

Title	Planning Applications
To:	Planning Control Committee
On:	21 February 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:** 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:** Y
-
- 02 Area Board-Ward:** Ramsbottom and Tottington - Ramsbottom **App No.** 54673
- Location:** 11-11a Holt Street West and 7 Shilton Street, Ramsbottom, Bury, BL0 9NH
Proposal: Change of use of ground floor undertakers (Class A1) and first floor hairdressers with flat (Class A1/C3) to 4 no. flats (Class C3)
Recommendation: Approve with Conditions **Site Visit:** N
-
- 03 Area Board-Ward:** Whitefield + Unsworth - Unsworth **App No.** 54693
- Location:** Junction of Manchester Road/Hollins Brow, Bury
Proposal: Junction improvement scheme which includes land to form widened highway together with associated works
Recommendation: Approve with Conditions **Site Visit:** N
-
- 04 Area Board-Ward:** Prestwich - Holyrood **App No.** 54722
- Location:** Land off Poppythorn Lane, Prestwich
Proposal: Outline - Demolition of existing buildings and erection of 9 no. dwellings and associated access and car parking (Resubmission of 53963)
Recommendation: Approve with Conditions **Site Visit:** N
-
- 05 Area Board-Ward:** Bury East **App No.** 54736
- Location:** 399 Rochdale Road, Bury, BL9 7DB
Proposal: A: 3 non illuminated signs (Signs B,C,E) - Recommended for Approval
B: 5 non illuminated signs (Signs D,F,G,H,I), 1 internally illuminated projecting sign (Sign A) - Recommended for Refusal
Recommendation: Split Decision **Site Visit:** N
-
- 06 Area Board-Ward:** Radcliffe - East **App No.** 54772
- Location:** 35 Eton Hill Road, Radcliffe, Manchester, M26 2YG
Proposal: Change of use from 1 no. dwelling to 2 no. self contained flats
Recommendation: Approve with Conditions **Site Visit:** N
-
- 07 Area Board-Ward:** Prestwich - Sedgley **App No.** 54777
- Location:** 3 Kings Road, Prestwich, Manchester, M25 0LE
Proposal: Change of use from existing use (A1) to (A5) Hot-Food Takeaway.(Resubmission of 53586)
Recommendation: Approve with Conditions **Site Visit:** N

Ward: Whitefield + Unsworth - Besses

Item 01

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

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

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 objection.

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.

Designforsecurity - 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 1 month 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.

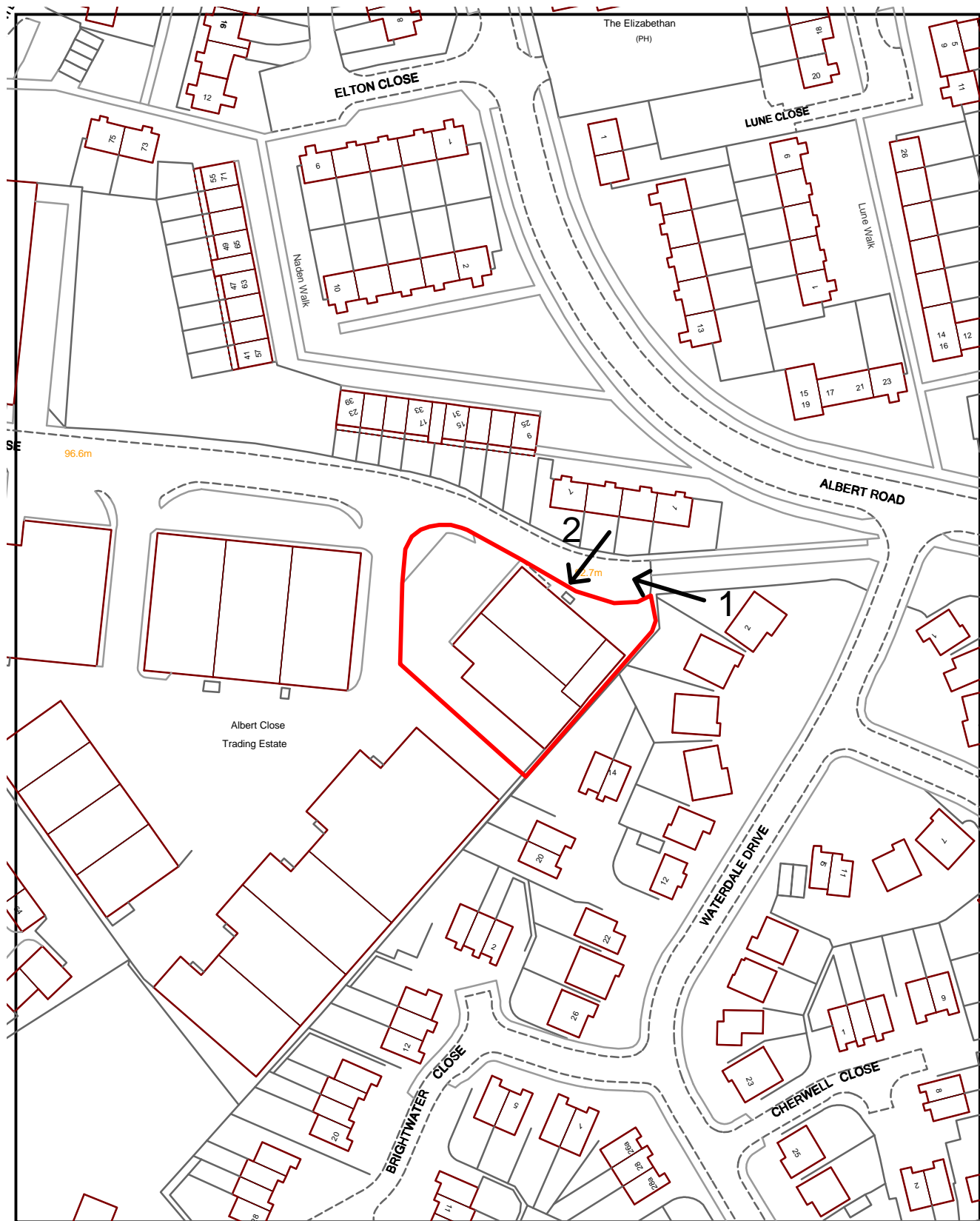
Recommendation: Approve with Conditions

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 suitably qualified 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 16:15 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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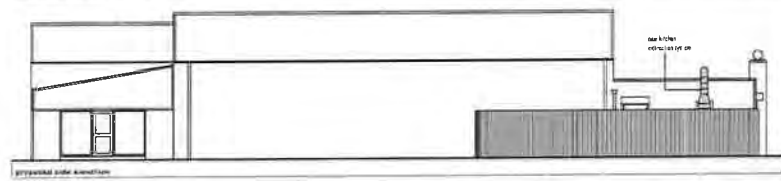
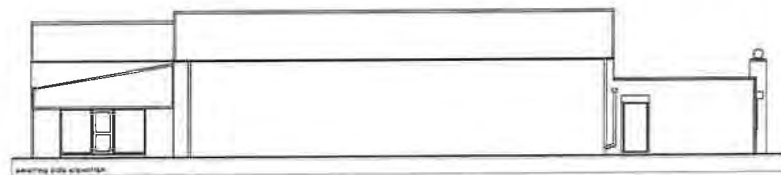
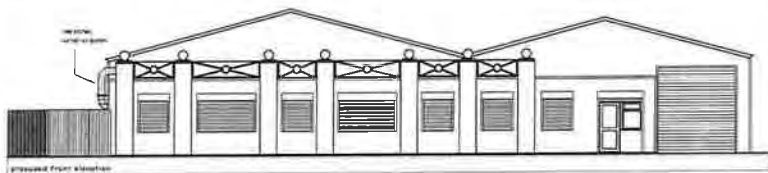
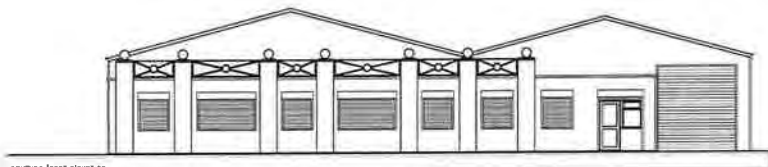
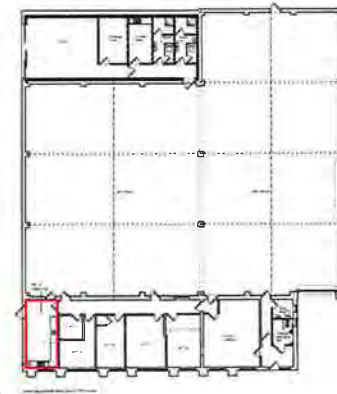
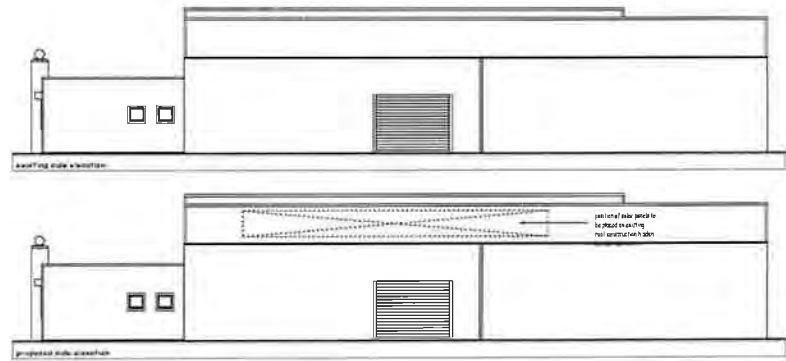
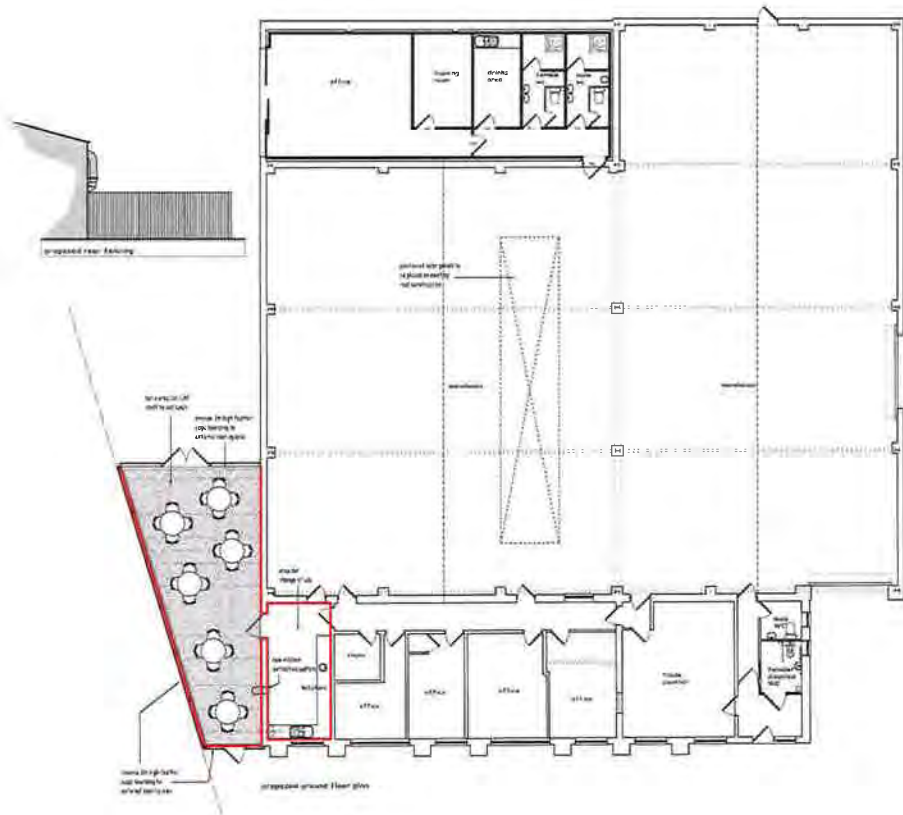
54621

Photo 1



Photo 2





This drawing has been prepared for the sole purpose of obtaining planning permission for the proposed development. It is not to be used for any other purpose without the prior written consent of the architect.

All dimensions & levels are to be fixed on site prior to construction and the architect is not responsible for any errors or omissions. The client shall be responsible for any errors or omissions in the drawings and any third party shall be held responsible for any errors or omissions.

The drawings are the property of the architect and are not to be used for any other purpose without the prior written consent of the architect. The drawings are not to be used for any other purpose without the prior written consent of the architect.

DATE	
BY	
NO.	10-11
DATE	10-11
BY	10-11

SCALE: 1:100 DATE: 10-11
 DRAWN BY: JGU
 CHECKED BY: JGU
 CLIENT: UAP Ltd
 PROJECT: Extraction & Change of Use
 LOCATION: Unit 2 Albert Close Trading Estate, Whitefield
 LOCAL AUTHORITY: Bury MBC

PREBUILD SOLUTIONS
 UNIT 2 ALBERT CLOSE TRADING ESTATE, WHITEFIELD, BURY, LANCASHIRE, M33 9JG
 0161 254 1111
 www.prebuildsolutions.co.uk

2752-02

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 02

Applicant: Mr Zohar Khan

Location: 11-11a Holt Street West and 7 Shilton Street, Ramsbottom, Bury, BL0 9NH

Proposal: Change of use of ground floor undertakers (Class A1) and first floor hairdressers with flat (Class A1/C3) to 4 no. flats (Class C3)

Application Ref: 54673/Full

Target Date: 13/02/2012

Recommendation: Approve with Conditions

Description

The site comprises a group of three vacant stone built terraced properties on the corner of Shilton Street and Holt Street West. The ground floor was previously an undertakers and the upper floor was occupied by a hairdressers with a small flat fronting Shilton Street. There is a small walled yard at the rear with access, via a covered archway, onto Holt Street West. Neither Holt Street West or Shilton Street have parking restrictions. The area is predominantly residential in character with terraced houses across both Shilton Street and Holt Street West. The premises immediately to the south-east on the first floor of No.8a -10a Holt Street West is a dance school with a shop below. The site is within Ramsbottom Conservation Area.

The proposal involves converting the ground floor into two flats (a 1-bed and a 2- bed flat) with two 2-bed flats on the first floor. The door and window openings on the Holt Street West and Shilton Street elevations would remain as existing whilst there would be additional windows added to the rear yard elevation. The rear yard would be for bin storage. Any parking needed would be on-street.

Relevant Planning History

00581/E - Conversion to apartments - Enquiry completed 23/10/2009

07722/79 - Change of use of first floor to hairdressers - Approved 8/03/1979

Publicity

The following neighbours were notified by letter dated 22/12/2012. 4, 6, 8, 9 and 11 Shilton Street. Nos.10 - 22 Holt Street West (evens), 8, 10 and 12 Bolton Street West.

Objections have been received from the following properties: 12, 14 and 16 Bolton Road West, 9 and 10 Shilton Street, 10 and 22 Holt Street West. There concerns are as follows:

- Additional flats will cause additional parking problems in the area which already suffers from parking congestion in the evening, in part due to the dance school on the corner of Bolton Street West and Holt Street West.
- Additional bins on the street will cause further problems.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health - No objection.

Waste Management - No objection.

Conservation Officer - No objection.

Baddac - No objection.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN1/5	Crime Prevention
EN7/2	Noise Pollution
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
SPD15	Residential Conversions

Issues and Analysis

Principle - Given that the area is predominantly residential in character, the premises have a domestic appearance and that proposal would also allow vacant premises to be brought back into productive use, the principle of the change of use to residential is therefore considered acceptable and would comply with UDP Policy H1/2 relating to new residential development. Further to this policy the proposal would also need to comply with Policy H2/4 Conversions.

UDP Policy 2/4 Conversions sets out the criteria to be applied to conversions of buildings to two or more self-contained units:

- the effect on amenity of neighbouring property through noise, visual intrusion, position of entrances, impact of parking,
- impact on the character of the area,
- Impact on amenity of future occupants,
- the effect on the street scene of any external changes to the building and
- the impact of parking and servicing.

Visual Amenity - The only external alterations would be new windows on the rear elevation, facing into the yard. As there would be no significant external alterations on the 'road elevations', the proposed change of use would not adversely affect the appearance on the street scene. Indeed the conversion to residential would reduce the likelihood of commercial signage appearing on the building within what is a residential area within a conservation area. In respect to visual amenity and character of the conservation area, the proposal complies with UDP Policies EN1/2, H2/1 and H2/2.

Residential Amenity - Notwithstanding the parking issues raised by objectors which are addressed in the next section, the proposed residential use is unlikely to raise any significant residential amenity issues. Given that the existing premises has unrestricted A1 retail uses at both ground and first floor, the potential for noise and disturbance, particularly during the day, should be much reduced.

Noise protection between the proposed flats would be required to have appropriate acoustic insulation to the party walls/floors and ceilings allowing the proposal to comply with UDP Policies EN7/2, H2/1 and H3/1 in respect of the residential amenity of future residents of the flats.

The Council's guidance on habitable room window to window distances between houses suggests that there should be a gap of about 20m. This is clearly not possible given the width across Holt Street West. However given that the windows in the Holt Street West elevation of the site are existing, and therefore overlook premises across the street anyway, concern in this regard is mitigated and in this case the aspect standards have not been strictly applied.

Parking - The Council's policies regarding parking and residential development require the developer to make adequate provision for parking in accordance with its parking standards, set out in Development Control Guidance Note 11(DCG11). In line with central government

advice, these standards are expressed as a maximum provision rather than as a minimum requirement. This allows for greater flexibility and recognises that sometimes the imposition of higher parking requirements may be detrimental to wider planning interests. Given that there is already a bedsit within the existing premises, the maximum number of spaces of the type of flats (three additional 2-bed flats) proposed would be 4.5.

It is noted that the site is located within a 'high access area', within a short walking distance of Ramsbottom Town Centre and is close to the main bus route along Bolton Road West. In similar vein to the views of the planning inspector when upholding the appeal against 8 flats (with 5 off-street parking spaces) at the Old Dun Horse in 2010, the one and two bed flats may well appeal to single people or couples who value the convenience of the location and as such the occupation of the flats would not give rise to the maximum parking demand. In the same appeal statement the inspector refers to the reliance of residents in this area on 'on-street parking'.

