

**Ward:** Bury East

Item 01

**Location:** 155-163 THE ROCK, BURY

**Proposal:** 2 GROUND FLOOR UNITS (CLASS A1 & A2) WITH OFFICES (CLASS B1) ABOVE

**Application Ref:** 45077

**App Type:** Full

**Statutory Expiry Date:** 10 November 2005

**Recommendation:** Approve with Conditions

### **Description**

The site is an area of unused land enclosed by a chainlink fence and situated at the junction of The Rock and John Street. There is the gable of a restaurant bordering the site to the south west and an unmade back street at the rear. Buildings on the site were demolished several years ago.

It is proposed to erect a new 4 storey building including rooms in the roof space with dormers. A lift shaft at the rear corner of the building would be higher. Construction would be predominantly in brickwork with a slate roof. There would be shops on the ground floor and offices above. There would be 7 car spaces at the rear including 2 disabled spaces within a fenced area.

The application is accompanied by a brief design and access statement.

### **Relevant Planning History**

38454/01 - Outline, retail development with offices over approved in November 2001.

38739/02 - Temporary car park refused in March 2002.

### **Publicity**

The application has been advertised and neighbours notified. One letter of objection has been received from the veterinary surgery at 147 The Rock. There is no objection in principle to the site being developed but there is concern about the number of parking spaces for the size of the development. The access at the rear is blocked from time to time by delivery wagons. The Rock Triangle development will increase the demand for parking spaces and reduce the numbers.

### **Consultations**

Borough Engineer - No objection on drainage grounds. No objection in principle on highway grounds. Any recommended conditions will be reported.

Borough Environmental Services Officer - There is a potential for land contamination that needs to be considered by the developer.

Greater Manchester Fire and Rescue Service - No objection.

Greater Manchester Archaeological Unit - An old smithy may have been located on or close to the site and an appropriate condition is recommended.

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

C079 Woodfields, Bury

EC5/1 Office Development in Bury Town Centre

S3/1 New Retail Dev Opportunities Within or Adj Town Centres  
HT2/1 The Strategic Route Network  
Area The Rock/Peel Way  
BY5

### **Issues and Analysis**

The site is within an area of the town centre where the Council will encourage and promote proposals for retailing and offices. It is identified in the UDP as an opportunity site suitable for retail/office development and has a previous outline approval, now lapsed, for such a development. The proposal is to be welcomed as the redevelopment of a cleared site in a prominent position on the fringe of the town centre. The land on the opposite side of The Rock is also intended to be redeveloped as part of the Rock Triangle scheme.

The building would be constructed in brick with a slate roof and the window sizes and patterns to main elevations would reflect those of adjacent buildings. The service tower to the rear would be partially glazed. The building would be three storey in height plus dormer accommodation in the roof space. The adjoining restaurant is only 2 storey in height but the new building would not be significantly higher than the three storey building on the opposite side of John Street. It would be in scale with the proposed Rock Triangle development.

Despite the objection, it is considered that the parking and access arrangements are acceptable for a town centre development close to public transport links.

### **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 in accordance with policies of the adopted Bury Unitary Development Plan. It will not harm the character of the area nor the amenities of occupiers of adjacent property and will not affect highway safety. There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered ???? and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. No development shall take place within the proposal area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason To identify and record remains of archaeological interest.

For further information on the application please contact **John Hodkinson** on **0161 253 5323**

**Location:** 8 BELL LANE, BURY, BL9 6AR

**Proposal:** CHANGE OF USE TO SANDWICH SHOP (WITH HOT FOOD) (CLASS A5)

**Application Ref:** 45221

**App Type:** Full

**Statutory Expiry Date:** 30 November 2005

**Recommendation:** Approve with Conditions

### **Description**

The site is an existing shop unit within a row of 4 shops and the Old Blue Bell Public House at the start of Bell Lane. At the eastern side of the row is Carlton Carpets with a small car park and on the opposite side of Bell Lane is a car sales area. The area in general is mainly commercial although there is residential above the public house and some house on Wash Lane but walking to the nearest one is over 50m away.

The proposal is to change the use of a vacant retail shop (Class A1) to Hot Food Takeaway (Class A5). The application is for the limited hours of 09:00 to 15:00 hrs Monday to Friday, 09:00 to 13:00 hrs on Saturday and closed on Sunday. A covering letter states the proposed business is aimed at catering for the local businesses in the area rather than the passing trade and will specialise in cold sandwiches and salads. There will be no cooking on the premises and the hot food will entail of soups, jacket potatoes, pies and pasties.

### **Relevant Planning History**

None

### **Publicity**

7 surrounding properties have been notified. One letter of representation has been received from Godiva, the adjacent shop objecting to the proposal on the following grounds:

- Concern that the proposal will exacerbate a problem with rats.
- Concerned about the smell of cooking affecting the trade to her hair design business.
- That the hours of opening requested should be conditioned.
- That the parking situation will worsen and could affect highway safety.
- That litter will increase.

### **Consultations**

Borough Engineer-Highways: No objection

Borough Engineer-Drainage: No objection

Borough Environmental Services Officer: No objection subject to condition

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

S1/5 Neighbourhood Centres and Local Shops

S2/6 Food and Drink

### **Issues and Analysis**

The site is not within any shopping centres as zoned in the Bury Unitary Development Plan however policy S1/5 – Neighbourhood Centres and Local Shops does apply. This policy

aims to cater for the daily needs of the local community, which in this instance is mainly the employees of the surrounding commercial or industrial premises. The hours of opening requested reflect this and show the applicant is aiming his business at the lunch time trade.

Other considerations for this application are the impact of the proposal on highway safety, concentration of A5 uses and residential amenity.

**Highway Safety:** The Borough Engineer is satisfied with the proposal in relation to highway matters.

**Concentration of A5 Uses:** The nearest hot food takeaway is approx. 100m away but mainly opens in the evening, KFC and the Diner on Wash Lane are over 170m away and the shops in the Walmersley Road/Moorgate Local Centre (LC06) are over 300m away. It is therefore considered that this proposal would not lead to an over concentration of this use.

**Residential Amenity:** Given the small number of residential properties in the vicinity, their position in relation to the proposal and the hours of opening it is judged that the effect of the proposal on the amenity of the occupiers would be within acceptable limits.

The issue of any cooking smells/flues is to be conditioned as requested by the Environmental Services Officer due to the details contained in the letter from the applicant stating that they do not intend to cook on the premise.

With regard to pest control this is a matter for the environmental services department and not a material consideration for this planning application.

Therefore in conclusion the proposal is considered acceptable in terms of location, visual and residential amenity.

### **Summary of reasons for Recommendation**

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

Having studied the submitted documents, assessed the proposed development on site and taken into account any and all representations and consultation responses; it is considered that the proposed development is acceptable because it would not cause demonstrable harm to interests of acknowledged importance.

There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings received on 5<sup>th</sup> October 2005 as clarified by the letter from Haroon Khan dated 26<sup>th</sup> October 2005. The development shall not be carried out except in accordance with the details 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 shop shall not be open outside 09:00 to 18:00 hrs Monday to Friday and 09:00 to 13:00 hrs on Saturday. There shall be no trading on any Sunday.  
Reason: To safeguard the amenities of the occupiers of nearby residential accommodation and in the interests of amenity.
  
4. Prior to any cooking appliances being installed on the premises, including domestic scale cooking appliances a detailed scheme for treating fumes and odours before their emission to the atmosphere so as to render them innocuous must be submitted to and approved by the Local Planning Authority. The approved scheme shall then be fully implemented prior to the equipment being brought into use.  
Reason. In the interests of amenity.

For further information on the application please contact **Janet Ingham** on **0161 253 5325**

**Location:** HOLY CROSS COLLEGE, MANCHESTER ROAD, BURY, BL9 9BB

**Proposal:** ERECTION OF SINGLE STOREY EXTENSION TO FORM KITCHEN & CAFETERIA

**Application Ref:** 45033

**App Type:** Full

**Statutory Expiry Date:** 17 November 2005

**Recommendation:** Approve with Conditions

**This application was deferred for a site visit at the previous Planning Control Committee**

### **Description**

The site comprises the existing single storey flat roof kitchen building and part of the landscaped area on the south side of the college. Immediately to the east is a three storey building comprising the canteen on the ground floor with classrooms above. To the south are the rear elevations of the two storey terraced houses fronting Richmond Street.

The new building would extend out 15.5m from the main three storey building and have a depth of 5m. About half of the floor space would be canteen facilities with the other half being kitchen preparation, staff and administration space. The roof of the building would have a shallow curve and be constructed of aluminium. The walls would be brickwork and cedar panelling.

### **Relevant Planning History**

There have been a number of applications at the college for various new buildings over the years. The most recent applications are:

**44884** Erection of single storey storage building **Approved 22/8/2005**

**44385** Lift shaft and perimeter wall and gates **Approved 29/6/2005**

**40195/02** Demolition of Agincourt Building and erection of new teaching block and sports hall **Approved 21/12/2003**

### **Publicity**

Immediate neighbours - A petition of 16 names from Fishpool Residents Association and nine properties on Richmond Street and seven properties on Brierley Street and a separate objection from the occupier of 9 Richmond Street has been received. Objections are summarised:

- Noise levels from works.
- Contractors parking will increase existing problems in the area.
- Increasing litter and noise from students.
- The new building will reduce privacy.
- Reduction in the existing green area at the college and adverse effect on wildlife.
- Increase in smells from the kitchen.
- The use of the emergency exit at the rear would be used increasingly.
- Increased fire risk.
- Reduced safety at the rear of the houses on Richmond St.
- Reduction in light and outlook from the rear of houses on Richmond St and Brierley St.
- Another floor may be added in future.
- Security lights may be added to cause further problems to residents.

A site visit is requested by the residents association.

### **Consultations**

Environmental Services - No objection.

Borough Engineer - No objection.

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

EN1/2 Townscape and Built Design

CF1 Proposals for New and Improved Community Facilities

CF2 Education Land and Buildings

### **Issues and Analysis**

Siting and Need for the Development. The proposal would no doubt improve the existing kitchen and canteen facilities at the college which are currently inadequate due, not least, to the increasing numbers of students attending the college.

In terms of siting, it is unfortunate that the new building would extend over part of what is a rather pleasant landscaped area adjacent to the southern boundary with houses fronting Richmond Street. However the loss of part of this area would not in itself be sufficient to refuse the application. A reduced open area would remain and form a buffer between the houses and the new building. The doors from the canteen onto the existing footway around the rear of the building are for emergency use only and would not be used in normal circumstances. In terms of design, the new building with it's shallow curved roof, brick and cedar panelled walls is quite an attractive structure.

Residential Amenity. The new building would be single storey with the roof to a height of 4.1m and set away from the boundary with the adjacent houses by approximately 13m (to No.9) and 16m (to No.19). These distances are considered to be acceptable in that they maintain privacy and protect residential amenity particularly as the existing boundary between the college and the houses comprises a 2m (approx) high concrete wall and mature shrub planting. Windows on the rear elevation facing the houses on Richmond Street are all high level and privacy is not considered to be an issue.

It is not considered that the new scheme would seriously and detrimentally reduce the amenity of neighbouring residents. Although there would be more students in the canteen at one time there should not be a significant increase in noise or litter as openings on the rear elevation are kept to a minimum.

### **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 scheme constitutes an improvement to existing facilities at the college.

The proposal is considered to be acceptable in terms of siting and design. The new single storey building would not have a seriously detrimental impact on the amenity of the occupiers of neighbouring properties. 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 five 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 1691.25; 1691.25.01; 1691.25.02;



1691.25.03 and the development shall not be carried out except in accordance with the drawings hereby approved.

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

3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.

