application site is not allocated within the Waste Plan and so should be assessed against Policy 10 of the Waste Plan 'Unallocated Sites' which states: "Applications for waste management facilities on unallocated sites will be permitted where the applicant can demonstrate that:

- "i. The proposal fits within the spatial strategy set out in the Waste Plan and contributes to the Waste Plan aim and objectives; and
- ii. The proposal meets the same assessment criteria as allocated sites."

The text below taken from the Waste Plan is intended to assist Bury MBC Planning Officers with their assessment of the application against Policy 10 of the Plan:

The Spatial Strategy

The Spatial Strategy aims to direct new waste management development towards the 'right

places' in Greater Manchester. These will be places that are accessible by different modes of transport, close to where additional waste is expected to arise in future and near existing waste management facilities. They will reflect the existing pattern of economic development in Greater Manchester. They avoid places with a sensitive natural or built environment, hydrology or close to existing communities. In line with one of the key themes of this Plan, which is to treat waste as a resource which can benefit society, areas where landfill or land raising can help improve the environment are positively identified. Finally, the allocated sites and areas are places where waste management development can realistically be expected to take place.

Aim

The overall aim of the Waste Plan is to provide a sound spatial planning framework to deliver sustainable waste management in Greater Manchester consistent with national planning policies and the Waste Strategy for England 2007. The purpose is to provide sufficient opportunities for new waste management facilities to come forward within Greater Manchester that are of the right type, in the right place and provided at the right time. With this in mind, the following objectives are used to achieve this:

"Objectives

Objective 1: To ensure that Greater Manchester's waste is dealt with in line with Scenario 2 of the needs assessment.

Objective 2: To promote the movement of waste up the waste hierarchy, assuming minimisation at source, increasing reuse, recycling and recovery, whilst recognising there may still be a need for additional landfill capacity for residual wastes.

Objective 3: To assist in reducing greenhouse gas emissions and assist in adaption/mitigation of climate change, including resource efficiency and minimising the need for energy in accordance with targets at national, regional and local level.

Objective 4: To ensure waste growth within the sub-region does not increase to the same degree as growth in economic activity i.e. to decouple waste growth from economic growth.

Objective 5: To provide a flexible approach for the delivery of the required waste management facilities, allowing emerging technologies to come forward.

Objective 6: To ensure appropriate protection of the quality of life of communities.

Objective 7: To protect the sub-region's natural environment, biodiversity, geodiversity, cultural and historic heritage.

Objective 8: To reduce waste movements and, where waste needs to be moved, to promote the sustainable movement of waste across the sub-region."

Sensitive Receptors

Paragraph 29 of PPS10 states that *'when considering planning applications for waste management facilities waste planning authorities should consider the likely impact on the local environment and on amenity.'* With this in mind, it is vital to take into account the location of sensitive receptors on which the proposed development may impact upon.

Noise Impact - The proposed development will be situated within an active landfill site and is adjacent to the M66 motorway. An assessment undertaken by the applicant to determine potential noise impact on noise sensitive properties, indicated that all the predicated rating levels will be less than +5dB(A) above the background levels of 47.5dB(A). The assessment also found that in accordance with BS4142 1997, the levels from the recycling facility will be of marginal significance. There are no nearby noise sensitive receptors in very close proximity to the proposed working area and as no objections or suggested conditions have been received as a result of the consultation with the Council's Environmental Health Noise Pollution Team.

Dust Impact - The aggregate/soils recycling activities are more likely to include sorting and crushing and therefore have the potential to lead to dust impacts. The dust assessment undertaken, recognised the need for dust mitigation and set out a best practice mitigation plan to reduce this. This includes regular sweeping of the site access road which is already in place. There are no nearby sensitive dust receptors in very close proximity. However, there is a risk of windbourne dust spreading to residential properties bounding the site. As

such, the proposed working area and the associated operations should be conditioned to run in line with the mitigations that form the proposals.

Visual Impact - The applicant has submitted a Landscape and Visual Impact Assessment as a supporting document. As the proposed location for the facility is in a low lying area of the site it is unlikely that visual impact will be an issue. Nevertheless, it is advised that a condition is attached to any grant of planning permission to ensure that the stockpile heights are limited to 5m in height so as to ensure that there are no conspicuous impacts upon the fringes of the site or upon the surrounding special landscaped area.

Summary

The proposed development is in accordance with the overall theme of national and local waste planning policies as it is seeking to move waste up the waste hierarchy and away from the least preferred option of disposal to landfill. The proposal would become part of the process for the receipt and sorting of wastes at Pilsworth landfill site and as such represents a component in managing Greater Manchester's waste over the Waste Plan period (up to 2027).

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 in accordance with the aims of national and local waste planning policies as it is seeking to move away from the least preferred option of disposal to landfill, would become part of the waste processes at Pilsworth landfill site and would comply with existing and emerging waste policies in the Borough and wider Greater Manchester area. There are no other material considerations that outweigh this finding.

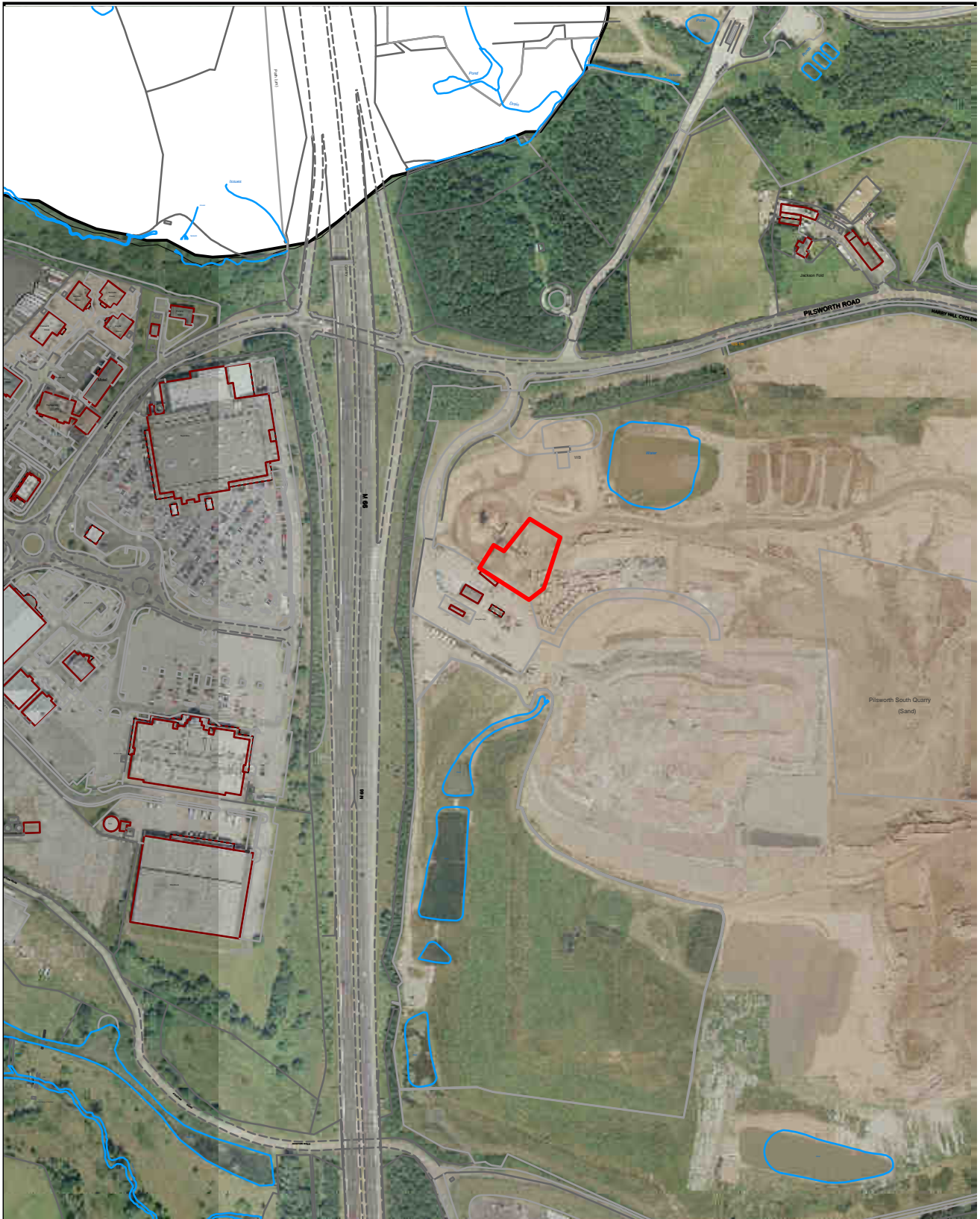
Recommendation: Approve with Conditions

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 LE11187-001, LE11187-002, LE11187-003, LE11187-006 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 waste recycling facility hereby approved shall not operate unless and until a detailed dust mitigation strategy for the operation of the waste recycling facility has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented whilst the waste recycling facility remains operable on the site.
Reason - To minimise the potential of impact upon residential amenity to nearby residential properties from airbourne dust impacts pursuant to Unitary Development Plan Policies MW3/2 - Waste Recycling and Bulk Reduction and MW\$/1 - Assessing Waste Disposal Proposals.
4. 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
0700 hrs to 1300 hrs Saturdays.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Unitary Development Plan policies MW3/2 - Waste Recycling and Bulk Reduction and MW4/1 - Assessing Waste Disposal Proposals.

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



PLANNING APPLICATION LOCATION PLAN

APP. NO 54563

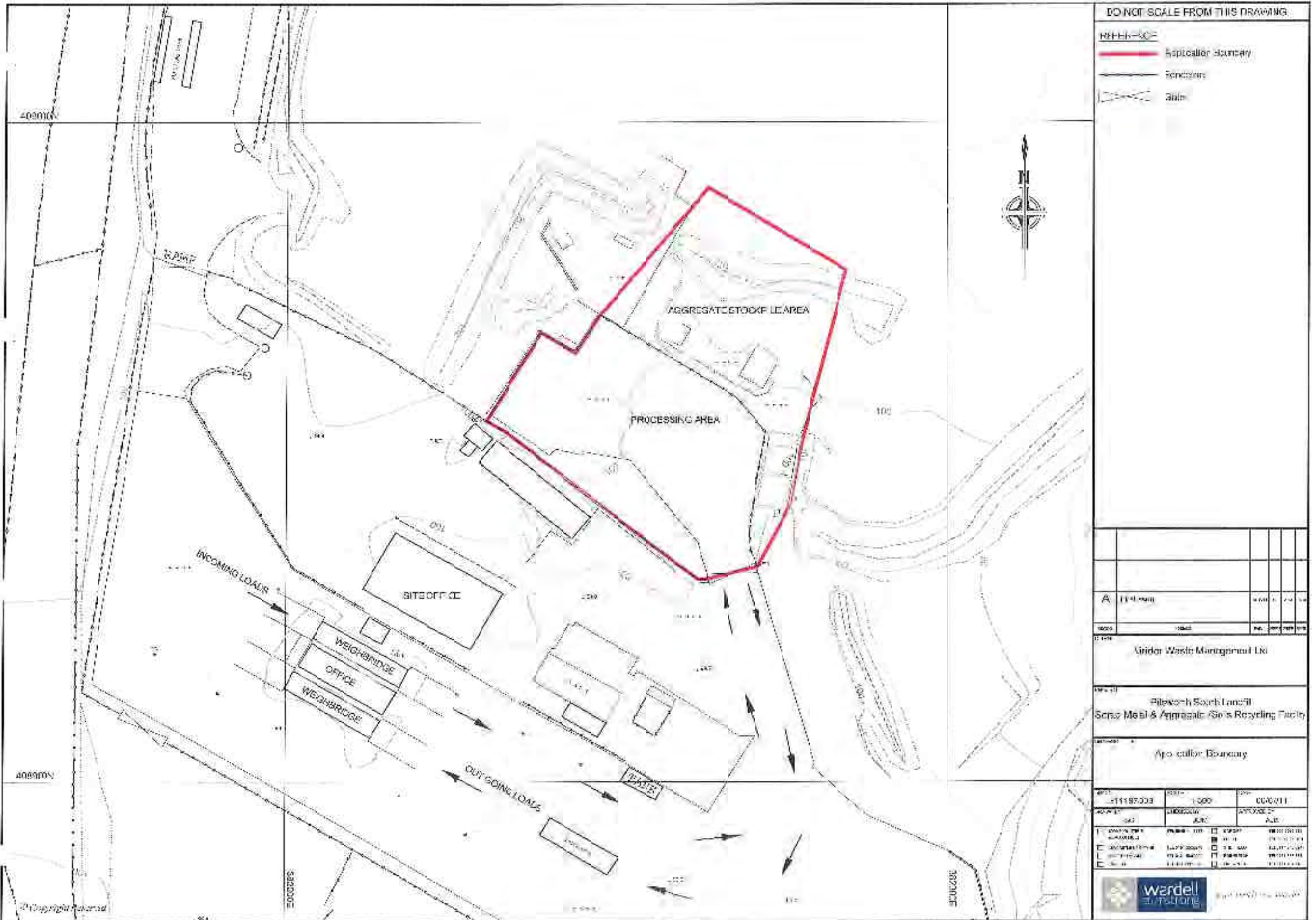
**ADDRESS: Pilsworth Quarry
Pilsworth Road
Bury**

E D S



1:5000

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DO NOT SCALE FROM THIS DRAWING.

Application boundary
 Boundaries
 Soil

A	114.00m			
1000	1000			

Wardell Waste Management Ltd

Pile-up South Lane #1
 Scrap Metal & Aggregate / So's Recycling Facility

Application Boundary

APR 11 11:19:03	SCALE 1:500	DATE 06/02/11
PROJECT 11111111	CLIENT WARD	PROJECT NO. 11111111
1. DRAWING TITLE	2. SHEET NO.	3. TOTAL SHEETS
4. DRAWN BY	5. CHECKED BY	6. DATE
7. PROJECT NO.	8. CLIENT NO.	9. SHEET NO.



Ward: North Manor

Item 04

Applicant: Mr & Mrs Paul Buckley

Location: Land at 27 Pot Green, Ramsbottom, Bury, BL0 9RG

Proposal: Erection of 1 no. dwelling

Application Ref: 54574/Full

Target Date: 20/12/2011

Recommendation: Approve with Conditions

The application was deferred for a site visit at the last Planning Control Committee.

Description

The site is located within the Pot Green Conservation Area and consists of a number of dwellings and buildings in multiple ownerships. All the buildings are constructed from stone and slate and No. 1 Summerseat Lane is a Grade II listed building.

The site is surrounded by residential dwellings to the east, south and west and residential dwellings to the north beyond Holcome Brook.

The proposed development involves the erection of a detached dwelling with an integral garage. The proposed dwelling would be constructed from stone and slate and would have 5 bedrooms. The proposed development would be accessed from the existing track from Summerseat Lane, which would be resurfaced in setts along with the courtyard.

Relevant Planning History

48345 - Formation of hardstanding and vehicular access to rear (resubmission) at 27 Pot Green, Holcombe Brook. Withdrawn - 28 August 2007

54212 - Two storey garage with first floor for use as home office at 27 Pot Green, Holcombe Brook. Withdrawn - 19 August 2011

54213 - Conversion of barn and outbuilding to one dwelling with link in between; Construction of new dwelling with alterations to existing garage to add first floor for use as home office at 27 Pot Green, Holcombe Brook. Withdrawn - 19 August 2011

54241 - Listed Building Consent: Conversion of barn and outbuilding to one dwelling with link inbetween; Construction of new dwelling with alterations to existing garage to add first floor for use as home office; New two storey garage to no. 27 Pot Green at land at 27 Pot Green, Holcombe Brook. Withdrawn - 19 August 2011

54366 - Two storey garage with first floor for use as home office (resubmission) at 27 Pot Green, Holcombe Brook. Approved with conditions - 12 October 2011

54367 - Listed Building Consent: Conversion of barn (Building A) and outbuilding (Building B) to one dwelling with link inbetween; Construction of new dwelling (Building D) with alterations to existing garage (Building C) to add first floor for use as home office; New two storey garage to no. 27 Pot Green (resubmission) at land at 27 Pot Green, Holcombe Brook. Withdrawn - 20 October 2011
Withdrawn as an emergence bat survey was required.

54368 - Conversion of barn (Building A) and outbuilding (Building B) to one dwelling with link inbetween; Construction of new dwelling (Building D) with alterations to existing garage (Building C) to add first floor for use as home office (resubmission) at land at 27 Pot Green, Holcombe Brook. Withdrawn - 20 October 2011

Withdrawn as an emergence bat survey was required

Publicity

27 neighbouring properties (Pot Green Farm, 18,18A, 19, 20, 20A, 21, 29, 30 Pot Green; Cherry Trees, 1, 6 - 68, 72, 77 Summerseat Lane; 1, 3, 5, 7 Treetops Avenue; 19 - 21a Longsight Road; Woodcocks Solicitors & Hartley Planning & Development Associates) were notified by means of a letter on 26 October and a press notice was published in the Bury Times on 3 November. Site notices were posted on 2 November 2011

7 letters have been received from the occupiers of Cherry Trees, 62, 77 Summerseat Lane, 5 Treetops Avenue, Woodcocks Solicitors, which have raised the following issues:

- The proposed development would have an adverse impact upon the wildlife corridor.
- Weight should be given to previous objections.
- The proposal would have an adverse impact upon traffic.
- The proposed development would set a precedent for more dwellings.
- The proposed development would have an adverse impact upon a protected tree.
- The access onto Summerseat Lane has not been applied for or approved by the Council.
- Object to the siting of the wheelie bin collection point.
- Shouldn't all proposals be stopped until a bat survey has been undertaken.
- No. 27 Pot Green is up for sale and the applicant's are not looking to build out the scheme.

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

Consultations

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

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

Public Rights of Way Officer - No objections.

Waste Management - No objections.

United Utilities - No objections, subject to the inclusion of informatives.

Unitary Development Plan and Policies

EN8/2	Woodland and Tree Planting
EN8/2	Woodland and Tree Planting
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
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/1	Tree Preservation Orders
OL1/4	Conversion and Re-use of Buildings in the Green Belt
HT2/4	Car Parking and New Development
HT4	New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
PPS23	PPS23 Planning and Pollution Control
PPS5	PPS5 Planning for the Historic Environment

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.

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.

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 previously developed land as part of the land forms the garden to 1 dwelling. However, there are a series of buildings on the site, giving the appearance of the site being built out and as such, there are no objections to the principle of development. Therefore, the proposed development would be in accordance with Policies H1/2 and H2/6 of the adopted Unitary Development Plan.

Design and impact upon surrounding area - The proposed dwelling would be L shaped and would include an integral garage and home office above. The proposed dwelling has been designed to complement the existing buildings on site and is relatively simple in design. It would be constructed from stone and slate with traditional detailing such as stone cills, headers, lintels and quoins. A more modern approach has been taken on the northern elevation, which would not affect the setting of the listed building. The Conservation Officer has no objections to the proposal, subject to the inclusion of conditions relating to doors, windows and external materials. Therefore, the proposed development would be appropriate in terms of height and design and would not have an adverse impact upon the character of the conservation area. The proposed development would be in accordance with Policies EN1/1, EN1/2, EN2/1 and EN2/3 of the adopted Unitary Development Plan.

Layout - The proposed dwelling would be set around a common courtyard arrangement. The courtyard would be resurfaced with setts, which would be an appropriate material for the Conservation Area. The proposed development would maintain an acceptable level of amenity space and as such, would not result in an unacceptably high concentration of development within the area. Space has been allocated within the garage for the storage of bins and an enclosure for wheelie bins would be provided near Summerseat Lane for use on collection days. This enclosure would be constructed from reclaimed railway sleepers, which would be acceptable visually and in siting without an undue impact upon the streetscene or neighbours. Therefore, the proposed development would be in accordance with Policy H2/1 of the adopted Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards between residential properties and is relevant in this case. There would be a minimum of 37 metres from the residential dwellings on Treetops Avenue; 49 metres from Holly House and 24 metres from the existing 2 storey building used by 1 Summerseat Lane. Therefore, the proposed development would be well in excess of the aspect standards in SPD6 and would not have an adverse impact upon the amenity of the neighbouring properties.

Trees - An arboricultural report was submitted as part of the planning application. The existing access would be resurfaced with setts and the construction of a setted access is such that there is the ability to maintain permeability for natural water run off to soakaway. Therefore, a condition on the method of laying the setts would be included. The access is some 1.2 metres from the tree and the construction of driveways can result in compaction,

resulting in oxygen depletion, leading to damage to the tree. However, the existing surface is already heavily compacted due to its longstanding use as an access drive. As such, if the ground levels remain the same, without the need for excavation or hand digging, then the proposed development would not have an adverse impact upon the life expectancy of the protected tree. Therefore, the proposed development would be in accordance with Policy EN8 of the adopted Unitary Development Plan.

Highways issues - The proposed dwelling would use the existing access on Summerseat Lane as well as the existing dwelling (No. 27). Summerseat Lane is wide enough for a car to pass and re-pass, including suitable visibility splays. The Traffic Section has no objections to the proposal, subject to the inclusion of conditions relating to parking and turning facilities being provided and available for use. Therefore, the proposed development would not be detrimental to highway safety.

Parking - SPD11 states that the proposed development should provide a maximum of 3 parking spaces. The proposed development would provide 2 parking spaces and a double garage. As such, the level of parking is acceptable and would not have an adverse impact upon highway safety. The proposed development would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11.