There is no off-street parking provision proposed with this development. The original scheme submitted included a single parking space with the rear yard area, however it was considered that the rear yard would be best served as a bin store and small utility/amenity space for future residents. Given its rather awkward position off the back road, it is doubtful whether a parking space here would be practical in any case.

The requirement for the existing retail and residential uses, the size, nature and location of the proposal has to be considered in any assessment of a scheme of this nature. Whilst the existing uses - undertakers and hairdressers being both A1 retail - are generally daytime operations, they do not have any time restrictions on them and could extend into the early evening when demand for spaces from residents is also increasing.

From the comments of the objectors and visits to the site, it is clear that parking problems arise in the evening and at night rather than during the day. This is due to general levels of car ownership, the narrow streets within the area, and for specific times of the day, the parents dropping children off at the dance school on the corner of Bolton Road West and Holt Street West. Whilst there may be pressure on parking in the immediate vicinity, it is not considered that this particular development would add significantly to this problem for the reasons outlined above.

There are no objections from the Traffic Section and the proposal is considered to comply with UDP Policies H2/2, H2/4 and HT2/4 and supplementary guidance on parking.

Servicing - The bin storage facility within the rear yard area is considered appropriate and collection would be from Holt Street West as with the previous businesses.

Objections - The issues raised by objectors with regard to parking and refuse storage have been addressed above.

The proposal is considered to be acceptable and complies with 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 proposal should not have a detrimental impact on the character and visual amenity of the area or residential amenity of the neighbours. The parking provision is considered appropriate given the nature of the property within this locality. Complies with UDP policies listed. There are no other material considerations that outweigh this finding.

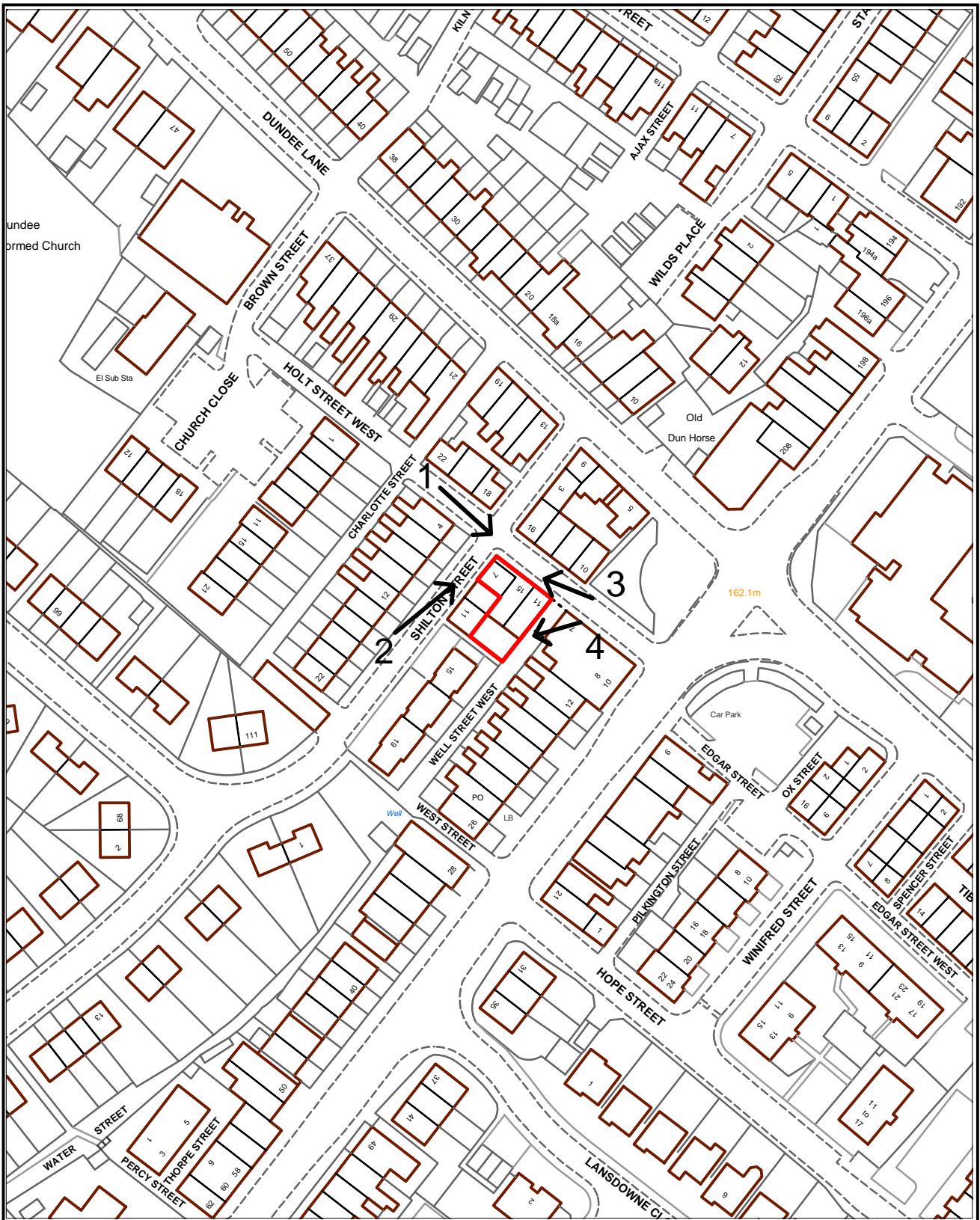
Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Sheet 1, 2 3(rev1) and 4(rev1) 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 for the new windows on the rear elevation shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The refuse storage facilities indicated on the approved plans shall be made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved becoming first occupied and shall thereafter remain available at all times.
Reason. In order to ensure that the development would maintain adequate facilities for the storage of domestic waste, including recycling containers, in the interests of amenity and pursuant to the following Unitary Development Plan Policies: H2/2 Layout of New Residential Development and H2/4 Conversions.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 54673

**ADDRESS: 11-11A Holt Street West
& 7 Shilton Street
Ramsbottom**

Planning, Environmental and Regulatory Services 1:1250

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Bury
COUNCIL

54673

Photo 1



Photo 2



Photo 3



Photo 4



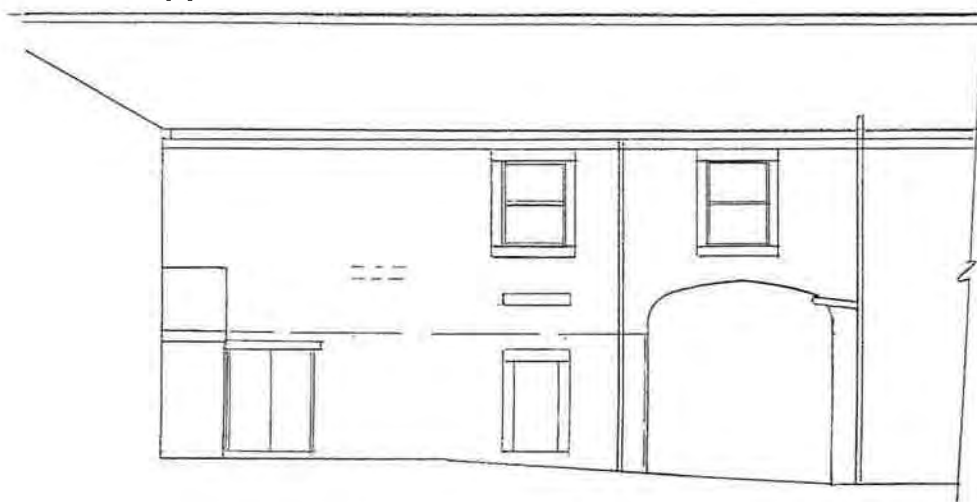


Gated access to rear of properties

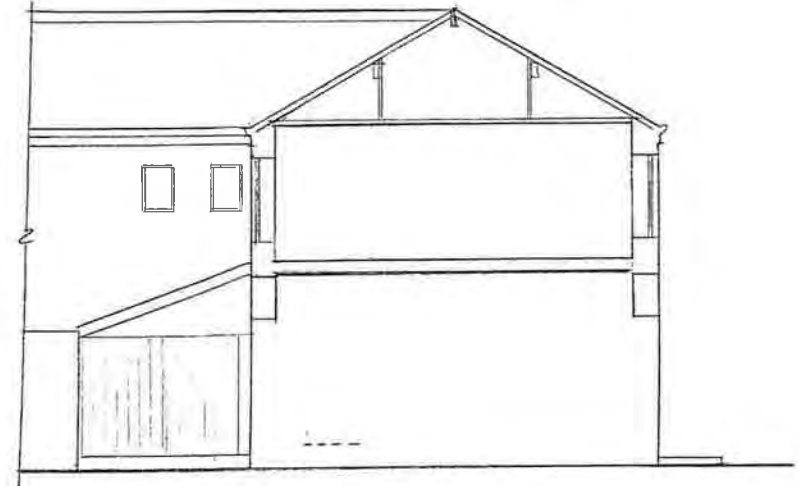
Existing Front Elevation



Existing Side Elevation

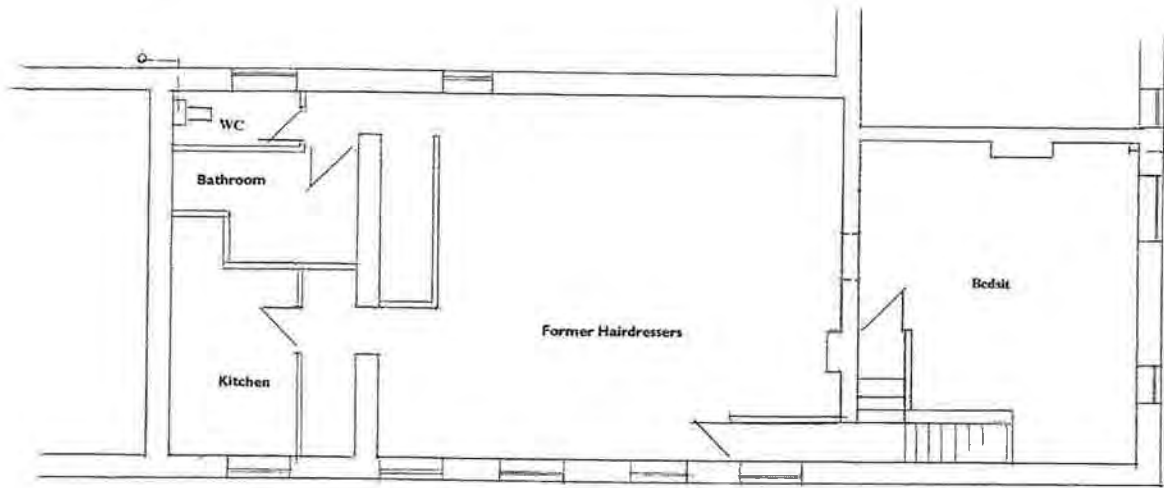


Existing Rear Elevation

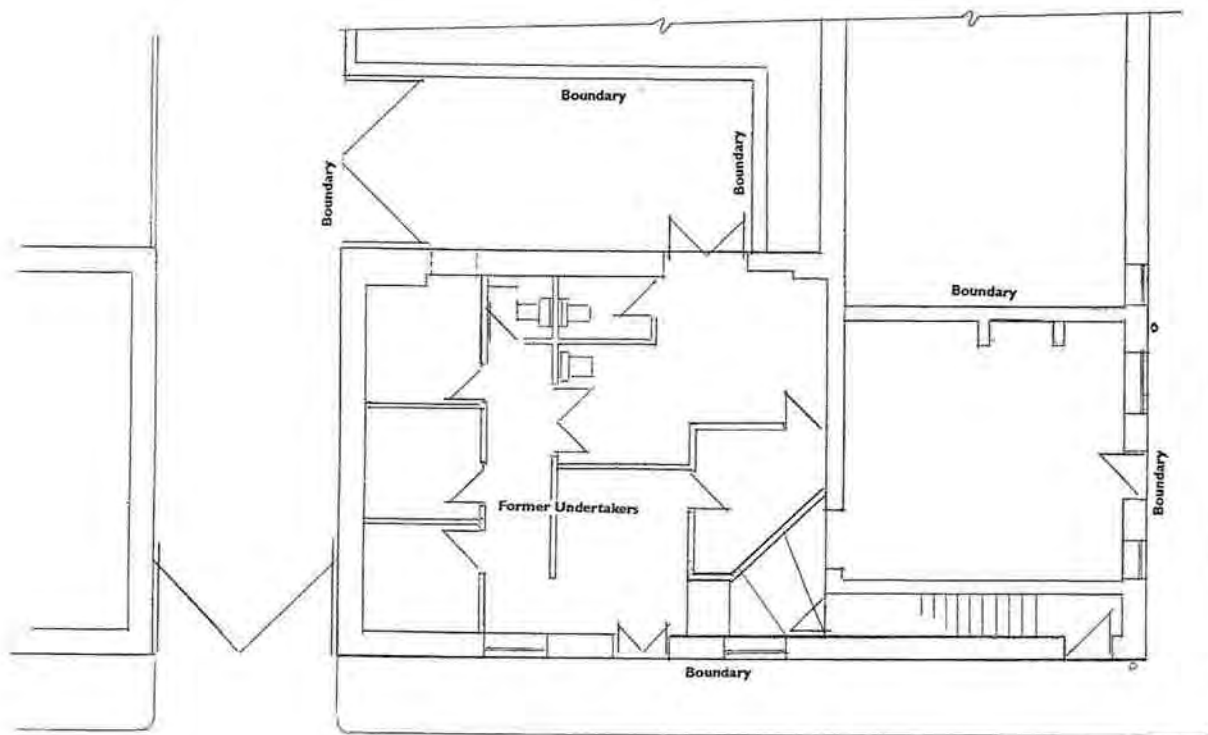


Existing Side Elevation

Thompson Designs
Tel 0161 705 1458 Mob 07884 318634
Sheet 1 Existing Elevations
11, 11A Holt Street West
& 7 Shilton Street
Ramsbottom BL0 9NH
Scale 1 : 100 Date November 2011

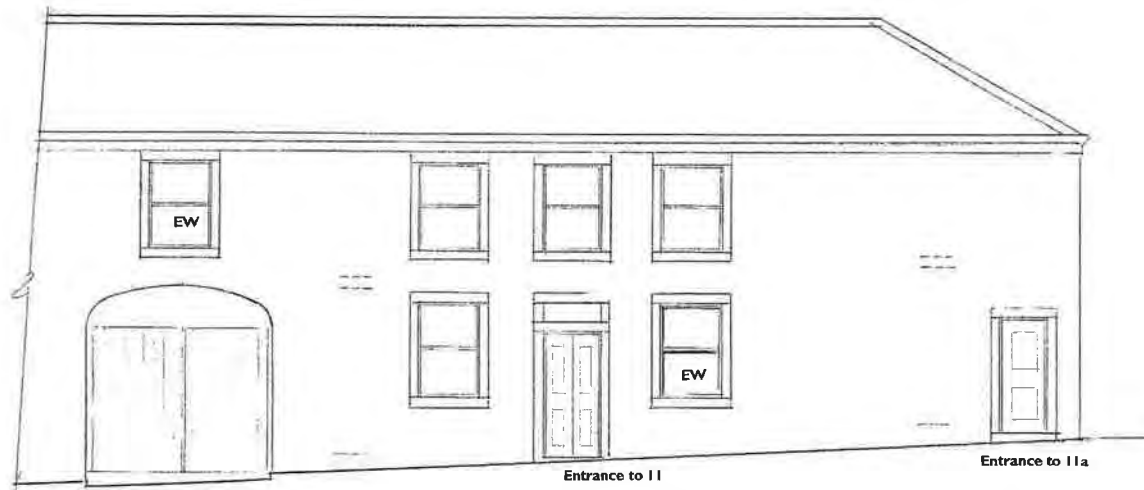


Existing First Floor Plan



Existing Ground Floor Plan

Thompson Designs
 Tel 0161 705 1458 Mob 07884 318634
 Sheet 2 Existing Plans
 11, 11A Holt Street West
 & 7 Shilton Street
 Ramsbottom BL0 9NH
 Scale 1 : 100 Date November 2011