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

4. The double doors from the canteen on the rear (south) elevation shall be utilised for emergency use only.

Reason. In the interests of residential amenity

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

**Location:** OLD DUNSTERS FARM HEBBURN DRIVE BURY

**Proposal:** RESIDENTIAL DEVELOPMENT - 22 NO. APARTMENTS

**Application Ref:** 44967

**App Type:** Full

**Statutory Expiry Date:** 29 September 2005

**Recommendation:** Minded to Approve

**Site visit requested by the Planning Control Committee at its meeting on 25th October 2005.**

**The Committee is recommended to be Minded to Approve the application subject to the satisfactory completion of a Section 106 agreement for a commuted sum payment of £7, 907.68 towards recreational open space provision. Powers are requested to be delegated to the Development Manager to refuse the application if the agreement has not been completed by 25th November 2005.**

### **Description**

The application site lies to the north of Hebburn Drive, Bury close to the junction with Throstle Grove. The site is occupied by a row of shops and Old Dunsters Farm. It is roughly rectangular in shape reaching from Hebburn Drive through to Boulden Drive and measures 0.26 hectares in area. The site is bounded on three sides by residential development along Hebburn Drive, Jesmond Drive and Whitburn Drive although it is bounded by Brandlesholme Methodist Church to the north on Boulden Drive. In policy terms, the 4 shops are categorised as a Neighbourhood Shopping Centre. However, in reality the shops are all occupied by the exclusive wine merchants Richards. The site lies within the urban area of Bury but has no further UDP designations.

### **Relevant Planning History**

Application No. 41854 sought permission for the erection of a block of 43 retirement apartments but was withdrawn by the applicant following discussions with the case officer.

Application No. 42824 sought permission for a reduced scheme of 37 retirement apartments and was brought before the 27th July 2004 Planning Committee recommended that the Committee be Minded to Approve. However, the application was deferred for a site visit and subsequently withdrawn by the applicant due to the parking requirement being unable to be met as the property at No. 2 Whitburn Drive could not be changed to parking.

### **Proposal**

The scheme has been revised a second time since submission and now proposes a reduction in the total number of apartments from 22 to 21 apartments on the site of the shops and Old Dunsters but the site does not include No. 2 Whitburn Drive. The flats would be constructed in two blocks which would vary in height and would front either Hebburn Drive or Boulden Drive.

The scheme would be accessed from Hebburn Drive through an archway in the T-shaped block, into a central courtyard with car and cycle parking. There would be pedestrian access

from Boulden Drive and the servicing of dustbins from the bin store would also be carried out from this point.

The blocks themselves would be part two and part three storeys high; the block fronting Hebburn Drive would be 2 storeys high adjacent to No. 16 Throstle Grove, although the block has been set into the ground to reduce its overall height and would be two storeys high adjacent to No. 2 Whitburn Drive.

The block fronting Hebburn Drive would be two storeys high on the side adjacent to No. 6 Hebburn Drive but then rises to 3 storeys high moving eastwards towards 9 & 11 Jesmond Drive.

The comments of the Planning Control Committee regarding lighting and bin collection have been passed to the applicant and their response is awaited.

### **Publicity**

Press advertisement placed in the 18th August 2005 edition of the Bury Times and 35 adjoining occupiers notified by letter - 10 responses received from residents at 2 & 3 Jesmond Drive, 16, 22, 26, 30, 31 35 & 45 Throstle Grove, 95 Bankhouse Road objecting to the proposal on the following grounds:

- Lower ground levels on Jesmond Drive mean the building will overbearing
- 3 storey development would be out of keeping with the surrounding area, dominant and intrusive
- Loss of privacy
- Insufficient parking spaces
- Is Hebburn Drive capable of carrying heavy construction traffic since recent repairs have been carried out to stabilise it
- Loss of light
- Plans show the ground level at 16 Throstle Grove inaccurately
- The plans omit some measurements whilst others are inaccurate

The application was revised prior to the committee report being written and neighbours were reconsulted on the amended plans. In response, further letters have been received, individual letters from No.s 16 & 22 Throstle Grove and 8 copies of a standard letter from residents at 95 & 101 Bankhouse Road, 26, 30, 35 & 37 Throstle Grove and objecting to the proposal on the following grounds:

- The height of the scheme would be out of keeping with the surrounding area (all letters)
- Architect's drawings are alleged to be inaccurate (No. 16 Throstle Grove).
- Loss of privacy and outlook (16 & 22 Throstle Grove)
- Inadequate access road (22 Throstle Grove and standard letter)
- Increase in traffic (Standard letter and 22 Throstle Grove)
- Especially in the light of the development at Miller Brook and redevelopment at St. Francis House Church (22 Throstle Grove)
- That the development would be rented accommodation (22 Throstle Grove).

### **Consultations**

Borough Engineer - Drainage - no objections - Highways - recommends conditions be imposed covering the access improvements shown to be completed, foundations of boundary walls not to encroach under the adjacent highway and the car parking to be surfaced and demarcated prior to the first occupation of the building.

Borough Environmental Services Officer - recommends conditions be attached covering ground contamination.

Conservation Officer - accompanied the head of Greater Manchester Archaeology Unit on a visit to the site. No features of special merit were found on site but a condition requiring a watching brief should be imposed.

BADDAC - request a number of changes which have been made on the revised plans, including level-stop areas for wheelchair users outside entrance doors, dropped kerbs within the car parking areas, Lifetime Homes made available as part of the scheme and a 1.2 metre wide footway under the entrance archway.

GM Police - recommend a number of revisions which have been addressed by the revised plan including controlled pedestrian access into the site from Boulden Drive, robust boundary treatment in the form of railings and demarcated parking spaces for each apartment.

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

PPG3 PPG3 - Housing  
PPG23 PPS 23 - Planning and Pollution Control  
RSS 13 Regional Spatial Strategy for the North West  
H1/2 Further Housing Development  
H2/1 The Form of New Residential Development  
H2/2 The Layout of New Residential Development  
RT2/2 Recreation Provision in New Housing Development

### **Issues and Analysis**

The main considerations of the application are the acceptability of the principle of the development, its form, layout and contribution to recreational open space.

#### *Principle*

The application was submitted prior to the inception date of the Council's housing restriction policy and therefore should be measured against the housing policies of the UDP.

The site lies within the urban area thereby avoiding the release of peripheral sites for housing, would be close to existing infrastructure and public transport routes as well as being surrounded by residential properties and thus suited to its surroundings.

#### *Form*

The applicant has reduced the block immediately adjacent to No. 16 Throstle Grove from 3 to 2 storeys high which is in addition to the reduction in the finished floor level of this section of the building which was lowered to match No. 16.

The proposed building would present a 2 storey blank, flank gable 13.6 metres from to No. 3 Jesmond Drive. This distance would exceed the 13 metres minimum separation distance set down in Council guidance. In addition, the closest windows would be to the kitchen and utility room, the dining room window also looks towards the site although the living room window overlooks Jesmond Drive.

The windows in the rear elevation of No. 2 Whitburn Drive serve the kitchen and the "back room". However, the proposed block would not be sited directly behind the rear facing windows in No. 2 Whitburn Drive. The block would be 9.6 metres from the nearest window taken at an angle and would be 2 storeys high adjacent to No. 2 Whitburn Drive. The principle window to the main habitable room does not face the application site, rather it opens into a conservatory which faces on to Hebburn Drive and would not be affected by the scheme. The scheme is considered not to harm the residential amenity of No. 2 Whitburn Drive as the block would not be directly behind the rear windows and would not affect the main habitable room.

The relationship with No. 6 Whitburn Drive would see a 2 storey blank flank gable which would not only be 13 metres from the rear elevation of No. 6, thereby achieving the

minimum separation distance, but would also be less dominant and intrusive than the situation with the existing buildings on site. The rear windows in No. 6 Whitburn Drive serve a bedroom and the kitchen from which the views into the site would be partially obscured by the detached single garage in the rear garden to No. 6 Whitburn Drive. The proposal is thus considered an improvement over the existing buildings, would be separated from the dwelling sufficiently and given the siting of the garage, would not adversely affect the residential amenity to No. 6 Whitburn Drive.

The scheme in relation to the properties at Nos. 7, 9 & 11 Jesmond Drive would be 4.7 metres higher than the existing storage building, however, it would also be 4.8 metres farther away. Furthermore, the rear elevations of these properties do not directly look on to the flank elevation of the proposed 3 storey block. As such, the proposed development is considered to balance the increase in height with an increase in separation distance which would not directly affect the windows in the rear elevations of these properties.

The main side elevations of the blocks have no windows in them and so achieve the 13 metre minimum separation distance set down in current guidance and would be an improvement on the existing situation. The section of the Hebburn Drive block which would project into the car park does have side windows, however, these exceed the 20 metre separation distance between habitable room windows by over 5 metres.

The density of the development would equate to 84.6 dwellings to the hectare which is above the government's target of 30-50/hectare and is an acceptable density on apartment developments. The position and proximity of the blocks to the surrounding dwellings would be well spaced and the detail of the materials would be finalised under condition. As such the form of the development is considered to be acceptable.

#### *Layout*

The proposal would provide 29 spaces for 21 apartments including 2 disabled spaces and an additional 3 visitor spaces together with cycle parking spaces as well as suitable access for vehicles and pedestrians. The space about and between the blocks would be adequate to provide for sitting out and informal recreation as well as for the indicative landscaping scheme which is also acceptable but to be secured via condition. The revised plans have addressed and accommodated the requirements for safety and security as well as for the mobility impaired.

#### *Others*

The site may be contaminated thus conditions will be attached requiring contaminated land surveys to be submitted prior to the commencement of development. The applicant has submitted the paperwork for the completion of the legal agreement for recreational open space provision.

#### *Objections*

The revised plans are considered to have addressed the objections regarding grounds levels, measurements and the building appearing overbearing due to its height.

The building would not incur a material loss of light, privacy or outlook to the habitable room windows of adjoining properties, indeed would be an improvement over the existing situation as stated above. The proposed parking levels are considered acceptable and accord with current central government planning policy guidance.

### **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 scheme would be acceptable in principle, form and layout and would make provision for contaminated land remediation and recreational open space.

There are no other material considerations that outweigh this finding.

**Recommendation:** Minded to Approve

**Conditions/ Reasons**

1. The development must be begun not later than five 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 05/472.04A, 05/472.05, 05/472.06, 05/472.07A, 05/472.08A, 05/472.09 and 05/472.11. The development shall not be carried out except in strict 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:  
  
H2/1 - The Form of New Residential Development  
H2/2 - The Layout of New Residential Development.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. Prior to the development hereby approved commencing:
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground 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 risks have been identified, a detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
  - Where remediation is 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 and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and 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 conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.  
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and 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 works commencing on site, and;

The approved contamination testing shall then be carried out and validatory evidence (laboratory certificates etc) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.

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.

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. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

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

9. No trees, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before or during the construction period without the previous written consent of the Local Planning Authority.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

10. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:1991 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

11. The bin and cycle parking stores shown on the approved plans shall be provided and made available for use prior to the development hereby approved first being occupied and shall thereafter be maintained.

Reason: To ensure a good standard of development in the interests hygiene and

to encourage more sustainable methods of transport.

12. No development, building work or demolition shall take place on site unless and until the applicant has secured the implementation of a programme of archeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason. To make a record of buildings and features of archaeological interest and to comply with legislative requirements pursuant to policies EN3/1 – Impact of Development on Archaeological Sites, EN3/2 – Development Affecting Archaeological Sites and EN3/3 – Ancient Monuments of the Bury Unitary Development Plan.

13. Prior to the commencement of the development, appropriate site investigations, gas monitoring and risk assessment shall be carried out to assess any possible risks associated with the production of landfill gas or ground gas. Where required, detailed design features shall be incorporated into the development, as shown necessary by the site investigation and risk assessment, to alleviate risks to the written satisfaction of the Local Planning Authority, and;

A Site Verification Report detailing the design and installation of the incorporated design features, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.

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

14. No development, building work or demolition shall take place unless and until a scoping report for a watching brief and a program of archaeological have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out in accordance with the approved plans.