Response to objectors

The impact of the proposal upon the character of the Listed Buildings and Conservation Area, wildlife corridor, siting of the wheelie bin collection point, protected trees, congestion and highway safety have been dealt with in the report above. Each planning application is dealt with on its own merits and as such, the proposal would not create a precedent.

The existing access onto Summerseat Lane did not require formal planning permission as Summerseat Lane is not a classified road. A bat survey is not required as there are no buildings on site and there are no trees within the site with roosting potential and therefore, would not have an adverse impact upon a protected species. The issues of the value of the surrounding properties and the impact during construction are not material planning considerations and should not be taken into account.

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 character and appearance of the Conservation Area nor the nearby listed building. The proposed development would not have an adverse impact upon the amenity of the neighbouring properties and would not 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 PB3-00, PB3-01, PB3-02, PB3-03, PB3-04, PB3-05, PB3-06 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the

actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;

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

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

4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

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

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

6. No development shall commence unless or until full details of the window frames, external doors and garage doors and their fixing and siting in relation to the reveals at a scale of 1:20, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented as part of the development hereby approved.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to the following policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design
Policy EN2/1 - Character of Conservation Areas
Policy EN2/2 - Conservation Area Control
Policy EN2/3 - Listed Buildings

7. No development shall commence unless or until details of the boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented as part of the development hereby approved.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design
Policy EN2/1 - Character of Conservation Areas
Policy EN2/2 - Conservation Area Control
Policy EN2/3 - Listed Buildings

8. The landscaping scheme hereby approved shall be implemented to the written

approval of the Local Planning Authority not later than 6 months from the date the dwelling hereby approved is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

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

9. Prior to the commencement of the development hereby approved, a scheme for the construction of the setted courtyard area (car parking and turning facilities), including a full methodology, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the dwelling is first occupied and shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Policy H2/1 - The Form of New Residential Development and Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

10. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans prior to first occupation of the dwelling hereby approved.

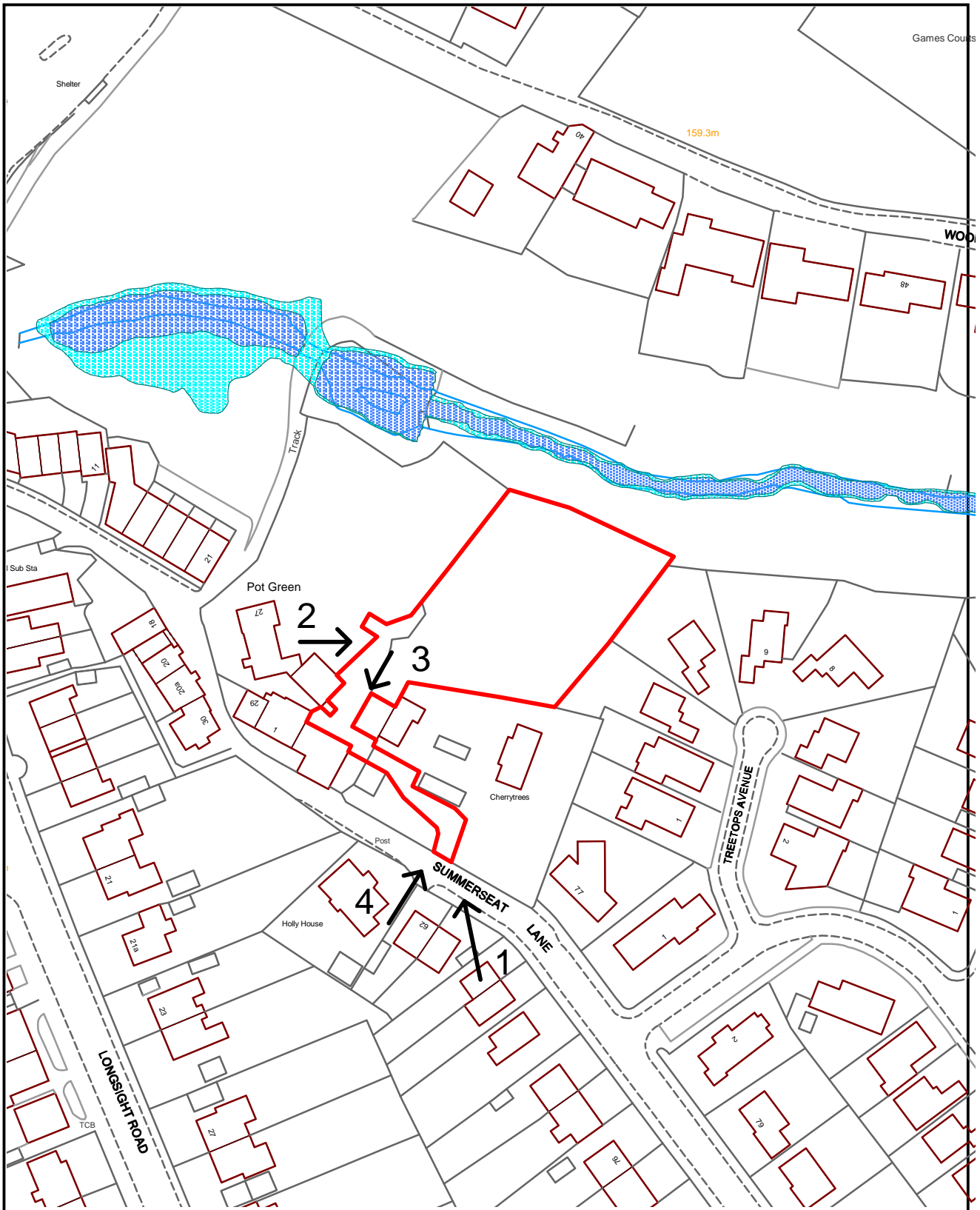
Reason. To reduce the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal pursuant to the provisions of PPS25 – New Development and Flood Risk.

11. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995 or as subsequently amended, no development shall be carried out to within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.

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

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 54574

**ADDRESS: Land at 27 Pot Green
Ramsbottom**



Planning, Environmental and Regulatory Services 1:1250

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54574
Photo 1



Photo 2



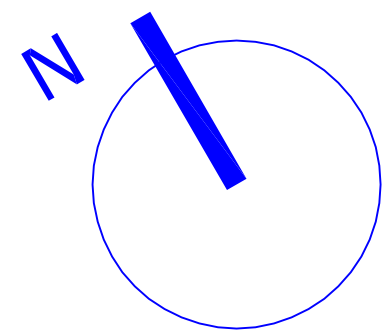
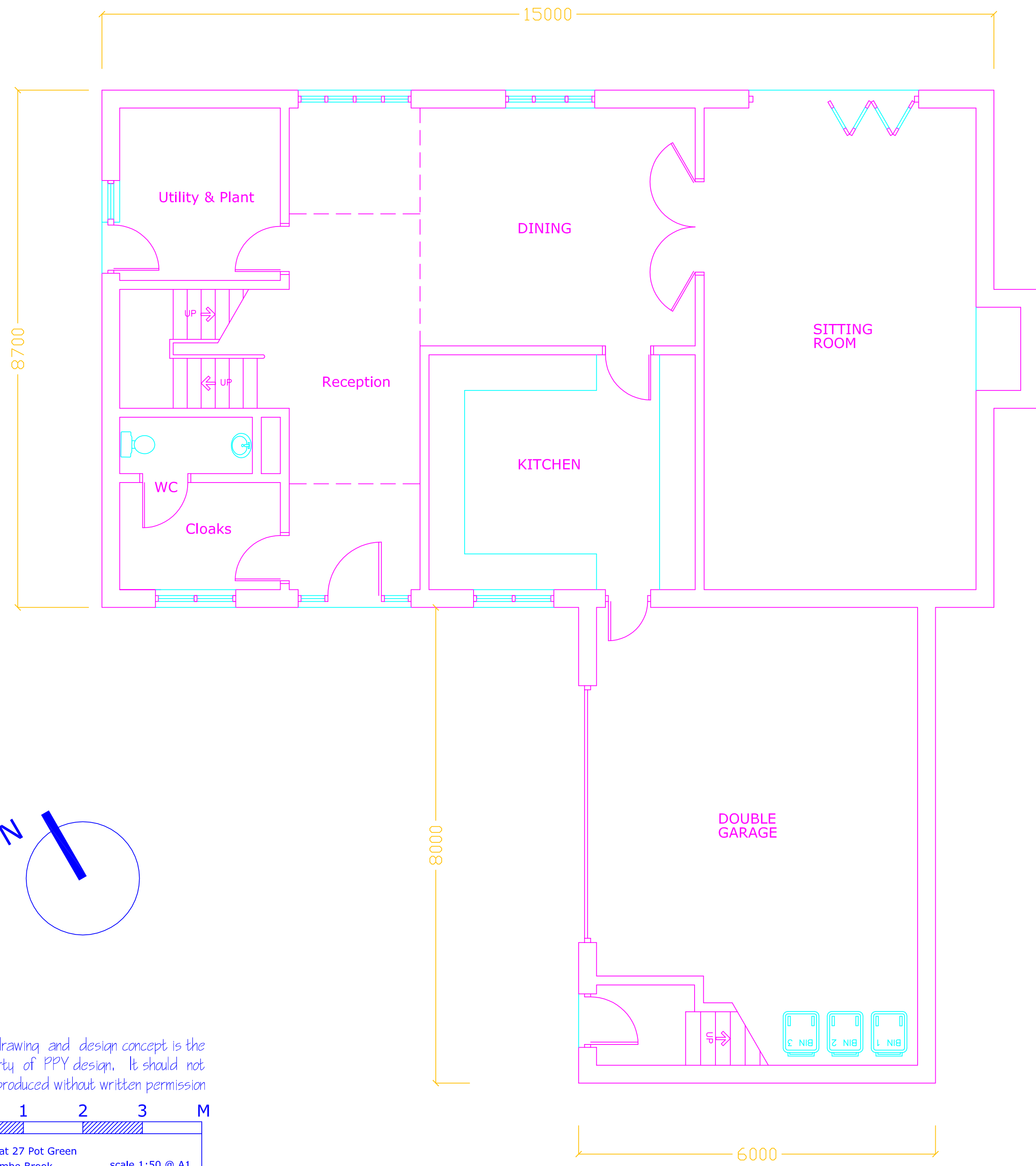
Photo 3



Photo 4



PROPOSED GROUND FLOOR PLAN



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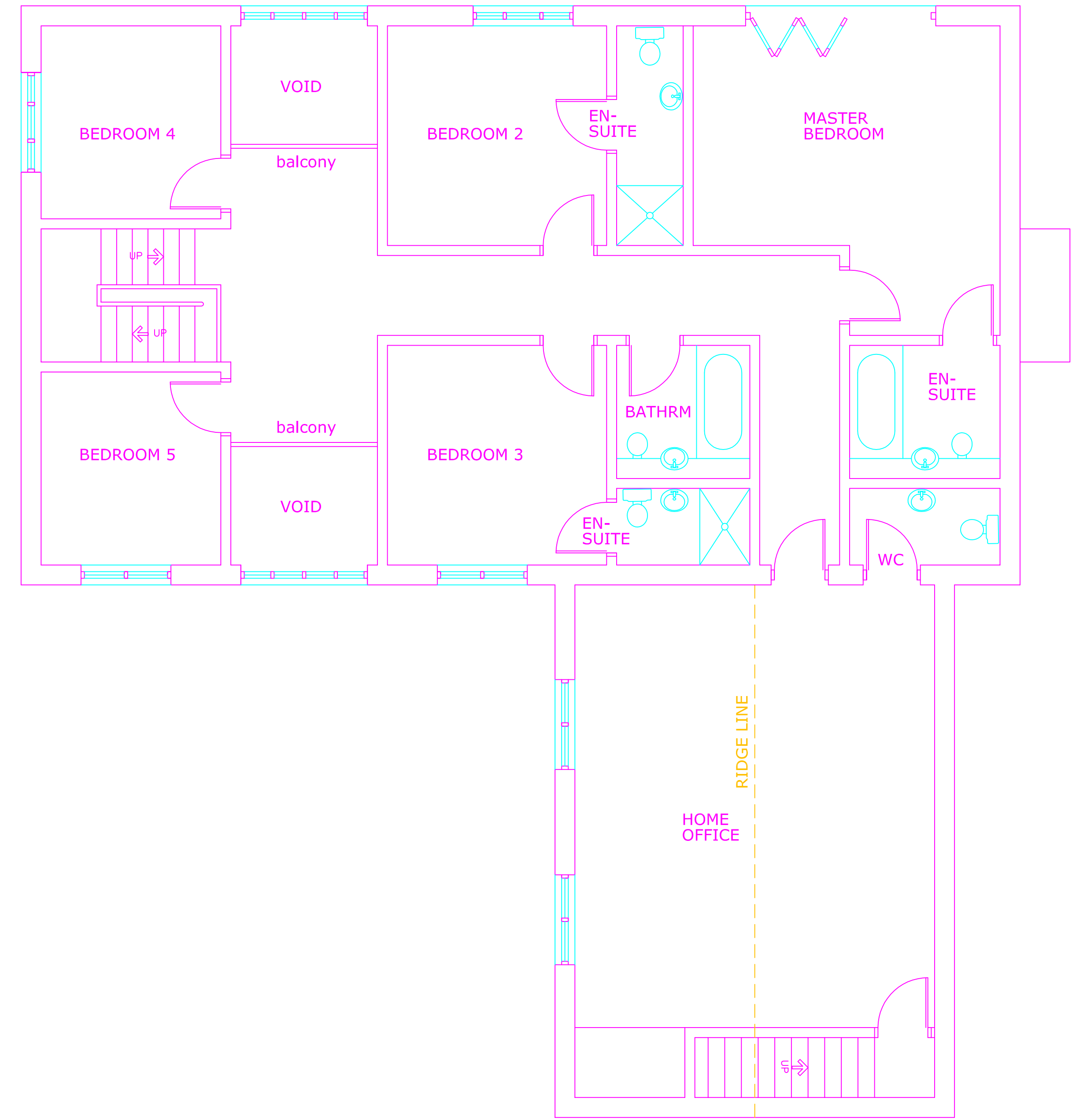
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Land at 27 Pot Green
 Holcombe Brook
 Bury
 scale 1:50 @ A1
 October 2011
 PB3-03 Proposed New House
 Layout Plans
PPY design Ltd

2 Helmshore Road, Holcombe Village
 Ramsbottom, Lancashire BL8 4PA

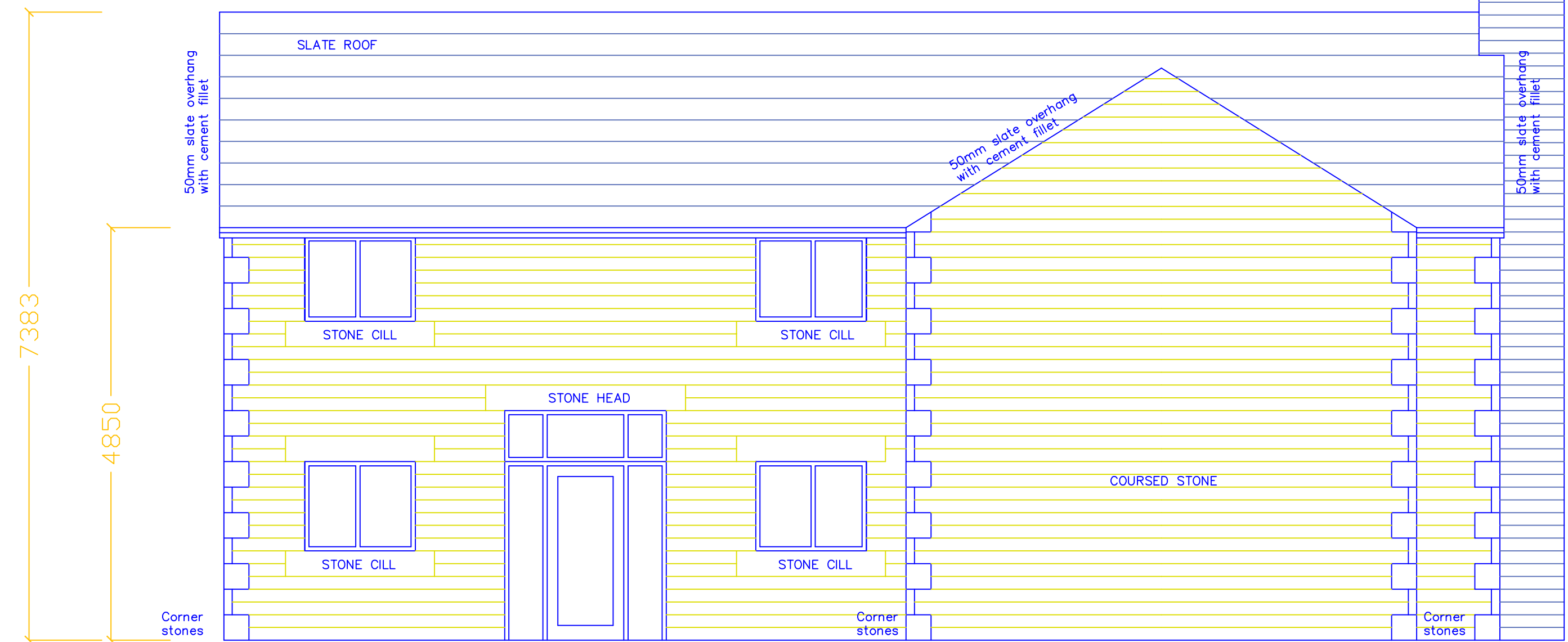
Gary Dearden BArch (hons) DipArch RIBA
 gary@ppy-design.co.uk www.ppy-design.co.uk
 T. 01706 822751 M. 07712 669482

PROPOSED FIRST FLOOR PLAN

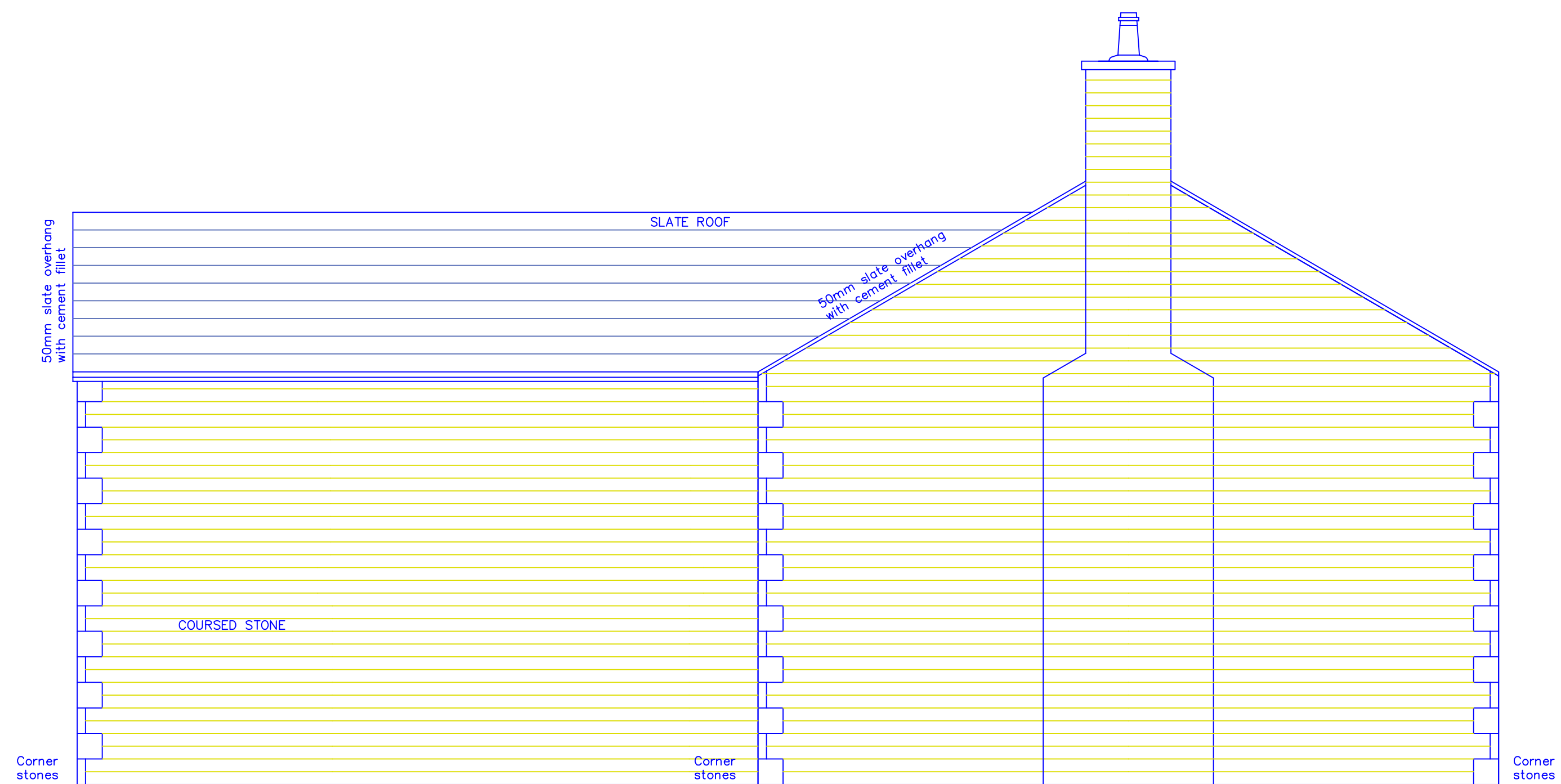




PROPOSED NORTH WEST ELEVATION



PROPOSED SOUTH WEST ELEVATION



PROPOSED SOUTH EAST ELEVATION



PROPOSED NORTH EAST ELEVATION

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T. 01706 822731 M. 07712 669482