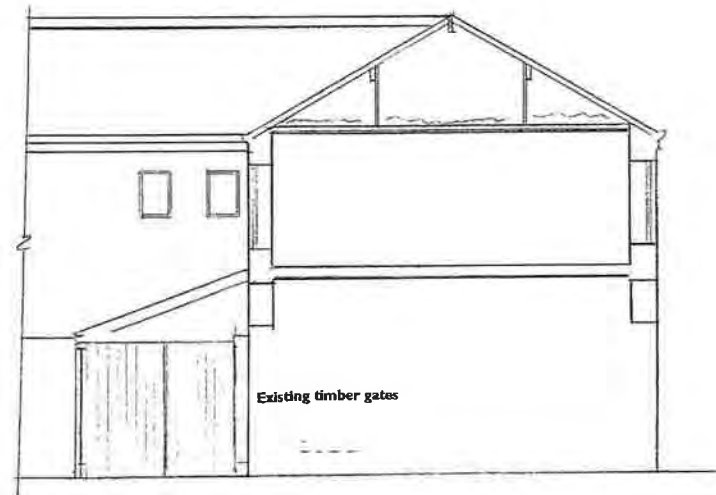
Proposed Front Elevation



Proposed Side Elevation



Proposed Rear Elevation

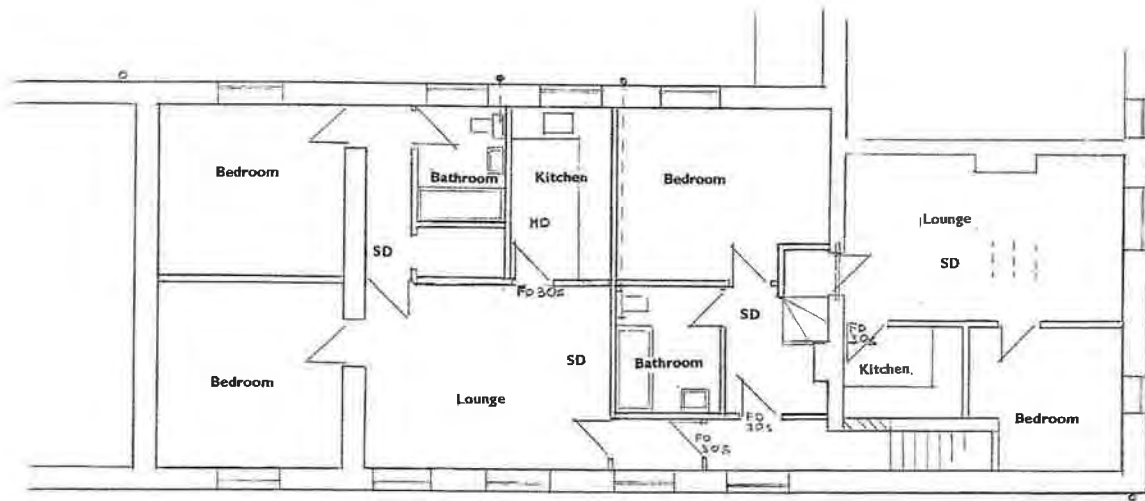


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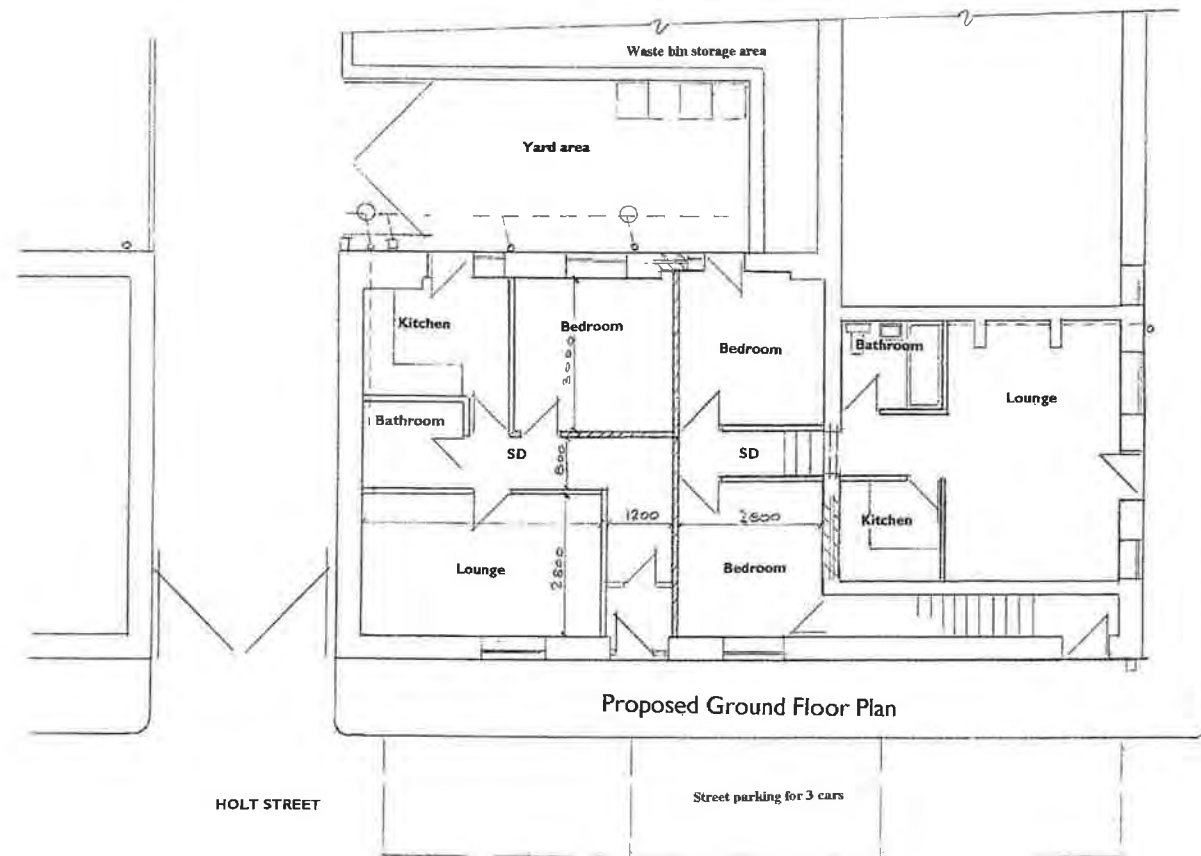
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Sheet 3 Proposed Elevations
 11, 11A Holt Street West
 & 7 Shilton Street
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 Scale 1 : 100 Date November 2011

Rev 1



Proposed First Floor Plan



Proposed Ground Floor Plan

EW Escape windows

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<p>Sheet 4 Proposed Plans 11, 11A Holt Street West & 7 Shilton Street Ramsbottom BLO 9NH Scale 1 : 100 Date November 2011</p>

Rev 1

Ward: Whitefield + Unsworth - Unsworth

Item 03

Applicant: Bury Council

Location: Junction of Manchester Road/Hollins Brow, Bury

Proposal: Junction improvement scheme which includes land to form widened highway together with associated works

Application Ref: 54693/Full

Target Date: 06/02/2012

Recommendation: Approve with Conditions

This application will be site visited by the Committee at the request of the Assistant Director of Planning, Environmental and Regulatory Services.

Description

The application site comprises a northerly section of garden currently within the boundaries of 773 Manchester Road and Smithy Brow. Planning permission is sought for a road widening scheme to Hollins Brow, that seeks to improve traffic flows along Manchester Road (A56) and Hollins Brow.

The scheme has arisen through a study as part of the Greater Manchester Congestion Performance Scheme, where this particular junction has been identified as having a negative impact on congestion performance and is causing increased journey and waiting times on the traffic flows from Hollins Brow and also along Manchester Road.

The land subject to the proposal comprises a strip of existing garden land varying from 3.4m to 4.4m in width and up to a maximum of 5.4m. The land is elevated in relation to Hollins Brow by some 1.2m (at Manchester Road end) increasing to circa 4.0m at its north-easterly end. There is a coverage of large bushes, trees and shrubs within the land and it also includes an existing stone masonry retaining wall.

The scheme proposes the creation of an additional lane on the Hollins Brow arm and an additional footpath for a distance of approximately 50 metres from the Manchester Road junction. The scheme includes the rebuilding of the stone wall, new 1.8m high fencing to the existing residential property at Unsworth Lodge/733 Manchester Road and replacement planting behind the new retaining wall structure.

Relevant Planning History

There is no relevant planning applications for the proposed site. However, 733 Manchester Road has been the subject of a previous Compulsory Purchase Order circa 1983 to 1985 that sought to secure private land from the frontage of the property facing Manchester Road for pavement widening works.

Publicity

9 properties were consulted initially on 14/12/11 including 1 Hollins Brow; Flats 1-6 River Rise; Bury Golf Club; Unsworth Lodge/ 733 Manchester Road; Revised plans reconsultation was carried out on 18/1/12 and 19/1/12. A site notice was posted at the junction on 6/1/12.

As a result of this publicity, 9 objections have been received from 1 Hollins Brow, Unsworth Lodge/ 733 Manchester Road, 25 & 53 Heathfield Road, 21 Bloomfield Drive. Points raised include:

- The feasibility study is outdated and should be further reviewed on the basis of the changes already made to the phasing of the traffic lights and current traffic movements.

- There have been accidents at the junction in the past 12 months; such accidents would be closer to my property and take account of HGV movements that have been reduced as a result of the weight restriction..
- The impact of the traffic being at the traffic lights for a longer period will create an unnecessary detrimental environmental impact on the property at the junction. This needs further reviewing before permission is granted.
- How can adding a left turn only lane from Hollins Brow, approximately 8 cars length, for exit purposes only, improve the flow of traffic already on Manchester Road, traffic will be flowing onto Manchester Road not off it.
- The new foot way does not lead anywhere and will not be used or be a benefit. Crossing the road for pedestrians is already hazardous adding a further lane to negotiate would add to the problem especially for older people the infirm, people with prams and young children.
- Drawing No:H5463/010 section A-A showing the proposed boundary, the land levels are incorrect thus making the proposed fencing and screening not possible. This has been pointed out but not corrected.
- There has been no studies on pollution levels and noise levels that would affect the Lodge house next to the development. Twice the number of cars would be producing more carbon monoxide and noise.
- Bringing the boundary closer to my house would cause me concern with regard to the stability of the house in the event of a collision into the boundary wall and the resultant shock to the foundations.
- Years nurturing a natural boundary hedge would be lost as a result of the scheme thus impacting upon privacy and security. Regrowth will take years.
- The loss of the security and a significant amount of my garden will reduce the value of my property.
- Materials to be used in reconstruction are referred to as existing, the majority of the wall up Hollins Brow is dry stone walling and therefore not sufficient for a substantial wall.
- The costs incurred would be a complete waste of public funds in view of the cuts in essential services here and throughout the country. I think the development should be scrapped.
- Maintains the same objections to the revised plan.
- New development at Pilsworth possibly generating 128 extra vehicles on Hollins Brow is supposition; surely planning should be based on fact especially when it is public money funding it.
- Assuming the extra traffic does use Hollins Brow and then onto Manchester Road will this not back up the traffic at Sunnybank lights and beyond where it goes down to one lane, and also cause congestion in the other direction so therefore achieving no improvement?
- A new feasibility study is to be carried out before the next application together with checking land levels in our garden, we have not been made aware of either at this time.
- The reason this project was considered was because funds had been made available from central government. As this money is now no longer available why is this project now in fact taking money from other areas within councils budgets?
- It is a glaring fact that the majority of roads and pavements are in desperate need of attention.
- Stunned at the plans and the blasé non-caring attitude of the Council. The scheme beggars belief and stems from receiving a hand-out from central government of which Bury council will be matching. This is all in a time when in our borough we have:
 - Policing cut by 50%
 - Unsworth library under closure threats
 - Youth centres closing
 - Existing roads in dire need of repair
 - Councils around the country struggling for money and huge job losses
- The would simply not make any difference and in all honesty the only time the

junction is remotely busy in the morning and afternoon rush-hour and even then the traffic is flowing and rarely backed up for very long.

- The occupants of Unsworth Lodge are both retired and therefore are at home more so than if they were working. The impact on their lives would be devastating it would bring the traffic closer to the house raising safety issues; with more cars being sat at the junction it would vastly raise the fumes again raising health and safety issues.
- Manchester Rd has recently encountered holes and cracks appearing this makes it a huge concern what impact would vast construction work and thereafter more traffic have on the foundations around my parent's house.
- I hope that Bury council, the Chief Planning Officer, the Planning Control Committee and anyone else who feels strongly about the total waste of money to oppose this scheme.
- The consultation letter dated 14th December 2011 ruined Christmas and New Year it informed me I had 21 days to put forward my objections. Due to the time of year and incidentally more than any other time, the council offices have been closed (no one working Bank holidays and weekends) this has caused me a great deal of upset but apparently personal matters cannot be considered in planning. How fortunate for the council the timing of this correspondence and how unfortunate for myself and family.
- It is also clear from my observations that any back up in traffic is due to queuing traffic trying to turn right from Hollins Brow onto Manchester Road towards Bury. The traffic is sometimes backed up along Manchester Road to the Blue Bell pub junction. I don't see how an additional lane turning left onto Manchester Road from Hollins Brow will alleviate the volume of traffic heading into Bury?
- Surely money would be better spent on combating the speeding cars that race up and down Manchester Road and which have led to frequent road traffic accidents over the last 12 months.
- The scheme would create more road and pavement which in time will need maintenance spend.
- Concerning the proposals at Pilsworth, why is there an assumption this volume of traffic will use this junction and not the motorway?
- This is the second CPO considered at Unsworth Lodge. Over twenty years ago Bury council issued a CPO to widen Manchester Road and to widen the footpath. The reason we were told for doing this was so people could walk to the doctors more easily and safely the doctors is now Metro fish & chip shop. Over the years this has resulted in numerous smashed windows from people throwing things. The boundary wall has also been hit by vehicles on countless occasions. Doing this project will make these concerns much worse; it will bring the level of security and safety to a level of virtually nothing.
- When you consider that when my parents first bought the house you could hardly see the property from the road due to the lovely stone wall that swept round the front of the house, again this added the security and privacy and not to mention a more aesthetically pleasing look to the house. This was taken away by the council, was this fair?
- In the current economic climate future developments development at Pilsworth is not guaranteed. You should wait and see what actually happens within the Pilsworth area.
- When The Bridge Inn public house suffered a gas explosion in the early 2000s and was subsequently knocked down, this left a prime opportunity to completely change the junction layout. This should have been developed as a junction improvement instead of flats.
- The Localism Act states: New rights will allow local community's to shape new development. The planning system doesn't give local community's enough influence over decisions that will make a big difference to their lives. New rights in the Localism Act mean local people can decide.
- Considering that the Localism Act is to allow community's and local people to be more involved in projects it must surely be taken in to account that people who have lived in the same property for over 40 years would actually have a fair idea of the traffic flow, probably somewhat more so than a one day feasibility study.

- In considering the Human Rights Act, this doesn't appear very fair that councils can simply obtain the land under CPO .
- The occupants of Unsworth Lodge feel as though they are being forced out of their own home.
- The footpath to nowhere would mean trying to cross three lanes of traffic while traffic is coming up and down Hollins Brow which would be much more dangerous especially for people who have mobility difficulties or have small children with them. It will also be very difficult to see traffic coming down Hollins Brow as the road passed the entrance to Smithy Brow will not be clearly seen from the pathway and traffic travelling down the brow might not be able to clearly see people trying to cross the road.
- Many people in the Sunnybank area use the Doctors surgery on Croft Lane and the normal way to get there on foot would be by crossing Hollins Brow at its junction with Manchester Road , on behalf of all those people, including myself, who do not always have access to a car I would ask you not to make it more difficult for us to attend the doctors surgery.
- There has been insufficient publicity about this proposed scheme.
- If the Pilsworth Business site is extended are there plans in the pipeline to remove the weight restrictions that now apply to this road? if there are then perhaps the people of Hollins should be made aware of this.

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

Consultations

Traffic Section - no objections.

Drainage Section - no objections.

Environmental Health Contaminated Land and Air Quality - no objections.

Baddac - No objections condition is requested to ensure that the location of pedestrian crossing facilities associated with the works such as drop kerbs and tactile paving is provided.

Wildlife Officer - No objections. Recommends conditions regarding timing of works to avoid nesting birds and to exercise caution as bats maybe in trees, although this is considered to be a low risk.

Unitary Development Plan and Policies

PPG24	PPG24 - Planning and Noise
PPS9	PPS9 Biodiversity and Geological Conservation
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN1/2	Townscape and Built Design
HT5/1	Access For Those with Special Needs
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN1/5	Crime Prevention
HT6/1	Pedestrian and Cyclist Movement
HT2/2	Improvements to the Strategic Route Network
HT1	A Balanced Transportation Strategy
EN1/1	Visual Amenity
EN8/1	Tree Preservation Orders
EN8/2	Woodland and Tree Planting
HT6/2	Pedestrian/Vehicular Conflict

Issues and Analysis

Policies - Objectives within part 10 (Highways and Transportation) of the UDP states amongst other matters that the Council will seek to minimise congestion and vehicle emissions by improving the flow of traffic and implement measures to reduce the impact upon residential areas. Additionally it would seek to reduce the conflict between

pedestrians, motor vehicles and cyclists.

Unitary Development Plan (UDP) Policy HT1 - A Balanced Transportation Strategy seeks to coordinate the approach to the formulation of policies and proposals for the alteration, upgrading or improvement of the highway network. This does include the improvement of the capacity of major roads by selective improvement.

Policy HT2 - Highway Network seeks to improve road safety the attractiveness of public transport, improve or protect the economic viability of the Borough, improve the flow of traffic and improve or protect the environment.

Policy HT2/2 - Improvements to the Strategic Route Network includes both Hollins Brow and the A56 Manchester Road and the policy states that the Council will undertake highway improvements and implement traffic management measures at selective locations on the network, with the aim of reducing congestion particularly at peak periods and at road junctions.

Policy HT6/1 - Pedestrian and Cyclist Movement seeks to eliminate points of conflict between pedestrians/cyclists and motor vehicles.

EN1/1 - Visual Amenity - states that, amongst other matters, development would not be permitted where proposals would have a detrimental effect upon public views from areas such as river valleys or Green Belt.

EN1/5 - Crime Prevention and the associated SPG3 - Planning Out Crime both encourages development to provide sufficient, sensitive mitigation for crime prevention through carefully considered design.

EN2/1 - Townscape and Built Design - requires development to be of a high standard of design in terms of height, scale and position; ensure that a proposal can assimilate into the surrounding area through the use of appropriate choice of materials and incorporates and in terms of land use and the appropriate use of landscaping measures where they are relevant.

Policy EN7/1 - Atmospheric Pollution - states that the Council will seek to limit atmospheric pollution and will not permit development which would result in unacceptable levels of atmospheric pollution and/or is not compatible with the achievements of the Council's long term air quality standards.

Policy EN7/2 - Noise Pollution seeks to limit noise pollution and states that the Council will not permit development that would lead to an unacceptable noise nuisance to nearby occupiers.

Background and Need - The Local Planning Authority is informed that the main purpose of the scheme is to alleviate congestion on the A56 Congestion Performance Priority Route. The Manchester Road / Hollins Brow junction is a major bottle neck along this priority route, currently operating significantly above saturation levels in both the am and pm peaks. The existing junction capacity is significantly restricted by the current amount of traffic signal green time allocated to the Hollins Brow arm. Therefore the proposal is to widen Hollins Brow allowing a reduction in traffic signal green time to this arm thereby freeing green time to the Manchester Road arms of the junction. Analysis of the traffic flows in the event of the scheme being implemented shows a significant increase in junction capacity, resulting in reduced delays in the capacity studies.