Reason. To make a record of buildings and features of archaeological interest and to comply with legislative requirements pursuant to policies EN3/1 – Impact of Development on Archaeological Sites, EN3/2 – Development Affecting Archaeological Sites and EN3/3 – Ancient Monuments of the Bury Unitary Development Plan.

15. The development hereby approved shall not be first occupied unless and until the access improvements at the junction of the development access with Hebburn Drive indicated on the submitted plans No. 05/472.04 Rev A "Scheme Proposals - Site & Ground Floor Layout" have been implemented to the written satisfaction of the Local Planning Authority.

Reason. To ensure good highway design in the interests of road safety.

16. The foundations for the proposed boundary walls shall not encroach under the adjacent adopted highway at any point.

Reason: To ensure good highway design in the interests of road safety and to maintain the integrity of the adopted highway.

17. The car parking indicated on the approved plans reference 05/472.04 Rev A "Scheme Proposals - Site & Ground Floor Layout" shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being first occupied and shall thereafter be maintained at all times.

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



For further information on the application please contact **Adrian Harding** on **0161 253 5322**

**Ward:** North Manor

Item 05

**Location:** GREENMOUNT GOLF CLUB, GREENHALGH FOLD, GREENMOUNT, BL8 4LH

**Proposal:** 25M MONOPOLE TELECOMMUNICATIONS INSTALLATION WITH 6 ANTENNAS & ASSOCIATED CABINETS

**Application Ref:** 45252

**App Type:** Full

**Statutory Expiry Date:** 16 November 2005

**Recommendation:** Approve with Conditions

**Site Visit requested by the Planning Control Committee at its meeting on 25th October 2005.**

### **Description**

The application site lies within the grounds of Greenmount Golf Club, to the east of Greenhalgh Fold. The site stands on the top of a bank which slopes down sharply to the north but is occupied by mature trees up to 22 metres high. A foot path runs immediately to the south of the site which itself borders the fairway.

The site lies in the Green Belt and River Valley, West Pennine Moors, Special Landscape Area and Wildlife Link and Corridor whilst Greenhalgh Fold is a Grade II Listed Building.

### **Relevant Planning History**

No previous applications for telecommunications masts and equipment on this site.

### **Proposal**

The application is for full planning permission to erect a 25 metre high monopole telecommunications mast with 3 associated cabins at the foot of the mast enclosed by a 1.1 metre high timber post and rail fence. The mast is proposed so as to minimise its impact on the surrounding area by taking advantage of the trees around the site.

### **Publicity**

Site Notice posted 5th October 2005 and initially 17 adjoining occupiers notified - 108 letters have been received and registered from parents of children attending Holy Mount School adjacent to the Golf Course, but who generally do not live near to the site. 103 of the letters are a standard format together with 8 others, one attached to a petition, which object to the proposal on the following grounds:

- The potential risk to health
- The perceived fear of health risk
- Impact on the Green Belt and do very special circumstances exist
- The mast would be next to a footpath and harm visual amenity
- That the pre-application consultation process was conducted during the school holidays
- No Site Notice has been posted
- Impact on the TPO'd trees
- The visual amenity of the surrounding area would be harmed

A letter has been received from the Head Teacher at Holly Mount R.C. School objecting to the proposal on the visual impact of the mast and the possible effects on the health of the pupils.

A separate letter from the Chair of the School Governors also received reiterating concerns over health and loss of residential amenity.

Included in the letters of objection is a 20-signature from residents of Hollymount Village who object to the proposal on the grounds of health and that this it would be sited in Green Belt location.

### **Consultations**

Borough Engineer - Highways - does not wish to restrict the grant of planning permission.

Borough Environmental Services Officer - no comments to make on this application.

Head of Landscape Practice - have protected 19 trees in the vicinity of the mast site by TPO.

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

PPG8 PPG8 - Telecommunications  
OL1/2 New Buildings in the Green Belt  
EN1/2 Townscape and Built Design  
EN1/10 Telecommunications

### **Issues and Analysis**

The main considerations of the application are the impact of the proposal on the openness of the Green Belt and River Valley, the character of the West Pennine Moors and Special Landscape Area, the character and setting of the listed Greenhalgh Fold, the impact on the visual amenity of the surrounding area as well as the requirements of the system operator.

The siting of the proposed mast and equipment cabin would be screened and surrounded by trees and low level plant growth resulting in the mast only being fully visible from the south. However, only the top of the mast would be visible from farther away and in the broader context of the surrounding area. As such the proposal is considered not to harm the openness of the Green Belt and River Valley nor to harm the character of the West Pennine Moors and Special Landscape Area.

In relation to Greenhalgh Fold, providing that the mast is screened by the trees on a permanent basis, by TPO, it is considered that the proposal would not harm the character or setting of the Listed Building. However, details should be submitted by the applicant via condition regarding trees protection measures together with a landscape scheme.

The equipment cabin and mast will be visible from the footpath, however, this would be for a limited period of time, against the backdrop of trees and is intended to be screened by additional planting required via the landscape scheme condition.

The applicant has submitted evidence in the form of coverage plots to prove that there is a need for the mast to reach areas in the immediate vicinity as well as a signed ICNIRP certificate meaning that considerations of health risk can longer be considered under the planning system.

In response to the objections raised above, the issue of health risk has been addressed by the signed ICNIRP certificate. In relation to the perceived health fear, recent appeal decisions that have been dismissed have been in relation to masts that have been in very close proximity to either houses or children's play areas. In this case, the mast would be at

least 25 metres from Greenhalgh Farm and 260 metres from the nearest part of Holly Mount School. It is considered that the weight which can be given to public health fears is much reduced given the distances involved between the mast and the school. All other matters raised are considered to have been addressed by the preceding text.

### **Summary of reasons for Recommendation**

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

The proposal would not harm the openness, character or visual amenity of the surrounding area and would not be detrimental to the character and setting of the nearby Listed Building.

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 52105 - 001 C, -002 C, -003 C, coverage plots numbered 36010, 36011, 36012, 36013, 36014, 36015 and the supporting information. 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 and colour of paint to be used in the external elevations of the development hereby 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 development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:1991 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.  
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
5. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.  
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

For further information on the application please contact **Adrian Harding** on **0161 253 5322**

**Location:** 381 BURY OLD ROAD, PRESTWICH, M25 1QA

**Proposal:** CHANGE OF USE FROM REUPHOLSTERING WORKSHOP TO SUNBED AND TATTOO SHOP

**Application Ref:** 45265

**App Type:** Full

**Statutory Expiry Date:** 23 November 2005

**Recommendation:** Approve with Conditions

### **Description**

The site comprises the former upholstery shop at 381 Bury Old Road St Margaret's in Prestwich.

The proposal is to use the shop as a sun bed and tattoo shop which is sui genus in terms of use and as such requires permission. The application is retrospective as the use has already commenced.

There are to be no internal or external alterations, both floors are to be used and the properties on either side are in commercial use.

### **Relevant Planning History**

Consent was granted in 1995 for a change of use from retail to repair, upholstery and manufacturing of furniture. (31838)

### **Publicity**

Neighbours have been notified and two letters of objection have been received from 41 Milton Road and the Milton Road Residents and Tenants Association and the objections can be summarised as follows:

- Inadequate parking in the area
- Late night opening can result in disturbance to residents
- Property could be used for unsocial and inappropriate activities

### **Consultations**

Highways - no objections

Environmental Health - comments awaited

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

S1/4 Local Shopping Centres

### **Issues and Analysis**

Use - the site is located in the Bury Old Road/St Margaret's Road Local Shopping Centre. The retention of existing commercial uses in these areas are encouraged within the Unitary Development Plan Policy S1/4 - Local Shopping Centres and the change of use from an upholsters workshop to a sun bed salon and tattoo parlour would be acceptable within the terms of this policy as the property is no longer a shop within the terms of the use classes order and this type of use is appropriate to a Local Shopping Centre and as such, the application is acceptable within the terms of this policy.

Servicing - the shop has access to servicing from a court yard at the rear.

Objections:

- The site is contained within a Local Shopping Centre and there are no other sun bed or tattoo parlours within the centre. Thus, the use will add to the variety of facilities available.

- The parking in the area as a whole is problematic, but it is unlikely that the use of the site as a sun bed saloon and tattoo parlour will led to a material increase in the amount of parking that would occur from the alternative use as a retail shop, and as such it is acceptable.
- The applicant has indicated that the hours of operation will be 9.30 am to 9.00pm Monday to Friday, 9.30am to 8pm Saturday and 10am to 4pm Sunday. It is not considered that these hours of operation, in the context of a Local Shopping Centre would cause undue disturbance to nearby residents and, as such they are acceptable.

### **Summary of reasons for Recommendation**

N051

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

Having studied the submitted documents, assessed the proposed development on site and taken into account any and all representations and consultation responses; it is considered that the proposed development, which is located in a Local Shopping Area and complies with UDP Policy S1/4 is acceptable because there is unlikely to be a material increase in disturbance to nearby neighbours through noise or general disturbance and as such would not cause demonstrable harm to interests of acknowledged importance.

There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. This decision relates to the drawings received on 28th September 2005 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
2. The shop shall not be open outside 08.00 hrs to 21.30 hrs Monday to Friday, 09.30 to 20.00 Saturday and 10.00 to 16.00 Sunday  
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S1/4 – Local Shopping Centres.

For further information on the application please contact **John Cummins** on **0161 253 6089**

**Location:** FDK KITCHENS, GARDNER ROAD, PRESTWICH, M25 7HU

**Proposal:** RENEWAL OF PLANNING PERMISSION 36719/00 FOR TWO STOREY FRONT EXTENSION & EXTERNAL ALTERATIONS TO EXISTING OFFICES

**Application Ref:** 45410

**App Type:** Full

**Statutory Expiry Date:** 09 December 2005

**Recommendation:** Approve with Conditions

**Site visit requested by Borough Planning and Economic Development Officer**

### **Description**

The proposal involves a sizeable industrial premises which is an isolated commercial use situated within a predominantly residential area. The property was originally a saw mill (Clough Saw Mill) but is now used for the manufacture of kitchen units. It is intensively used with a number of extensions and additions having been carried out over the years. Houses closely surround the site.

In 1995 planning permission was granted for a two storey extension on the easterly side of the main building to provide reception office and showroom accommodation by infilling an angle between two sections of the building. The footprint of the extension was about 21.5m long by from about 7.5m to 4.5m wide. The approved scheme also included external alterations to the existing elevation of the building on this side that would match the extension. That permission was subsequently renewed in 2000 but the development did not take place and the current application is seeking another renewal of the planning permission.

### **Relevant Planning History**

C/16874/85 - Installation of wood waste heater and chimney. Approved on 19th September 1985

C/19134/86 - Extension to premises. Refused on 16th March 1987 as there was insufficient information.

C/10552/87 - Workshop/Warehouse extension (outline). Approved on 28th May 1987.

C/21954/88 - Siting of portacabin for temporary office. Approved on 15th December 1988.

C/21955/88 - Siting of diesel tank. Approved 15th December 1988.

C/22021/88 - Side "lean to" extension. Approved on 12th January 1989.

C/22968/89 - Single storey shed extension. Approved on 24th August 1989.

C/22969/89 - Single storey storage shed extension. Approved on 24th August 1989.

C/24553/90 - Erection of portacabin. Approved on 12th July 1990.

C/25363/90 - Storage building and associated loading bays. Approved on 14th February 1991.

C/25474/91 - Steel escape staircase. Approved on 14th February 1991.

C/25647/91 - Extractor flue to bonding shop. Approved on 31st October 1991.

31189/95 - Two storey front extension and external alterations to existing offices. Approved on 6th November 1995.

36719/00 - Renewal of planning permission 31189/95. Approved on 18th October 2000.