0 1 2 3 M

Land at 27 Pot Green
Holcombe Brook
Bury

scale 1:50 @ A1
October 2011

PB3-04 Proposed New House
Elevations

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0 1 2 3 4 5 6 7 M

Land at 27 Pot Green
Holcombe Brook
Bury

scale 1:100 @ A1
October 2011

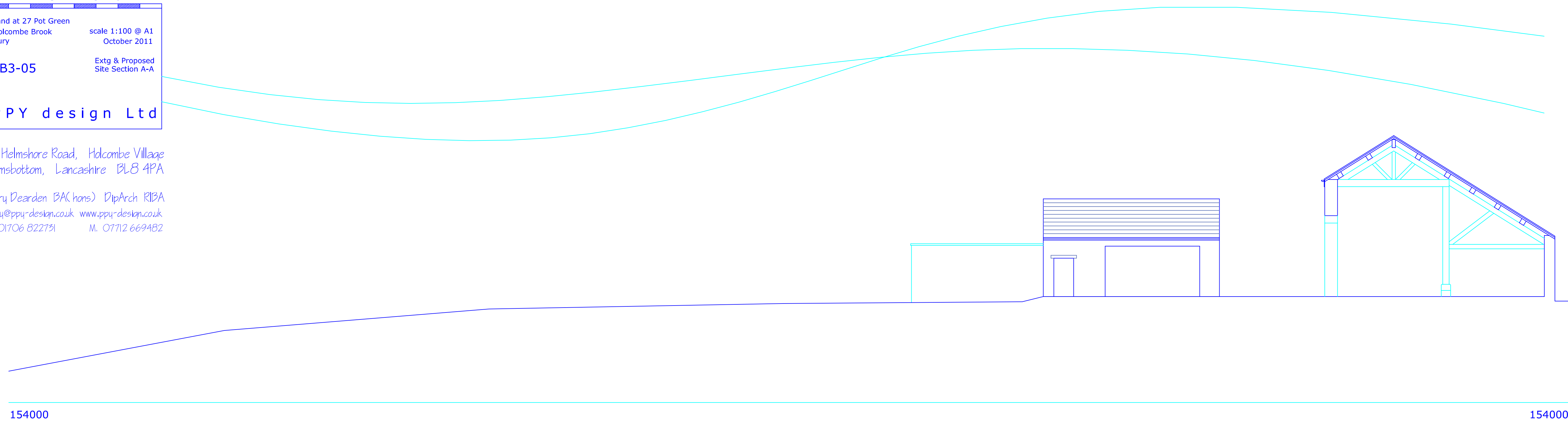
PB3-05

Extg & Proposed
Site Section A-A

PPY design Ltd

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Ramsbottom, Lancashire BL8 4PA

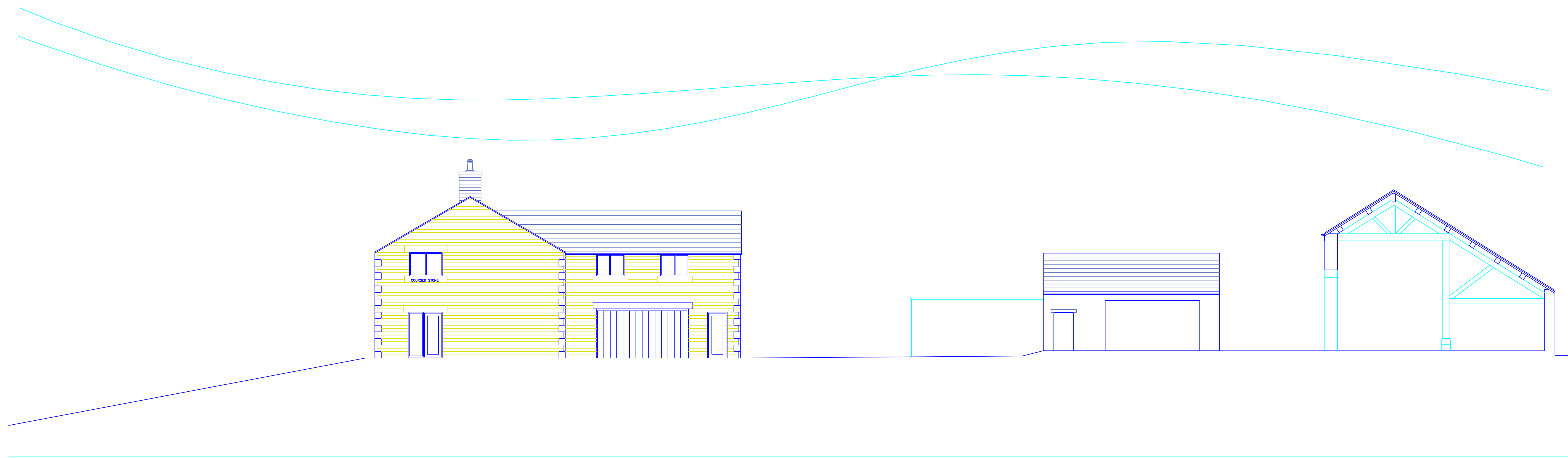
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t. 01706 822751 m. 07712 669482



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EXISTING SECTION A-A



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PROPOSED SECTION A-A

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 05

Applicant: SR and JR Brown Ltd

Location: Twine Valley Farm, Church Road, Shuttleworth

Proposal: Refurbishment and extension to existing barn for use for cattle rearing

Application Ref: 54594/Full

Target Date: 19/01/2012

Recommendation: Approve with Conditions

Description

Twine Valley Farm forms part of a farm holding of 52 acres and the applicant has a second farm holding at Lower Gollinrod Farm of 48 acres. Both farms are used by the applicant for rearing cattle. There are three agricultural buildings located at the junction of Bye Road and Bamford Road. These buildings have been used for the shelter of cattle previously. The buildings are constructed from a mix of materials, including concrete block, timber boarding and a metal profiled roof. The land rises steeply to the north of the site and the top of the banking is some 9 metres higher than the hardstanding at the farm. There are two accesses to the farm onto Bamford Road and Church Road.

There are open fields to the north of the site, which are at a higher level and open fields to the east. Church Road forms the boundary to the west, with residential properties to the northwest and west beyond. There are 2 residential dwellings (58 Bye Road and Th'Owd Bakehouse) to the immediate south of the site and further dwellings along Bye Road.

The proposed development includes the extension of the existing barn and would be used to house cattle on a permanent basis during winter months and in inclement weather. The proposed extension would measure 27 metres by 15.4 metres and would be 7.5 metres in height. The proposed building would be constructed from concrete block, timber boarding and a metal profiled roof. The existing barn is at the edge of the cluster of buildings and the proposed extension would extend the cluster. The site would be accessed from the 2 existing accesses.

Relevant Planning History

14703 - Filling and grading of former water storage lodge at junction of Bamford Road and Turn Road, Shuttleworth. Approved - 4 January 1984.

39548 - Prior approval determination for the siting of a polytunnel for agricultural use at Twine Valley Farm, Bamford Road, Shuttleworth. Approved with conditions - 18 August 2002.

Publicity

2 neighbouring properties (58 Bye Road and Th'Owd Bakehouse) were notified by means of a letter and site notices were posted on 2 December 2011.

1 letter has been received from the occupiers of 58 Bye Road, who have raised the following issues:

- The existing barn was used to house cattle during periods of inclement weather only. If the proposed barn is used to house cattle on a permanent basis, this would impact upon residential amenity of the neighbouring properties.
- Impacts from odours on the nearby residential gardens.
- How would the slurry be stored and handled?
- Environmental Health should be consulted.

- Impact upon the highway as the road surface has deteriorated along Bye Road recently.

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

Consultations

Traffic Section - No objections.

Environmental Health - Public Health - No objections, subject to conditions relating to foul and surface water drainage.

Drainage Section - Comments awaited.

Unitary Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/4	Groundwater Protection
EN9/1	Special Landscape Areas
OL1/2	New Buildings in the Green Belt
OL4	Agriculture
OL4/5	Agricultural Development
HT2/4	Car Parking and New Development
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
PPG2	PPG2 - Green Belts

Issues and Analysis

Principle - PPG2 (Green Belt) establishes a presumption against inappropriate development, including new buildings, within the Green Belt. However, there are several exemptions, including development required for essential facilities for outdoor recreation, agricultural development, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

Whilst Policy OL1/2 considers that new buildings within the Green Belt are inappropriate development unless the building is needed for the purposes of agriculture or forestry or outdoor recreation.

Policy OL4/5 states that applications for agricultural development or buildings will be permitted providing that they are sited and designed in such a manner as to:

- minimise their visual impact upon the landscape, have regard to height, materials, landform and landscaping;
- relate well to existing farm buildings;
- not have an unacceptable impact on the amenity of any neighbouring dwellings.

SPD 8 - New Buildings and Associated Development in the Green Belt - advises that new agricultural buildings should form part of a group rather than stand in isolation and should relate to existing buildings in size and colour. New development should relate to landscape features such as woodland or hedgerows and not harm the view of the skyline.

In relation to siting and visual design, SPD 8 states that large buildings are difficult to site unobtrusively on hill terrain as they are visually intrusive. New buildings should also respect the existing field boundary pattern.

The proposed extension would be located to the east of the existing barn and would extend the cluster of operational farm buildings. The existing cluster of buildings together with the application site is bounded by elevated land to the north and east, which is some 9 metres higher. As such, there would be no opportunity for the site to expand further without significant works, which would require planning permission. It would not be possible to locate the proposed extension within the existing cluster of buildings as there would be insufficient space for servicing/turning. The proposed extension would be the same height as the existing building and has been cut into the banking to the north, thereby further reducing the impact upon the landscape. As the application is extending an existing

agricultural building, the proposed development would be appropriate development and would not have an adverse impact upon the openness and character of the Green Belt. The proposed development would be in accordance with Policies OL1/2 and OL4/5 of the adopted Unitary Development Plan and government guidance in the form of PPG2.

Impact upon surrounding area/neighbouring properties - The proposed extension would double the size of the existing barn (27 metres by 15.4 metres by 7.5 metres). The proposed extension has been designed to match the existing barn and would be constructed from concrete block walls, timber boarding and a profiled metal roof. The proposed barn would be set into the banking to the north, with a retaining wall to the north and the proposed development would be viewed against the backdrop of the banking. Therefore, the proposed barn would not be a prominent feature within the landscape and would be in accordance with Policies OL1/2, EN1/2 and OL4/5 of the adopted Unitary Development Plan.

The proposed development would be located to the east of the existing barn and would be 51 metres from Th'Owd Bakehouse and 63 metres from 58 Bye Road (the 2 nearest residential dwellings). Given these distances, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties in terms of loss of privacy, loss of light or outlook.

Drainage - Currently, any foul sewage drains to an existing tank, which is emptied every 4 weeks and is then spread onto the surrounding land. As such, the smell normally associated with slurry would not be an issue. The applicant has confirmed that the existing tank has a capacity of 11,365 litres and would be large enough for the existing and proposed development. The Public Health Section within Environmental Health has no objections to the proposal subject to the inclusion of a condition relating to surface water and foul drainage aspects. The Public Health Section has also confirmed that there have been no complaints associated with this farm to date. Therefore, the proposed development would not have an adverse impact upon drainage and would be in accordance with Policy EN7/4 and EN7/5 of the adopted Unitary Development Plan.

Highways issues - The existing farm utilises the existing accesses onto Church Road and Bye Road and would continue to do so. The proposed development would result in some additional journeys associated with emptying the slurry tank, providing feed and vets visits. However, these visits would be on an infrequent basis and are the by-products of normal farming activity. However, it is not considered excessive and the proposed development would not result in a significant increase in the number of vehicular movements. The Traffic Section has no objections to the proposal. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policy EN1/2 of the adopted Unitary Development Plan.

Summary of reasons for Recommendation

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

The proposed development would not have an adverse impact upon the openness and character of the Green Belt and would not be a prominent feature in the street scene. 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. The proposed development would serve to maintain an on-going and expanding farming business. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

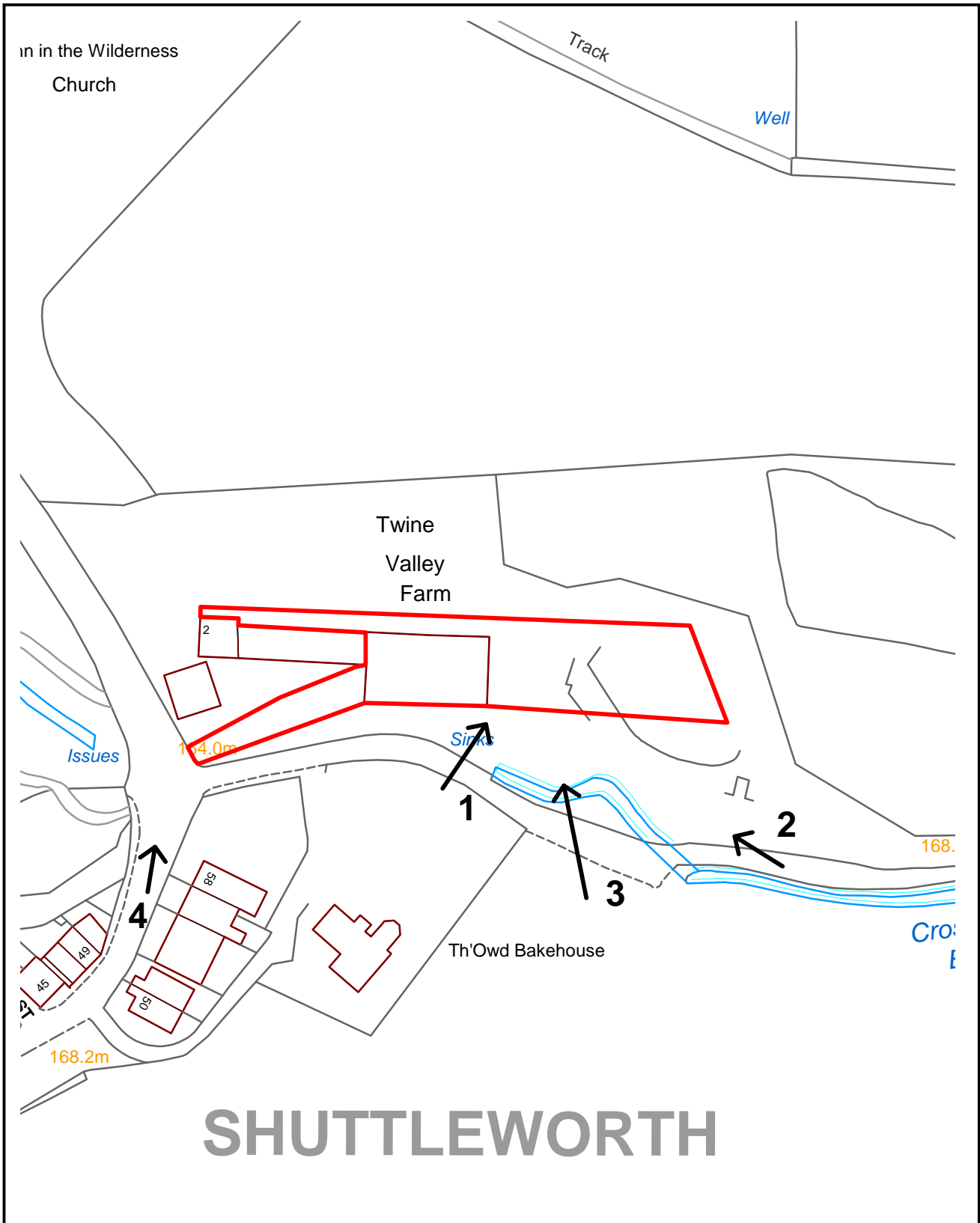
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act

1990.

2. This decision relates to the drawings received on 31 October 2011 and location plans received on 8 November 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.
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 or until, details of the foul and surface water drainage and storage tank for slurry has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the building hereby approved being first brought into use and thereafter made available for use.
Reason. To ensure the provision of a satisfactory means of foul and surface water disposal pursuant to Policy EN7/4 - Groundwater Protection and EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

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

Viewpoints



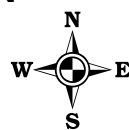
PLANNING APPLICATION LOCATION PLAN

APP. NO 54594

ADDRESS: Twine Valley Farm
Church Road
Shuttleworth

E D S

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54594

Photo 1



Photo 2



54594

Photo 3



Photo 4



Ward: North Manor

Item 06

Applicant: Mr Chris Balfe

Location: Land adjacent to Windacre House, Mather Road, Bury, BL9 6RB

Proposal: Erection of one dwelling to be used as a holiday let

Application Ref: 54597/Full

Target Date: 01/02/2012

Recommendation: Approve with Conditions

Description

The site is located to the east of Windacre House and is flat with steep banking to the north and northeast. The application site is 2 - 3 metres lower than the neighbouring land to the north. The site is accessed via a private track, which passes to the north and east of Windacre House and connects to Mather Road.

Windacre House is located to the west of the site and is in the ownership of the applicant. The building is two/three storeys taking into account for the difference in levels. Windacre works is located to the west and southwest of the site and recently gained planning permission to be converted in to 8 dwellings. The lodge to the south is used for fishing and is owned by the applicant.

The applicant seeks permission for the erection of a single building for use as a holiday cottage to be let in association with the adjoining fishing lodge. The proposed building would measure 10.1 metres by 8.5 metres and 3.2 metres in height. The proposed building would be cut into the banking and would be constructed from stone with a green flat roof. Two parking spaces would be provided to the west of the building.

Relevant Planning History

54251 - Lawful Development Certificate for the existing use of land as a domestic garden in connection with Windacre House, Mather Road, Bury. Lawful development - 9 September 2011.

Adjacent sites

44535 - Outline - Conversion of existing building into 6 apartments; new 3 storey block of 12 no. apartments at Works at Mather Road, Bury. Refused - 9 September 2005

54011 - Conversion of former dye works to 8 no. dwellings at Windacre Works, Mather Road, Bury. Approved with conditions - 23 August 2011

Publicity

The following neighbouring properties were notified by means of a letter on 8 December 2011:

Thames Close no. 4A, 4B, 6 & 6A

Mather Road no.100, 101, 102, 117, Windacre Poultry Farm, Redfern & Birchall, Unit 12, Egerton House, Walmersley Conservative Club, Four Seasons, Windacre Works, Windacre Kitchens & Edenfield Development.

Weaver Drive no.14.

Avon Drive no. 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 & 24.

Site notices were posted on 14 December 2011.

1 letter has been received from the occupiers of 12 Avon Drive, which has raised the following issues:

- Concerned that the proposed development would become a permanent dwelling.
- Concern that the proposed development would lead to further applications for dwellings on Green Belt land.
- For the proposed development to be successful, the lodge would need to be maintained to a high standard.

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

Consultations

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

Drainage Section - Comments awaited.

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

Environment Agency - No objections, subject to the inclusion of a condition relating to contaminated land.

Baddac - Seek clarification on level access to the building.

Unitary Development Plan and Policies

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN5/1	New Development and Flood Risk
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/5	Waste Water Management
OL5/2	Development in River Valleys
RT1/2	Improvement of Recreation Facilities
RT4/3	Visitor Accommodation
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD11	Parking Standards in Bury
H1/2	Further Housing Development
PPS23	PPS23 Planning and Pollution Control

Issues and Analysis

Principle - The application site is located within a river valley and as such, the following policies are considered relevant.

Policy OL5/2 states that within river valleys new buildings will not be permitted. The only exceptions considered acceptable will be those where the area does not fall part of the Green Belt and at least one of the following circumstances is met:

- that the development represents limited infilling to an established valley settlement or industrial;
- that it is an extension to, or renewal of an existing industry, where the economic and employment factors are of overriding importance;
- that the development is required in association with an outdoor recreation or appropriate tourist facility;
- any other development, that would be appropriate within the Green Belt.

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 proposed development would provide a holiday cottage to be let in association with the adjacent fishing lodge. As such, the proposal would be required in association with an outdoor recreation use. The proposed development is bounded by residential dwellings to the south and west and would not conflict with the surrounding land uses. The proposed development would widen the range of visitor accommodation within the borough and would be appropriate in terms of scale. In terms of principle, the proposed development would be acceptable and would be in accordance with Policies OL5/2 and RT4/3 of the adopted Unitary Development Plan.

Impact upon the surrounding area - The proposed building would be single storey and would be cut into the banking. As such, the building would not be visible when viewed from the northwest. The proposed building is of a traditional design and would be constructed from stone with a green roof. As such, the proposed building would not be unduly prominent in the locality.

The habitable room windows in the existing dwelling (Windacre House) are at first floor level and due to the difference in levels would look straight over the proposed building. Given the difference in levels, the aspect distance of 15 metres between the proposed and existing dwelling would be acceptable. As such, the proposed development would not have a significant adverse impact upon the amenity of the occupiers of Windacre House and would be in accordance with Policy RT4/3 and EN1/2 of the adopted Unitary Development Plan.

Highways issues - The proposed development would use the existing access/driveway to Windacre House. The proposed development would not result in a significant increase in the number of vehicular movements. The Traffic Section has no objections, subject to the inclusion of conditions relating to the implementation and retention of turning facilities and car parking.