It is anticipated that future demand at this junction will increase above general changes in traffic flow as proposed future developments within the Pilsworth area come to fruition. In particular planning permission has been granted for an 8,500 sqm office development at Roach Bank Road, Pilsworth and traffic studies predict this will generate an additional 128 vehicle movements in the am peak alone. A proportion of which will inevitably use this junction. Furthermore, the Pilsworth Area is defined within the Core Strategy for further

business development to contribute towards the Council's requirement to deliver employment land. The Core Strategy is at an advanced stage with its examination in public scheduled for later this year, having been through extensive public consultation.

Given the above it is considered that there is an overriding public need demonstrated by the scheme and the proposals would meet existing and proposed policy objectives in a wider sense. However, given the relationship of the development to 733 Manchester Road and its neighbour at Smithy Brow, it is important to also consider the local impacts of the proposal upon these properties.

Impact upon residential Amenity - 733 Manchester Road/Unsworth Lodge - The scheme would have the greatest impact upon the property 733 Manchester Road/Unsworth Lodge. due to the acquisition of land and the removal of existing boundary screening provided by high bushes and trees. As a result of the proposals, the highway boundary would come within 5 metres of the property at its closest.

The land subject to the proposals is currently unusable land, as it occupied by mature boundary screening. Given that the proposals require the loss of a narrow strip of land there would still be ample garden area left remaining at the side and rear of the property extending in a north-easterly direction. Therefore it is considered that the loss of the land in itself, would not be significant.

However, there would be a significant impact upon 733 Manchester Road in particular on their privacy and general amenity, caused through the removal of the mature boundary screening treatments and the closer proximity of vehicles, in particular taller vehicles such as lorries (which does happen on occasion despite the weight restriction) and buses. As such, it is necessary to consider the sufficiency of the mitigation and to compensatory planting and whether these would overcome the concerns.

Hard and Soft Replacement Boundary Features - The proposals show that the new boundary wall, currently within the ownership of 733 Manchester Road, would be repositioned and reconstructed, to modern day standards and thus its reconstruction and strengthening would be improved compared to its existing state. Visually, the height of the wall would be similar to the existing one and therefore, there would be no significant impact caused upon the street scene as a result of this change or the immediate neighbouring property. This would comply with policies EN1/1 and EN1/2.

The scheme shows that a new 1.8m high waney lap fence and soft landscaping would be erected on the edge of the remaining garden space behind the retaining wall. There are no specific details are provided of the planting in terms of species or heights.

It is considered that should the principle of the scheme be accepted, the boundary treatments above the wall must maintain privacy and screening for 733 Manchester Road. Despite the differences in levels between the garden of 733 and Hollins Brow, a 1.8m high fence alone would not afford sufficient screening from the upper deck of a bus. However, the use of a small mound to elevate its height should also be considered. This would be preferable to an increased height of fencing so that the fence would not be too strident in the street scene when viewed from Manchester Road and the river valley areas. This could readily be achieved without undue loss of additional garden land through the imposition of a planning condition and would ensure that privacy is maintained.

The choice of planting along this boundary would be an important consideration to ensure that it becomes established as soon as possible and is of a species that provides a suitable visual screening effect. These matters can also be secured through the imposition of a planning condition and be required to be planted at an early stage in the development proposals, should they be implemented.

Noise and Pollution - It has been suggested by the objectors that the proposals would increase air pollution in relation to 733 Manchester Road. The supporting evidence of the

scheme states that the proposals would result in traffic moving through the junction more effectively, which would reduce atmospheric and noise pollution. However, the holding capacity of traffic at the junction would also be increased and this is likely to cause an impact upon amenity when standing, waiting for green time to at the junction. Furthermore, given that the vehicular traffic would be closer to 733 Manchester Road , there is a concern that the waney lap fence would not sufficiently mitigate against noise and given the exposed position of the site, the longevity of a waney lap fence is also a concern.

There are no objections to the proposals from the Air Pollution section of Environmental Health. However, during the site visit, traffic noise and air pollution was evident and there is a need to consider whether the current proposals are sufficient or whether the proposals could be made acceptable by the use of planning conditions, without radically amending the scheme.

Noise is best mitigated at source as confirmed within PPG24. There are more appropriate fencing types available other than waney lap fencing that provides improved noise reduction and have greater longevity in exposed positions, such as close boarded timber fences. In this instance, it is considered that a planning condition could suitably be imposed to ensure that the fence has an improved acoustic quality such as a close boarded timber fence compared to a waney lap fence, which would more effectively deaden road traffic noise and be more robust against the elements, without changing the nature of the development.

Impact upon Smithy Brow - The proposals would similarly require a strip of land along Hollins Brow from this property. However, given that the amount of land some 2.1m in width is an unusable area of land due to the retaining wall structure and the topographical levels, is remote from the house itself and the overriding public need of the development, it is considered that the proposals would not have any significant impact upon the remaining use of the rest of the garden area. Furthermore, the development would be some 40m from the property and as such the impacts upon residential amenity, privacy, noise or atmospheric pollution would be negligible compared to the existing situation.

Impacts upon the Flats at River Rise - The proposals would be separated from these properties by 2 lanes of traffic and given this situation and the fact that the main aspect from the flats faces on to Manchester Road, there is sufficient distance and no main outlook over the development to warrant any particular concerns.

Ecology and Trees - The scheme has been submitted with an assessment of the potential impact upon bats and nesting birds given that the development would result in the loss of a number of trees. Two trees would be affected and the site is within a group Tree Preservation Order.

The trees and scrub do provide an attractive cover along Hollins Brow and consist of Ash, Sycamore and Lime. The remaining garden areas also contain mature trees, which would be unaffected by the proposals and all together the garden areas provide foraging potential for bats and nesting/roosting potential for bats and birds.

PPS9 seeks to ensure that the impacts upon wildlife are considered when assessing development proposals and through case law, tests of overriding public need, derogation on the species affected and no suitable alternatives must be considered.

Given the nature of the scheme, only this site is considered appropriate in order to meet the policy objectives of ensuring improved traffic movements in this particular part of the A56. Information from the applicant is that out of a number of schemes that were submitted to Greater Manchester Transport Improvement Fund, this scheme was considered to be number one priority in the whole of Greater Manchester. As such, the test on no satisfactory alternative is considered to be met.

In terms of overriding public need, the proposals would improve the significant numbers of traffic movements at a key point along the A56. In considering not only the existing traffic

situation but also the long term economic planning for the Borough and also in terms of extant planning approvals to the north east in Pilsworth, the proposals are considered to have met the overriding public need issue.

In terms of the derogation upon protected species, the proposals show that only two trees had more than a negligible potential for roosting bats (but are not to be affected by the scheme) and that all trees could offer potential for nesting birds. The accompanying report states that the trees to be lost, whilst they are mature trees, they have been considered to negligible potential for bats. As such, the report concludes that it is unlikely to consider the need for any further mitigation for bats. Additionally, the report recommends that tree removal be done outside the bird nesting season (March to August). Both these recommendations are considered to be reasonable by the Council's Ecologist and this should be conditioned.

As such, the proposals are considered to comply with the aims and objectives of PPS9.

Response to Objections -

- The submitted report indicates that traffic movements along Manchester Road would be improved as a result of the scheme. The reduction in vehicle movements as a result of the weight restriction has reduced the demands of the Hollins Brow arm by a maximum of 3%. The evidence therefore suggests that the scheme would reduce standing traffic significantly. Criticisms about the age of the report seek to cast doubt on its reliability. However, in the event of the scheme being approved, the scheme is reliant upon the acquisition of private land in order to implement the scheme. Data to support the case further would need to be provided to demonstrate that there would still be an overriding public interest to support the confirmation of such acquisition if this was by compulsory purchase order at that time. As such, the planning process is considering land use issues and the acceptability or otherwise on its impacts. Furthermore, even should planning permission be granted, the Council in its capacity of the Local Highway Authority still need to seek approval to continue with the process. As such the decision would be based upon the need for up to date information at that time.
- The traffic projections for development at Pilsworth are based upon Transport Assessments, which are approved documents as part of approved schemes.
- The scheme is intended to be part funded from an approved bid and part funded from existing fund allocations. However, this is not an issue for planning over whether or not the development in land use terms is acceptable. This similarly applies to maintenance funds for existing infrastructure.
- New foot ways are always sought where none currently exist. The provision of such a facility would enable people to cross the road at a less busy point where it would not be on top of the junction with Manchester Road and Hollins Brow where there are no pedestrian crossing points currently. The crossing point would be marked with tactile paving (to be conditioned following the comments from BADDAC) and the foot way would also provide a feature such that the retaining wall structure is not hard up to the carriageway. Furthermore, should it be possible to continue the foot way in the future, at least part of the footpath infrastructure would be in place.
- In terms of the Localism Act, many of the key details arising from the principles have yet to feed in to the planning system. However, there has been and still will be opportunities to be involved in the process including involvement at the Planning Committee decision making and also the Compulsory Purchase Order (CPO) process should this scheme move on after the planning process (where the Council is not successful in acquiring the required private land away from the CPO process).
- It is important to note that the CPO route is a last resort and that negotiations can continue until such time that there are no satisfactory alternatives. This however, is not a matter for this application in terms of whether or not the land use proposed is acceptable.

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 would provide for an improved functioning junction at a key point along the A56 Manchester Road and Hollins Brow to benefit the wider population in terms of transport infrastructure, environmental and economic purposes. With the use of planning conditions to secure suitable boundary features, these measures would ensure that amenity, privacy, security and the general visual appearance would be maintained to a good standard to the nearest residential property to the proposals. The proposals would therefore 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 numbered HS463/003B, HS463/013, HS463/011, HS463/010, HS463/012, Martin Prescott Environmental Services Report dated 24th June 2011 Waterman Transport Development Report reference B02/003 March 2010 and the development shall not be carried out except in accordance with the drawings hereby approved or as otherwise permitted by details approved that satisfy the conditions relating to this permission.

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

3. No development shall commence unless and until:

- Details of finalised land levels and drainage measures;
- The construction methodology and positioning of a 1.8m high acoustic fencing;
- Details of proposed boundary landscaping planting; and
- Tree replacement for the trees required to be removed as a result of the scheme

all in relation to the boundary of 733 Manchester Road with the proposed development of the Hollins Brow turning lane and footpath have been submitted to and approved in writing by the Local Planning Authority. The approved details shall include proposed timings for implementation of the works subject to this condition and the measures shall be implemented in accordance with the approved scheme; and in any event before the proposed turning lane becomes operational.

Reason - To ensure that privacy and security is maintained and impacts upon residential and visual amenity from road traffic positioning and noise to 733 Manchester Road pursuant to Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN7/1 - Atmospheric Pollution, EN7/2 - Noise Pollution, EN1/5 - Crime Prevention and SPG3 - Planning Out Crime in New Development.

4. In relation to the required landscaping scheme subject to condition 3, it shall be implemented in accordance with the approved details and any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

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

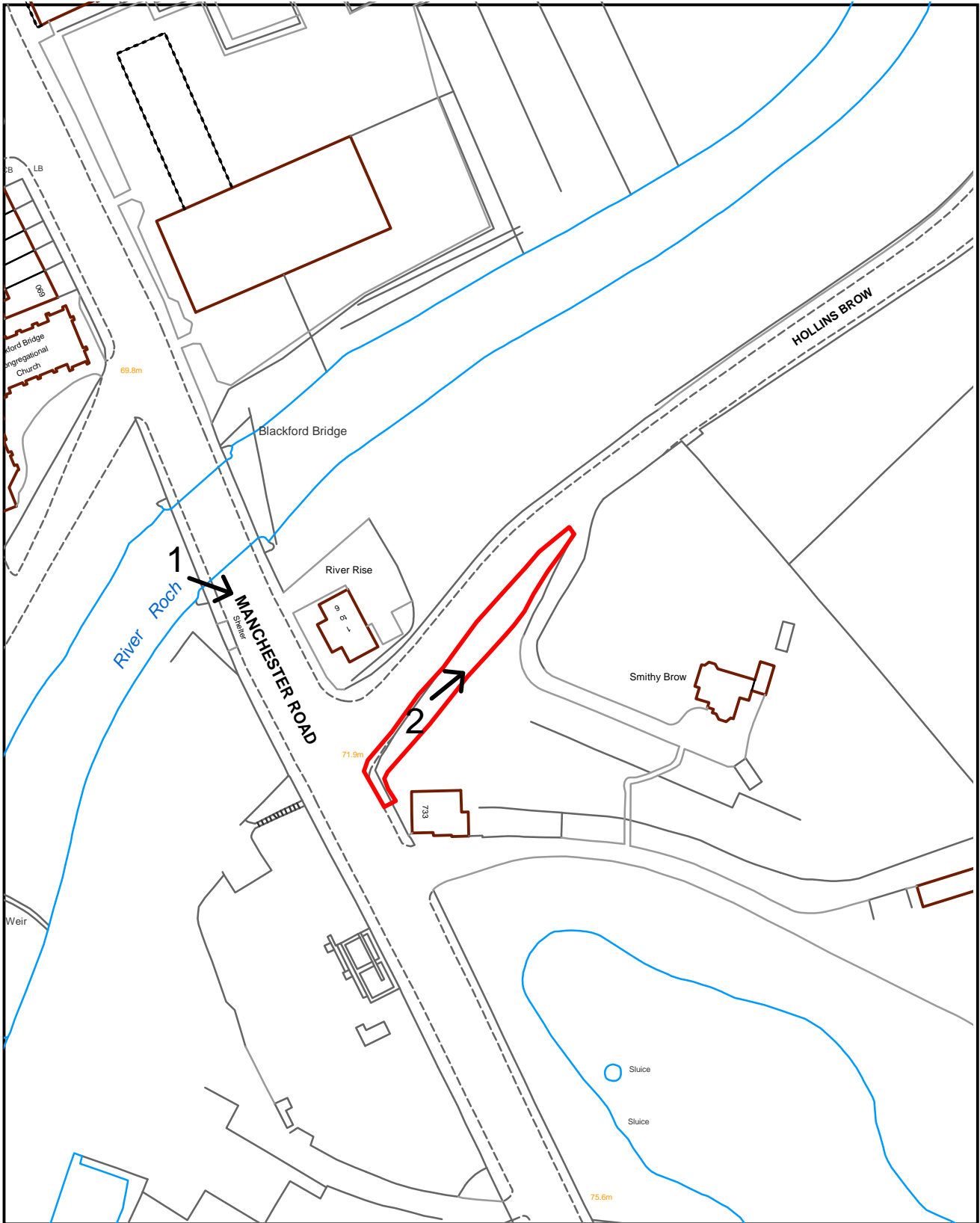
Unitary Development Plan.

5. Tactile paving (including the location, extent, texture and colouration of such measures) shall be provided at the crossing points on Hollins Brow and the junction of Hollins Brow with the A56 Manchester Road. The details of such paving shall be submitted to the Local Planning Authority before the commencement of the development and the approved measures implemented and shall be available for use when the widened highway becomes operational.
Reason - To ensure that there are pedestrian safety measures in place for pedestrians using the development to cross Hollins Brow pursuant to Unitary Development Plan Policies HT5/1 - Access for Those With Special Needs, HT6/1 - Pedestrian and Cyclist Movement and HT6/2 - Pedestrian/Vehicular Conflict.

6. The development shall be carried out in accordance with the recommendations in Sections 5.1, 5.2 and 5.3 of the Martin Prescott Environmental Services Report dated 24th June 2011. Additionally, no vegetation clearance shall be carried out on site between 1st March and 31st August inclusive in any year unless otherwise approved in writing by the Local Planning Authority, that would disturb nesting birds.
Reason. In order to ensure that no harm is caused to a Protected Species or nesting birds pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan, PPS9 - Biodiversity and Geological Conservation and the Wildlife & Countryside Act 1981.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 54693