### **Publicity**

50 addresses within the surrounding area have been notified and there have been 13 individual letters and e-mails of objection received and a petition against the development



with 32 names. The concerns include the following:

- They experience undue noise and air pollution and disturbance from the works.
- Excessive parking by employees on local streets causes congestion and parking difficulties for residents and the development would reduce the parking area at FDK Kitchens still further.
- There are excessive HGV movements on Gardner Road and Mellor Street causing highway danger and the narrow entrance to the works leads frequently to lorries having to queue causing local streets to become blocked. The development would exacerbate this problem by leaving even less space for lorries.
- Emergency vehicles would find it difficult using nearby streets.
- The works should not be allowed to impinge any further on residents living conditions.
- The Council should be encouraging the company to relocate to an industrial location and allow the site to be used for additional housing.
- The Increased office space will lead to more people on the site creating more noise pollution and more traffic on already over congested local roads.
- There would be even more inconsiderate behaviour by workers at the factory.
- There would be a loss of privacy due to the proximity of the extension.
- A metal clad building would be unsightly.
- The company has failed to properly maintain the existing buildings, especially 48 Gardner Road. This shows disrespect to the neighbourhood and it would be unacceptable for them to add to their premises if they are unable to maintain the properties they own..
- With expansion there would be more pollution from exhaust fumes.
- House values will be lowered even more because of the works.
- Planning permission was refused for FDK Kitchens to use the house 48 Gardner Road as offices. However, other residents say that it is being used by the company.
- The Committee and officers involved should carry out a site visit.

### **Consultations**

Borough Engineer - No response.

Environmental Services - No response.

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

EC4/1 Small Businesses

EC6/1 Assessing New Business, Ind and Commercial

H3/2 Existing Incompatible Uses

EN1/2 Townscape and Built Design

### **Issues and Analysis**

Residential Amenity - The premises are closely surrounded by houses and, given the intensive nature of the industrial user, there have, in the past, been problems relating to noise, atmospheric pollution, car parking and commercial vehicle access.

The proposal involves office and showroom accommodation for existing staff and problems of noise pollution and servicing are not expected to arise with this particular development. Also, the development would be set at the side of the main workshop facing houses on Mellor Street and it should act as a buffer to industrial noise in this location.

The two storeys high extension would be situated at about 22m from the main rear elevations of the nearest houses which represents an acceptable separation distance in terms of aspect.

Visual Appearance - The external steel cladding proposed for the upper floor is acceptable for this commercial development. The co-ordinated treatment for the existing office block together with the extension should help improve the currently unattractive overall appearance of the works.

Servicing and Car Parking - The site for the extension is partly occupied by existing portable units. Existing parking facilities would not be lost but internal circulation would be more restricted but not to an undue extent.

Previous Consents - Planning permission has been granted for the scheme on two previous occasions 10 and then 5 years ago. Since then there have been no significant changes either in terms of the premises or with regard to the surrounding area or policy matters. In cases where there is a lapsed planning permission the existence of such a permission is an important material consideration. High court and appeal decisions have indicated that the existence of the lapsed permission may carry substantial weight where there have been no significantly changed circumstances. Therefore, as circumstances have not materially altered with regard to the proposal it would be difficult now to support a different decision.

Employment - It should be taken into account that the premises is an important source of manufacturing employment within the Prestwich area with approximately 150 persons employed there.

### **Summary of reasons for Recommendation**

Permission should be granted having regard to the policies and proposals listed and the reason(s) for granting permissions can be summarised as follows;-  
The development would not result in a loss of car parking provision within the site and would be sufficiently well separated from nearby residential properties to maintain an acceptable standard of privacy and avoid an overbearing relationship. The external treatment to the extension and existing elevation would be acceptable. Planning permission was granted previously and there has been no change in circumstances that would justify a different decision. 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. 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.
3. No development shall take place unless and until a car parking scheme for the whole premises has been submitted to and approved in writing by the Local Planning Authority. The car parking layout subsequently approved shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use and its availability for parking shall thereafter be fully maintained.  
Reason: In order to ensure the highest feasible provision off-street car parking provision in the interests of road safety and amenity.
4. This decision relates to drawings numbered 92/043/01A, 92/043/02A and 92.043 SK and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

For further information on the application please contact **Jan Brejwo** on **0161 253 5324**

**Location:** SITE OF FORMER MILL, WATER STREET, RADCLIFFE

**Proposal:** ERECTION OF 60 NO. RESIDENTIAL APARTMENTS WITH ASSOCIATED ACCESS CAR PARKING & LANDSCAPING (RESUBMISSION)

**Application Ref:** 45423

**App Type:** Full

**Statutory Expiry Date:** 16 December 2005

**Recommendation:** Minded to Approve

**Minded to approve subject to the approval of revised design details of the blocks and of particulars of the treatment of the canalside area being delegated to the Borough Planning and Economic Development Officer in conjunction with the Chair and the making of a s106 Agreement concerning the provision of affordable housing (Policy H4/1), recreational provision (Policy RT2/2), provision of public artwork (Policy EN1/6) and a contribution towards improvements to the Manchester, Bury and Bolton Canal (RT4/7). The application to be refused in the event that the approval to the required details and a s106 Agreement have not been achieved by 21st January 2006.**

**Description**

The proposal involves the cleared site of a recently demolished single storey industrial building that occupied most of the 0.59ha site. It is situated within an area of mixed uses close to Radcliffe Town Centre and extends from Water Street to the Manchester, Bury and Bolton Canal. Neighbouring properties on Water Street include a car repair premises immediately to the east and a four storey high mill used for secure storage units to the south west. There are two houses immediately to the west (nos 125 and 125a Water Street). Directly opposite along Water Street, there are small two storey terraced properties including a mixture of houses and commercial uses. The former building was last used as a go cart track and was demolished after a fire. Currently there is planning permission for 38 apartments on the site.

A recent application for 64 apartments was withdrawn following concerns about the design and layout. The current application involving significant changes has been submitted in response to the concerns.

The submitted scheme includes three blocks of apartments. There would be one three storey block facing Water Street. This would bridge over the access road that would lead into the central area of the site where there would be 78 car parking spaces with 60 shown allocated for residents and the remaining 18 shown as visitor parking. Beyond the car parking area there would be two further blocks both 4 storeys in height and these would be set alongside the canal. An area of amenity space would be laid out in the area between these two blocks. The submitted elevations show that the blocks would have a flat roofed appearance with the top storey finished in render and the lower ones in brickwork. A feature of the external treatment would be shallow railing balconies.

The application is accompanied by a Planning and Design Statement and a noise impact assessment. The Highways and Transport Statement and Site Investigation Report from the withdrawn application are brought forward to cover this application.

**Relevant Planning History**

35458/99 - Outline: residential development following demolition of single storey mill

building. Approved 18th November 2000.

41850/03 - Residential development - 40 apartments. Withdrawn on 10th March 2004.

42224/04 - Residential development - 38 apartments (resubmission). Approved on 29th December 2004.

45011 - Residential development - 64 apartments. Withdrawn on 21st October 2005.

### **Publicity**

45 addresses have been notified and there have been site and press notices displayed and published. The publicity period is due to expire on 20th November and any responses will be reported.

### **Consultations**

Borough Engineer - Drainage: No objections. Highways: The response will be reported.

Environmental Services - With the withdrawn application they recommended contaminated land and landfill gas conditions. The same site investigation report that accompanied that application has been presented with the current one and, whilst the formal comments are still awaited, it is anticipated that these would be similar and it is felt appropriate to include their conditions for the previous application.

GMP Architectural Liaison - They express strong objections on the grounds that the scheme appears to be too permeable (e.g. access of the canal bank, car parking area design), the access underpass could help generate crime and antisocial behaviour. There should be more defensible space and secure boundary treatment should limit unauthorised access.

British Waterways - They are significantly involved in the consideration of the canal aspect and, with the withdrawn application, they were concerned about the overgrown condition of the canalside land and that it was not included but should be appropriately landscaped and maintained by the developer. This land is included in the current application with an intention to have it landscaped and maintained and British Waterways are aware of this change. Their formal response will be reported.

GMEU - With the withdrawn application they were concerned that there should be a buffer zone maintained between the development and the canal which is a Grade A SBI. They also recommended conditions aimed at protecting the canal from the effects of building operations and from water run off from the development, particularly from hard standing areas. They are aware that the current scheme would incorporate this canalside area as landscaping but not designed as a buffer and their comments will be reported.

Operational Services - The response will be reported.

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

EC2/2	Employment Land and Premises
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H4/1	Affordable Housing
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/6	Public Art
EN6/1	Sites of Nature Conservation Interest SSSI's NNR's
EN6/4	Wildlife Links and Corridors
EN10/2	Riverside and Canalside Improvement in Urban Areas
OL5/3	Riverside and Canalside Development in Urban Areas
RT2/2	Recreation Provision in New Housing Development
RT4/7	The Manchester, Bolton and Bury Canal

### **Issues and Analysis**

Principle - The site was previously used for employment purposes. However, there is planning permission for residential development and the principle of such use is established. The number of units would be increased but the site is within a specified regeneration area and, in terms of the current housing restrictions policy, the development falls within one of the exclusions to the policy.

**Affordable Housing** - It is a requirement that the development should make provision for affordable housing in accordance with policy H4/1 and the associated supplementary guidance and this needs to be based on the requirement for the whole development. However, at this stage the applicant is offering a level of provision based only on the difference in numbers between the approved scheme for 38 apartments that was approved prior to the supplementary guidance coming into force and the currently proposed number of units at 60. A full justification for this stance is currently awaited.

**Design and Appearance** - The site is at an important location in Radcliffe along a main throughroute within the town. Accordingly, it is essential for the development to involve a design and appearance of good quality. Whilst the current scheme represents an advance in these terms over the withdrawn proposal, more work needs to be done to achieve the desired level of development quality. Issues of design are continuing to be discussed with the applicant.

**Residential Amenity** - The layout provides for a separation between facing blocks of between 23m and 44m. Also, the frontage block and the canalside ones are set at an angle to one another. This relationship would provide for an acceptable aspect from the apartments facing a block opposite. The siting and orientation of the blocks also takes regard of the high mill building on the south-westerly boundary which would not dominate the outlook of any of the apartments and the area nearest to this building would be mostly used for car parking.

The easterly boundary of the site is with a vehicle repair garage. However, the high flank brick wall to this premises situated on the boundary is considered to provide sufficient protection to the apartments from the impact of activity in the garage.

The three storey block on Water Street would face existing two storey terraced properties on the opposite side of the road. Two of these are residential and, in the case of one of these houses windows in the block would be directly facing windows in the house. However, the 22m separation distance would allow for an acceptable aspect situation between the properties.

**Car Parking** - The layout provides for a total of 60 parking spaces allocated for the apartments plus a further 18 spaces for visitors and the total of 78 spaces for 60 flats is considered to comply with guidance in PPG3.

**Recreational Provision** - The amenity open space within the development would not be sufficient in its extent to accord with the requirements for recreational space for use by prospective residents. However, the requirement can be satisfied by the developer providing, in lieu of actual on site provision, a one-off financial contribution towards the provision or enhancement of recreational space in the nearby area. For sixty apartments this would amount to £21566.40. This contribution would need to be secured through a s106 Agreement.

**Public Art** - If permission were to be granted Policy EN/6 would apply and the developer would be required to make adequate provision for public art in accordance with the policy and the associated supplementary guidance. Development Control Policy Guidance Note 4 - Per Cent for Public Art. Rather than integrating artwork into the development the developer has chosen to fulfill this requirement by making a financial contribution towards public artwork provision off-site with an equivalent sum to be provided to the Council to create an artwork on a nearby and appropriate site such as the Irwell Sculpture Trail. This contribution would need to be secured through a s106 Agreement.

**The Canal** - The adjacent canal is the subject of a restoration scheme but which has not, as yet, been commenced on the Bury section. Policy RT4/7 states that "Proposals for canalside development will be expected to enhance the canal environment and not prejudice its restoration". Also, Policy EN10/2 requires new river and canalside developments to include improvements to waterside areas. The development is next to an

80m canal frontage and incorporates a narrow section of canalside land not, at present, within the developers ownership. There are important elevations facing the canal. In order to provide a satisfactory relationship between the apartments and the canal details of the treatment for this area need to be agreed as the current detailing is unsatisfactory in this respect. Furthermore, there will be a need for the developer to acquire the canalside strip of land, possibly with the support of the Council. The treatment would also need to take into account that the canal is a Grade A SBI and Wildlife Link and specialist advice is required from GMEU.