There is no equivalent standard within SPD11 for holiday let accommodation. As a guide, the maximum parking standards for a 2 bed dwelling is 1.5 spaces per unit. The proposed development would provide 2 parking spaces, which would comply with the maximum for a dwelling. Therefore, the level of parking provision would be acceptable and would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11.

Response to objectors

The proposed building would be used as a holiday let and a condition restricting the occupancy of this unit has been included. The site is not located within the Green Belt and any further applications would be assessed on their own merits.

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 a significant adverse impact upon the amenity of the neighbouring properties. The proposed development would not be a prominent feature nor would it impact upon highway safety. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2. This decision relates to drawings numbered Site plan, 2 - existing and proposed site plans, 3 - proposed plan and elevations, 4 - location plan 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. The unit of accommodation shall not be let to or occupied by any one person or group of persons for a continuous period of longer than one month in any one year and in any event shall not be used as a permanent residential accommodation. The letting records for the unit of holiday accommodation shall be kept by the applicant and made available for inspection by the Local Planning Authority as required.
Reason. To ensure the building is retained in use as holiday let accommodation pursuant to Policy RT4/3 - Visitor Accommodation and Policy H1/2 - Further Housing Development of the Bury Unitary Development Plan.

7. The turning facilities indicated on the approved plans shall be provided before the development is first occupied and subsequently maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy RT4/3 - Visitor Accommodation
Policy H2/2 - The Layout of New residential Development

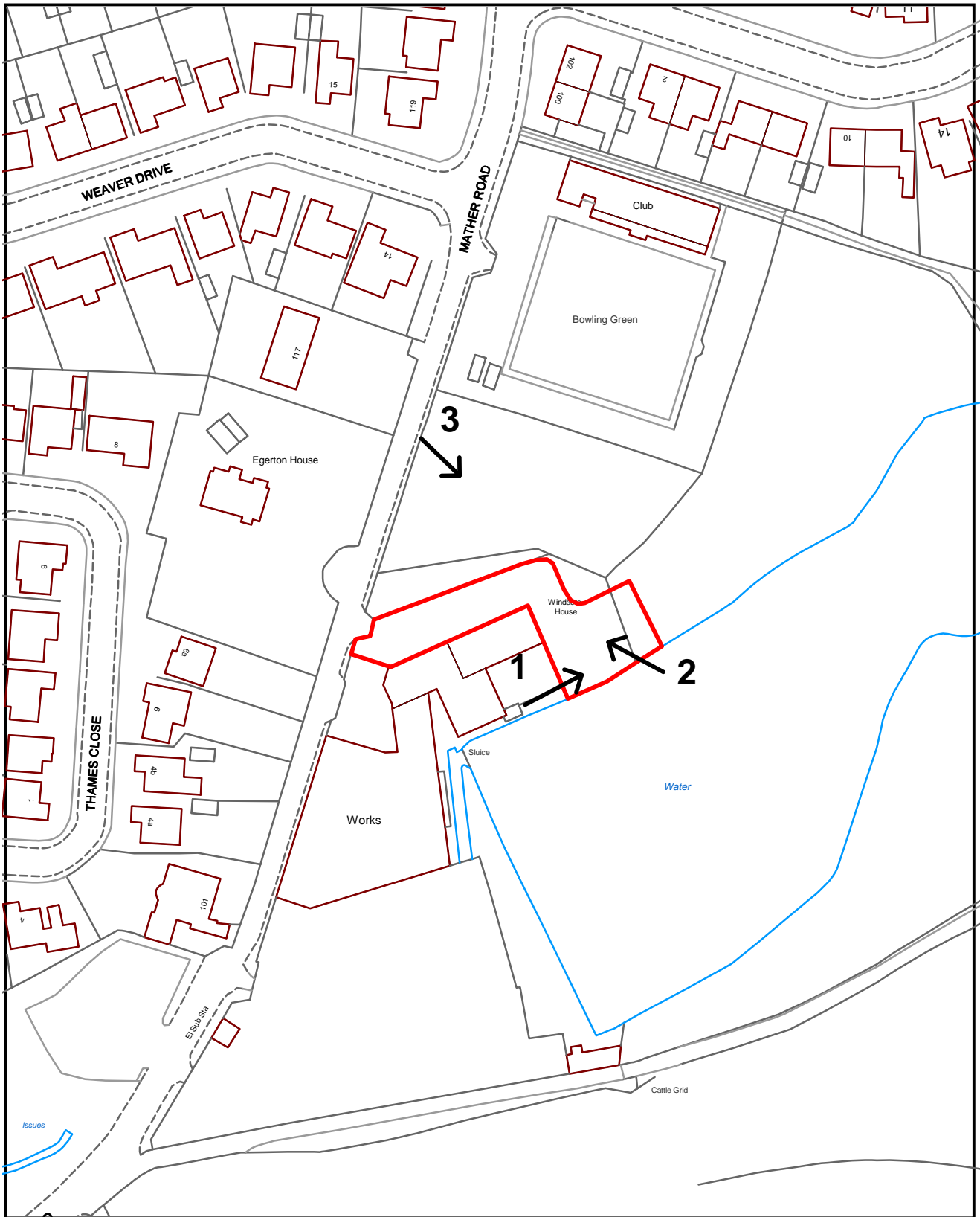
8. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning

Authority prior to the building hereby approved being occupied.

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

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 54597

**ADDRESS: Land adjacent to Windacre House
Mather Road, Bury**

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54597

Photo 1



Photo 2

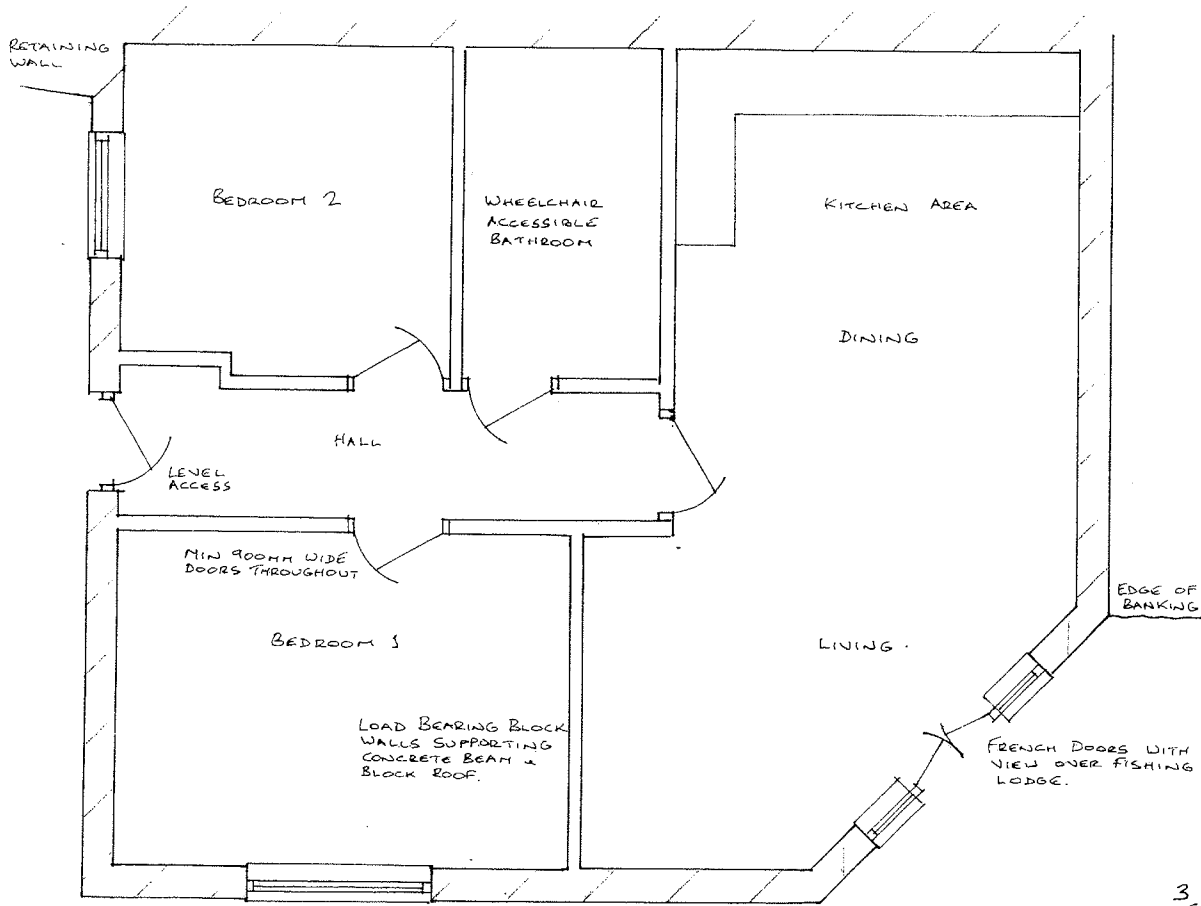


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Photo 3

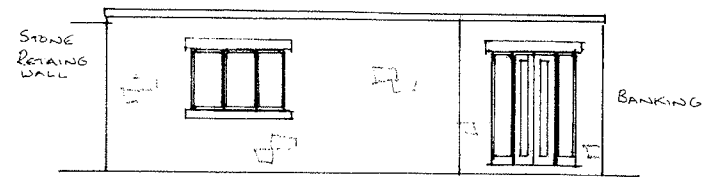


THICKNESS OF RETAINING WALL TO REAR DEPENDENT ON STRUCTURAL CALCULATIONS & REQUIREMENT FOR THERMAL INSULATION

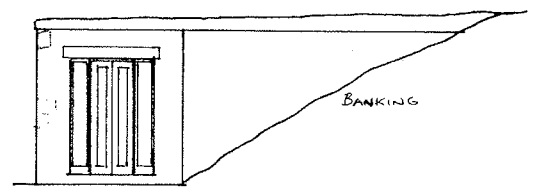


PROPOSED GROUND FLOOR PLAN

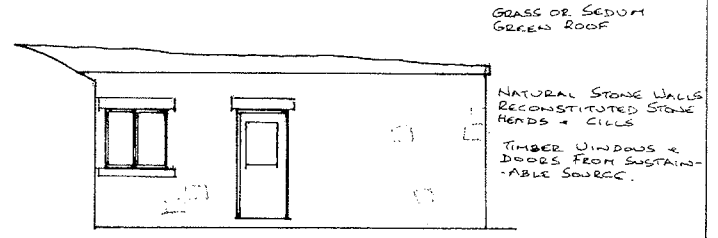
SCALE 1:50 & 1:100 @ A3



SOUTH ELEVATION



EAST ELEVATION



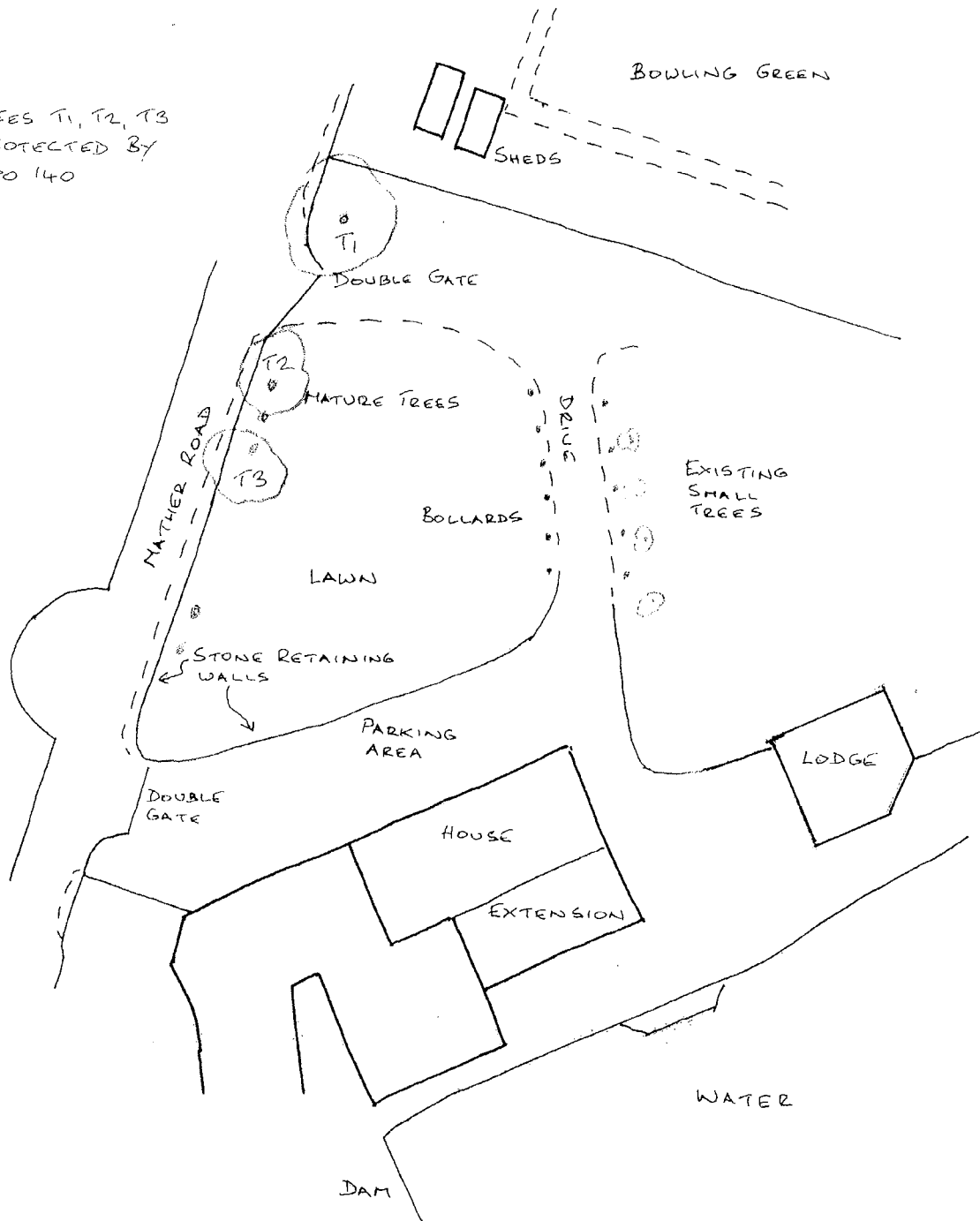
WEST ELEVATION

3 / PROPOSED PLAN & ELEVATIONS

27/10/11

PROPOSED FISHING/HOLIDAY LODGE
WINDACRE HOUSE, MATHER ROAD, BURY

TREES T1, T2, T3
PROTECTED BY
TPO 140



SITE PLAN (1:500)

Ward: Whitefield + Unsworth - Besses

Item 07

Applicant: UAP Ltd

Location: Unit 1, Albert Close, Whitefield, Manchester, M45 8EH

Proposal: Retrospective change of use of existing kitchen to general food sales (Use Class A5); Extractor unit to side elevation; External seating area; Proposed installation of solar panels to roof.

Application Ref: 54621/Full

Target Date: 30/01/2012

Recommendation: Approve with Conditions

Description

The building is a warehouse/office unit within an established industrial estate in Whitefield. Its external appearance is a mix of brickwork and cladding with the main entrance and roller shutter door for servicing purposes located on the front elevation facing other industrial units in the estate.

The unit is sited in the north east of the estate and is accessed via Albert Close. The site is enclosed by a paladin mesh fence with two vehicular gated openings in the north and western sides and there is a pedestrian access gate in the northern boundary.

To the north is a four storey block of flats and row of houses (Nos 1-7 Naden Walk) whose rear elevations face the site and are separated from the site by fences along their rear boundary and by a roadway, Albert Close. To the east are houses on Waterdale Drive.

Retrospective - The application seeks to regularise a change of use for the sale of food from the existing kitchen area of the industrial unit to members of the public. The opening hours would be Monday to Friday 8.15am to 4.15pm. The proposal includes an extractor system on the side elevation and the provision of an external seating area enclosed by a 2m high timber fence, for staff of the industrial unit only, in the area adjacent to the kitchen.

Proposed - Installation of solar panel roof lights to the roof valley of the existing warehouse facing south west.

Relevant Planning History

54584 - New entrance door and window openings to the existing side (North) elevation, external roller shutter - Approved 21/12/2011.

Publicity

48 letters sent on 5/12/11 to properties at Nos 2-20 (evens) Waterdale Drive; 1-39 Naden walk; All Industrial Units on the Albert Close Trading Estate.

One letter of objection received from residents of No 7 Naden Walk who raise the following issues:

- The application is retrospective;
- The extractor fan can be heard from inside their property;
- Cooking smells;
- Rubbish left from packaging and food wastage;
- Use of the outside seating area by the public and not just by the staff of the industrial unit as suggested. The public are already using this area;
- Problems of the usage of the outdoor seating area in relation to noise and privacy issues;

- The kitchen, seating area and flues are too close to residential properties;
- Delivery vehicles use the new gates which have been inserted to make deliveries which creates safety and privacy issues;
- The use has been advertised to the wider public and not just to the office staff and surrounding units - problems in the future of noise, rubbish, lack of privacy, and extra vehicles parking behind their property;
- Not directly affected by the position of the solar panels and have no comments to make.

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

Consultations

Drainage Section - No comments received to date.

Environmental Health Contaminated Land - No comments to make.

Environmental Health Pollution Control - No objection subject to condition to control the output from the extractor system.

Design for security - No objection. Informative added recommending the outdoor seating equipment is stored inside when the premises have closed.

Unitary Development Plan and Policies

EC6/1 New Business, Industrial and Commercial

EN1/2 Townscape and Built Design

HT5/1 Access For Those with Special Needs

S2/6 Food and Drink

EN7 Pollution Control

EN4/1 Renewable Energy

PPS22 PPS22 Renewable Energy

Issues and Analysis

Policies - UDP Policy S2/6 - Food and Drink has regard to factors including the amenity of nearby residents, character of the shopping centre, parking and servicing, refuse and litter bin provision and environmental impact of flues.

EC6/1 - Assessing New Business, Industrial and Commercial Development assesses proposals with regards to scale, size, density, layout, access and parking, impact on neighbours and safety of employees and visitors.

PPS 22 - Renewable energy seeks to encourage development which would contribute to the Government's sustainable development strategy.

EN4/1 - Renewable Energy - supports proposals for the provision of renewable energy, providing there is no unacceptable loss through visual intrusion, impact on sensitive areas or historic buildings, or result in a health and safety risk or nuisance to the public.

Retrospective Use

Principle - The kitchen area is part of an existing industrial unit within an industrial estate. Such locations seek to maintain B1, B2 and B8 uses including general and light industry and storage and distribution, as the primary uses. The kitchen is being utilised to provide a food takeaway service during the week. The size of the kitchen is 15.7m² in total area compared to the overall unit which is 800m² and as such the takeaway is a relatively small component of the operation. It is considered therefore that the scale of its use is not of such significance to have a detrimental impact on the main use of the building as a whole nor would it alter the character of the industrial estate in general.

As such, the proposal in principle is acceptable and complies with EC6/1 - Assessing New Business, Industrial and Commercial Development.

Change of use and seating area - The kitchen area was originally used only by the members of the unit. The proposal seeks permission to sell hot food from the kitchen premises and to provide a delivery service to businesses in the surrounding area. The

applicant states the food outlet is targeted at local businesses, although there would be no restriction to members of the public using the service. The take away operates a delivery service and it is anticipated that a proportion of the business would rely on telephone orders received and food delivered from the premises. Customers are also likely to be footfall users from the other industrial units within the estate. Given the scale of the business and character of the takeaway service in relation to the wider area, it is considered that there would be no significant increase in activity to and from this area compared to the existing operation of the building.

There is no seating area provided inside the kitchen. However there is an area directly outside where seating and tables have been provided. The objector lives directly opposite this area has raised the concern that there is excessive noise and impact on their privacy from users of this area. The applicant states the outdoor area would only be used by members of staff of the building, although it is possible that other customers would also use this area and it would be difficult to control or enforce otherwise. The area would be enclosed by a new 2m high close boarded timber fence, which would not only afford the area some privacy from outside the site but would reduce the amount of noise and disturbance from this area. The opening hours of the take away are during the week only and within the opening times of the existing industrial unit, so there would be no additional activity created outside the existing operational timings. The hours should be conditioned to ensure this.

Given the scale of the take away operation, the opening hours and the mitigation measures to enclose the external area (which would be conditioned to be completed within 3 months of the date of a granted permission), it is considered that there would not be a detrimental impact on the amenity of nearby residents and the proposal is considered acceptable and would comply with UDP Policy S2/6 - Food and Drink.

Flue - The extraction system has been installed on the side elevation facing the properties on Naden Walk. The flue is 1.8m in height and projects above the ridge of the roof. A specification has been included with the application. The Pollution Control team have raised no objection to the application and suggest a condition that the installation be compliant with the manufacturer's specification. As such, with conditional controls, the proposal is considered to comply with UDP Policy EN7/2 - Pollution Control.

Parking - There is an existing main car park to the front of the industrial unit and additional spaces at the side accessed from Albert Close which are for employees and visitors to the industrial unit. Supplementary Planning Document 11 - Parking Standards in Bury seeks to provide 1 space per 8.5 sqm gross floor area. In this instance, 1.8 spaces would be required for the change of use. There are no proposals to provide any parking for customers to the take away. However, there is on street parking on Albert Close and within the industrial estate itself. It is anticipated that most of the trade would be from the adjacent industrial units or local businesses within the area, and much of the trade would be on foot. In addition, a proportion of the trade is provided by a delivery service. As such, it is considered that additional parking spaces would not be necessary on this occasion.