**ADDRESS: Junction of Manchester road/Hollins Brow
Bury**

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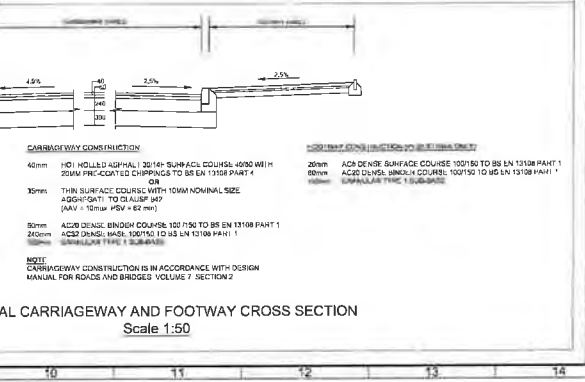
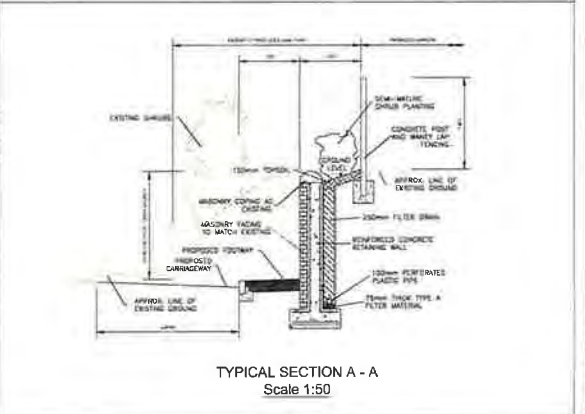
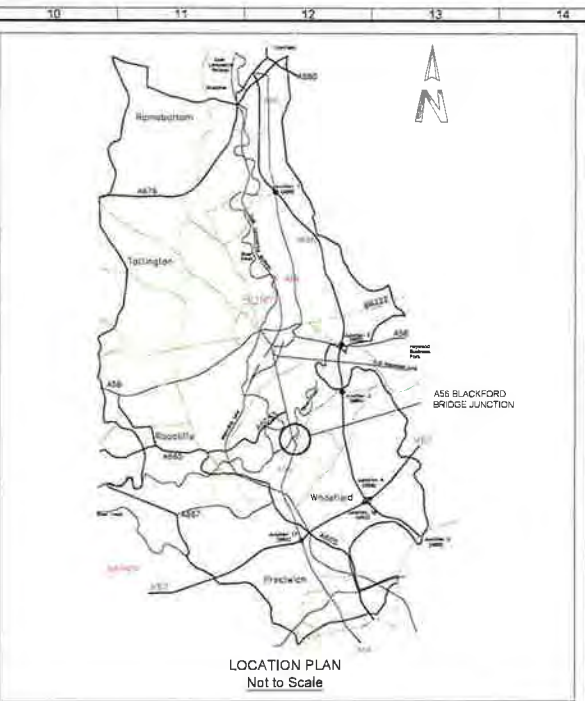
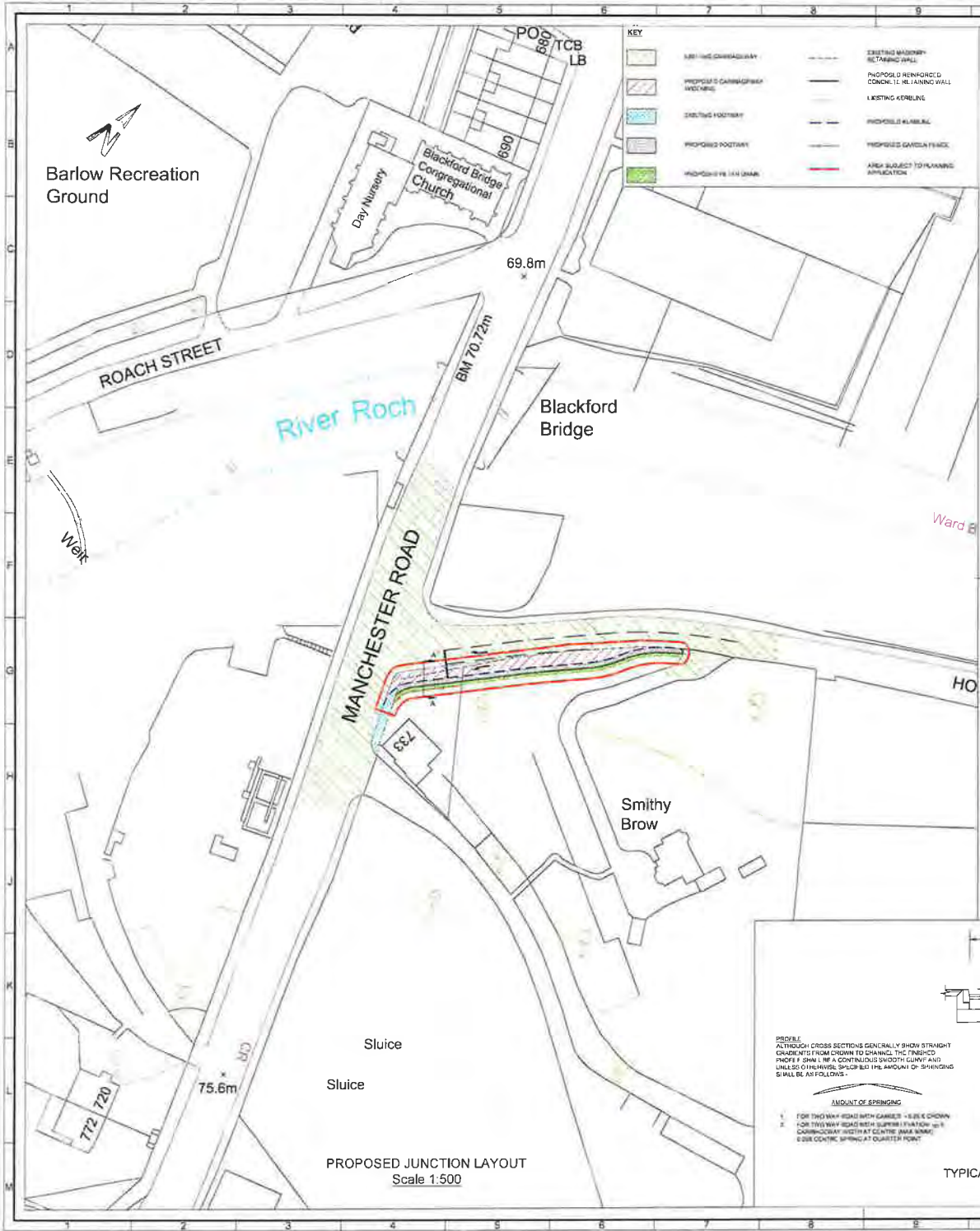
54693

Photo 1



Photo 2





Drawing Notes:

- Dimensions shall not be scaled from the drawing
- All dimensions are in millimetres unless otherwise stated
- All openings and levels are in metres unless otherwise stated
- All structures are in metres unless otherwise stated

Setting Out & Survey Data

- Before proceeding with any construction activities all setting out is to be agreed with the Engineer or Engineer's Representative on site
- Ordinance Survey map data is shown for reference only and is not related to the survey

Masonry Works

- All masonry shall match the existing in colour, texture, compressive strength and other characteristics
- The carriage way base of the masonry faced reinforced concrete retaining wall shall take priority for use of existing masonry

Movement Joints

- Movement joints shall be installed in the masonry faced reinforced concrete retaining wall
- All joints shall be 20mm wide. Gaps shall be filled with compressible filler and sealed using an approved joint sealant

Street Lighting

- Existing street lighting at the junction shall be checked and if required redesigned by Bury Council's Street Lighting section

Drainage

- Existing gullies shall be filled and replaced with new gullies and connected to existing highway drainage
- All gullies and connections shall be proved

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Drawn	Check	Appr	Date	Description

Environment & Development Services
Planning, Engineering & Transportation Services Division
Engineering Consultancy
PO Box 535, Bury, UK
Tel: 0161 252 2299
Fax: 0161 252 5794
E-mail: enginfo@bury.gov.uk
Internet: www.bury.gov.uk

A56 Blackford Bridge Junction Improvement, Bury

PROPOSED JUNCTION WIDENING PLANNING APPLICATION

Drawn:	MAM	Date:	SEPT 11	Checked:	PS	Approved:	
Title:	PRELIMINARY			Sheet No.:	1P	Scale:	A1
Project No.:	HS463/010			Sheet:	34 of 68		
As Shown:							

Ward: Prestwich - Holyrood

Item 04

Applicant: Underwoods Surveyors LLP

Location: Land off Poppythorn Lane, Prestwich

Proposal: Outline - Demolition of existing buildings and erection of 9 no. dwellings and associated access and car parking (Resubmission of 53963)

Application Ref: 54722/Outline Planning
Permission

Target Date: 02/03/2012

Recommendation: Approve with Conditions

Description

The application site is a triangular piece of land, containing a number of garages, which are in a state of disrepair. The Metrolink line and Prestwich station are located to the southeast of the site and the land rises quite steeply from the garage site to the line. There are residential dwellings, of two storeys, to the north and east of the application site, with the rear gardens facing the site. There is a single track access road, leading to Prestwich Cricket ground, which is located between the residential properties and the application site. There is a pedestrian access to the town centre, which passes under the Metrolink line.

The application site is located within Prestwich town centre and is allocated within the UDP as a potential park and ride scheme for the Metrolink.

The applicant seeks outline permission for the demolition of the existing garages and the erection of 9 dwellings. Approval is sought for the siting, scale and means of access to the dwellings. The appearance and landscaping of the site are reserved matters. The site plan indicates that the proposed dwellings would be three storey properties with a central parking area. The single track access leading to Prestwich Cricket Club, would be widened to 5.4 metres to form the access to the proposed dwellings.

The applicant has been in discussions with Transport for Greater Manchester (TFGM) and an alternative site for the car park has been identified on the embankment, adjacent to the Metrolink line.

Relevant Planning History

49236 - Demolition of existing garages and erection of 12 no. dwellings at land off Poppythorn Lane, Prestwich. Refused - 10 April 2008.

50140 - Demolition of existing garages and erection of 12 no. dwellings (resubmission) at land off Poppythorn Lane, Prestwich. Withdrawn - 1 September 2008.

52820 - Outline - Demolition of existing buildings and erection of 12 no. dwellings and associated access and car parking at land off Poppythorn Lane, Prestwich. Approved with conditions - 1 October 2010.

53963 - Outline - Demolition of existing buildings and erection of 9 no. dwellings and associated access and car parking at land off Poppythorn Lane, Prestwich. Withdrawn - 29 June 2011.

Publicity

53 neighbouring properties (6 Poppythorn Lane; 1 - 13 (odds), 8 - 38 (evens) Heys Road; 134 - 137, 186 - 191 Rectory Green; 2 - 20 (evens), Prestwich Cricket Tennis & Bowling Club, The Heys) were notified by means of a letter on 10 January 2011.

A press notice will be published in the Bury Times on and site notices were posted on advertising the application as a departure.

1 letter has been received from 5 properties (22, 24, 26, 28, 30 Heys Road), which has raised the following issues:

- Loss of privacy to the occupiers of the existing dwellings.
- The three storey gable wall would be a bleak outlook.
- Impact of an extra 24 vehicles on the existing highway.
- Impact of the extra vehicular movements on highway safety.

7 letters have been received from the occupiers of 10, 18 Heys Road; 6, 8, 10, 12 The Heys; which have raised the following issues:

- Three storey dwellings would be out of keeping with the surrounding area.
- Require more information on levels difference between the existing dwellings in The Heys and the proposed site.
- No objections to a residential development, but concerned about the impact upon adjacent dwellings in terms of loss of light.
- Prefer to see 2 storey dwellings on site.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections in principle and further comments will be reported in the supplementary report.

Drainage Section - Comments awaited.

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

Environmental Health - Pollution Control - No objections, subject to a condition requiring acoustic glazing.

Waste Management - No objections.

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

Baddac - The group would expect the development to be designed to lifetime homes standards.

Designforsecurity - Boundary fencing should be a minimum of 2.1 metres high with an additional trellis to deter climbing.

United Utilities - Comments awaited.

Stagecoach - Comments awaited.

Transport for Greater Manchester (TFGM) - No objections, subject to the inclusion of conditions relating to the provision of a retaining wall, a scheme of landscaping/screening, junction markings and a Construction Management plan.

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT3/4	Schemes to Assist Metrolink
HT4	New Development
HT5/1	Access For Those with Special Needs

HT6/2	Pedestrian/Vehicular Conflict
Area	The Longfield Centre/Bury New Road
PR1	
SPD1	DC Policy Guidance Note 1:Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD7	DC Policy Guidance Note 7 - Managing the Supply of Housing
PPS3	PPS3 - Housing
PPS7	PPS 7 Sustainable Development in Rural Areas
PPS23	PPS23 Planning and Pollution Control
PPG24	PPG24 - Planning and Noise

Issues and Analysis

Principle (Residential) - 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.

There are residential developments to the north and east of the site and the proposed residential land use would not conflict with the surrounding land uses. There would be adequate infrastructure available in terms of connections to the utilities and access to the site. The site is currently occupied by garages and various buildings and would be previously developed land. Therefore, residential development would be acceptable in principle and would be in accordance with Policy H1/2 of the adopted Unitary Development Plan.

Principle/Departure (Park and Ride scheme) - The site is allocated as a park and ride scheme in association with the adjacent Metrolink station. Policy HT3/4 states that the Council will support the provision of new or improved stations and car parks on the Metrolink system.

Transport for Greater Manchester (TFGM) has identified an alternative site for the proposed car park for the Metrolink, which would be located on the embankment to the south east of the station and within their own land. This site would also allow for level access to the station and platform to be achieved.

The proposed development would utilise the existing access to the Cricket Club and as such, would not impact upon the provision of an access road to the embankment area. TFGM has no objections, subject to the inclusion of conditions relating to retaining walls, boundary treatments and a construction management plan. Therefore, the proposed development would allow for the provision of an access road to the car park on top of the embankment. Given that an alternative provision for the car park has been provided, it is considered that the proposed development would not conflict with Policy HT3/4 of the adopted Unitary Development Plan.

Siting and scale - Policy H2/1 states that all new residential development should make a positive contribution to the surrounding area and should have regard to the heights and roof types of adjacent buildings, the position and proximity of neighbouring dwellings and the density and character of the surrounding area.

Policy H2/2 states that the new residential development should demonstrate acceptable standards of layout including adequate parking available, suitable landscaping and open space.

The proposed dwellings would be three storeys in height, with a maximum ridge height of 10.4 metres. The surrounding residential dwellings are two storeys in height, with a typical ridge height of 8.6m and the Radius development, which is located on the opposite side of the Metrolink, is between five and eight storeys in height. The proposed dwellings would be at least 21 metres from the existing dwellings and would be viewed against the backdrop of the Radius, which is much taller. As such, the proposed development would be appropriate

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

Impact upon residential amenity - SPD6 provides guidance on aspect standards between residential properties and is relevant in this instance.

There would be a minimum of 21 metres between the dwellings on Heys Road and the gable elevation of the proposed dwellings, which would not include any main habitable room windows. Plots 7 and 8 would potentially have habitable room windows looking directly at No. 8 The Heys. Revised plans have been received, which indicate that there would be 25.9 metres between these properties. This would comply with the aspect standard of 26 metres (20m plus 6m for the additional floor in the proposed properties and the difference in levels between the 2 sites). There would be at least 25 metres between the proposed dwellings and 10 The Heys, which would have an oblique view between habitable room windows and as such, would comply with the aspect standards. Therefore, the proposed development would comply with the aspect standards of the Council and is acceptable in this regard.

Pollution - A noise survey was submitted as part of the application, due to the proximity of the site to the Metrolink line. The noise survey concludes that there would be no adverse impact upon the amenity of the occupiers of the proposed dwellings from noise and that the proposed dwellings may screen the noise to the existing dwellings. The Pollution Control Section has no objections to the proposal. Therefore, the proposed development would be in accordance with Policy EN7/2 of the adopted Unitary Development Plan.

Ecology - A bat survey has been submitted as part of the application and concluded that buildings 2 - 5 are very unlikely to be used by bats and building 1 is of low bat roosting potential. There are no objections to their removal, providing the roofing tiles to building 1 are removed under the supervision of a qualified bat worker. Therefore, subject to the inclusion of a condition relating to the recommendations of the bat survey, the proposed development would not cause harm to a protected species and would be in accordance with Policy EN6/3 of the adopted Unitary Development Plan.

Highways issues - The proposed development would be accessed from the existing single track access, which would be widened to 5.4 metres and a 2.2 metre footpath would be provided. The improved access would continue to serve the rear of the dwellings on Heys Road and Prestwich Cricket Club. The Traffic Section has no objections in principle to the proposal and any further comments will be reported in the supplementary report following the submission of additional information.

Parking - The design and access statement indicates that the proposed development would incorporate 3 - 4 bedroom dwellings. SPD 11 states that the maximum parking standards for a 3 bed dwelling is 2 spaces per unit, which equates to 18 spaces.

The layout for the proposed development would provide a minimum of 9 parking spaces, one per property and depending upon the design of the properties, possibly 2. While the site has good access to public transport and services being within walking distance of the Metrolink and Prestwich town centre, it is considered that 50% parking provision would not be enough. As such, a condition would be added to any grant of planning permission requiring that a minimum of 2 spaces per dwelling is provided. Therefore, the proposed development would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11 and is acceptable.

Lifetime Homes - The proposed dwellings should be designed to lifetime homes standards and this would be secured by a condition, with details to be submitted at reserved matters stage. Therefore, the proposed development would be accessible and would be in accordance with Policy HT5/1 of the adopted Unitary Development Plan.

Response to objectors

The issues relating to loss of privacy, outlook, height of the proposed dwellings and the

impact upon the streetscene and the impact upon highway safety and parking have been addressed within the above report. It is noted that the application site is approximately 3 metres higher than The Heys and this difference in levels has been taken into consideration when assessing the aspect standards, which is detailed above.

Summary of reasons for Recommendation

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

The proposed development is acceptable in principle and would not have an adverse impact upon the amenity of the neighbouring properties. The proposed development would not be a prominent feature in the streetscene 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. Applications for approval of reserved matters must be made not later than:
 - the expiration of three years beginning with the date of the grant of outline planning permission; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004
2. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the appearance, landscaping thereto and the scale of the site.

Reason. To ensure the satisfactory development of the site and because this application is in outline only.
3. This decision relates to drawings numbered G53 (05) 01, G53 (05) 02, G53 (05) 03, G53 (05) 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.
4. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and

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

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

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

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

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

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

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

8. 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.

9. Provision for lifetime homes shall be incorporated into the development in accordance with a scheme to be submitted at the reserved matters stage. The development shall then be carried out incorporating the measures in accordance with the approved scheme.

Reason. To ensure that the development is fully accessible to disabled persons pursuant to Policies HT5/1 – Access for Those with Special Needs of the Bury Unitary Development Plan.