The canal, if improved, would enhance the environment of the apartments and a developer's contribution towards the improvement of the section of canal on which the site is located is appropriate. The extent of this contribution is currently under consideration and further information will be reported. The contribution would need to be secured through a s106 Agreement.

Security - The police are suggesting secure boundary treatment (2.1m high) alongside the canal. Whilst this is understandable purely from the standpoint of restricting unauthorised access to the development it would result in a poor relationship with the canal and the proposals would fail to achieve the policy objective of enhancing the canal environment. The underpass is their other major concern but it would be directly overlooked by apartments within the development. The design and location of means of enclosure within the development needs to be considered in more detail bearing in mind the concerns of the police and other considerations and, if permission is granted, it should be the subject of an appropriate condition. The path shown alongside the canal is also mentioned by the police and this is not an appropriate feature in terms of maintaining good security and any further detailing of the canalside should omit this feature.

### **Summary of reasons for Recommendation**

The development is acceptable in terms of the general layout, density and car parking provision and its relationship to neighbouring premises. Improvements to the external appearance of the buildings and appropriate treatment to the canalside area would raise the standard of the scheme whereby planning permission ought to be granted subject to a s106 Agreement covering issues regarding recreational, affordable housing and public artwork provision as well as a contribution to improvements to the adjoining canal. There are no other material considerations that outweigh this finding.

**Recommendation:** Minded to Approve

### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. 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.
3. A landscaping scheme, including also for the canalside area, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented in full not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased

within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity.

4. Prior to the development hereby approved commencing:
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground 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 risks have been identified, a detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
  - Where remediation is 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 and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and 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 conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.

Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and 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 works commencing on site, and;

The approved contamination testing shall then be carried out and validatory evidence (laboratory certificates etc) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.

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.

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. Prior to the commencement of the development, appropriate site investigations, gas monitoring and risk assessment shall be carried out to assess any possible risks associated with the production of landfill gas or ground gas. Where required, detailed design features shall be incorporated into the development, as shown necessary by the site investigation and risk assessment, to alleviate risks to the written satisfaction of the Local Planning Authority, and;  
A Site Verification Report detailing the design and installation of the incorporated design features, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.  
Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.
9. There shall be no drainage run off facilitated from the development directly into the canal.  
Reason: In order to protect the canal, a grade A Site of Biological Importance, from contamination by pollutants.
10. No development shall take place unless and until a substantial fence barrier has been erected between the site and the canal. Details of this barrier shall be submitted to and approved by the Local Planning Authority and it shall remain in place until major construction activity is completed.  
Reason: In order to ensure that the canal area, which is a grade A Site of Biological Importance, is not subjected to any harm as a result of construction activity.
11. No development shall take place unless and until details of the finished floor levels of the buildings and the means of enclosure within the development have been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.  
Reason: To secure the satisfactory development of the site and in the interests of amenity.
12. This decision relates to drawings numbered A-02-01 Rev. E, 355 01 Rev. D, A-03-01 Rev. A, A-06-01 Rev. A, BS-01, CYCLE 1, FENCE 4, BLK1-P01, BLK1-P02, BLK2-P01, BLK2-P02, BLK3-P01 and BLK3-P02 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

For further information on the application please contact **Jan Brejwo** on **0161 253 5324**



**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 09

**Location:** LAND AT REAR OF 40 REGENT STREET RAMSBOTTOM

**Proposal:** ERECTION OF SINGLE STOREY ELECTRIC SUB STATION  
(RESUBMISSION)

**Application Ref:** 45273

**App Type:** Full

**Statutory Expiry Date:** 01 December 2005

**Recommendation:** Approve with Conditions

### **Description**

The application is a resubmission on a different site for a sub station to serve the new housing development on the site of the former Tagg Wood Works. The previous application was refused by Planning Control Committee in August. The sub station would have been sited at the rear of Butler Street at the junction of Regent Street with a new estate road.

It is now proposed to site the sub station at the rear of a row of stone properties on Regent Street behind what were the company's offices and which will be converted to houses. The remaining properties in the row are already houses. The sub station would be sited behind an approximately one metre high retaining wall and accessed off a new estate road. It would be next to a small car park for an apartment block but construction work on this part of the development has not commenced. Two car parking spaces would be lost.

The sub station would be constructed in brick with a tiled roof and would measure 4.2 metres by 3.75 metres and 4.2 metres high to the ridge. The area immediately adjacent to the building would be turfed

### **Relevant Planning History**

37905/02 - Outline residential development approved in December 2003.

41699/03 - Reserved matters for development of 92 dwellings refused in March 2004.

42757/04 - reserved matters for development of 91 dwellings approved in February 2005.

44768 - Sub station refused in August 2005 because it "would be seriously detrimental to the residential amenities of the adjacent property by reason of its height, size and position".

### **Publicity**

Neighbours have been notified and a site notice displayed. One objection has been received from the occupier of 40 Regent Street. Factors quoted are devaluation of property, health risks, noise disturbance and view.

### **Consultations**

Borough Engineer - No objection on highway or drainage grounds.

Borough Environmental Services Officer - No objection.

United Utilities - No objection.

## **Unitary Development Plan and Policies**

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

## **Issues and Analysis**

The sub station would be similar in scale to a domestic garage and built in materials to match the new dwellings. The previous application proposed the sub station on a visually prominent site in an elevated position.

The site now chosen, although close to the rear garden boundary of 40 Regent Street, is approximately 3 metres lower than the house and would have little effect on residential amenities. The reasons for objection are of limited relevance to planning issues and not sufficient to justify a recommendation for refusal.

## **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 substation will not harm the residential or visual amenities of the area and will not be detrimental to highway safety. There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

## **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. The external finishing materials for the proposal hereby approved shall match those of the adjoining residential development.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
3. This decision relates to drawing numbered UU A2 006/02G and site plan received 3 NOV 2005 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

For further information on the application please contact **John Hodkinson** on **0161 253 5323**

**Location:** ROCH WAY, REAR OF ROCH WALK, DOUGLAS WAY AND ROCH CRESCENT, WHITEFIELD

**Proposal:** ENVIRONMENTAL IMPROVEMENTS INCLUDING RECONFIGURATION OF PARKING, HIGHWAYS AND FOOTPATHS TOGETHER WITH HARD AND SOFT LANDSCAPING

**Application Ref:** 45299

**App Type:** Full

**Statutory Expiry Date:** 17 November 2005

**Recommendation:** Approve with Conditions

### **Description**

This is part of an overall scheme for the Hillock Estate in Whitefield that includes 5 schemes already approved and one other scheme at Hindburn Close which is under consideration. Extensive consultation has already taken place with the Community and Highways and this application is supported by a design statement.

The five areas covered by the schemes approved are Mersey Close, Duddon Close, Kirkless Walk, Douglas Close and Wenning Close. All schemes involve the rearrangement of the parking and servicing facilities, new paving, new bollards, new and modified pedestrian areas and extensive landscaping.

This scheme at Roch Way, Douglas Way and Roch Crescent also includes the removal of a garage court that has been a management problem and the landscaping of this area.

### **Relevant Planning History**

None relevant to this specific application.

### **Publicity**

All immediate neighbours were notified and one objection has been received from No. 3 Roch Crescent. The objection can be summarised as follows:

- Loss of open space by the creation of new parking spaces on Roch Crescent
- Loss of property value
- Loss of highway safety by parking spaces being direct onto Roch Crescent

### **Consultations**

Highways - no objections to the scheme in principal and the layout of spaces accords with the Council's current standards.

Environmental Health - no objections subject to standard conditions on importation of material onto site.

Landscape - no objections in principal

Baddac - welcome improvements and the scheme has been modified to meet their recommendations and a full Access Statement is in preparation for the operation and future maintenance of the areas

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

EN1/3 Landscaping Provision  
HT5/1 Access For Those with Special Needs  
EN1/2 Townscape and Built Design  
EN1/4 Street Furniture

### **Issues and Analysis**

Principal - the estate was originally laid out in the 1960s and whilst it has been well maintained the current amenity areas do not reflect the needs of the residents or current best practice. Consequently, the upgrading of the general environment, the reorganisation of the parking and access and the provision of improved facilities for the disabled are all welcomed.

Highways - the new scheme will accord with current standards and improve the provision of parking in the area which will be of benefit to the free flow of traffic and general highway conditions.

Landscaping - the scheme is of a high standard and includes the development of a new landscaped area on the garage court area which is to be lost. Overall there will be a marginal loss of open space through the new parking arrangements, but the new landscaping and layout will mean that the space can be put to more active use and, as such, is welcomed.

Access - the scheme has been designed to account for the needs of the disabled and as a result of a meeting with the Landscape Architects for the scheme an Access Statement is being prepared for the implementation and future maintenance of the schemes.

Residential amenity - the scheme allows for improved circulation areas and creates a new public space on the former garage court as well as improving visibility of the communal areas which is to be welcomed. No new seating areas have been provided as the residents did not want areas to be created where people could congregate and create a potential disturbance to the residents. However, the Access Statement will allow for a full review of the facilities provided and should circumstances change the schemes will be modified.

Objection - Parking on Roch Crescent and Highway Safety- the layout of this accords with the standards of the Highways Engineers and it is not considered that it will cause a loss of highway safety.

- Property Value - this is not a planning consideration and as such has not been taken into account.

### **Summary of reasons for Recommendation**

N051

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

Having studied the submitted documents, assessed the proposed development on site and taken into account any and all representations and consultation responses, particularly the improvement to both amenity and parking provision that would result from the scheme and the provision of accessible parking for people with disabilities as well as the loss of the semi derelict garage court and its landscaping; it is considered that the proposed development is acceptable because it would not cause demonstrable harm to interests of acknowledged importance.

There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 0306/700 b and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. 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 works commencing on site, and;

The approved contamination testing shall then be carried out and validity evidence (laboratory certificates etc) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.

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.

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

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

For further information on the application please contact **John Cummins** on **0161 253 6089**

**Location:** RADCLIFFE CAR CENTRE, RADCLIFFE NEW ROAD, WHITEFIELD, M45 7RG

**Proposal:** DEMOLITION OF EXISTING BUILDINGS & ERECTION OF RETAIL SHOP (CLASS A1)

**Application Ref:** 45004

**App Type:** Full

**Statutory Expiry Date:** 18 November 2005

**Recommendation:** Approve with Conditions

### **Description**

The site is a corner plot currently occupied by an established car sales business within a Neighbourhood Shopping Centre at the junction of Radcliffe New Road and Dales. The site comprised of a single storey showroom and workshop with concrete apron and canopy to the front. Most of the floor area appears to be taken up by car sales although there is an unauthorized hand car wash service operating under the existing canopy. Access to the site is from Radcliffe New Road and Spring Grove. To the north, south and west are residential properties. Across Spring Grove to the east are commercial properties forming the Neighbourhood Centre. Diagonally across Radcliffe New Road is the Goats Gate Public House.

It is proposed to demolish the existing buildings and to construct a single storey retail unit (1,200sq ft) with a footprint measuring 14m by 9m. It is likely that, if approved the unit would accommodate a dry cleaners. The roof would be hipped to a ridge height of 5m. The existing canopy on the front apron would be retained. The proposed main access and egress point would be from Spring Grove with the other two existing access points on Radcliffe New Road, closed. There would be seven parking bays and a loading bay. The boundary with No.163 Radcliffe New Road comprises a 1m brick wall. To the rear there would be a brick wall and timber fence to 1.8m. The boundary around the front would comprise of a 600mm wall to prevent access from Radcliffe New Road.

The proposed opening hours would be 8am to 7pm Monday to Friday, 8am to 6pm Saturdays and 10am to 4pm Sundays.