Response to objectors - The takeaway operation is relatively small scale and would not result in a significant increase in number of deliveries to the building. Noise and smells from the extraction system are covered under separate Environmental Health Legislation, and a condition has also been imposed requiring adequate treatment/dispersion of fumes from the flue. All other issues have been covered in the above report.

Proposed Development

Solar panels - The solar panels would be fixed in the south facing roof valley and raised from the roof tiles by 90mm would not project excessively nor would they be readily seen from outside the site. As such, there would be no impact upon visual amenity when viewed from the surrounding area. The proposal is considered to comply with UDP Policy EN4/1 - Renewable Energy.

Summary of reasons for Recommendation

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

The proposals are considered to be acceptable and would not have a detrimental impact on the character of the industrial estate. The proposals do not harm the amenities of neighbouring residents nor adversely impact on highway safety issues. The proposals would comply with Unitary Development Plan Policies and there are no other material considerations that outweigh this finding.

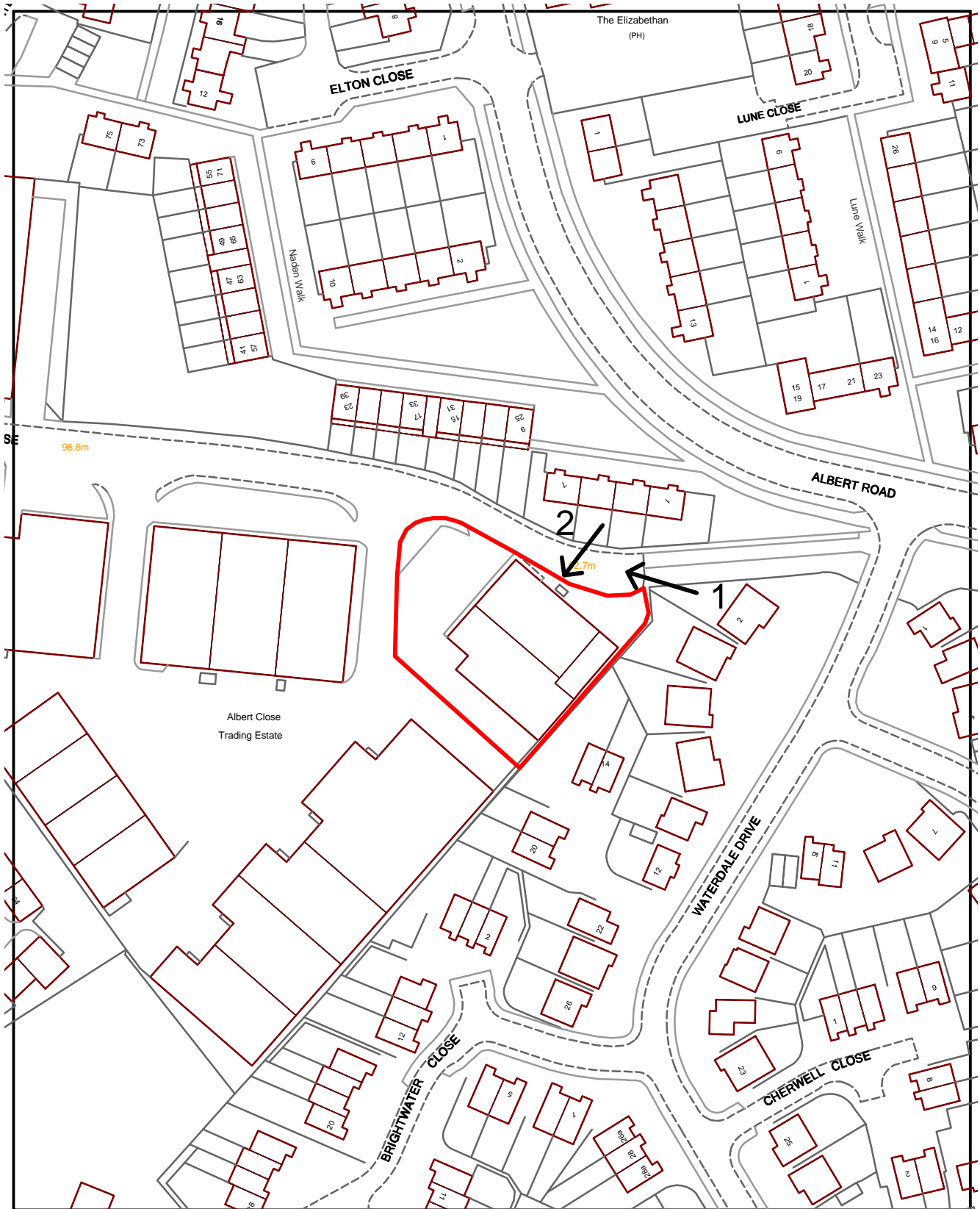
Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings - red edge site plan, layout plan and elevations 2752-02 Rev A - and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Within one month of the development hereby approved, a written statement from a competent person shall be submitted to the Local Planning Authority that the installation will achieve the requirements of adequate treatment/dispersion under all normal operating circumstances as per the manufacturers instructions. All equipment installed shall be used and maintained in accordance with the manufacturers installer instructions whilst the use is in operation at the site.
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.
4. The boundary treatment to the external seating area hereby approved shall be carried out in accordance with the approved plan 2752-02 Rev A and be completed within 1 month of the date of this permission. The boundary fencing treatment shall be maintained and be located in the approved position whilst the use exists on the site unless otherwise approved in writing by the Local Planning Authority.
Reason. In the interests of residential amenity pursuant to Unitary Development Plan Policy EN1/2 - Townscape and Built Design and S2/6 - Food and Drink.
5. The use hereby permitted shall not be open to customers outside the following times: 08.15 to 16:14 Monday to Friday. There shall be no Saturday or Sunday working.
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 **Jennie Townsend** on **0161 253-5320**

Viewpoints



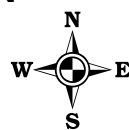
PLANNING APPLICATION LOCATION PLAN

APP. NO 54621

**ADDRESS: Unit 1 Albert Close
Whitefield**

E D S

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1:1250

54621

Photo 1



Photo 2



Ward: Bury East - Redvales

Item 08

Applicant: Mr Shazad Aslam

Location: 18 Parkhills Road, Bury, BL9 9AX

Proposal: Change of use from A1 to A3/A5 (cafe/takeaway), new shopfront and flue.

Application Ref: 54645/Full

Target Date: 13/01/2012

Recommendation: Approve with Conditions

Description

The application site is a vacant, single storey commercial unit within a Local Shopping Centre on Parkhills Road, towards the junction of Manchester Road. The unit was formerly a launderette that gained approval for a change of use to A1 shop in February 2010. There is on-street parking to the front, on Parkhills Road and service access to the rear.

It is proposed to change the use of the premises to a hot food take-away and cafe, install a new shopfront and erect a flue at the rear. The ground floor layout (approx 61sqm) would have the counter and take-away facility at the front and cafe area and toilet to the rear.

The new fully glazed shopfront would be similar in style to the existing shopfront with the door repositioned to the left hand side. The existing solid roller shutter would be replaced with an open 'brick bond' mesh type shutter.

Relevant Planning History

52139 - Change of use from launderette (Sui Generis) to shop (Class A1); Installation of new shop front - Approved 17/02/2010

53112 - Change of use from Launderette (Sui Generis) to Cafe (Class A - Refused 17/12/2010)

Publicity

Immediate neighbours at 1, 3, 20 and the other commercial premises adjacent on Parkhills Road, Parkhill Car Centre, Manchester Road, Stanley Conservative Club, Bark Parkhills Road South, 26 to 74 (evens) Brierley Street and the Fishpool Residents Association were notified by letter dated 22/11/2011. One objection has been received on behalf of 16 Parkhills Road (Home Run hot food take-away). The objections are summarised below:

- Describing the proposal as a traditional fish and chip shop is misleading as the use class includes any hot food take-away
- The proposal puts too much emphasis on the eat-in facilities and less on the takeaway element.
- The proposed hours of operation, although not late night, extend beyond the normal social hours for a cafe within a residential community
- The Council should be consistent in its decision making and refuse the application.

Support for the proposal, as a fish and chip shop and cafe, has been received from Fishpool Residents Association and residents at 1, 5, 6, 7, 24, 77, 88 Parkhills Road, 69 Gigg Lane, Fishpool Post Office, 51 Heaton Fold, 62, 109 Devon Street, 46, 54, 59, 65, 78, 124, 142 Brierley Street, 42, 102 Horne Street, 33 Grasmere Drive, 100 Cornwall Drive, The White House Wellington Road, 65 Rhiwlas Drive, 152, 221 Manchester Road, 29 Lakeland Drive, 230, 232 Market Street, 24 Manchester Old Road, 2 Moss Place, 17 Harrow Close, 10 Walker Street, 2 Maudsley Street, 31, 49 Berkshire Court, 3, 11 Grosvenor Street, 69 Gigg Lane,

All those who have made representations have been notified of the Planning Control

Committee meeting.

Consultations

Traffic Section - No objection.

Drainage Section - No comment.

Environmental Health - No objection subject to condition requiring details of flue to be submitted.

Greater Manchester Police - No objection..

Baddac Access Officer - No objection.

Unitary Development Plan and Policies

S1/4 Local Shopping Centres

S2/6 Food and Drink

EN1/2 Townscape and Built Design

EN1/5 Crime Prevention

Issues and Analysis

Policy - The site is within a busy Local Shopping Area and UDP Policy S1/4 is relevant. This policy states that the Council will seek to maintain and enhance local shopping centres and encourage the provision of a range of shopping facilities required for local needs.

UDP Policy S2/6 - Food and Drink considers proposals with regards to amenity of nearby residents, over concentration of uses, parking and servicing, storage and disposal of refuse and the impact of flue on the environment.

Use - Although there are a number of hot food and drink establishments within the existing commercial row, most are late opening take-aways without any significant 'eat-in' function. The proposal would add to the range of shopping facilities within the centre and in this sense comply with UDP Policy S1/4 Local Shopping Centres that seeks to encourage the provision of a range of local shopping facilities within a centre.

Visual Amenity and Character of the Shopping Centre - The proposed alterations to the shopfront are minor and would not have any significant impact on the appearance and character of the shopping centre. The proposed flue would be on the rear roof plane and would not extend more than a metre beyond the eaves level and, with an appropriate colouring, would not be so visually intrusive to warrant a reason for refusal.

The proposed hours of operation, 10am to 9pm Monday to Saturday means that the premises would have an active frontage for much of the day.

There are a number of other A3/5 uses in this local shopping area many of which serve both the local community but also Holy Cross Six Form College which is close by on Manchester Road. As such there is a high demand for this type of use and as it is not identified as a shopping frontage where a majority of uses should remain in A1 use, it is not considered that the addition of an additional A3/5 use would be inappropriate to the Local Shopping Area. In this regard the proposal would not detract from the character or vitality of the existing shopping centre and would accord with Policy S1/4.

In terms of visual amenity and character of the existing centre, the proposal would not conflict with UDP Policies EN1/2 Townscape and Built Design, S1/4 Local Shopping Centres and S2/6 Food and Drink.

Residential Amenity - The proposed opening hours 10am to 9pm are not considered to be un-neighbourly and it is noted that a recent appeal decision allowed the cafe at No.2 Parkhills Road to permit opening until 9.45pm daily. Given the position of residential properties across the busy Parkhills Road from the site, it is anticipated that there would not be a significant increase in noise and disturbance in and around the premises late in the evening. The proposal complies with UDP Policy S2/6 Food and Drink in this regard.

Highways - Given that the site is of a modest scale within an established shopping centre where there is on street parking, and it has adequate servicing at the rear, the traffic section have no objections to the proposal and it would accord with UDP Policy S2/6 Food and Drink in this regard.

Objection and support - The support from the Fishpool Residents Association and other local residents clearly indicates a need for a more traditional fish and chip shop/cafe use that is currently absent within the centre. Whilst the planning system does not differential between types of hot food use, widespread support from the local community should be considered within the overall assessment.

The objections, from the adjacent hot food take-away at No.16 Parkhills have also been considered. The floor layout has been revised and indicates a significant area of seating to the rear of the premises. With regard to the concerns about opening hours, these have been addressed above.

Given the limited opening hours, the proposal is considered to be acceptable and complies with UDP policies listed.

Summary of reasons for Recommendation

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

The proposed change of use, given the limited opening hours is considered to be acceptable and would not have a detrimental impact on the character and viability of the shopping centre or surrounding residential amenity. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason: Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 1,2 3(revised) and MF/C2830 and the development shall not be carried out except in accordance with the drawings hereby approved as amended by the conditions below.
Reason: For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Prior to the use hereby approved first commencing, full details of the proposed new roller shutter shall be submitted to and approved in writing by the Local Planning Authority. The approved roller shutter shall be installed and fully operational prior to the use hereby approved first commences.
Reason: In the interests of visual amenity pursuant to UDP Policy EN1/2 Townscape and Built Design.
4. Prior to the commencement of works on site, full details of the proposed flue, including the colour, shall be submitted to and approved in writing by the Local Planning Authority. The approved flue shall be installed and fully operational prior to the use hereby approved first commences.
Reason: In the interests of visual amenity pursuant to UDP Policies EN1/2 Townscape and Built Design and S2/6 - Food and Drink
5. The development hereby approved shall not be brought into use unless and until a detailed scheme for treating, diluting and dispersing fumes and odours has been

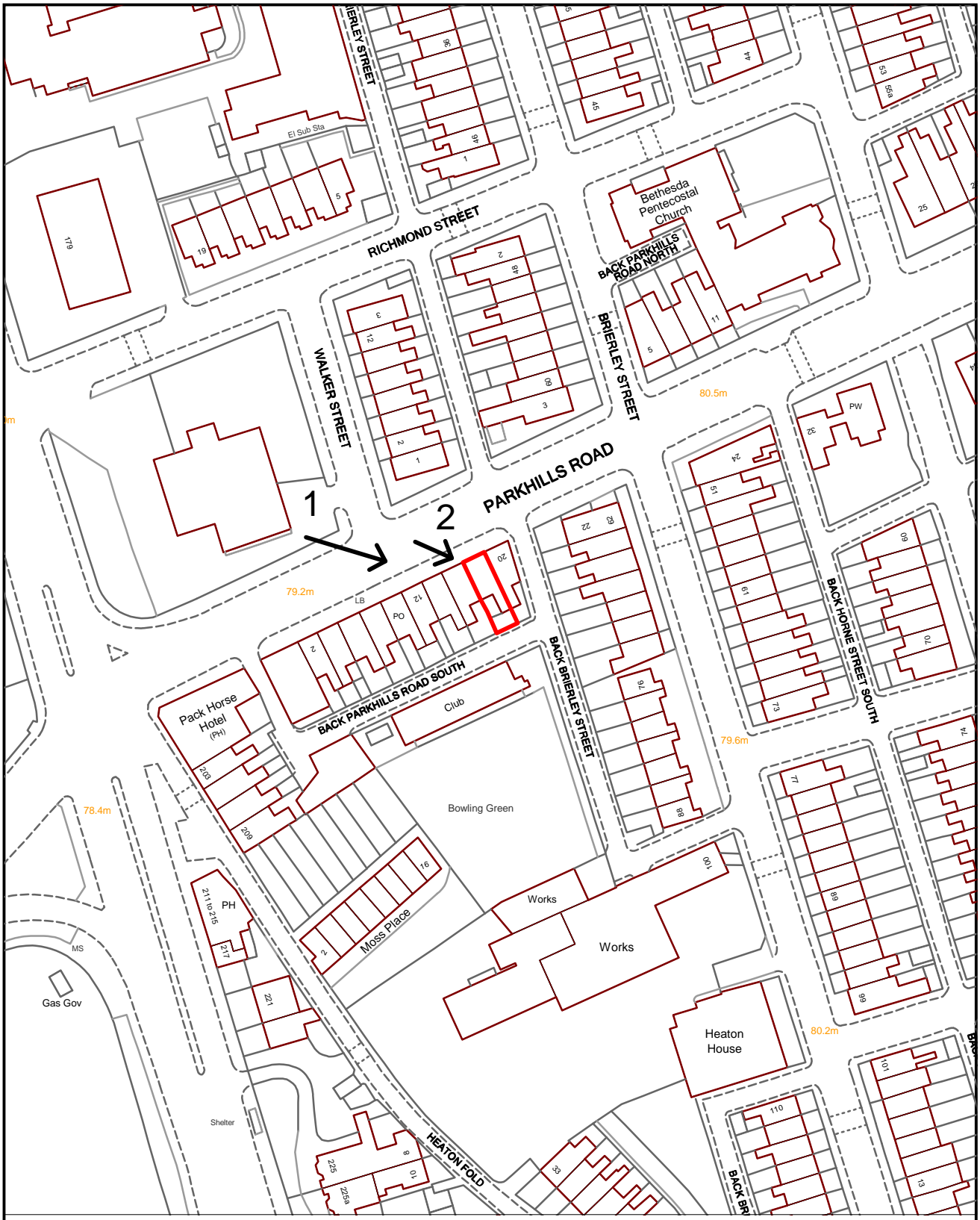
submitted to and approved by the Local Planning Authority. A written statement from a competent person shall be submitted with the proposed scheme which shall confirm that the proposed scheme will achieve the requirements of adequate treatment, dilution and dispersion of fumes and odours under all normal operating circumstances, such that there is no loss of amenity to local residents. All equipment installed shall be used and maintained in accordance with the manufacturers and installers instructions.

The scheme shall be implemented prior to first use of development, in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority

Reason: In order to prevent loss of amenity to local residents by virtue of fumes, odour and noise, pursuant to UDP Policy S2/6 - Food and Drink.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 54645