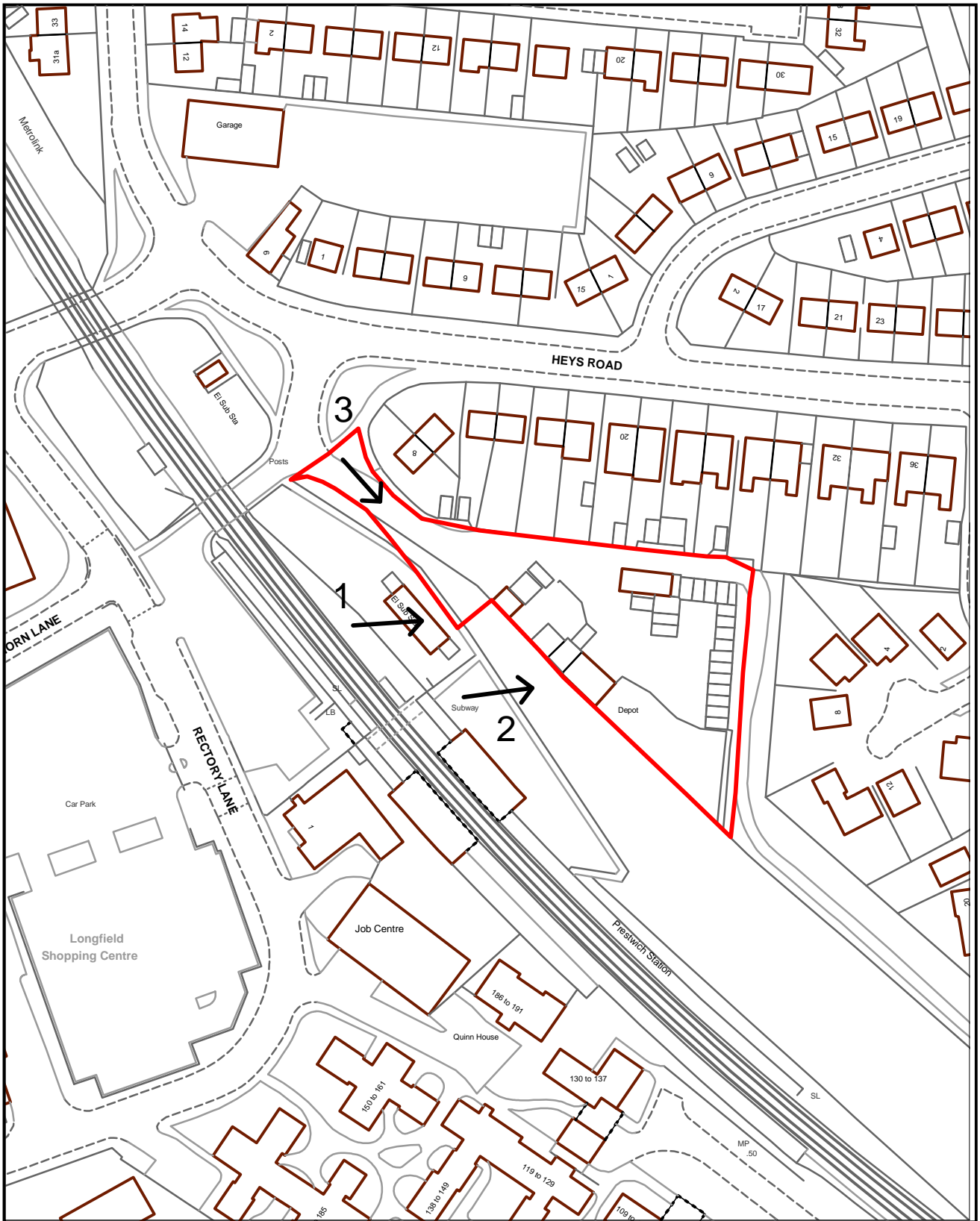
10. No development shall commence unless or until details of foul and surface water drainage aspects have been submitted to and approved in writing by the Local Planning Authority.

Reason. To ensure satisfactory arrangements for the disposal of foul and surface water pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

11. The development hereby approved shall only be carried out in accordance with the recommendations in the bat survey, dated 5 January 2012, unless otherwise agreed in writing with the Local Planning Authority.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and PPS7 – Nature Conservation.
12. The development hereby approved shall be a maximum height of 10.4 metres and shall only have three floors of residential accommodation within the building.
Reason. In the interests of visual and residential amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
13. The car parking indicated on approved plan reference G38 (05) 03 shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the dwellings 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 and SPD 11 - Parking Standards in Bury.
14. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction unless otherwise agreed in writing by the Local Planning Authority.
Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy H2/2 - The Layout of New Residential 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 54722

**ADDRESS: Land Off Poppythorn Lane
Prestwich**



Planning, Environmental and Regulatory Services 1:1250

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54722

Photo 1



Photo 2

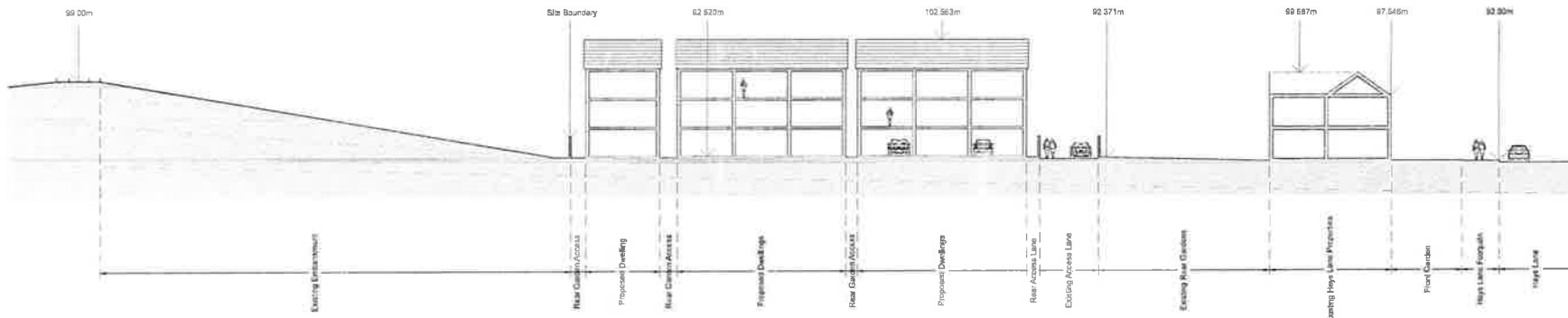


Photo 3

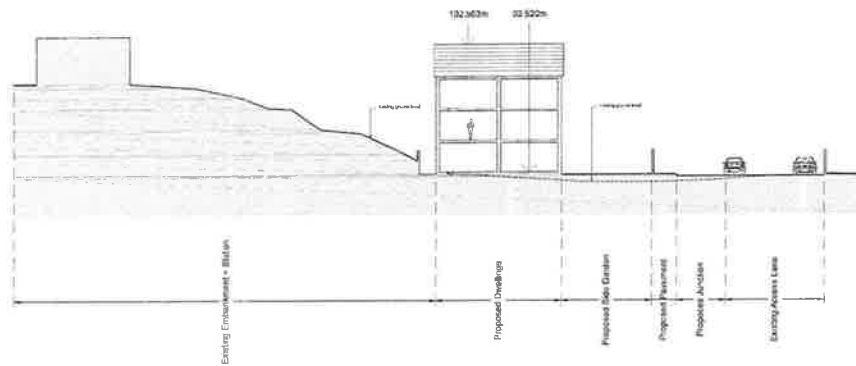




Project: Site off Poppythorn Lane, Prestwich	
Title: Proposed Site Plan	ID: GS3 (05) 03 Rev. - Scale: 1:250 @ A1 Date: December 2011
Client: Mr Frank Hall	
45 of 68	



Proposed Section B_B (1:200 @ A1)



Proposed Section B_B (1:200 @ A1)

Project Site off Poppythorn Lane, Prestwich	
Title Proposed Site Sections	Ref G53 (05) 11 Scale 1:200 @ A1 Date December 2011
Client Mr Frank Hall	
46 of 68 <small>This drawing shall not be used for any other purpose without the written consent of the author. All work is to comply with industry requirements.</small>	

Ward: Bury East

Item 05

Applicant: Quick Click Loans

Location: 399 Rochdale Road, Bury, BL9 7DB

Proposal: A: 3 non illuminated signs (Signs B,C,E) - Recommended for Approval
B: 5 non illuminated signs (Signs D,F,G,H,I), 1 internally illuminated projecting sign (Sign A) - Recommended for Refusal

Application Ref: 54736/Advertisement

Target Date: 15/02/2012

Recommendation: Split Decision

Description

The property is a public house located at the junction with Rochdale Road and Wash Lane. It is a detached two storey building with some single storey sections to the rear and in a light render material. The front faces Rochdale Road with a central entrance and the service area is to the rear on Wash Lane. There is existing pub signage on the premises including a fascia, notice board type signs, a hanging sign at first floor and an externally illuminated sign at the rear.

The area is mix of residential and commercial with housing to the north and south across the main roads. The closest building is a petrol station to the west side and there is an advertising billboard between this and the application site.

The application is for replacement signage for a new tenant of the building but which would not now be a public house. The proposal comprises of 9 signs A-I as follows:-

- 9.5m wide x 0.6m high aluminium/vinyl non illuminated fascia sign located above the entrance (B) this would continue around the side elevation for 8m (E)
- 0.6m high x 0.9m wide internally illuminated aluminium/acrylic projecting sign located 3.8m from ground level between the two first floor windows to the front elevation (A)
- 3 non illuminated aluminium/vinyl panels 1.4m x 0.9m, 1.2m x 1.5m, 1.2m x 1.5m located on the front in the window area and to a similar height along the side elevation (C,F,G)
- 1.2m high x 3.6m wide non illuminated aluminium/vinyl panel to the first floor side elevation that faces the junction (D)
- 1.8m high x 3.6m wide non illuminated aluminium/vinyl panel to the first floor side elevation that faces up Rochdale Road (H)
- 1.2m high x 2.5m wide non illuminated aluminium/vinyl panel sign to the rear gable at first floor (I)

All the signs have a background red with yellow/black/red text.

Relevant Planning History

None.

Publicity

11 notification letters were sent on 03/01/12 to addresses at 170 & 182-190 Rochdale Road, BP Service Station Rochdale Road and 263-269 Wash Lane. 2 objections have been received from 188 & 190 Rochdale Road who raise the following points:-

- They do not want more illuminated signs causing light pollution as their children have difficulty sleeping due to existing business/street lighting.
- The signs look tacky and cheap and cheapen the look of the area of Pimhole/East ward

which has had a lot of money recently spent on it.

- When people visit Bury this building is the first thing they will be confronted with. Money has been spent face lifting the Rochdale Road houses, shops and The Rock development and the signs will create a negative impression of the town.
- These signs will undo all the hard work they have done improving the appearance of their properties and gardens.
- The building will look like something out of a fairground and an eyesore.
- The business would be more appropriately suited to a town centre or industrial estate.

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

Consultations

Traffic Section - No objection subject to a condition on the luminance of the projecting sign.

Unitary Development Plan and Policies

EN1/9 Advertisements

Issues and Analysis

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

Amenity - The site is located in a prominent position along one of the main routes to and from the town centre with four elevations readily visible from the road junction, Rochdale Road and Wash Lane and therefore any new signage should be of a size, position and design that would be appropriate to this highly visible location the building occupies.

The fascia signs B & E are of an appropriate size and location above the entrance and ground floor windows wrapping around the side and provide identification to the business and typical of signage to commercial premises.

Sign C to the front elevation is also of an acceptable size and location adjacent the entrance.

The internally illuminated Sign A located at a high level between the first floor windows would appear out of place and relate poorly to the building.

Signs D, H and I would also be located at a high level and appear overlarge and inappropriate in terms of their proportion to the scale of the building and therefore detrimental visual amenity of the area.

Signs F & G to the side elevation would only serve to add as visual clutter to the building where the premises would already be identified by Sign E.

Although the signs are located in the general area where the original signage existed on the public house these were of a more traditional design and typical of the character of signage to public houses and not general business premises.

Consequently signs B,C & E are acceptable and comply with UDP Policy EN1/9 however signs A,D,F,G,H and I conflict with this policy and should be refused. A split decision is therefore recommended.

Safety - The signs are positioned where they would not be a hazard to pedestrians or motorists and as such comply with UDP Policy - EN1/9 - Advertisements.

Response to objection - The issues regarding the appearance of the signs on the building and area are addressed in the above report.

This application relates to advertisement consent only and not the use. The Use Classes Order allows premises within an A4 Use (Drinking Establishments) a permitted change to A2 Use (Financial and Professional Services) without the need for an application for change of use.

The recommendation below relates to the reason for refusal of signs A,D,F,G,H & I. The approval of signs B,C & E would be subject to the standard conditions.

Recommendation: Split Decision

Conditions/ Reasons

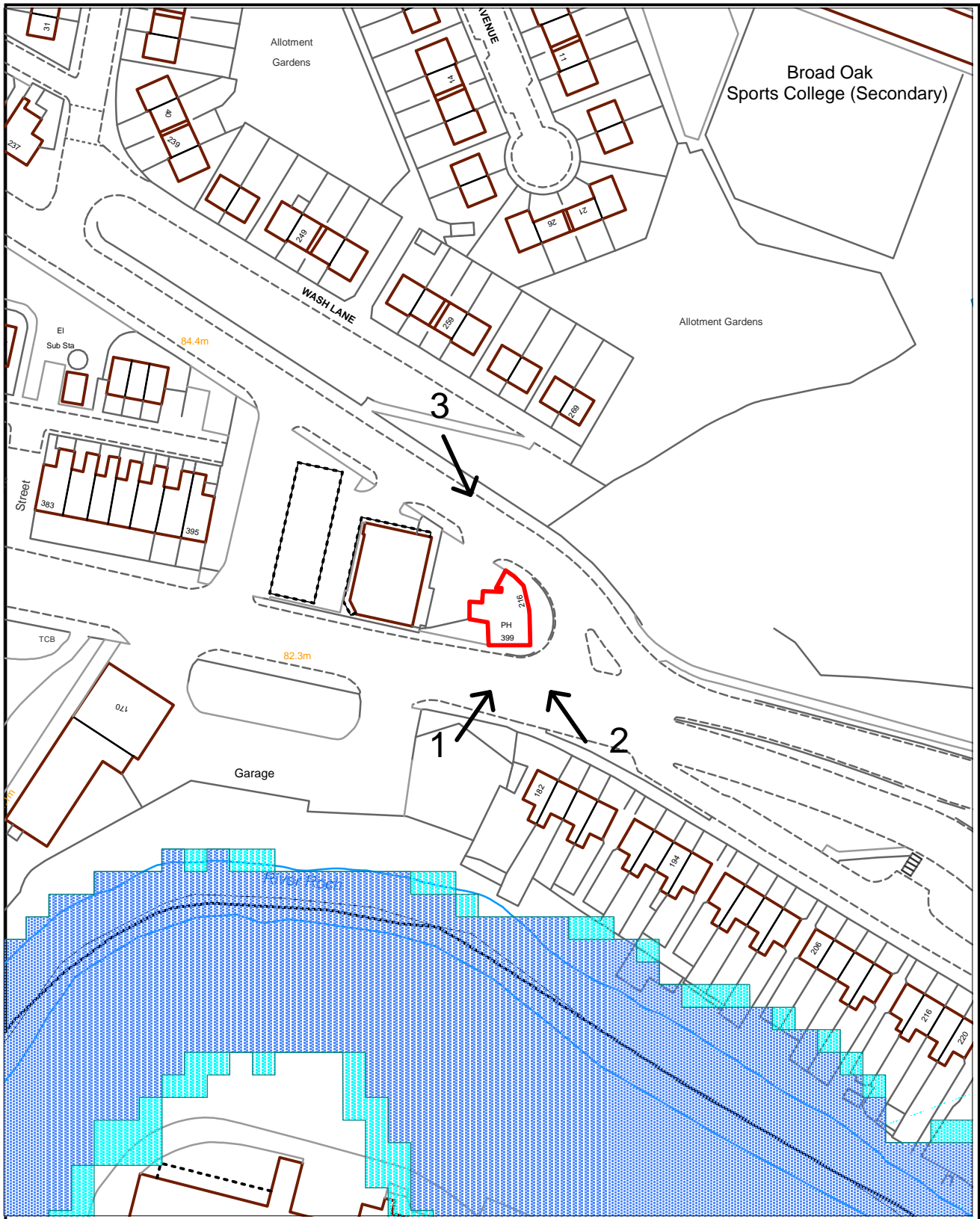
1. The proposed signs A,D,H and I would by reason of their size, design and siting at first floor level introduce signage of a level and nature unsuited to and out of character with the building and seriously detrimental to its visual appearance which is contrary to the following policy Bury Unitary Development Plan: EN1/9 - Advertisements.

2. The proposed signs F and G would by reason of their size, design and position be unsuited to and out of character with the building seriously detrimental to its visual appearance which is contrary to the following policy Bury Unitary Development Plan: EN1/9 - Advertisements.