The application does not include any signage on the site. This would be applied for under a separate application.

### **Relevant Planning History**

**45307** - Change of use of part of car sales site to car valeting and hand wash **Refused 1/11/2005** - on grounds that the use would cause serious harm to residential amenity due to noise and general disturbance.

### **Publicity**

Immediate neighbours - Two letters of concern have been received from the occupiers of Nos.162 and 163 Radcliffe New Road. Whilst not objecting to the proposal in principle, their concerns are summarised below:

The large or illuminated signage on the canopy would appear incongruous on the street scene.

Possible disturbance from noise early in the morning or later in the evening.

## **Consultations**

Borough Engineer (Traffic) - No objection subject to conditions.

Borough Engineer (Drainage) - No objection.

Police - No objections in principle.

Environmental Health - No objection subject to contamination conditions.

## **Unitary Development Plan and Policies**

EN1/2 Townscape and Built Design

EN1/5 Crime Prevention

S1/5 Neighbourhood Centres and Local Shops

S2/1 All New Retail Proposals: Assessment Criteria

## **Issues and Analysis**

Principle - The principle of the change of use is acceptable as the proposal involves changing the existing car sales (sui generis) to an A1 shop. Policy S1/5 - Neighbourhood Centres and Local Shops - promotes the retention of retailing as the predominant use within neighbourhood centres.

Siting and Design - In terms of design and siting, the development is considered to be acceptable within the street scene, particularly in view of the existing use and rather run down and unsightly buildings. The overall layout of the site, landscaping and boundary treatment would improve the general appearance of the centre, close to what is a busy junction. Whilst the removal of the canopy would be more beneficial in terms of visual amenity, its retention with appropriate signage and colouring, would not cause serious harm to the character of the shopping centre. The new building is of a conventional design with brick elevations and a tiled roof and is a marked improvement over the existing building which is rather dilapidated and unsightly. The relationship of the new building to surrounding properties would also be a significant improvement over the existing building which extends beyond the rear boundary of the site and has a detrimental impact on the visual amenity of the occupiers of those houses to the rear, in particular the bungalow known as Glengarry, immediately behind the site on Spring Grove.

Residential Amenity - Where there are businesses close to residential properties, it is essential that residential amenity is protected. In terms of noise and general disturbance caused by machinery, customers and deliveries, harm can be mitigated by conditions restricting the hours of opening, delivery times and boundary treatment. It is considered that the proposal, given its scale, the opening hours and likely traffic generation should not seriously harm the amenity of surrounding residents. It is noted that the two local residents who have written in are not against the principle of the development but require assurances that the new business should not seriously harm their amenity. It is considered that appropriate conditions attached to any approval could do this.

Traffic - The proposed single access point onto Spring Grove would be preferable in highway terms to the existing situation with two access points onto Radcliffe New Road. Parking levels are considered to be appropriate.

## **Summary of reasons for Recommendation**

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

The proposed development is considered to comply with the policies listed and would improve the appearance and viability of the existing Neighbourhood Centre. It would not have a seriously detrimental impact on the amenity of surrounding residents.

There are no other material considerations that outweigh this finding.

**Recommendation:** Approve with Conditions

## **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 01, SSL:9318:200:1:1, 4036/05G, 06B, 08/A, 09/A, and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. Samples of the materials to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. Notwithstanding the details indicated on the approved plan reference 4036 05 Rev E, the development hereby approved shall not be commenced unless and until full details of acceptable alterations to the access onto Spring Grove and measures to prevent vehicle encroachment at the back of the Radcliffe New Road footway have been submitted to and approved in writing by the Local Planning Authority. The alterations and measures subsequently approved shall be implemented prior to the development hereby approved being brought into use.  
Reason. To ensure good highway design in the interests of road safety.
5. The development hereby approved shall not be brought into use unless and until the redundant vehicular accesses onto Radcliffe New Road have been reinstated to adjacent footway levels to the written satisfaction of the Local Planning Authority.  
Reason. In the interests of good highway design and road safety.
6. The car parking indicated on the approved plan reference 4036/05E shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being occupied and thereafter maintained at all times.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
7. Prior to the development hereby approved commencing:
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground 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 risks have been identified, a detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
  - Where remediation is 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 and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
8. Following the provisions of Condition 7 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 conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.  
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.

9. 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 works commencing on site, and;  
The approved contamination testing shall then be carried out and validatory evidence (laboratory certificates etc) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.

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.

10. 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.

11. Prior to the commencement of the development, appropriate site investigations, gas monitoring and risk assessment shall be carried out to assess any possible risks associated with the production of landfill gas or ground gas. Where required, detailed design features shall be incorporated into the development, as shown necessary by the site investigation and risk assessment, to alleviate risks to the written satisfaction of the Local Planning Authority, and;

A Site Verification Report detailing the design and installation of the incorporated design features, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.

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

12. Noise from any ancillary equipment shall not increase the prevailing ambient noise

levels as measured at the boundary of the site.

The ambient noise levels shall be determined by survey, by the applicant, to the satisfaction of the Local Planning Authority (LPA) and a copy of the survey report shall be provided to the LPA before any development takes place.

For further information, the applicant is advised to contact the Environmental Services Division of the Local Authority.

Reason. To protect the amenities of occupiers of nearby properties.

13. All activities associated with the proposed development (eg. deliveries etc) which are audible at the site boundary shall be carried out only between the following hours:

8am to 7pm Monday to Saturday.

10am to 4pm Sundays.

Reason. To protect the amenities of occupiers of nearby properties.

14. Before development commences, details of the bin store shall be submitted to and approved in writing by the Local planning Authority. The bin store shall be constructed in accordance with the approved details.

Reason: In the interests of amenity.

15. The car park shall be used only for the parking of vehicles and for no other purpose.

Reason: In the interests of residential amenity.

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

**Location:** 7 SERGEANTS LANE, WHITEFIELD, M45 7TR

**Proposal:** VARIATION OF CONDITION NO. 2 OF PLANNING PERMISSION 42931 FOR THE RECONFIGURATION OF GROUND FLOOR WINDOWS IN EASTERLY ELEVATION

**Application Ref:** 45354

**App Type:** Full

**Statutory Expiry Date:** 30 November 2005

**Recommendation:** Approve

### **Description**

The application site is a new build replacement detached house within an estate of other predominantly detached dwellings. The house is substantially complete and is nearing occupation.

During the course of construction a larger single window was inserted in the easterly elevation instead of one smaller window. This came about by the re-arrangement of the internal layout on the ground floor.

The application is, therefore, seeking to retain the newly inserted window on the ground floor, which measures 1.6m wide. The window is intended to serve a study where, originally, the one smaller window would have served a dining room.

### **Relevant Planning History**

42931 - Demolition of existing dwelling and the erection of a new detached dwelling. Approved - 20/8/04.

### **Publicity**

Neighbours in the immediate vicinity have been notified by letter. As a result of the publicity, a letter has been received from the neighbouring property 9 Sergeants Lane. The points raised include:

- There would be mutual overlooking.
- The window was inserted without the appropriate consent.

### **Consultations**

None necessary.

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

H2/1 The Form of New Residential Development  
H2/2 The Layout of New Residential Development

### **Issues and Analysis**

The application should be assessed against UDP Policy H2/1 - The Form of New Residential Development. The policy seeks to ensure that developments appropriately fit into the street scene, maintain appropriate relationships with existing residential properties and thus do not unduly affect amenity.

The main consideration of the proposals is the impact of the development upon the amenities of 9 Sergeants Lane.

The siting of the new window on the ground floor, would serve a non-habitable study room within the new dwelling and is sited in the same position as the approved scheme for the dwelling. The application site and the neighbouring property are separated by a 1.5m high laurel hedge owned and maintained by the neighbour at 9 Sergeants Lane. This property has an integral wide single garage next to the hedge and all habitable room windows are on the far side of the dwelling not at all visible from the new window.

Whilst the window was inserted without appropriate permission, the siting of the window would have no direct relationships with any habitable rooms of 9 Sergeants Lane and thus would not impact upon amenity. It is accepted that the new window would permit a degree of overlooking in terms its relationship to the driveway to the neighbouring property, however, it is not considered to be problematic, would not injure amenity or privacy, would be no different to many existing relationships between houses elsewhere in the Borough and overlooking would be mitigated by the neighbour's laurel hedge.

Given the above, it is considered that the proposals would comply with adopted policies of the UDP.

### **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 window would have no undue impact upon the neighbouring property and the development would comply with the adopted policies of the UDP and there are no other material considerations that outweigh this finding.

**Recommendation:** Approve

### **Conditions/ Reasons**

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

**Location:** WHITEFIELD HOUSE, PINFOLD LANE, WHITEFIELD

**Proposal:** CONSTRUCTION OF NEW FOOTPATH & MAINTENANCE ACCESS OFF PINFOLD LANE

**Application Ref:** 45390

**App Type:** Full

**Statutory Expiry Date:** 07 December 2005

**Recommendation:** Approve with Conditions

### **Description**

The wider site around the application site comprises a public park surrounding the former Whitefield Town Hall, which is crossed by footpaths and surrounded by trees and shrubs. The site itself involves a small section of the boundary fronting Pinfold Lane. This boundary is formed by a stone wall with a raised embankment on the park side of the wall, which contains trees and shrubs. The proposed development comprises the creation of a newly formed accessway to provide park maintenance vehicular access into the park itself from Pinfold Lane. The nature of works were considered to be an engineering operation requiring planning permission. The proposed opening would cut through an embankment, form a new access road, be 3.0m wide and the existing stone boundary walls would curve around into the newly formed entrance. A lockable bollard would be placed to prevent general unauthorised vehicular access but would permit pedestrian access.

### **Relevant Planning History**

32723 - Change of use from offices to community day car centre/nursing home - Approved 13/3/97

34524/98 - Residential 50 bed care home - Approved - 7/7/99

42809 - Renewal of Consent 34524/98 - for 50 bed nursing home - Refused - Impact of design upon the Conservation Area.

### **Publicity**

Site notices were erected on 19/10/05 and press notices on 27th October 2005. Letters were sent to immediate neighbours on 19th October 2005. As a result of this publicity, one letter of objection has been received from 9 Pinfold Lane. Points raised include:

- They feel that the siting of the access would compromise privacy as the access would be directly opposite their home. Anyone using it would be able to look directly into their house.
- The development would provide the ability for burglars to look at their home from the park without being noticed by neighbouring properties.
- The accessway within the park should be curved so that the screening along the boundary would appear continuous and would prohibit opportunities to look into their property.
- The access is not required and there are other accesses that could be used.
- The development has been implemented without the benefit of planning permission, with mature trees having been removed.

### **Consultations**

Borough Engineer -

Traffic - Any comments shall be reported to Members.

Drainage - Any comments shall be reported to Members.

BADDAC - No objections in principle. Attach a condition to any planning permission to ensure appropriate design and colouration of the bollard.

Environmental Health - Any comments shall be reported to Members.

G M Police - Any comments shall be reported to Members.

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

EN2/2 Conservation Area Control  
RT1/1 Protection of Recreation Provision in the Urban Area  
HT5/1 Access For Those with Special Needs  
EN8/2 Woodland and Tree Planting

### **Issues and Analysis**

The site is located within the All Saints Conservation Area and as such UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control are relevant to assess the proposals. Essentially, any proposals should either preserve or enhance the conservation area.

The development has already commenced but has since stopped. The site comprising the former Town Hall, land immediately around the building and existing access from Pinfold Lane has been sold to a developer and within the deed of sale, there was a requirement for a new access to be created from Pinfold Lane to enable the Parks and Gardens Division to gain access into the park without the need for relying upon the existing access, which would then be under the developer's control. It is this alternative access that was in the process of being created. The developer who implemented the works states that they were not aware that planning permission would be required for the access.

Scheme Details - The development of an accessway would be 3.0m in width and would continue the height and design of the existing boundary wall that runs along the Pinfold Lane boundary along the return of the accessway into the park. The accessway would comprise a bitmac finish with a bollard in the centre to prevent unauthorised access into the site but would allow usage by parks maintenance vehicles only. The opening would be relatively minor in terms of its scale.