**ADDRESS: 18 Parkhills Road
Bury**

E D S

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1:1250

54645

Photo 1

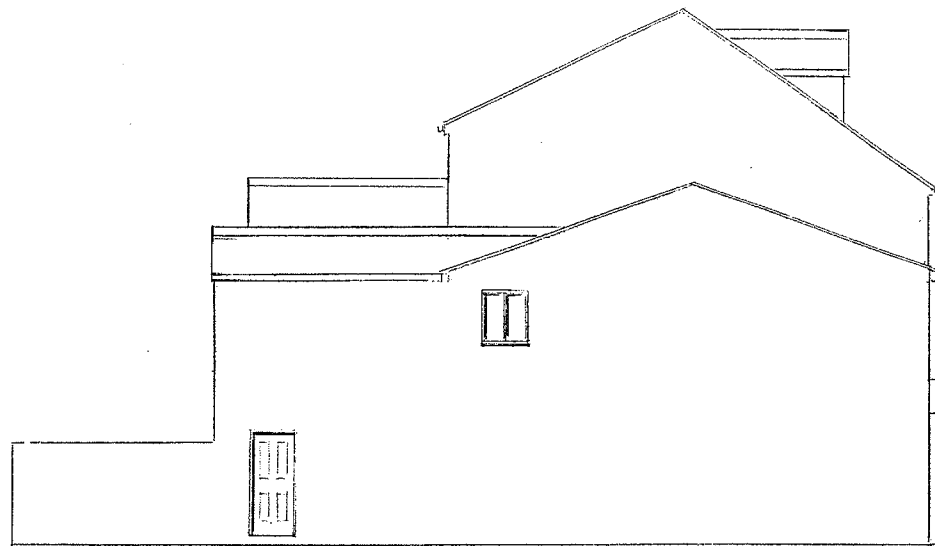


Photo 2

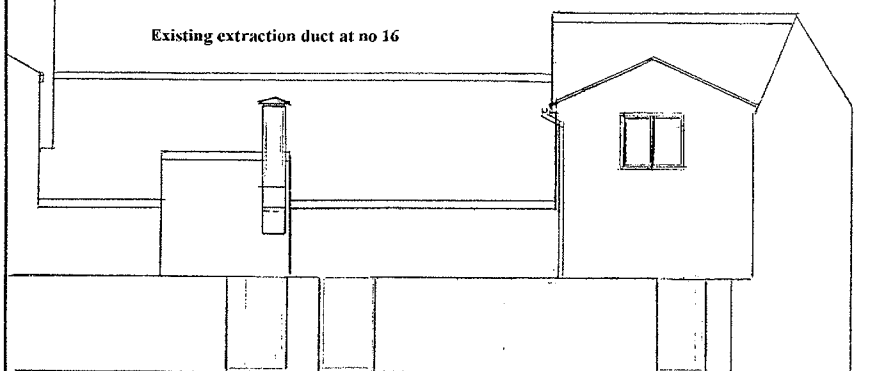




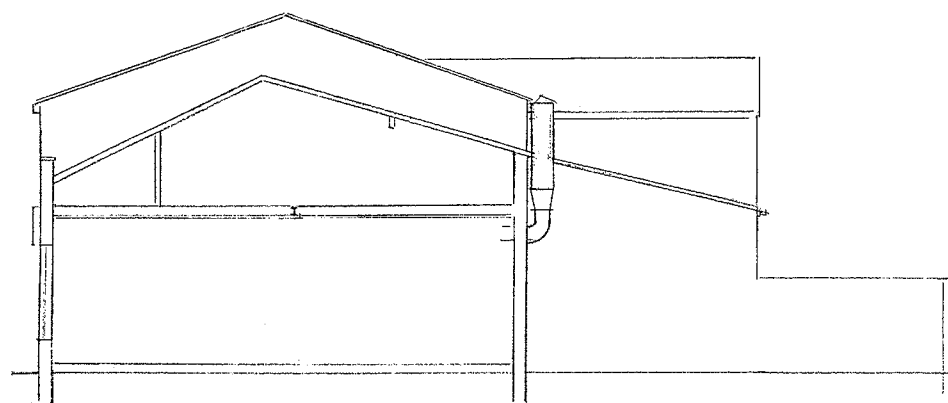
Existing Front Elevation



Existing Side Elevation

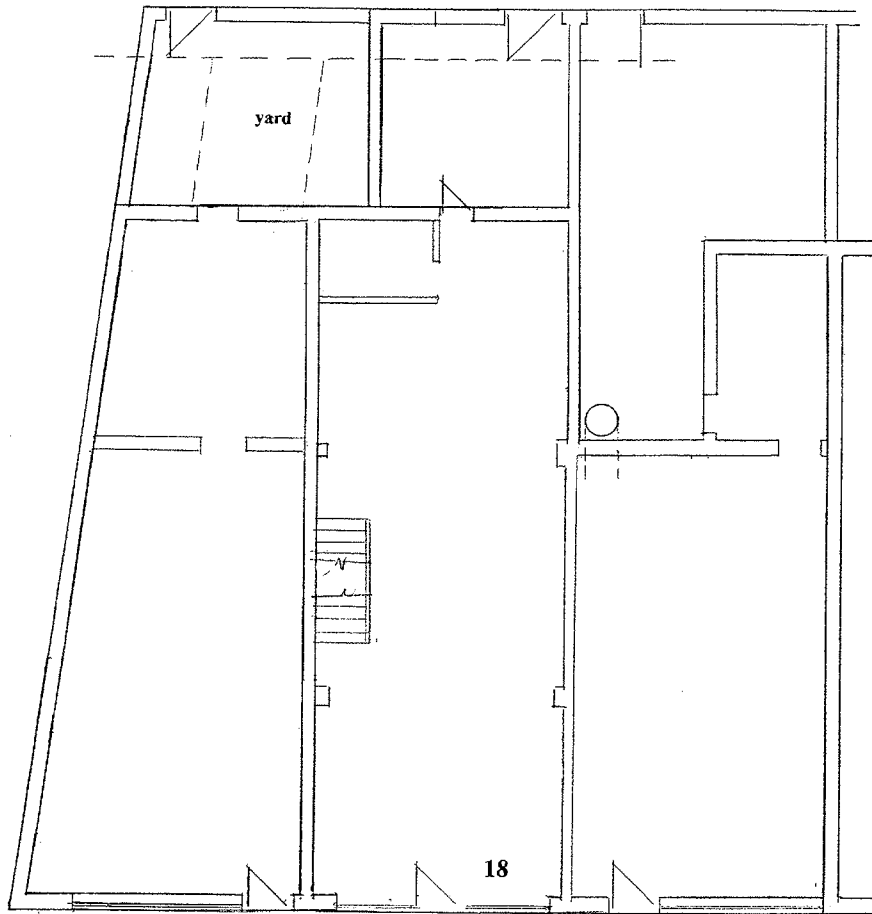


Existing Rear Elevation

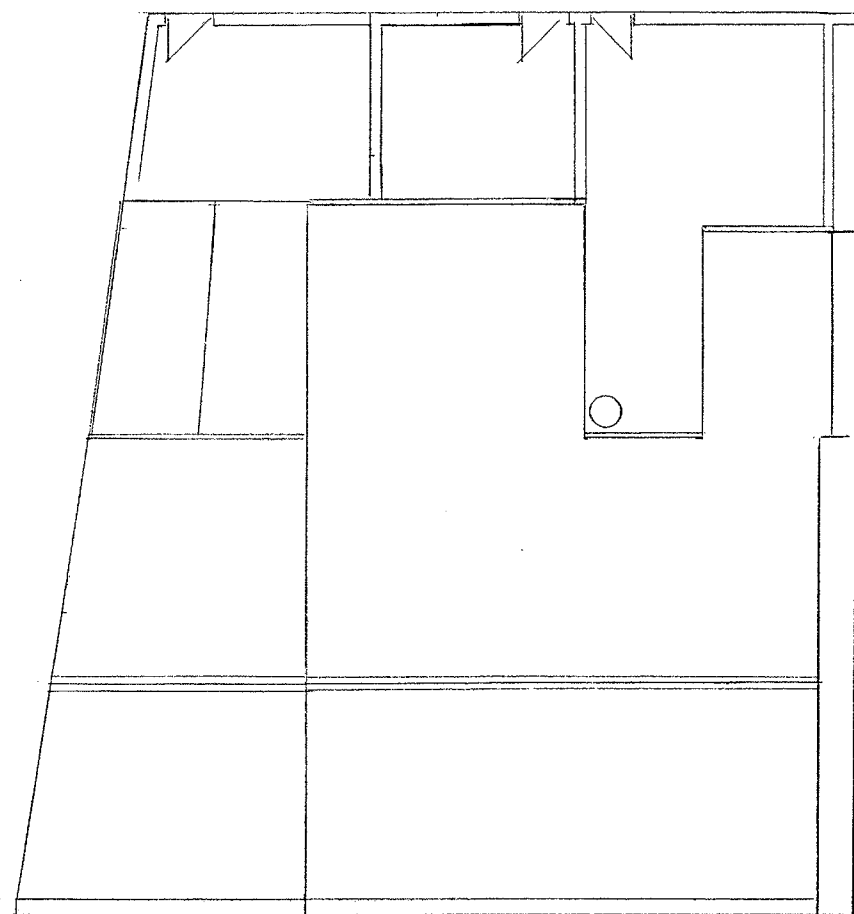


Existing Section Thro'

Thompson Designs
Tel 0161 705 1458 Mob 07884 318634
Sheet 1
Existing Elevations
16 Parkhills Road
Bury BL9 9AX
Scale 1 : 100 Date November 2011



Existing Ground Floor Plan



Existing Roof Plan

<p>Thompson Designs Tel 0161 705 1458 Mob 07884 318634</p>
<p>Sheet 2 Existing Plans 16 Parkhills Road Bury BL9 9AX Scale 1 : 100 Date November 2011</p>

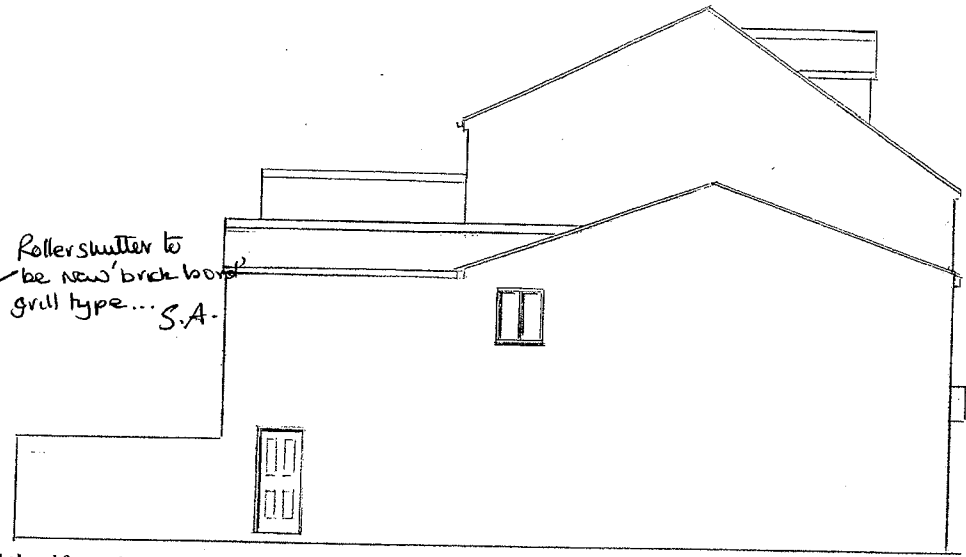


Proposed Front Elevation

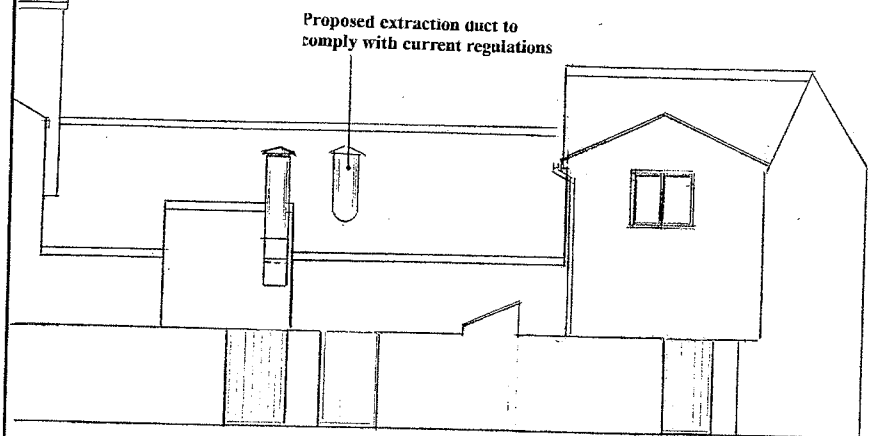
Roller shutter to be new 'brick bond' grill type... S.A.

New aluminium framed shopfront. S.A.

Reposition door to all glazed front window floor at entrance modified to give level access suitable for disabled use. Door min 900 wide

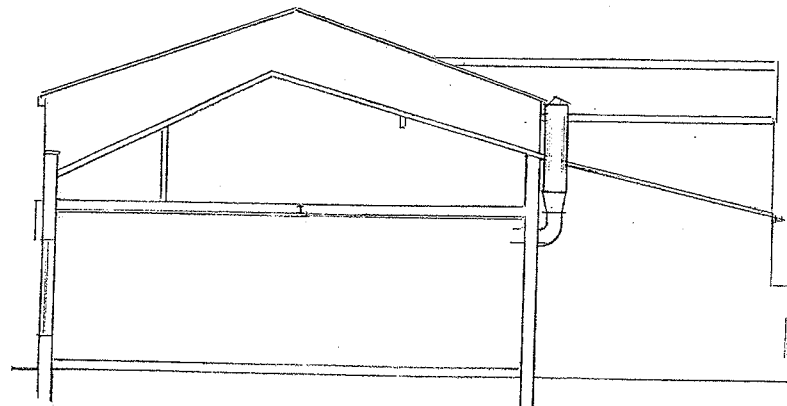


Proposed Side Elevation



Proposed Rear Elevation

Proposed extraction duct to comply with current regulations

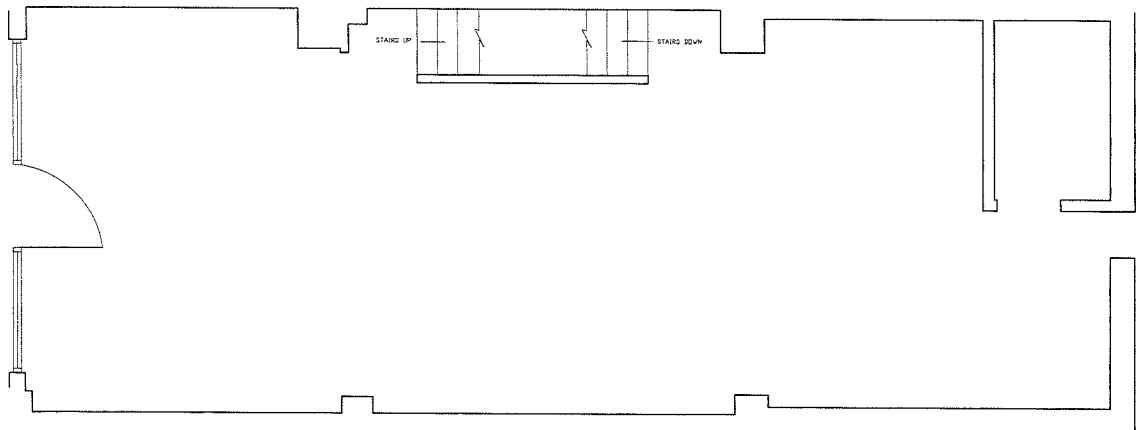


Proposed Section Thro'

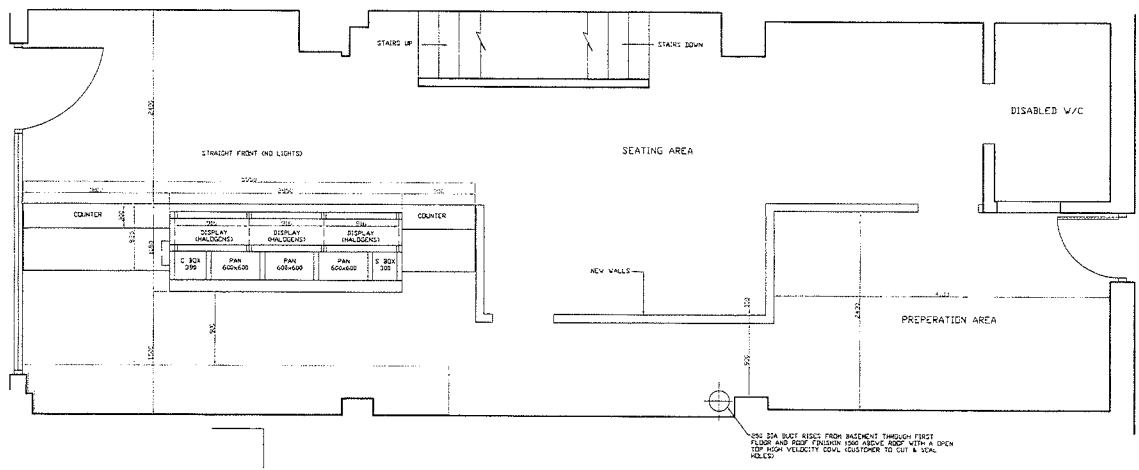
FILE COPY

Thompson Designs
 Tel 0161 705 1458 Mob 07884 318634
Sheet 3 (REVISED)
Proposed Elevations
16 Parkhills Road
Bury BL9 9AX
 Scale 1 : 100 Date November 2011

DO NOT SCALE - IF IN DOUBT ASK DE-BURR REMOVE SHARP EDGES; BREAK CORNERS



EXISTING PLAN



PROPOSED PLAN

NOTE: THIS DRAWING IS THE PROPERTY OF THE DRAWING OFFICE AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF THE DRAWING OFFICE. THE DRAWING OFFICE IS NOT RESPONSIBLE FOR ANY DAMAGE TO PROPERTY OR PERSONS ARISING FROM THE USE OF THIS DRAWING.

RANGE NUMBER -	ISS / REVISION	DATE
ELECTRICAL LOAD - 32AMP 1PH	A	
GAS PER PAN PER HR - 28KW.S	B	
CUSTOMER - MR ASLAM	C	
SITE ADDRESS - 18 PARKHILLS RD BURY	No reproduction or publication of this drawing may be made and no detail may be manufactured or assembled in accordance with this drawing without the written consent of the drawing office. This prohibition is a term of any contract relating to this drawing. All rights reserved under the copyright act 1988 by the design copyright act. Notes: *NAT GAS "HIGH EFFICIENCY"	
	MARTYN EDWARDS / FRANK FORD WORKS / OFFICE LIMERICK RD DORMANSTOWN REDDAR T510 5JU TEL: 01642 494668 FAX: 01642 492489	
	OFFICE UNIT 6 CHURCH VIEW OFFICE CTR ELLAND RD , RIPPONDEN HX5 4DB TEL: 07834 541552 FAX: 01422 649019	
RANGE TYPE	TITLE	SHEET
3 PAN HINGED LID STRAIGHT FRONT	PROPOSED LAYOUT	
SCALE TO FIT PAPER	DATE	DRAWING No
DRAWN E.Barnett	10/11/11	MF/C 2830
APPROVED		ISSUE

Ward: Bury West - Elton

Item 09

Applicant: Vodafone UK Ltd

Location: Pavement at Woodbank Gardens, adjacent to 127 Brandlesholme Road, Bury, BL8 1BA

Proposal: Prior notification for installation of 14.8 metre high streetpole with 6 no. antennas and equipment cabinet to facilitate site sharing

Application Ref: 54671/Telecom Determination **Target Date:** 26/01/2012
(56 Days)

Recommendation: Prior Approval Required and Granted

Description

The site is located on the western side of Brandlesholme Road and at the front of Woodbank Gardens. The existing street furniture in the vicinity includes street lights and road signage.

Woodbank Gardens is located to the west of the site and there is open land to the south. There is a petrol station to the northeast and an apartment block to the southeast.

The proposed development includes the installation of a 14.8 metre high streetpole, including 6 antennae and equipment cabinets. The proposed mast would be shared by two operators.

Relevant Planning History

Nearby sites

51078 - Prior approval determination for the installation of a radio base station consisting of 3 no. antennae to a 10 metre high street works monopole and adjacent equipment cabinet at pavement outside 369 Brandlesholme Road, Bury. Prior approval required and refused - 1 May 2009

53382 - Prior notification for installation of 15 metre high streetpole with 6 no. antennae and equipment cabinet to facilitate site sharing at pavement at Brandlesholme Road (opposite junction with Westcombe Drive), Bury. Prior approval required and refused - 23 December 2010

53845 - Prior notification for 15 metre high streetworks pole with 6 no. antennae and equipment cabinets at Prospect Service Station, 124 Brandlesholme Road, Bury. Prior approval granted - 24 May 2011

Publicity

156 neighbouring properties within 150 metres of the site were notified by means of a letter and site notices were posted on 8 December 2012.

2 letters have been received from the occupiers of 149 Brandlesholme Road and 24 Woodhill Street, which have raised the following issues:

- Concern with health issues associated with telecommunications equipment
- Proposed mast would be an eyesore
- Mobile phone reception and internet coverage is adequate in the surrounding area

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

Consultations

Traffic Section - No objections.

Environmental Health - Contaminated Land - No comments.

Environmental Health - Pollution Control - Comments awaited.

British Waterways - No comments.

Unitary Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/4	Street Furniture
EN1/10	Telecommunications
EN7	Pollution Control
EN1/7	Throughroutes and Gateways
PPG8	PPG8 - Telecommunications

Issues and Analysis

Health issue - Current government guidance in the form of PPG8 with respect to health risk, states that "Providing such proposals meet the ICNIRP guidelines, local authorities should not need to consider those aspects or any concerns about them any further". In this case, the applicant has indicated that the proposal would meet the ICNIRP guidelines through the submission of a certificate.

Supporting information - 8 alternative sites were put forward by the agent and include land at Prospect Service Station, Woodbank Cricket Club, Wharfside Apartments, Carlows Farm, The Garside public house, Kedant Works (Woodhill Road), Woodbank Surgery and the pavement of Brandlesholme Road.

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

- the site provider would not allow development of the site;
- too far from coverage area;
- site would not provide the required level of coverage
- a previous application was refused.

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

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

The proposed development would not be directly overlooked by any residential property and there would be a minimum of 17 metres to the nearest residential dwelling, which is to the north. As such, the proposed development would not have a detrimental impact upon the amenity of the neighbouring properties. Therefore, the proposed development would be in accordance with Policies EN1/2, EN1/10 and EN8 of the adopted Unitary Development Plan.

Highways issues - The proposed development would be set at the back of the footway and would maintain a footpath width of 1.6 metres. The Traffic Section has no objections to the proposal. As such, the proposed development would not have an adverse impact upon pedestrian safety. Therefore, the proposed development would be in accordance with Policy EN1/10 of the Unitary Development Plan.

Response to objectors

The issues of visual amenity, the need for the proposed development and health issues

have been addressed 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;-
Having due regard to both National and Local Policy, in particular Policy EN1/10 (Telecommunications), it is considered that the proposed development is acceptable in relation to health and safety issues, due to the submission of the relevant certificate under ICNIRP. The proposed apparatus would not be unduly prominent in the streetscene. Therefore, the proposed development is considered to be acceptable.
There are no other material considerations that outweigh this finding.