3. The proposed signs A,D,F,G,H and I would by reason of their size, siting and design be out of character and seriously detrimental to the general visual amenities of the area and therefore contrary to the following policy of the Bury Unitary Development Plan: EN1/9 - Advertisements.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 54736

**ADDRESS: Seven Stars Hotel
399 Rochdale Road
Bury**

Planning, Environmental and Regulatory Services 1:1250

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54736

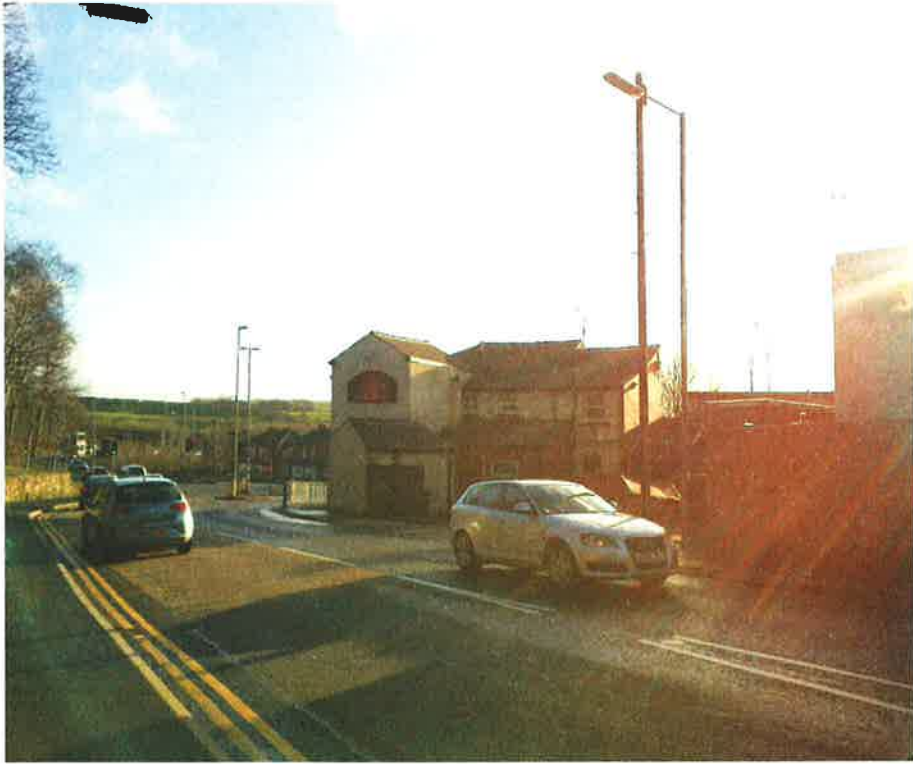
Photo 1



Photo 2



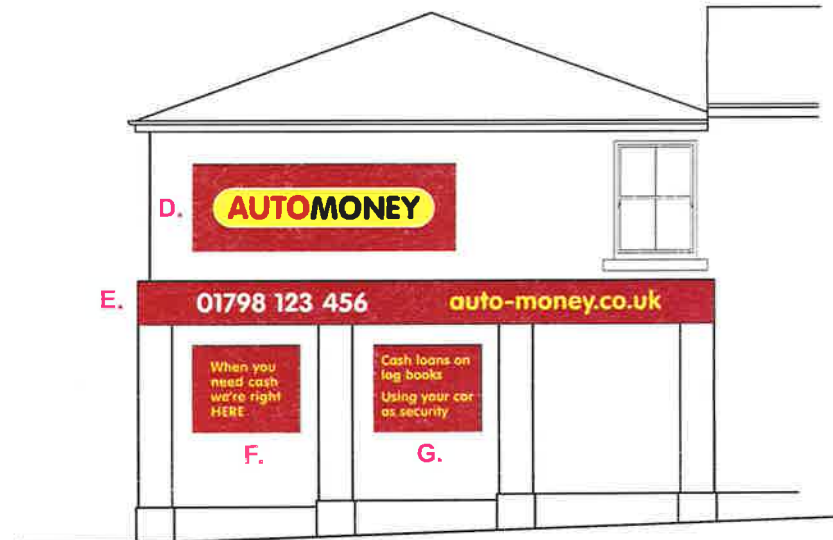
Photo 3





SCALE 1:100 @ A4

FRONT ELEVATION



SCALE 1:100 @ A4

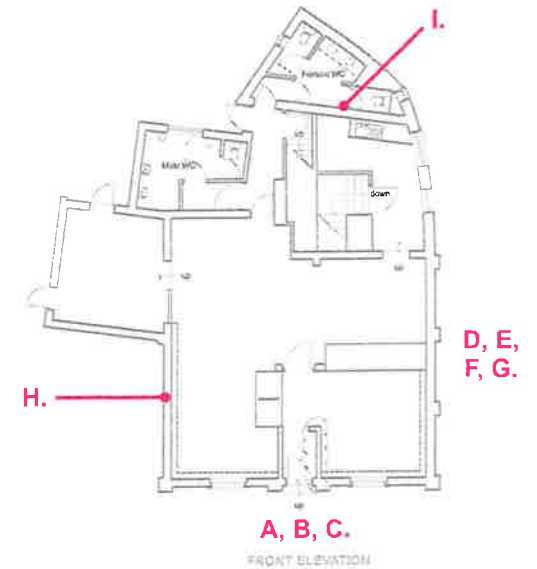
SIDE ELEVATION



SCALE 1:100 (AT POINT OF SIGNAGE) @ A4



SCALE 1:100 (AT POINT OF SIGNAGE) @ A4



FRONT ELEVATION

DESCRIPTION

AUTOMONEY BURY SIGNAGE

FASTSIGNS

34 York Road, Leeds, LS9 8SY T: 0113 248 3500 F: 0113 248 7800

W: www.fastsigns.com/857 E: leeds@fastsigns.com

Ward: Radcliffe - East

Item 06

Applicant: Mr H U Khattak

Location: 35 Eton Hill Road, Radcliffe, Manchester, M26 2YG

Proposal: Change of use from 1 no. dwelling to 2 no. self contained flats

Application Ref: 54772/Full

Target Date: 09/03/2012

Recommendation: Approve with Conditions

Description

The property is a traditional mid two bedroom terrace with a small garden to the front and yard to the rear. This part of Eton Hill Road is characterised by terraced houses. Eton Hill Industrial Estate is located further up the road to the north.

The application is to convert the existing house into two self contained flats; one at ground floor and one at first floor. The existing front door would be the entrance for both flats with each having a living room/bedroom at the front and a kitchen/diner and bathroom to the rear. The only external changes proposed to the front elevation are the replacement windows. To the rear an additional window would be added to the ground floor for a bathroom.

Relevant Planning History

None relevant.

Publicity

The following neighbours were notified by letter dated 16/1/2012. Nos.28, 28a, 32, 34, 36, 42(even) and 31, 33, 37, 39 (odd) Eton Hill Road.

An objection has been received from the occupier of 39 Eton Hill Road whose concerns are summarised:

- The house is too small to be converted to two flats.
- Parking problems in the area would be made worse by additional demand for on street parking
- The proposal may increase anti-social behaviour in the area.
- Approval would set a precedent for similar schemes.

The objectors have been notified of the Planning Control Committee.

Consultations

Drainage Section - No objection.

Environmental Health Pollution Control - No objection subject to appropriate sound insulation of party walls/floors.

Unitary Development Plan and Policies

H1/2 Further Housing Development
H2/4 Conversions
EN7/2 Noise Pollution
SPD11 Parking Standards in Bury

Issues and Analysis

Principle – The property is already in residential use and therefore the principle of a residential conversion is considered acceptable subject to criteria outlined in Policy H2/4 Conversions.

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

Visual Amenity - There would be no significant impact on the street scene as there are no changes to the front elevation of the property other than the replacement windows. The front door would be as existing to serve both flats and bin storage for both flats would be in the existing rear yard area.

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

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

Servicing - The rear yard area would accommodate bins for both flats, although access to the bin store from the first floor flat would be via the rear access road rather than through the building. However this is not unusual in developments of this kind where refuse has to be taken to a communal point.

Response to objections – The floor plans indicate that the property can accommodate two small flats. Indeed the proposals would provide an alternative mix of residential accommodation and tenancy to the area in line with the requirements of Planning Policy Statement 3 - Housing.

Given that the two flats are small and only 1-bed, it is not considered likely that there would be a significant increase in the numbers of vehicles generated over and above that generated by the existing 'two-up two-down' terraced house. The on-street parking to the front is therefore considered adequate.

There is no evidence that flats of this kind lead to anti-social behaviour any more than the existing terraced housing. Any instances of anti-social behaviour would be dealt with through existing criminal or environmental health legislation.

Summary of reasons for Recommendation

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

The conversion of the property into two-self contained flats would not have a detrimental impact on the visual amenity of the area, character of the locality or residential amenity. The scheme complies with UDP policies listed above. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

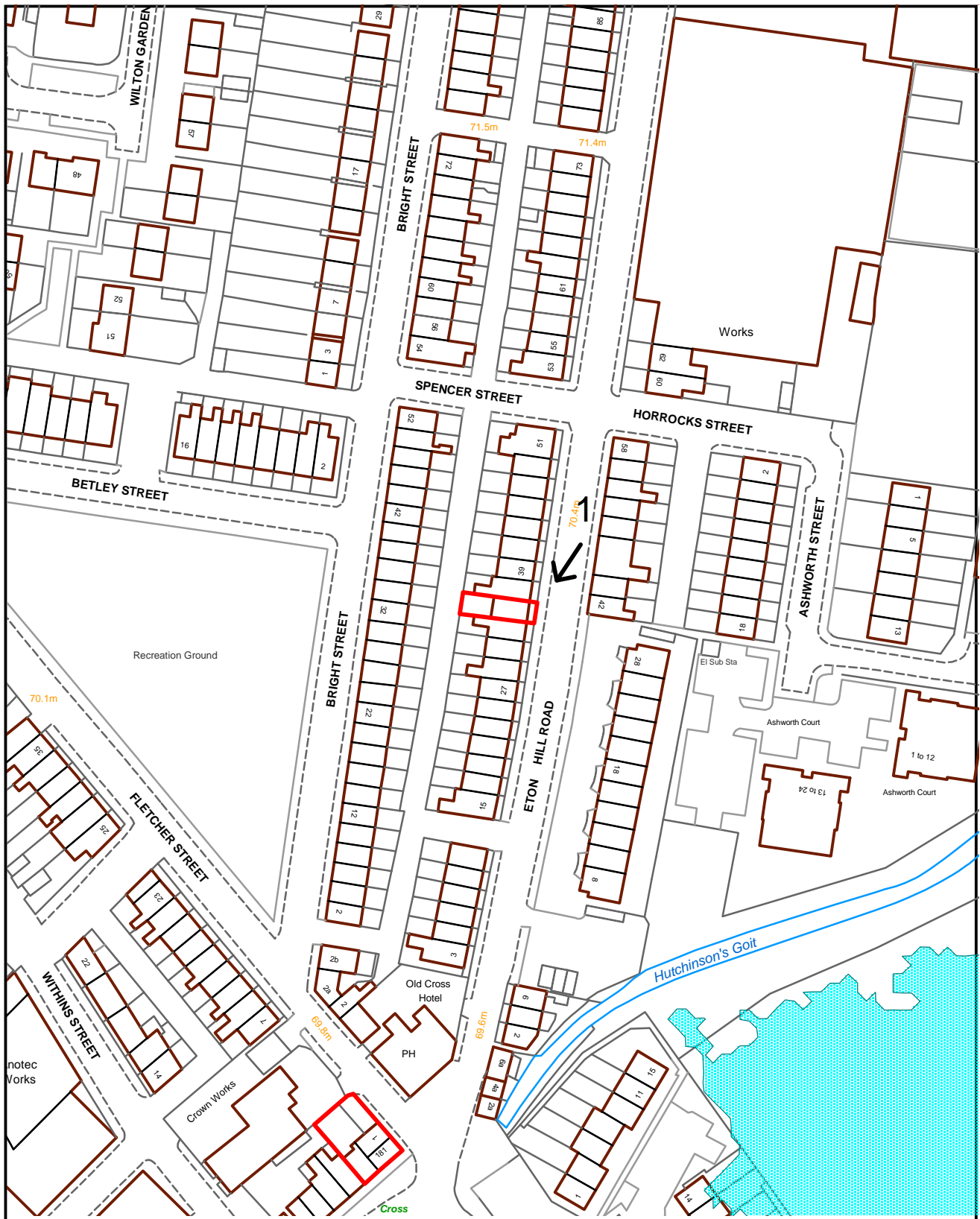
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act

1990.

2. This decision relates to drawings numbered 817/4 and 817/5 and the development shall not be carried out except in accordance with the drawings hereby approved. Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. No development shall take place unless and until a scheme to soundproof the ground and first floor of the proposed flats and the ground and first floor party walls between 119 and 123 Eton Hill Road , which shall be in accordance with standards of construction specified in current Building Regulations, has been submitted to and approved by the Local Planning Authority. Such works that form the approved scheme shall be completed before the development is brought into use.
Reason: To protect the residential amenities pursuant Bury UDP Policy EN7/2 - Noise Pollution.

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

Viewpoints



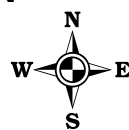
PLANNING APPLICATION LOCATION PLAN

APP. NO 54772

**ADDRESS: 35 Eton Hill Road
Radcliffe**

Planning, Environmental and Regulatory Services 1:1250

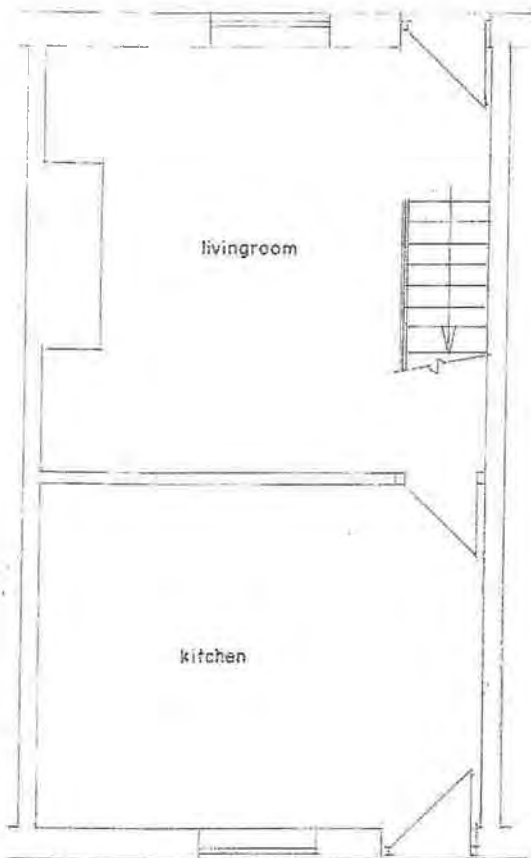
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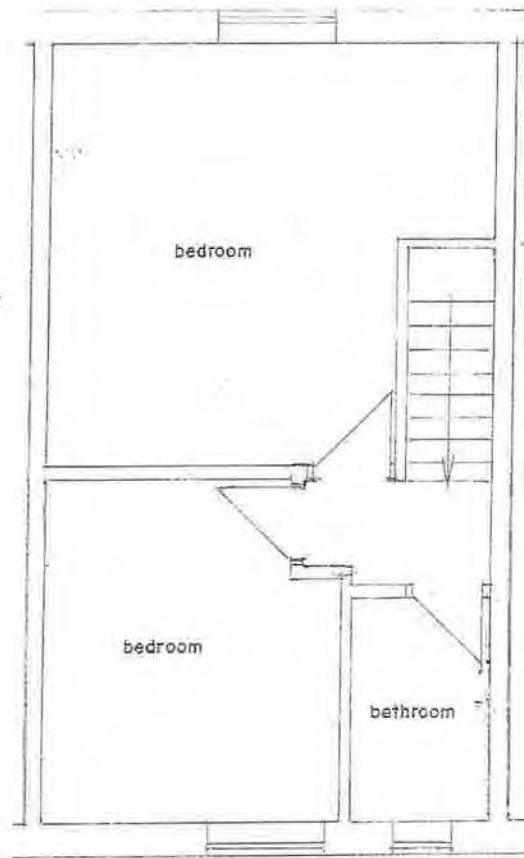
54772

Photo 1

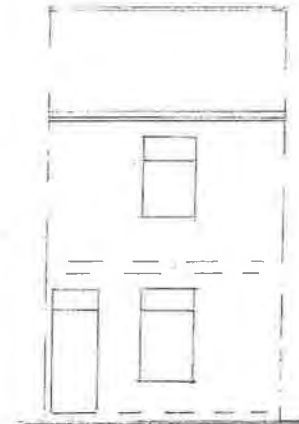




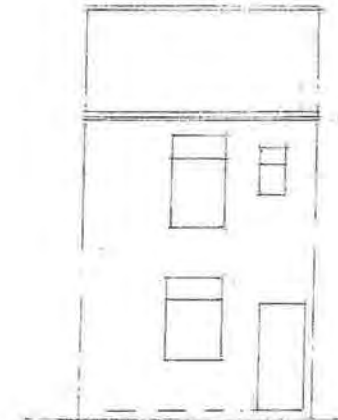
GROUND FLOOR PLAN
(EXISTING)



FIRST FLOOR PLAN
(EXISTING)

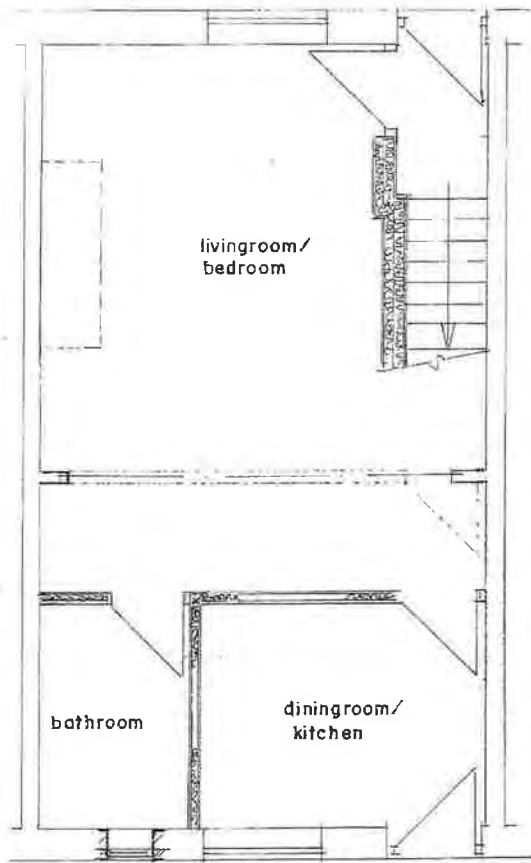


FRONT ELEVATION
(EXISTING)

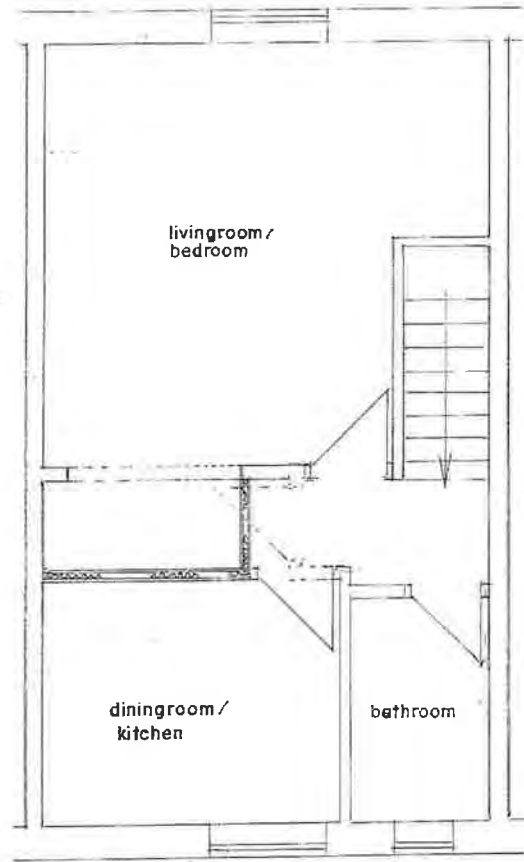


REAR ELEVATION
(EXISTING)