Trees - The accessway works has already resulted in the loss of two trees and evidence on site suggests that the trees removed were not particularly mature specimens. The removal of trees required a formal application for consent to remove. However, they were not subject to a tree preservation order. The removal of trees within a conservation area with consent is an offence. The remedies to deal with such matters can include an injunction through the courts and appropriate replanting. The course of action highly depends upon the scale and loss of trees involved.

A tree survey and arboricultural report has been submitted with the application. It confirms that a lime tree of average condition would need to be removed as a result of the proposals as its root structure would be compromised by the proximity of the wall. Inspection by the Council's landscaping division considers that the tree is actually a poor compromised specimen. The tree's canopy is unbalanced, not particularly mature and has a cavity some 2m up the stem and is colonised by ivy. The tree is structurally unsatisfactory and should be removed. The scheme indicates that further tree planting would be carried out and the Planning Act provides that this can be an appropriate remedy to compensate for the loss of trees in such area. The details of the replacements can be secured through the attachment of planning conditions. Such proposals and controls would ensure that the planting within the park would continue to contribute amenity of the park and thus preserve and enhance the current landscaping.

Traffic Considerations - The siting of the accessway has been considered and is located such that it would not be located too close to the main traffic junction with Bury New Road. A response is awaited from the Borough Engineer and their comments shall be reported to

Members.

Comments on Objections - The objector has cited alternative accesses that could be used. In response to this, the Acting Borough Leisure Services Officer confirms that these are not practical alternatives. The Bury New Road access has barriers on it and would mean an access directly off Bury New Road, which would be close to a bus stop and traffic controlled junction. As such, this access would present significant traffic concerns and would also be a potential danger to road users and pedestrians. The second access through the Uplands would also not be a possibility. The Uplands is privately owned and the Council do not have a right of access through the site. In view of this there is little alternative other than the one proposed.

The objector also considers that the new access would present a potential security problem as their property would be directly opposite the newly formed entranceway. This situation would be no worse than currently exists with the existing access and other properties. As such, it is considered that there would be no worsening issues of security than currently exists. Should a response be received from the Police Architectural Liaison, then their comments shall be reported.

### **Summary of reasons for Recommendation**

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

The development would provide an appropriate access into the park without undue impact upon the Conservation Area. The development would comply with adopted policies of the Unitary Development Plan 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 the drawings received on 12th October 2005 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.
3. A minimum of 5 working days written notice shall be provided to the LPA of intended recommencement of the development. The notification of recommencement shall include a timetabled schedule of the intended tree protection measures and tree works. Any subsequent variation of the timetable shall be subject to further written notice.  
Reason - To ensure that the development is carried out in accordance with the approved plans, to protect trees which are of amenity value on the site and pursuant to Policies EN8/1 – Tree Preservation Orders and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
4. Prior to the recommencement of the development, a tree replacement planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date of this permission. 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. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:1991 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

6. Prior to the recommencement of the development, details and colouration of the proposed bollard shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented.

Reason - To ensure that the detailed design of the bollard is appropriately marked for those with a visual impairment and pursuant to Policy HT5/1 - Access for Those With Special Needs.

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



**Location:** MEADOWCROFT FOLD FARM OFF WHITTLE LANE PILSWORTH

**Proposal:** REFURBISHMENT OF VACANT FARMHOUSE

**Application Ref:** 45141

**App Type:** Full

**Statutory Expiry Date:** 19 October 2005

**Recommendation:** Approve with Conditions

**The application was deferred at the last meeting of the Committee to allow a site visit to take place.**

### **Description**

The building subject of the application is a two storey derelict building, originally a dwellinghouse. It is attached by a covered storage area to a substantial barn that is the subject of a concurrent application for planning permission for a conversion into two dwellings (ref. 45146). The house, barn and an adjacent store form an isolated group of agriculturally related buildings that front onto a narrow farm track leading from Higher Barn Farm to some of its fields. The building group in question is surrounded by open agricultural land. Access from the main road system (Whittle Lane) is gained via a private farm road, through the main farm complex at Higher Barn Farm and along the farm track.

The proposal is to refurbish the building, which is of a traditional domestic design but is very neglected and long disused (20 years). The building would then return back to its former use as a dwelling. Externally, changes would not be significant and involve mostly repair and reinstatement work. Surveys for bats and barn owls accompany the application.

Following the very long period of disuse and neglect there is a degree of uncertainty as to whether the building could be re-used residentially without the need for planning permission. In these circumstances, the applicant wishes to obtain the consent to dispel any doubts that there may be about the position.

### **Relevant Planning History**

No previous applications.

### **Publicity**

Site notices were displayed and individual notification letters forwarded to three properties in the neighbourhood, including the nearby Higher Barn Farm from which the one objection has been received. The points raised include:

- The address of the agricultural tenant is given incorrectly on Certificate A.
- A part of the application area shown is in Rochdale MB. Has an application been submitted to that Council?
- The road through the main farm at Higher Barn Farm is currently only used for the tenants and the farm business. Its use for access to the dwelling would cause severe hardship and inconvenience to the objector as well as compromising security, causing nuisance and creating a health and safety issue as traffic passes through the farm premises.
- The private road may require adoption by the Council due to its use by the additional dwellings with an associated negative effect on public finances.
- The development would compromise any Bio-security measures in the event of an outbreak of a disease in animals because access to the farm could not be restricted as

now.

- The only justification for the development would be for an agricultural dwelling with agricultural ties attached to it.
- No housing need has been shown for this area.

### **Consultations**

Borough Engineer - No objections on highways and drainage aspects.

Environmental Health - Conditions recommended concerning contaminated land precautions.

Wildlife Trust - The building should be surveyed for the presence of bats and barn owls. If their presence is confirmed then steps are required through appropriate planning conditions or a planning obligation to secure the protection of the species concerned or provide appropriate mitigation.

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

OL1/4 Conversion and Re-use of Buildings in the Green Belt

### **Issues and Analysis**

Principle - This proposal would involve the straightforward refurbishment of a long vacant and deteriorated house but which is still structurally intact and has the characteristics of a rural dwelling. The 12m deep rear garden plot would not be excessive or disproportionate and essential services can readily be made available. Also, no evidence has been found that the building is used by a protected species. Given these facts, it is considered that there would be no adverse impact on the Green Belt and that the development would be in conformity with the relevant Policy OL1/4.

Access - The existing roadway and track from Whittle Lane would provide adequate access for this small scale development and this would also be the case even if the adjacent scheme for a barn conversion to two dwellings were to be approved and carried out. Neither the Borough Engineer nor Rochdale Council which covers the main road access point have raised any concerns. The frontage to the building is of sufficient dimensions to provide adequate room for car parking off the access track.

The Objection - A main area of concern by the farm tenants is that, by introducing an additional private dwelling onto the farm, this would compromise agricultural activity and raise issues of security and health and safety. At present the roadway and track leading through the farm to the site are not normally used other than in connection with the farm. Although their use by other persons would have some impact, the use would be small scale once conversion work is completed and it is considered that there would not be such an impact on the amenities of the farmstead tenancy as to justify the refusal of the application. The relevant policies do not require an agricultural justification and agricultural condition for this type of development in the Green Belt and there is no requirement to demonstrate a housing need as is suggested.

Housing Restrictions Policy - This policy should not be applied in this case as the application was received just prior to the date on which approval was given to the draft SPD for consultation purposes and to applying regional policy on housing supply.

Conclusion - The principal issue to be resolved is whether the development would comply with policy OL1/4. It is considered that this is the case and that, therefore, planning permission should be granted.

### **Summary of reasons for Recommendation**

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

The development would be in keeping with Green Belt policies and would not have a materially detrimental impact on the amenities of adjoining occupiers. 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 five years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. No development shall take place unless and until the recommendations within the submitted Bat Survey Report have been implemented, unless otherwise approved in writing by the Local Planning Authority.  
Reason: In order to ensure that no harm is caused to a protected species.
3. No building works authorised by this permission shall take place between 1st March and 31st August inclusive in any year unless otherwise approved in writing by the Local Planning Authority.  
Reason: In order to ensure the protection of wildbirds under the Wildlife and Countryside Act 1981 (as amended).
4. Prior to the development hereby approved commencing:
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground 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 risks have been identified, a detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
  - Where remediation is 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 and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and 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 conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.  
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and 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 works commencing on site, and;  
The approved contamination testing shall then be carried out and validity evidence (laboratory certificates etc) submitted to and approved in writing by the

Local Planning Authority prior to any soil or soil forming materials being brought onto site.

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.

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. The development shall not result in the removal of any of the external walls of the building.

Reason: For the avoidance of doubt as the development as proposed would involve the retention and refurbishment of the building.
9. No development shall take place unless and until full details of the treatment to the frontage area have been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason: In the interests of visual amenity and to secure a satisfactory development.
10. This decision relates to drawings numbered 990 -1, 990 -2 and 990 - 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.

For further information on the application please contact **Jan Brejwo** on **0161 253 5324**

**Location:** MEADOWCROFT FOLD FARM OFF WHITTLE LANE PILSWORTH

**Proposal:** CONVERSION OF BARN INTO TWO RESIDENTIAL UNITS

**Application Ref:** 45146

**App Type:** Full

**Statutory Expiry Date:** 19 October 2005

**Recommendation:** Approve with Conditions

**The application was deferred at the last meeting of the Committee to allow a site visit to take place**

### **Description**

The property is a large brick built barn of traditional appearance. It is situated facing a farm track linking the farm buildings at Higher Barn Farm with the associated agricultural fields. The barn is one of three isolated old buildings clustered next to the track and situated in the midst of open agricultural land. The other buildings include a derelict farmhouse situated immediately next to the barn and which is the subject of a concurrent application for residential conversion (ref. 45141), as well as a storage building.

The applicants have indicated that the building was utilised for hay storage, feed storage and to house livestock and that, in recent years, it was utilised for grain storage with four grain silos still in position. They state that the agricultural need for the barn ceased five years ago. Their tenants, however, state that grain is still stored in the silos prior to future use with their grain handling drying equipment also present. They also state that they use other parts of the barn for produce and maintenance materials storage.

It is proposed to convert the barn into two 5 bed roomed dwellings incorporating some land to the rear to form gardens. Externally, existing openings would be utilised with a limited number of new ones to be added. The application is accompanied by surveys for bats and barn owls and a structural report. Access would be from Whittle Lane, which is just within Rochdale MB, along a private roadway serving Higher Barn Farm and which passes via the farm buildings and then along the farm track. Garaging for both units would be achieved by the conversion of the detached storage building and by utilising a covered structure linking the barn with the farmhouse building.

### **Relevant Planning History**

No previous applications.

### **Publicity**

Site notices were displayed and individual notifications forwarded to three nearby properties including two farms. An objection has been received from the tenants at Higher Barn Farm and the main concerns are as follows:

- Information provided with the application that the barn is vacant is not correct as it is being used for grain storage by Higher Barn Farm. The building houses two grain silos with grain being held within them.
- The development would increase the amount of waste exiting the site and thus could compromise the tenants position in regard to the higher degree of environmental protection required under new government guidelines.
- The address of the agricultural tenant is incorrect on Certificate A.
- A part of the application area shown is within Rochdale MB. Has an application been

submitted to that Council?

- The road through the main farm at Higher Barn Farm is currently only used for the tenants and the farm business. Its use for access to the dwellings would cause severe hardship, inconvenience to the objector as well as compromising security, causing nuisance and creating a health and safety issue with traffic passing through the farm premises.
- The development would compromise any Bio-security measures in the event of an outbreak of a disease in animals because access to the farm could not be restricted as now.
- The timber door to the cart opening blew down in a gale last January but, despite a this being reported to Wilton estate agent, it has not been repaired to protect the tenant's assets stored within the barn.
- The insertion of two full sized dwellings into the barn would significantly alter its simple appearance, character and setting as a result of gardens being created, parking and manoeuvring areas and intensity of use.
- There would be an unnecessary intrusion into a designated Green Belt area without proving a need.
- The private road may require adoption by the Council due to its use by the additional dwellings with an associated negative effect on public finances.
- The legal liability implications of this development in the middle of a farm should first be investigated.
- The proposal could cause negative financial and environmental effects to the business at Higher Barn Farm.