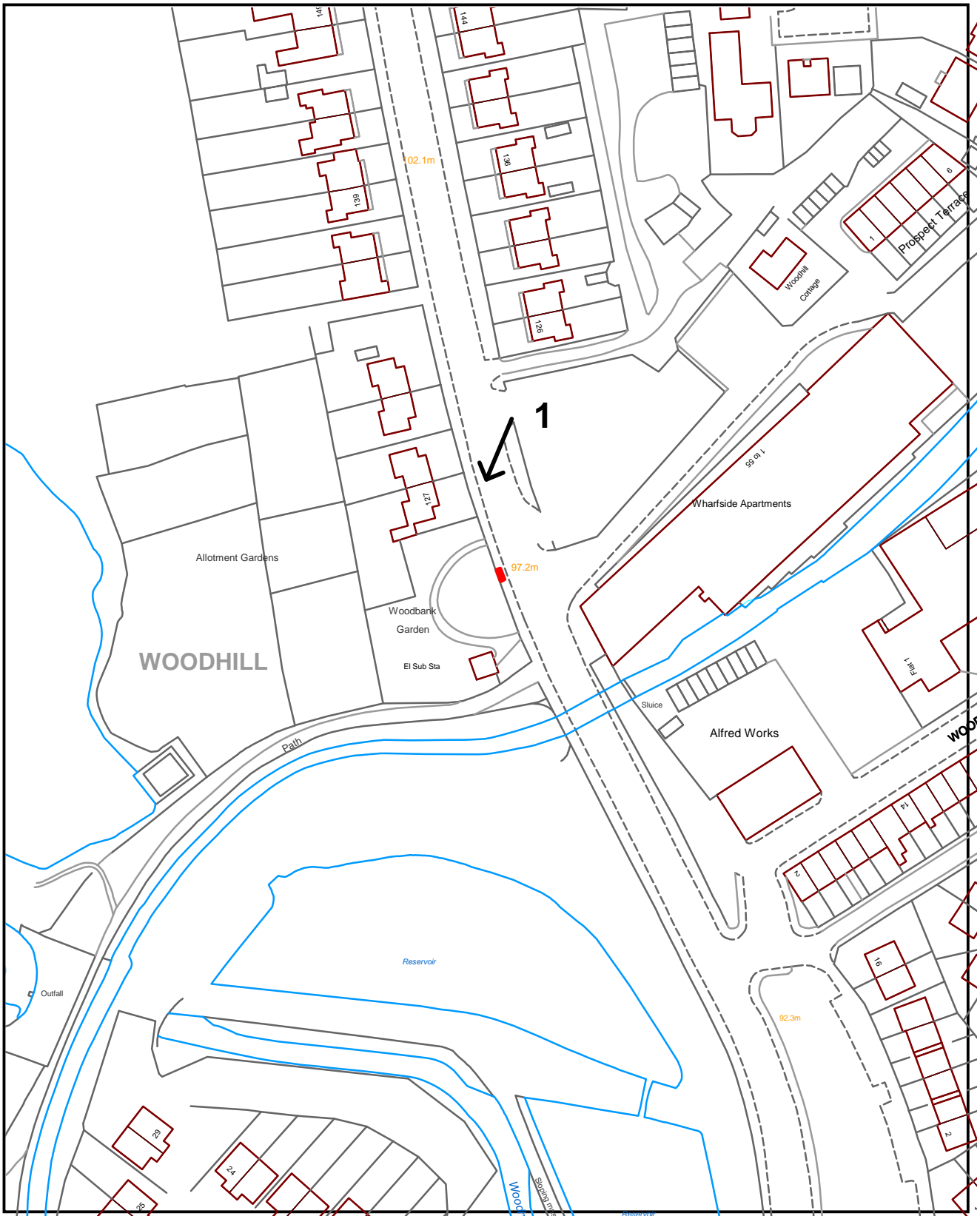
Recommendation: Prior Approval Required and Granted

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 100 A, 200 C, 300 C and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 54671

**ADDRESS: Brandlesholme Road
Bury**

EDS

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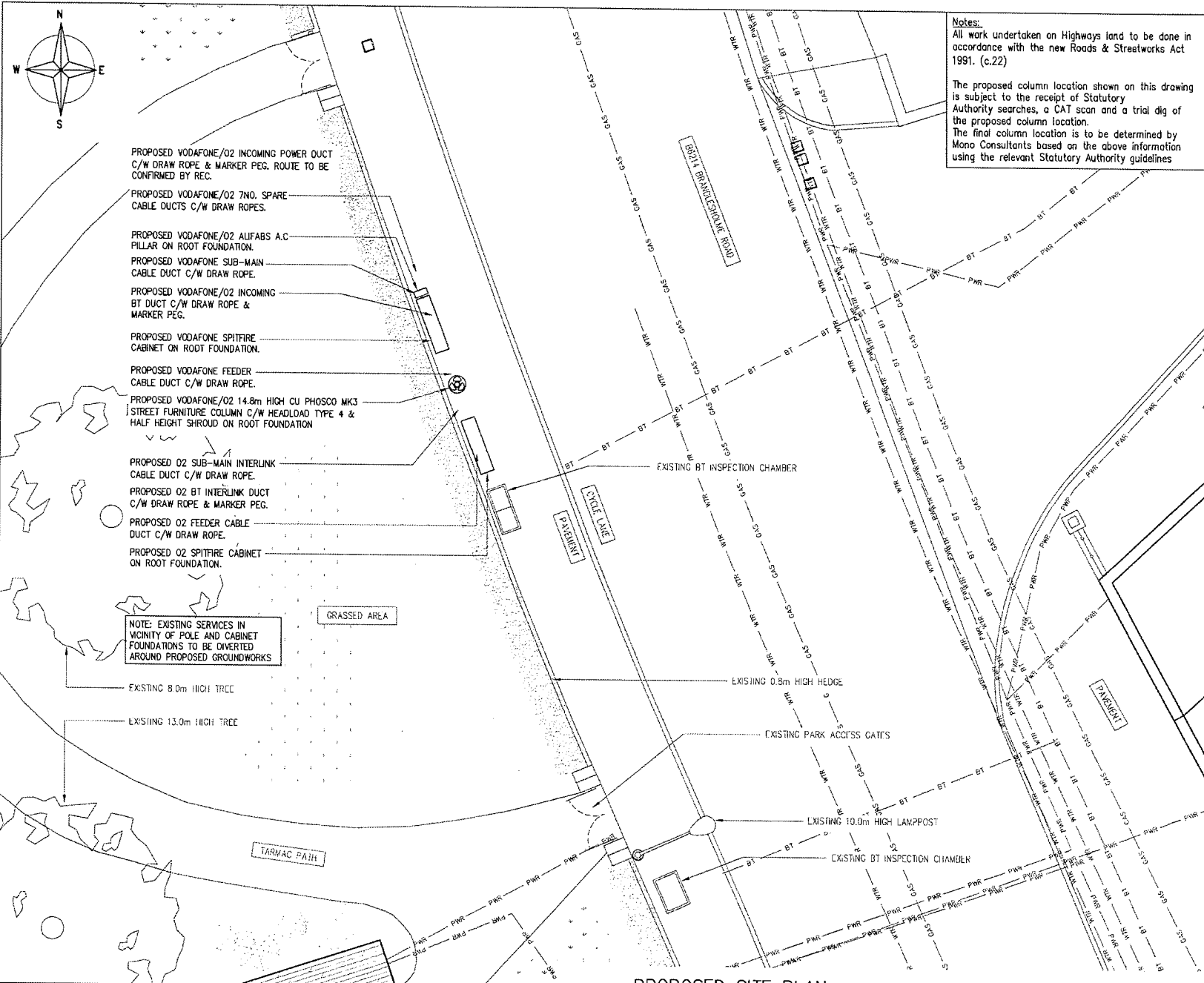
Bury
COUNCIL

1:1250

54671

Photo 1





Notes:
 All work undertaken on Highways land to be done in accordance with the new Roads & Streatworks Act 1991. (c.22)
 The proposed column location shown on this drawing is subject to the receipt of Statutory Authority searches, a CAT scan and a trial dig of the proposed column location.
 The final column location is to be determined by Mono Consultants based on the above information using the relevant Statutory Authority guidelines

Notes:
 1 ALL DIMENSIONS ARE IN MM UNLESS NOTED OTHERWISE
 N.G.R. E: 379606 N: 411573

REV	MODIFICATION	BY	CH	DATE
C	Cabinets revised	RW	AB	07.12.11
B	Service simulation removed	RW	AB	13.11.11
A	Issued for Approval	RW	AB	31.10.11

mono#
 MONO CONSULTANTS LIMITED
 Packwood House
 Guild Street
 Stratford-upon-Avon
 CV37 6BP
 T: 44 (0)1789 250099
 F: 44 (0)1789 250098
 www.monoconsultants.com

O2
 Cornerstone Project

Cell Name	WOODHILL SW	Opt	C
Cell ID No	Cornerstone	Host	Sharor
(CS) 15684	(VF) 79607	(02) 045611	
Site Address / Contact Details			
WOODHILL STREETWORKS 86214 BRANDLES HOLME ROAD WOODHILL BURY BL8 1JN			

Drawing Title: PROPOSED SITE PLAN
 Purpose of issue: PLANNING
 Drawing Number: 200

Scale:	A4 Shown	Drawn:	RW	Date:	31.10.11	Issue:	
Checked:	NLD	Dated:	31.10.11	Approved:	AB	Date:	31.10.11
							C

The drawings comply with O2 & Vodafone Standard ICNIRP guidelines.
 Designed in accordance with Cornerstone document: CORN/09/013

PROPOSED SITE PLAN
 (1:100)

Ward: Radcliffe - North

Item 10

Applicant: Mr Robert Heys

Location: Veterans Farm, Arthur Lane, Radcliffe, Bolton, BL2 5PW

Proposal: Installation of 27.1 metre high vertical wind turbine

Application Ref: 54703/Full

Target Date: 15/02/2012

Recommendation: Approve with Conditions

Description

The site is within a rural part of Ainsworth and is designated within Green Belt and Area of Special Landscape. The site is surrounded by open land and consists of the applicant's house and livery business with associated farm buildings which is accessed via an unmade track off Arthur Lane.

The application seeks permission for the erection of a wind turbine which would be sited on land approximately 140m to the east of the applicant's house and agricultural buildings. It would be within the applicant's land ownership although located on the edge of their boundary with the adjacent field.

It would have a tower height of 20.58m with a blade diameter of 13.1m (total height 27.13m). Foundations would be laid to secure the turbine in the ground. The noise information submitted indicates noise levels of approximately 30-40dBA at average wind speeds with a maximum of 60dBA in strong winds.

The supporting information states the applicant is committed to the concept of renewable energy production and lowering the carbon footprint of the premises. The installation of the turbine would reduce commercial costs of running the livery business, with any excess being fed back into the National Grid.

Relevant Planning History

None relevant.

Publicity

28 letters were sent on 23/12/11 to properties at Nos 2,3,5,7,12,37,39,41,43,47 Arthur Lane; 1, 2 Hawthorn Cottage, 45 Arthur Lane; Davenport Farm, Barrack Fold Farm, Craigsides, Belmont House, Sunnybank, Arthur Lane Nurseries, all Arthur Lane; Brown Hill Boarding Kennels, Brown Hill Farm, The Bungalow and Ainsworth Nursing Home, Nos 32-42 (evens), all Knowsley Road.

Three letters of objection received from No 37 Arthur Lane, Craigsides Arthur Lane and Davenport Farm which raises the following issues:

- It would be too close to residential properties and being 90 feet tall with 43 feet diameter blades would have a significant negative impact on visual amenity of residents;
- Blights the landscape and are exceptionally unsightly;
- Potentially affects the resale value/saleability of their property;
- Noise generation in a quiet area whilst being in the close proximity of houses;
- Wind turbines are known to have a negative effect on bird and bat wildlife and with nearby woodland this will impact on the local bird and bat population (note the RSPB have not been consulted);
- Rather inefficient in terms of power generation;
- It is within the West Pennine Country Park and if the park is of any value the proposal

should not be permitted;

- It would be only 250m from the Ainsworth Conservation Area and being so tall would likely be visible from the Delph lane cottages and/or the approach and would have a negative impact on the Conservation Area;
- Bolton Council recently turned down a similar planning application for a local resident, who was alot more remote from local homes.

Letter of objection received from Ainsworth Community Association on the grounds of visual intrusion within an area of importance and over large for the requirements.

One letter of support received from Arthur Lane Nurseries:

- A good idea and more should be put up in the area;
- Not as ugly as pylons which are scattered all over the country.

One letter of support from No 41 Bury Old Road which supports the application, no reason given.

Those who expressed an interest have been notified of the Planning Control Committee meeting.

Consultations

Drainage Section - No comments to make.

Environmental Health Contaminated Land - No comments to make.

Environmental Health Pollution Control - No objection subject to a condition relating to noise.

Public Rights of Way Officer - No footpaths affected.

Bolton MBC - No comments received to date.

Manchester airport plc - No objection.

United Utilities - Object on the grounds as a Deed of Grant with the applicant states that the right to pass and re pass at all times be on foot only and not to take any vehicles over the land.

Unitary Development Plan and Policies

OL1	Green Belt
EN9/1	Special Landscape Areas
OL7/2	West Pennine Moors
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
PPS9	PPS9 Biodiversity and Geological Conservation
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
OL1/5	Mineral Extraction and Other Dev in the Green Belt
EN7/2	Noise Pollution
EN4/1	Renewable Energy
PPG2	PPG2 - Green Belts
PPS7	PPS 7 Sustainable Development in Rural Areas
PPS22	PPS22 Renewable Energy
OL1/2	New Buildings in the Green Belt
PPS1	PPS1 Delivering Sustainable Development
RSS 13	Regional Spatial Strategy for the North West

Issues and Analysis

Policies - PPG2 - states the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The purposes of Green Belt are:

- to check unrestricted sprawl;
- prevent neighbouring towns merging;
- assist in safeguarding the countryside from encroachment;
- preserve the setting and special character of historic towns;
- assist in urban regeneration.

PPG2 also states that the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which might be visually detrimental by reason of siting, materials or design. In cases where development is regarded as inappropriate in the Green Belt, PPG2 states that it is for the applicant to show why permission should be granted.

PPG2 regards development including engineering and other operations as inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt.

UDP Policy OL1/2 - advises that new development in the Green Belt is inappropriate unless it is for a number of purposes including agriculture, forestry, outdoor recreation and limited extension/alteration of dwellings.

UDP Policy OL1/5 - Mineral Extraction and Other Development in the Green Belt - development is inappropriate unless it maintains the openness and does not conflict with the purposes of including land in the Green Belt. Proposals for other development is inappropriate and by definition harmful to the Green Belt and would only be permitted if it can be demonstrated that there are very special circumstances.

UDP Policy EN9/1 - Special Landscape Areas - any development which is permitted will be required to be sympathetic to its surroundings in terms of its visual impact. High standards of design, siting and landscaping will be expected. Unduly unobtrusive development will not be permitted in such areas.

PPS7 - Sustainable Development in Rural Areas seeks to:

- raise the quality of life and the environment in rural areas;
- promote sustainable patterns of development;
- promote the development of English regions by improving their economic performance;
- promote sustainable, diverse and adaptable agriculture sectors

PPS22 - Renewable Energy seeks to promote development which facilitates renewable energy resources. Environmental and economic benefits of all proposals are material considerations which should be given significant weight in determining whether proposals should be granted planning permission.

UDP Policy EN4/1 - Renewable Energy will encourage proposals for the provision of renewable energy sources subject to compliance with other policies and proposals of the Plan. In particular, the policy seeks to ensure that proposals:

- do not involve an unacceptable loss of amenity;
- would not have an adverse impact on the setting of ancient monuments, Conservation areas, Listed Buildings;
- would not have an unacceptable adverse impact on areas of Green Belt, Special Landscape Areas and areas of ecological importance;
- would not result in a health and safety risk or nuisance to the public;
- where necessary include an environmental assessment;
- would not have an unacceptable adverse impact on the natural environment.

Principle - In assessing the proposed development, consideration must be given in terms of supporting the wind turbine to meet national renewable energy targets, encouraging sustainable development and assessing the impact the structure would have on the openness of the Green Belt and Special Landscape Area.

National Guidance contained in PPS22 is very supportive of renewable energy, although it acknowledges that when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development, which may impact on the openness of the Green Belt. Careful consideration will therefore need to be given to the visual impacts of such projects and for developers to demonstrate very special circumstances that would

outweigh any harm caused. Examples of very special circumstances may include the wider benefits associated with increased production of energy from renewable sources. Key principle VI of PPS22 states that small scale projects can provide a limited but valuable contribution to overall output of renewable energy to meet energy needs both locally and nationally, and therefore Local Authorities should not reject planning applications simply because the output is small. Additionally, Supplementary to PPS1 - Planning and Climate Change, emphasises that tackling climate change is a key Government priority for the planning system and that local planning policies should be designed to promote, not restrict, renewable and low carbon energy and supporting infrastructure.

Regional guidance in Regional Spatial Strategy Policy EM17 states that maintaining the openness of the Green Belt and acceptability of the location/scale of the proposal and its visual impact on character/sensitivity of the surrounding landscape should be taken into account but not necessarily be used to rule out development.

In terms of Green Belt policy, there is a presumption against inappropriate development in the Green Belt unless it can be demonstrated there are exceptional circumstances which would out-weigh the in-principle harm caused to the openness of the Green Belt. The applicant has put forward a case to justify the need for the turbine and the approach taken for its proposed location.

The applicant runs an established livery business, the scale of which has led to an increasing electricity usage. The applicant is committed to renewable energy production which would not only lower the carbon footprint of the premises and would reduce commercial running costs of the business, but it would contribute to the targets set by national and regional policy on renewable energy generation. Based on information supplied by the manufacturer, it is expected that Veterans Farm would have a saving of 10.34 tonnes of CO₂ a year and would produce an estimated 37,600kWh per year.

The applicant has also carried out a sequential approach to the siting of the turbine in order to achieve the optimum energy output, balanced with the need to be considerate of the sensitivities of the Green Belt and surrounding countryside. A photographic montage has been provided which shows the location of the turbine from various view points. Whilst it would be seen from various locations including the road directly outside the applicant's yard, it cannot be seen from further north or south on Arthur Lane due to the levels of natural screening. From long range views although visible on the horizon, visual impact would be less significant due to the undulating landscape and the expanse of surrounding countryside. Visual impact of the turbine would be further mitigated by it being finished in a grey colour.

It is considered that the applicant's arguments, together with the national drive to meet challenging renewable energy targets, the likely economic and environmental benefits that are to be generated by the proposal, and the lack of significant harm caused to the openness of the Green Belt, are reasons of sufficient weight to be regarded as very special circumstances being demonstrated, which clearly outweigh the in-principle harm. The scheme would have no adverse impact upon any ecological sensitivities and as such, the proposal would be considered acceptable and would justify the grant of planning permission.

Residential amenity and visual impact - Whilst the turbine would be on within land in the ownership of the applicant, it would be located adjacent to a neighbouring field and would be visible from surrounding residential properties. The nearest residential property is the applicant's house, 140m away, with the next nearest residential property, No12 Arthur Lane 155m away to the west. To the east is Ainsworth Nursing home, to the south is Brown Hill boarding kennels and to the north Barrack Fold Farm, with houses to the west along Arthur Lane. The submitted photo montage shows there would be views of the turbine. However, it would be no higher than an average electricity pylon (35m) and set within an expansive landscape with long range views is considered not to have a detrimental impact on the amenity of local residents.

As such, the proposal is considered to comply with EN1/1 - Visual amenity.

Residential amenity and noise - The location of the turbine would be 140m away from the applicant's house and 155m from the next nearest residential property, No 12 Arthur Lane. The Design and Access Statement asserts that in accordance with information provided by Renewable UK, the sound of a working wind turbine is actually less than that of normal road traffic or an office. Even when wind speed increases, it is difficult to detect any increase in turbine sound above an increase in normal background sound. With relevance to this site specifically, the HSE sets permitted noise levels in accordance with different types of industry, and those set for agricultural and equestrian are considered applicable here. There is a general rule that farm and equestrian operations have a permitted maximum noise level of 87dBA, although there are higher limits for certain specific activities.

The acoustic data provided for a CF model turbine states that even in the strongest of winds, and at the closest proximity, a turbine will only produce a maximum of 60dBA, with the general level being between 30-40dBA at average wind speeds. This level is greatly reduced at a distance of 30m or more from the turbine itself. Given the turbine would be sited more than 140m from the nearest residential dwelling, there would be no concern regarding noise generation. The Pollution Control section have raised no objection subject to a condition the turbine operate as per the submitted manufacturer's specifications.

As such, the proposal complies with EN7/2 - Noise Pollution.

Wildlife - The proposal is for a single wind turbine. Guidance from Natural England regarding single turbines is that for bats an assessment should occur if situated within 50m of woodland, open water or any other habitat that maybe of value. The proposal at Veterans Farm is located within open farmland, with no specific habitat of interest within 50m. No further information is therefore required. Regarding birds Natural England guidance is that the need for further information should be based on a site by site basis. There is no evidence that this area of the Borough is important for birds, although a comprehensive bird survey has not been carried out. The habitat is potentially suitable for ground nesting farmland birds such as lapwing and skylark. Neither species would justify refusal of the application but assessment and mitigation if any negative impacts were likely to occur should be applied and this has been conditioned should the application be approved.

United Utilities - The objection relates to a private land agreement between UU and the applicant. This is a matter to be resolved between the two parties and is not a material consideration relevant for consideration of the planning application.

Response to objectors

- There is no evidence that micro turbines have injured birds or wildlife and is covered above.
- Effect on property values are not a material planning matter to consider.
- Proposals for wind turbines are considered by each Local Planning Authority on their own merits and on a site by site basis. Consideration of all factors have been fully taken into account in this particular case and the proposal considered acceptable as assessed above.
- The other issues raised have been covered in the above report.

Summary of reasons for Recommendation

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

The proposed development is considered to be acceptable as it would not adversely affect the character of the Green Belt and Area of Special Landscape nor have an adverse impact on the amenities of surrounding residents.

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 - red edge site location plan 1:2500; LF/RH/2609 Block plan 1:500; C and F plan of elevation of turbine - overalls/planning; Design and Access Statement and Supporting Information December 2011 and January 2012 - 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 should occur until an assessment of the potential impact on priority bird species and proposals for mitigation if required is provided to and approved in writing by the local 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.
4. The wind turbine hereby approved shall be removed from site to the written satisfaction of the Local Planning Authority within 3 months of it ceasing operation or the connection from the mast to the property being removed.
Reason. In the interests of the visual amenity of the area pursuant to Unitary Development Plan Policies OL1/5 - Mineral Extraction and Other Development in the Green Belt, EN1/2 - Townscape and Built Design and EN9/1 - Special Landscape Areas.
5. All the external surfaces of the wind turbine shall be a grey powder coated finish as stated in the Design and Access Statement and shall remain as such whilst it is in position.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/1 - Visual Amenity, OL1/5 - Mineral Extraction and Other Development in the Green Belt, and EN9/1 - Special Landscape Areas of Bury Unitary Development Plan.
6. The wind turbine hereby approved shall be maintained to operate and perform in accordance with the manufacturer's specifications in order to ensure that noise generated by the wind turbine does not exceed the specified noise levels prescribed for a single CF20 wind turbine and detailed in the accompanying acoustic data contained within Appendix 3 of the design and access statement submitted by ML Planning Limited, dated December 2011.
Reason. To maintain the residential amenity of the residents surrounding the site pursuant to Unitary Development Plan Policy EN7/2 - Noise Pollution.