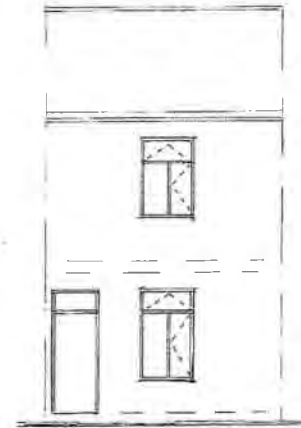
BUILDING DESIGN SERVICES M. FAROOQ 6 Stock Close, Shawclough, Roaldale OL12 6BB Tel: - 01706 712231 Mob: - 07967605763	
PROPOSED CHANGE OF USE FROM DWELLING TO 2 SELF CONTAINED FLATS AT 35 ETON HILL ROAD RADCLIFFE MANCHESTER M26 2XQ	
For: Mr. H U KHATTAK	
Plan	Scale 1:50
Elevation	Scale 1:100
59 of 68 817/4	



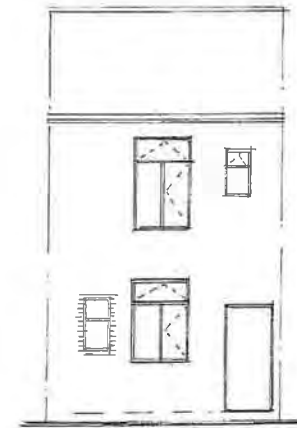
GROUND FLOOR PLAN
(PROPOSED)



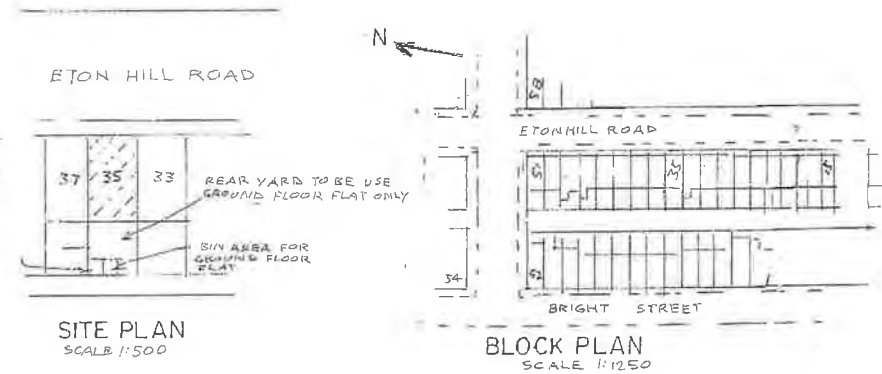
FIRST FLOOR PLAN
(PROPOSED)



FRONT ELEVATION
(PROPOSED)



REAR ELEVATION
(PROPOSED)



SITE PLAN
SCALE 1:500

BLOCK PLAN
SCALE 1:1250

BUILDING DESIGN SERVICES	
M. FAROOQ	
6 Stock Close, Shawlough, Rochdale OL12 6BB	
Tel: - 01706 712231 Mob: - 07967605763	
PROPOSED CHANGE OF USE FROM DWELLING TO	
2 SELF CONTAINED FLATS AT 35 ETON HILL	
ROAD RADCLIFFE MANCHESTER M26 2XQ	
For: Mr. H U KHATTAK	
Plan & Section	Scale 1:50
Elevation	Scale 1:1250
60 of 68	
817/5	

Ward: Prestwich - Sedgley

Item 07

Applicant: Pretbury Management Ltd

Location: 3 Kings Road, Prestwich, Manchester, M25 0LE

Proposal: Change of use from existing use (A1) to (A5) Hot-Food Takeaway.(Resubmission of 53586)

Application Ref: 54777/Full

Target Date: 12/03/2012

Recommendation: Approve with Conditions

Description

The application site is a currently vacant, double fronted retail shop unit located within the Sedgley District Shopping Centre. It has recently been extended with a two and single storey rear extension. To the side of the site is an access road which serves the rear properties of Bury New Road and Rochester Avenue, with the side gable of No 1 Rochester Avenue directly facing the rear elevation. Attached is No 5, an existing restaurant and takeaway which has 2 external flues projecting from the rear single storey outrigger.

The application seeks a change of use from a retail shop (Class A1) to a hot food takeaway (Class A5). Proposed opening hours would be 7am to 11pm, 7 days a week. There would be bin storage provision provided internally in the building and serviced from the side access road.

Relevant Planning History

46566 - Change of use of ground floor from Class A1 (shop) to seating area for adjacent cafe - Approved 22/9/2006.

47016 - Two storey extension - Refused 20/12/2006.

47524 - Two storey extension (resubmission of 47016) - Refused 10/4/2007.

48417 - Two/single storey extension at rear - Approved 29/8/2007.

53586 - Change of use from retail A1 to hot food takeaway A5 - Withdrawn 23/3/2011.

54408 - Two/single storey extension at rear - Retrospective - Approved 10/10/2011.

Publicity

Letters sent on the 18/1/2012 to properties at Nos 1,2,3A, 4,5,6,7,8, 8A,10,10A, 12,12A Kings Road; No 1 Flats 1,2&3, Nos 1, 2,3,4,5,6, Rochester Avenue; 2A&B Mather Avenue; 42,44,46,48,50,52,54 Bury New Road.

One letter of objection received from a resident of Rochester Avenue (no number given) with the following issues:

- There are 8 takeaways within a 100m radius;
- Existing problems with mess and smells which would be exacerbated by the proposal;
- There is already a takeaway adjacent;
- Noise problems from existing outlets.

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

Consultations

Designforsecurity - No objection. Recommend the hours are conditioned until 11pm as proposed.

Traffic Section - No objection.

Drainage Section - No comments received to date.

Environmental Health Pollution Control - No objection subject to a condition requiring submission of a scheme for the treatment of fumes.

Waste Management - No comments received to date.

Unitary Development Plan and Policies

S1/3	Shopping in District Centres
S2/6	Food and Drink
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT5/1	Access For Those with Special Needs

Issues and Analysis

Policies - Unitary Development Plan Policy S1/3 - Shopping in District Centres seeks to support and sustain the role of these centres within the district, provided it is of a size, scale, function and character appropriate to serve the needs of the local area.

UDP Policy S2/1 - All New Retail Proposals: Assessment Criteria seeks to support proposals which are within an existing shopping centre and would sustain or enhance the vitality and viability of the centre and are accessible to the public. Once the principle is acceptable, proposals are then considered with regards to their environmental impact, amenity of nearby residents or businesses, traffic generation and servicing.

UDP Policy S2/6 - Food and Drink considers proposals with regards to amenity of local residents, concentration of the same uses in the locality, parking and servicing, provision for storage and disposal of refuse and litter and environmental impact of ventilation flues.

Principle - The premises are located within an existing shopping centre which offers a range of shopping facilities and services. The property has been vacant since July 2007, when the retail shop closed and has been marketed since for A1 retail use without success. The application for a change of use to A5 is a solution to try and create a new market interest and bring back into use a vacant premises. In addition, a material consideration is a previous consent granted for the ground floor of the premises for a seating area in connection with the adjacent restaurant at No 5 Kings Road.

The proposed takeaway would provide an additional service to the local community and therefore contribute to the vitality and viability of the shopping centre.

Subject to issues of residential amenity, environmental impact and parking, the proposal is considered acceptable in principle and complies with UDP Policy S1/2 - Shopping in District Centres.

Residential amenity - There are residential properties directly behind the site on Rochester Road, and further along Kings Road to the east. Whilst it is expected there would be a certain amount of activity in this area, a hot food takeaway can be more disruptive in terms of comings and goings of customers later in the evening, possibly deliveries made from the shop, noise and smells.

The majority of activity from people visiting the premises would be focused to the front of the premises on the main shopping street and away from the residential properties to the rear. The proposed opening hours from 7am to 11pm are not excessive for a commercial property in an established shopping area and any deliveries made from the shop are likely to be from the front entrance.

Given these considerations, the proposed change of use is considered to be acceptable subject to conditions and would comply with UDP Policy S2/6 - Food and Drink.

The 1st floor of No 3 Kings Road is a self contained unit, previously in residential use which is accessed by a separate entrance at the side. It is currently vacant and does not form part of the application. In order to safeguard the amenities of future occupiers of the flat, a condition to soundproof the floor/ceiling between the ground floor and flat has been included.

Visual amenity - The only proposed external alterations would be a flue which would be located on the rear elevation. It would not be a highly visible structure when viewed from

King Street and therefore considered to have little impact on the visual amenity of the area. Details of the flue including its colour would be required by a condition of an approval.

As such, the proposal is considered to comply with EN1/2 - Townscape and Built Design.

Extraction system - An indicative plan has been submitted which shows that there would be an acceptable location for an external flue in terms of its position in relation to the adjacent properties. The Pollution Control team therefore recommend a condition be included which requires a scheme to be submitted and approved to include details of the treatment of fumes.

Parking - There are 3 potential parking spaces on the forecourt in front of No 3, and on street parking along Kings Road. Given the premises are located within a District Centre where it is expected that the majority of trade would be from the locality and within walking distance, the existing parking facilities are considered to be sufficient to be acceptable.

Bin storage and servicing - There would be an internal bin storage area provided which would be serviced via the access road at the side. As such the proposal complies with UDP policy S2/6 - Food and Drink.

Response to objector - The premises are located in a District Shopping Centre where it is expected there would be a variety of facilities would be provided. Whilst there are other eateries and takeaways in the vicinity, it is considered an additional outlet would not cause harm to local residents or the shopping centre. The other issues 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 change of use is of an acceptable standard which would not adversely affect the character of the Sedgley District Shopping Centre area. The scheme would not have a detrimental impact on the amenities of neighbouring residents or highway safety issues. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings - Indicative ground floor layout plan dated 17th Jan 11; Existing plan and site plan 2252-102 Rev A; As Built Elevations 1235_100 Rev B; Planning Statement dated January 2012 - sa/tmr/4294 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 and until a detailed scheme for treating, diluting and dispersing fumes and odours and including the colour of the flue, has been submitted to and approved by the Local Planning Authority. A written statement from a suitably qualified 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 Unitary Development Plan Policy S2/6 - Food and Drink.

4. The use hereby permitted shall not be open to customers outside the following times: 07.00 to 23:00 daily.

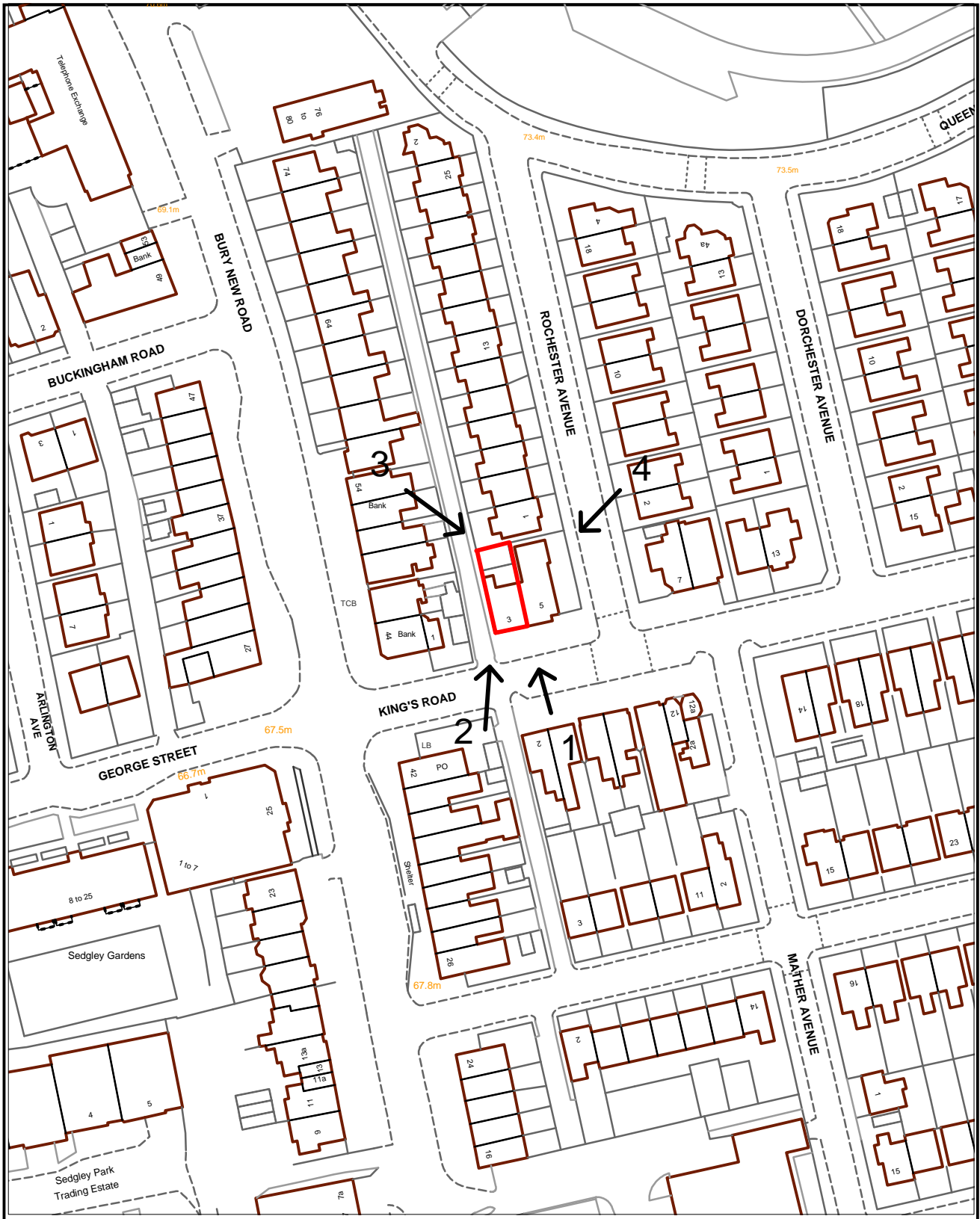
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S1/3 - Shopping in District Centres and S2/6 – Food and Drink of the Bury Unitary Development Plan.

5. No development shall take place unless and until a scheme to soundproof the floor/ceiling between the ground floor and the first floor flat, which shall be in accordance with standards of construction specified in current Building Regulations, has been submitted to and approved by the Local Planning Authority. Such works that form the approved scheme shall be completed before the development is brought into use.

Reason. To protect the residential amenities pursuant to Bury Unitary Development Plan Policy EN2/6 - Food and Drink and EN7/2 - Noise Pollution.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 54777

**ADDRESS: 3 Kings Road
Prestwich**



Planning, Environmental and Regulatory Services 1:1250

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54777

Photo 1



Photo 2



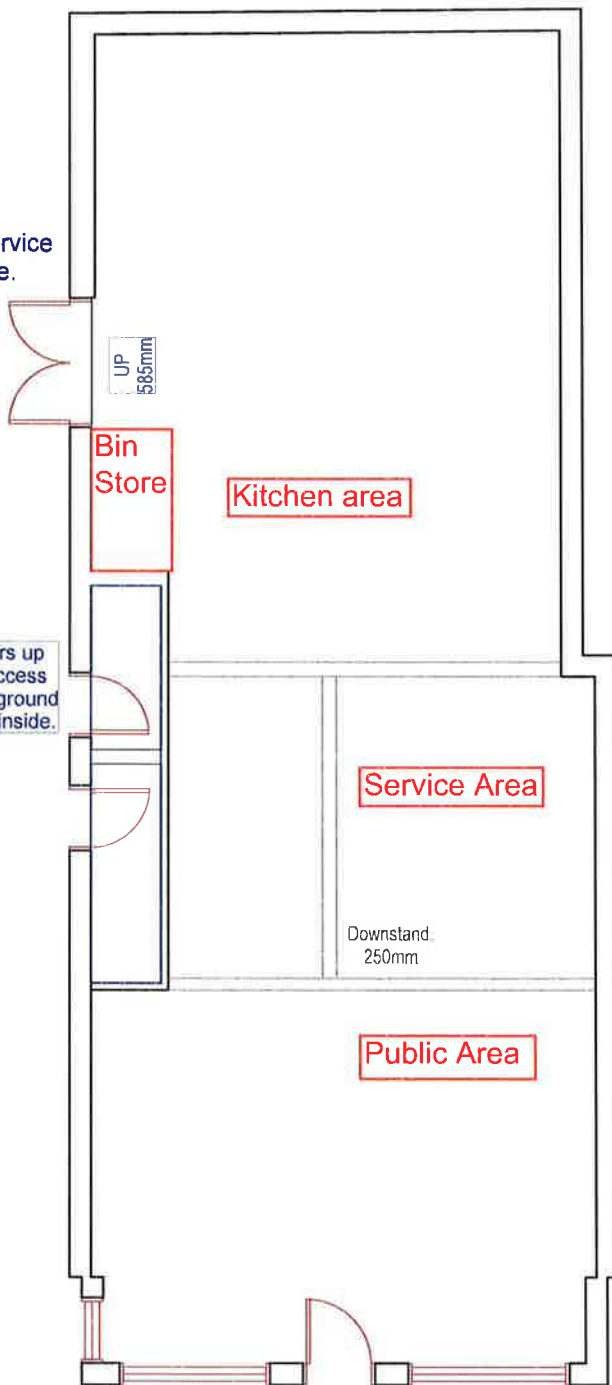
Photo 3



Photo 4



Rear service entrance.



Stairs up
no access
from ground
floor inside.

UP
5885mm

Bin
Store

Kitchen area

Service Area

Downstand
250mm

Public Area

*Entrance.
3 Kings Road. Prestwich.*

FFL to ceiling.
Min 2880
Max 3098

Windows.
Cill: 390mm
Height: 2000mm

Internal space.
118.55 Square metres
1276.04 Square foot.

CLIENT:	SITE ADDRESS:	
Park Lane Estates. 46 Bury New Rd, Prestwich, Manchester.	3 Kings Rd. Prestwich. Manchester.	
PROJECT: Indicative Ground Floor Plan	PAGE:	1 of 1
	PAPER:	A4
	SCALE:	1 : 100
	DATE:	17th Jan 11'

DEBTAL ARCHITECTURE.

LEASEPLAN, FLOORPLAN AND EXTENSION SPECIALISTS.
72 BURY NEW ROAD, MANCHESTER, M25 0JU.
TEL: 0161 773 1630 FAX: 0560 125 9308
WWW.DEBTALARCHITECTURE.CO.UK