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



PLANNING APPLICATION LOCATION PLAN

APP. NO 54703

**ADDRESS: Veterans Farm
Arthur Lane
Radcliffe**

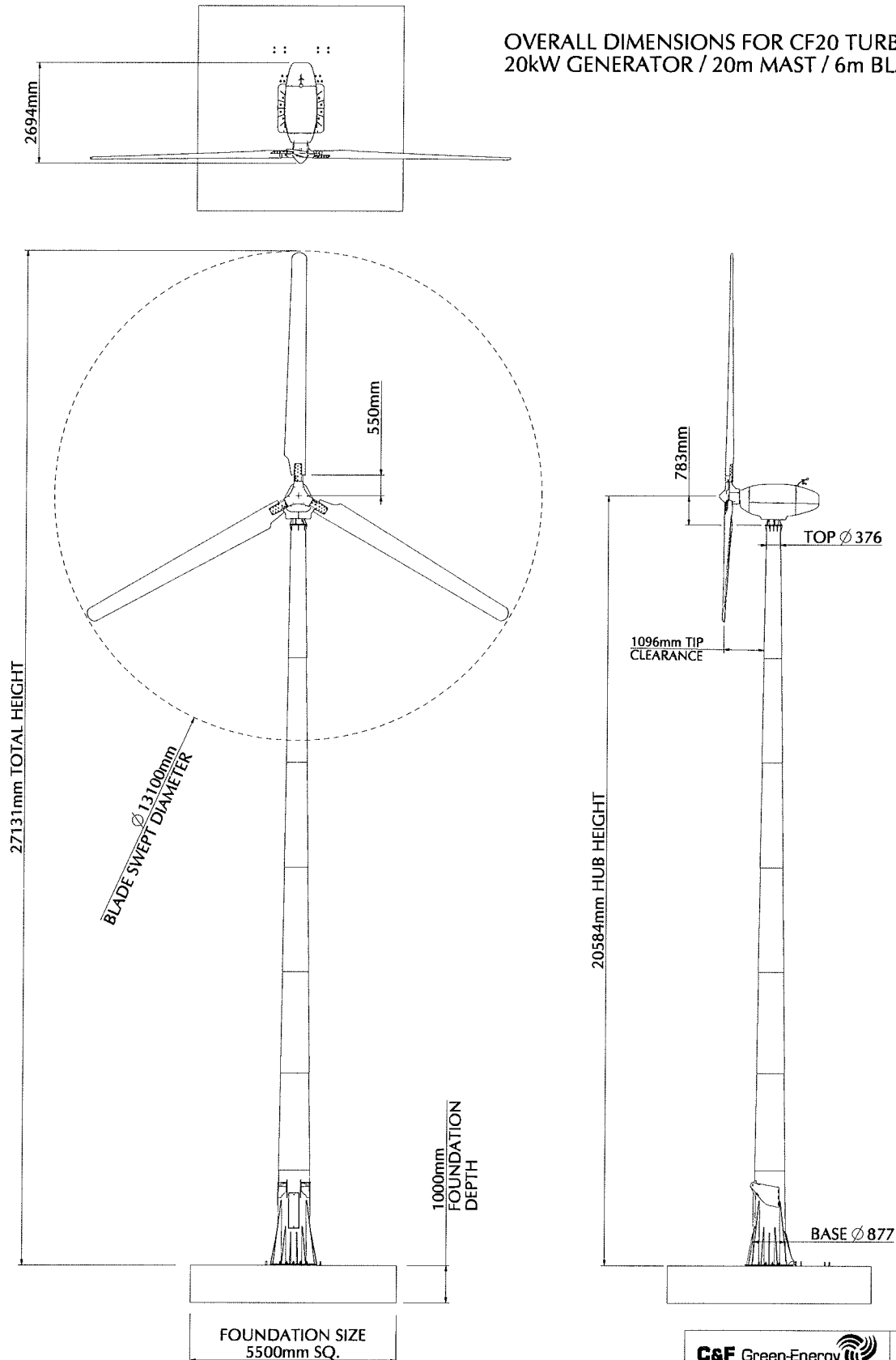
E D S



1:2500

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OVERALL DIMENSIONS FOR CF20 TURBINE:
20kW GENERATOR / 20m MAST / 6m BLADES



C&F Green-Energy		CF20 All Dimensions in mm	
DESCRIPTION:	OVERALLS / PLANNING	QTY PER UNIT:	-
MATERIAL:	Mast: S275 Galv	SCALE:	1:100
DRAWN:	C O'Neill		DWG SIZE: A3
CHECKED:	-		DATE: 17-Feb-11
DATE:	17-Feb-11	SHEET:	1 OF 1

Ward: Radcliffe - North

Item 11

Applicant: Mr Bleakley

Location: 87 Church Street, Ainsworth, Bolton, BL2 5RD

Proposal: Variation of Condition 2 - Approved Drawings - of 52380 - Replacement dwelling and access

Application Ref: 54712/Full

Target Date: 08/02/2012

Recommendation: Approve with Conditions

Description

This application proposes alterations to a dwellinghouse previously approved in May 2010. The subsequent dwelling was not built according to the approved plans and an amended scheme was refused in August 2011.

The application site is on the eastern edge of Ainsworth Village and is washed over by the Green Belt, West Pennine Moors and is an Area of Special Landscape. There are residential properties to the west and south and land to the north and east is open countryside. The dwelling replaces a red brick detached bungalow that sat centrally within the plot with a vehicular access onto Church Street. The immediate neighbour at No.85 is a detached bungalow with a gable in which there are two obscure glazed windows facing the site. Further west along Church Street are a mix of two storey houses and flats. There is a tarmacadam single track road running north from Church Street along the eastern/side boundary of the site.

The dormer bungalow, with 4 bedrooms and an integral garage, is located centrally within the plot, slightly forward of the adjacent bungalow. The main roof ridge is 9m high with two small dormers and two outriggers incorporating accommodation within the roofspace at the front and rear. The walls are finished in red facing brick and the roof would be covered in grey tiles.

The previous application, for retrospective approval for alterations was refused on grounds that it would constitute an intrusive feature in the street scene and would be detrimental to the residential amenities of the neighbour at No.85. The main changes included:

- Setting the house further forward on the site than that previously approved.
- Setting it a further 800mm away from the side boundary with No.85 than previously approved.
- Raising the eaves height of the front and rear gabled outriggers by 1.2m
- Part hipping the front and rear outriggers.
- Raising the surrounding ground level by 200mm.

This application proposes a revised scheme that includes:

- Cropping the main roof at both ends to reduce its bulk before covering in slate.
- A landscaping scheme involving the planting of shrubs and hedging around the front garden and hornbeam trees along the side/eastern boundary.
- Lowering the level of the path running between the new house and the bungalow at No.85 and adding drains to direct surface water into the drainage system and away from the neighbour.
- Replacing any exposed breeze block with brickwork.
- Adding a field drain in the rear garden to improve drainage.
- Repositioning the house forward of its approved location.

Relevant Planning History

53981 - Variation of Condition 2 of 52380 - Approved drawings - Alterations in the design of the roof of two storey outrigger at front and rear, alteration of position of house. - Refused 24/08/2011

52380 - Demolition of existing dwelling and construction of replacement dwelling - Approved 21/05/2010

Publicity

33 immediate neighbours and previous respondents to the earlier applications on the site were notified by letter dated 16/12/2011. Two objections have been received from the Ainsworth Community Association and the immediate neighbour at No.85 Church Street. Their concerns are as follows:

- The proposed building is too big and has a detrimental impact on the character of the village.
- Lack of appropriate screen boundary hedge along the side boundary.
- The site plan is incorrect, showing the front of the garage slightly set back from the front elevation of No.85.
- Encroachment into the Green Belt at the rear and raising land levels would cause problems with drainage.

All those who have made representations have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health - No objection.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN7	Pollution Control
EN9/1	Special Landscape Areas
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
OL1/2	New Buildings in the Green Belt
OL1/3	Infilling in Existing Villages in the Green Belt
OL7/2	West Pennine Moors
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD7	DC Policy Guidance Note 7 - Managing the Supply of Housing
SPD16	Design and Layout of New Development in Bury
PPS23	PPS23 Planning and Pollution Control

Issues and Analysis

Principle - The principle of housing on the site was established by the current property and as such, subject to compliance with other policy considerations, the proposed development would be in accordance with Policy H1/2.

Green Belt - UDP Policy OL1/2 New Buildings in the Green Belt states that replacement dwellings are acceptable where they are not disproportionate in scale to the original dwelling. Policy OL1/3 indicates that infill development would be acceptable where there is unbroken ribbon development and the new development would not prejudice Green Belt objectives.

Visual Amenity - It is noted that there are a number of different building styles along this part of Church Street, including bungalows, dormer bungalows and two storey houses and

flats.

The most noticeable alteration in the new scheme is the cropping of both ends of the main roof. This helps to reduce the bulk of the roof and the building appears to relate better with the immediate neighbour and general street scene.

In raising the eaves height of the front and rear gabled outriggers, the pitch of the roof is altered as is the general appearance of the dwelling previously approved. Whilst the result is considered to be less attractive, it is not considered that the design change is so detrimental as to warrant refusing permission on these grounds.

In setting the house further forward on the site, it becomes somewhat more prominent on the streetscene and leads to a reduction in the amount of garden area and length of the driveway at the front of the house. However, when the house is viewed in the street the position is not so obvious as to appear so out of place or unusual nor sufficiently detrimental to the streetscene as warrant refusal of the application.

Whilst the proposed shrub and hedge planting around the front garden and tree planting along the side boundary may mitigate the visual impact of the new building somewhat, it is considered that an additional hedge along the side boundary, to supplement the tree planting, would help soften its impact even further.

On balance the revised position of the house, given the proposed alterations, is not considered to be detrimental to visual amenity or the character of the locality and as such complies with Policies H2/1 Form of New Residential Development, H2/2 Layout of New Residential Development and EN9/1 Special Landscape as well as guidance provided in SPD16 (Design and Layout of New Development).

Residential Amenity - The position of the house and configuration of the windows takes account of the neighbours. As such there are no serious overlooking issues and all aspect distances are satisfied.

The changes in levels along the shared boundary and improvements to drainage are proposed as a result of concerns voiced by the neighbour at No.85. In relation to drainage and surface water run-off, the scheme is considered to be acceptable.

The proposal satisfies UDP Policy H2/1 and guidance within SPD Note 6 with regard to residential amenity.

Access and Parking - Whilst the position of the house restricts vehicular movements somewhat, given that it is set forward of the original approved position, the in-out arrangement for vehicular access and egress would allow a car to enter and exit in forward gear without serious detriment to highway safety. As such the proposed access and parking arrangements are considered to be, on balance, acceptable in that vehicles can enter and exit in forward gear. The proposal complies with UDP Policy HT2/4 Car Parking and New Development.

Drainage - Given the proposed changes to the levels along the shared boundary with No.85 and additional drainage channels and field drain, it is considered that water run-off should not cause undue problems to the neighbour. Surface water run-off would follow the proposed land fall and would be channelled into the existing surface water drainage system. It is considered appropriate, given the concerns of the neighbour, to attach a condition to any approval that details of surface water drainage be submitted to and approved in writing by the Local Planning Authority.

Curtilage - The location plan and proposed site layout indicates that the existing domestic curtilage of No.87 would be retained in its present form. The applicant has acquired a plot of land over the rear boundary, however this is not be part of the application site and planning permission would be required to incorporate it into the garden. It is considered appropriate

to attach a note to the applicant to this effect.

Objections - Whilst the new dwelling has not been built according to the previously approved scheme and the proposed alterations to the previously approved scheme are not ideal in terms of siting, massing and design, they are not considered to be so seriously detrimental to warrant refusing planning permission. The proposal is therefore, on balance, considered acceptable in terms of UDP policies listed.

Summary of reasons for Recommendation

Permission should be granted having regard to the policies and proposals listed and the reasons for granting permission can be summarised as follows;-
The replacement house complies with housing policy and guidance. It is considered to be, on balance acceptable on the street scene and would not have a significantly detrimental impact on the amenity of the immediate neighbours. No highway concerns. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to revised drawings numbered K496/50/A, 51 and 52/A-10.10.11 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
2. Samples of the materials to be used for the roof, areas of hardstanding and boundary treatment 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.
3. Notwithstanding the approved plans, within one month of the date of this decision full details of the proposed boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The proposed side boundary fence shall not exceed 1.8m from the adjacent ground level of No.85 Church Street and the front wall shall not exceed 600mm above the adjacent pavement level. The approved details shall only be implemented as part of the approved development.
Reason - To secure the satisfactory development of the site and in the interests of amenity and highway safety pursuant to housing policies H2/1 and H2/2.
4. Notwithstanding the approved plans, within one month of the date of approval, a landscaping scheme including boundary planting shall be submitted to, and approved in writing by, the Local Planning Authority. It shall be implemented not later than 6 months from the date the dwelling 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.
5. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) Order 2008, or as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning

Authority.

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

6. The contaminated land Remediation Strategy (previously agreed under application 52380) for the site shall be implemented to the satisfaction of the Local Planning Authority prior to the development being brought into use. A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

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

8. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:
 - Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
 - A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 54712

**ADDRESS: 87 Church Street
Ainsworth**

E D S



1:1250

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54712

Photo 1



Photo 2



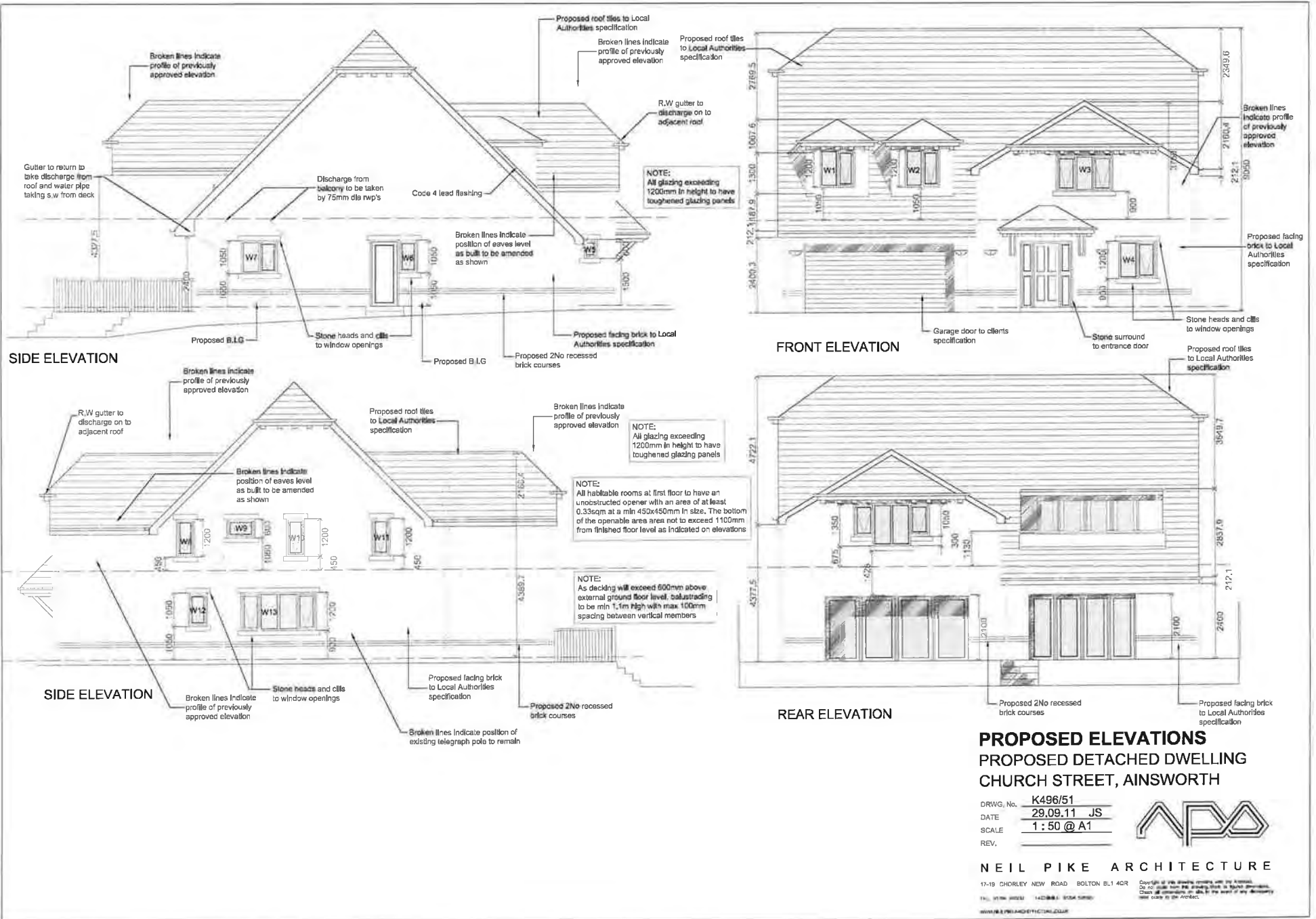
54712

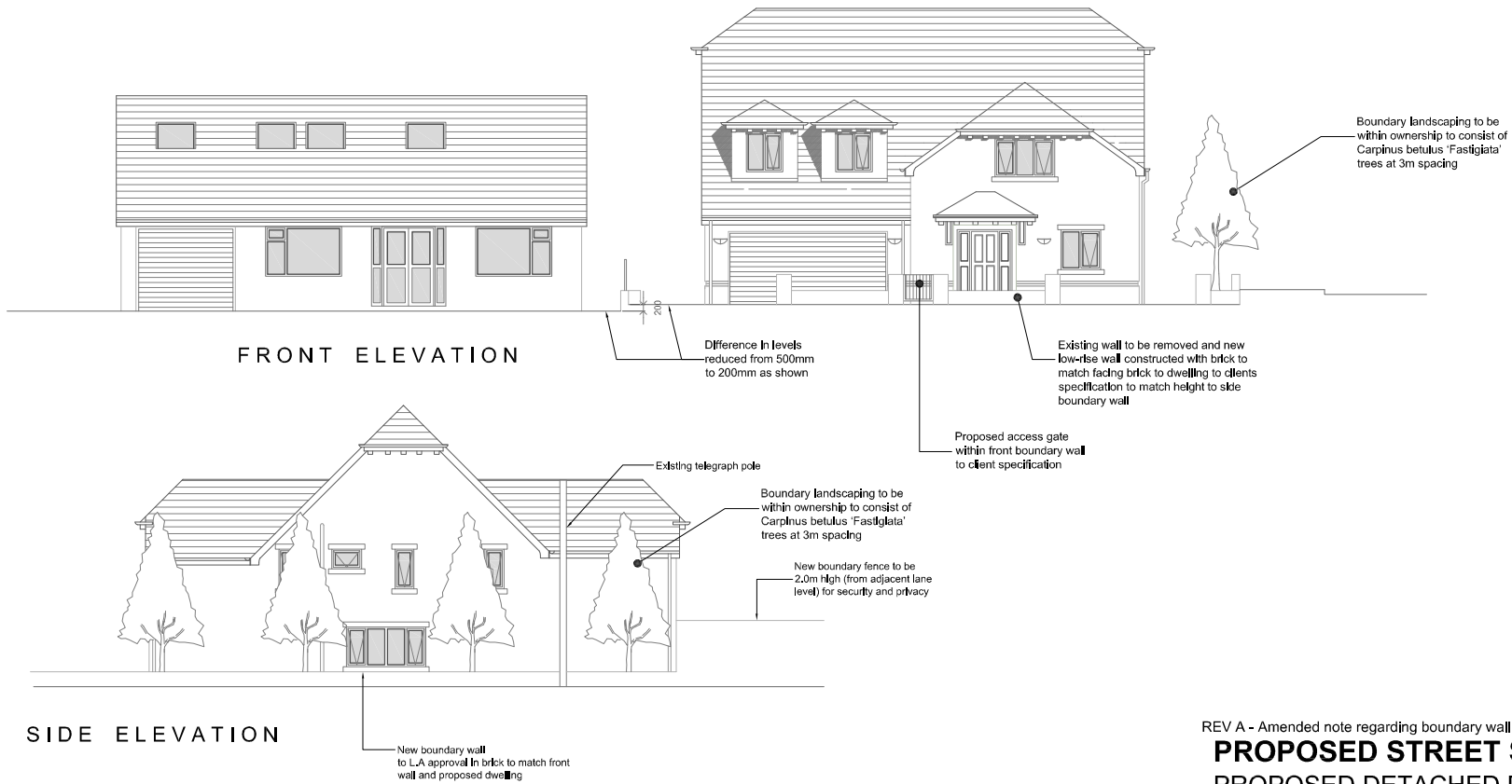
Photo 3



Photo 4







FRONT ELEVATION

SIDE ELEVATION

REV A - Amended note regarding boundary wall and reduced height of access gate

PROPOSED STREET SCENES
PROPOSED DETACHED DWELLING
CHURCH STREET, AINSWORTH

DRWG. No. K496/52
 DATE 29.09.11 JS
 SCALE 1 : 100 @ A2
 REV. A - 10.10.11



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