### **Consultations**

Borough Engineer - No objections on either highways or drainage grounds.

Environmental Health - Conditions recommended concerning contaminated land precautions.

The Wildlife Trust - The building should be surveyed for the presence of bats and barn owls. If their presence is confirmed then steps required through appropriate planning conditions or planning obligation should secure the protection of the species concerned or provide appropriate mitigation.

Rochdale MBC - No comments.

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

OL1/4 Conversion and Re-use of Buildings in the Green Belt

EN1/1 Visual Amenity

### **Issues and Analysis**

Principle - Policy OL1/4 states that the conversion and re-use of existing buildings in the Green Belt is not inappropriate provided that certain criteria are met. These criteria are considered as follows in relationship to the proposal:

*Material impact on the openness of the Green Belt:* The building would not be extended and the areas taken for rear domestic garden provision approximately 12m deep would not be excessive or disproportionate to the development. The outbuildings to be used for garaging are already in place. The area for external car parking would be the existing forecourt to the building. The site is not particularly conspicuous and, given the limited external impact, it is considered that there would be no material impact on the openness of the Green Belt.

*Structural Integrity:* Despite its age this is a substantial and robust building and its conversion should be achievable without significant reconstruction.

*Design:* The external treatment proposed would ensure that the simple rural character of the building would continue to be maintained. Thus, additional window openings would be limited in number and would maintain the scale and character of the existing ones. The openings for the large cart doors would be maintained but infilled by glazed panelling. Any consent, however, should include conditions to ensure that the approved details would be e

adhered to and that the precise detailing of important external elements would be properly controlled.

*Access:* The existing roadway and track from Whittle Lane would provide adequate access for a small scale development. Neither the Borough Engineer nor Rochdale Council which covers the main road access point have raised any concerns.

*Services:* The building is relatively isolated but has an electrical supply. There is no main drainage and surface water would be disposed of to a soakaway and foul sewage to a proposed septic tank. The Borough Engineer has no objections to this arrangement.

*Protected Species:* Given the nature and location of the building there is concern that it could be used by bats and barn owls. The appropriate surveys have been carried out and these have not confirm any evidence of presence of these species. Although evidence of bats was not found it is still possible that they may be found and any consent should include a condition requiring the recommendations of the bat survey report to be adhered to.

In terms of the Policy OL1/4 criteria it is considered that these would be complied with and that, therefore, the development would be in conformity with the policy.

The Objection - A number of concerns have been raised by the tenants at Higher Barn Farm. One of the issues raised is that the building is still used for agriculture with the tenants grain still being stored within the building. However, in PPG2 - Green Belts the advice given within paragraph 3.9 concerning the re-use of buildings states that "It should not normally be necessary to consider whether the building is no longer needed in its present agricultural or other purposes. Evidence that the building is not redundant in its present use is not by itself sufficient ground for refusing permission for a proposed new use". Issues concerning the use of the building and the outstanding repair to the cart door are private matters to be resolved between the tenant and the estate.

The other main area of concern of the objectors is that by introducing two private dwellings onto the farm this would compromise agricultural activity raise issues of security and health and safety. At present, the roadway and track leading through the farm to the site are not normally used other than in connection with the farm. Although their use by other persons would have some impact, the residential development would be small scale resulting in a limited number of movements once conversion work is completed and it is considered that there would not be such an impact on the amenities of the farmstead and tenancy as to justify a refusal of the application.

The issues raised by the objector concerning appropriateness of the development within the Green Belt and the design and appearance of the development are dealt with above. There is no requirement to demonstrate a need for the development because it is in the Green Belt as is suggested.

Housing Restrictions Policy - The policy should not be applied in this case as the application was received just prior to the date on which approval was given to the draft SPD for consultation purposes and to applying regional policy on housing supply.

Conclusion - The principal matter to be resolved is whether the development would comply with Policy OL1/4. It is considered that this the case and that, therefore, planning permission should be granted.

### **Summary of reasons for Recommendation**

Permission should be granted having regard to the policies and proposals listed and the reason(s) for granting permissions can be summarised as follows;-  
The development would be in keeping with Green Belt policies and would not have a materially detrimental impact on the amenities of adjoining occupiers.  
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 five years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. Notwithstanding the terms of the General Development Order 1995, or as subsequently amended, no development shall be carried out within the terms of Classes A to H of Part 1 and Classes A and B of Part 2 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.  
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed below.
3. No development shall take place unless and until the recommendations within the submitted Bat Survey Report have been implemented, unless otherwise approved in writing by the Local Planning Authority.  
Reason: In order to ensure that no harm is caused to a protected species.
4. No building works authorised by this permission shall take place between 1st March and 31st August inclusive in any year unless otherwise approved in writing by the Local Planning Authority.  
Reason: In order to ensure the protection of wildbirds under the Wildlife and Countryside Act 1981 (as amended)
5. Prior to the development hereby approved commencing:
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground 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 risks have been identified, a detailed site investigation and suitable risk assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority;
  - Where remediation is 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 and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
6. Following the provisions of Condition 5 of this planning permission, where remediation is required, the approved remediation strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the conclusions and actions taken at each stage of the works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority within agreed timescales.  
Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Policy EN7 – Pollution Control of the Bury Unitary Development Plan and Planning Policy Statement 23 - Planning and Pollution Control.
7. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing



schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site, and;

The approved contamination testing shall then be carried out and validity evidence (laboratory certificates etc) submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site.

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

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;

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

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

9. 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.

10. Prior to any work on the external walls first commences, a sample panel of brickwork and pointing shall be made available for inspection by the Local Planning Authority. Any such panel that receives the written consent of the Local Planning Authority shall be retained throughout the period of development and shall form the basis of work to the walls and other external surfaces of the development.

Reason: In the interests of visual amenity and to ensure a satisfactory development.

11. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason: To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

12. All rainwater goods shall be of cast iron, painted black.

Reason: In the interests of visual amenity and to ensure a satisfactory development.

13. All windows shall be in painted timber frames and no development shall take place unless and until details of all fenestration have been submitted to and approved by the Local Planning Authority.  
Reason: In the interests of visual amenity and to ensure a satisfactory development.
14. All external pedestrian door opening shall be constructed in vertically boarded painted timber.  
Reason: In the interests of visual amenity and to ensure a satisfactory development.
15. No development shall be carried out unless and until full details of the treatment to the cart door openings and forecourt area have been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.  
Reason: In the interests of visual amenity and to ensure a satisfactory development.
16. This decision relates to drawings numbered 990-2, 990-1i, 990-1, 990-4 and 990-3-ELEVS 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.
17. No development, including demolition, shall take place within the site unless and until the applicant has secured the implementation of a programme of archaeological work in accordance with a scheme of investigation which has been submitted to and approved by the Local Planning Authority.  
Reason: In order to make a record of the building for archive and research purposes.

For further information on the application please contact **Jan Brejwo** on **0161 253 5324**

**Location:** PARR LANE SERVICE STATION, PARR LANE, UNSWORTH, BURY, BL9 8LZ

**Proposal:** RAISING ROOF ON SOUTH BAY OF GARAGE BY 1.275M TO ENABLE CAR HOIST TO BE INSTALLED AND PARTIAL INFILLING OF GLAZING TO FRONT ELEVATION (RESUBMISSION)

**Application Ref:** 45329

**App Type:** Full

**Statutory Expiry Date:** 24 November 2005

**Recommendation:** Approve with Conditions

### **Description**

The site is a working garage/MOT testing station located within an allocated neighbourhood shopping centre as indicated on the Bury UDP.

The existing building is sited facing the junction of Parr Lane and Randale Drive, with cars parked on the garage's forecourt. The garage building itself is a brick built single storey structure with a higher raised element on the northerly part of the section.

The application is seeking planning permission for the raising of the roof to the south bay by 1.25m to enable a car hoist to be installed. The extension would be similar to the existing northerly bay. The increased roof extension would be part brick and part render.

### **Relevant Planning History**

10938 - Extension for MOT testing station - Approved 13/11/80.

44771 - raising of roof on south bay of garage by 1.275 to enable a car hoist to be installed - Withdrawn 17/8/05 - due to concerns over the materials to be incorporated into the elevational appearance of the development.

### **Publicity**

Neighbour consultation letters were sent to properties in the vicinity of the site on 4/10/05. As a result of the publicity exercise, an objection letter has been received from 349 Parr Lane, opposite the site. The concerns raised include:

- Should planning permission be granted, the workload of the site would increase, which in turn would increase car numbers visiting the site. This would increase noise and congestion to the area and would create a danger to pedestrians.
- The development would further spoil their view from their property.
- An existing security light on the front of the building shines into their property.

### **Consultations**

None required.

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

EC3/1 Measures to Improve Industrial Areas

EC4/1 Small Businesses

EN1/2 Townscape and Built Design

### **Issues and Analysis**

**Principle** - The site is within an allocated shopping area, where commercial development

currently exists within the junction around Parr Lane and Randale Drive. UDP Policy EC4/1 - Small Businesses states that proposals for small businesses will be acceptable when the scale of development is appropriate to, and the use is environmentally compatible with the surrounding area, and that proposals do not conflict with other policies of the plan. Additionally, UDP Policy EC3/1 - Measures to Improve Industrial Areas recognises the need for improving older industrial premises including the visual appearance and to encourage good design. UDP Policy EN1/2 - Townscape and Built Design seeks to ensure appropriate assimilation of good standards of design into the street scene.

The development proposes to improve the existing building by the insertion of a limited amount of render to the raised element of the building, where an existing car hoist is located and to insert a second car hoist to the southerly part of the building. The roof extension would result in the increase in height of the building by 1.275m. The existing building is dated in terms of its appearance and in its need of elevational improvement. The building has remain unchanged for many years and over time, it has deteriorated elevationally. In terms of the principle of an extension, it is considered that the development would improve the current appearance of the building and would not have any undue impact upon the surrounding area visually.

Residential Amenity - The site is bounded by residential properties to the south-west and to the north. The extension would be on the part of the building nearest to 396 Parr Lane. This property does have a window in the side elevation overlooking the site, but it is a minor window to the property, with main windows located in the rear elevation, which would remain unaffected. Essentially, it is considered that the development would have no significant impact upon this property.

Equally, there are residential properties to the northwest of the site fronting Brookdene Road and in a southeasterly direction across Parr Lane, that overlook the application site. The development to the residents on Brookdene Road comprises rendering only. The separation distances between the rear elevations of Brookdene Road and the rendering would be some 22m away and as such, it is considered that the development would have no significant impact upon these properties.

In terms of the properties across Parr Lane, the separation distances would be some 35m from the roof extension of the southerly bay and the impact upon these properties from the extension would be insignificant.

Intensification of Use - The development would provide an additional facility to the premises to improve the current operations taking place at the site. The developer indicates that the site currently employs 4 people and as a result of the development, there is no stated intention to increase staff numbers. It is considered that the development would be of a scale unlikely to create a significant intensification of the use or to cause any degree of impact upon amenity as a result of the development. It is likely that the site operations would run smoother and as such, this would improve the relationship of the use with surrounding properties. In view of this, despite the comments made by the objector it is considered that the development, would not result in a material loss of amenity and that it would comply with adopted policies of the UDP.

### **Summary of reasons for Recommendation**

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

The development would improve the existing appearance of the building within the area and would be unlikely to have any significant detrimental impact upon surrounding properties.

The development would comply with adopted policies of the Unitary Development Plan 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. Samples of the materials to be used in the external elevations including the choice of colouration for the render shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
3. This decision relates to the drawings received on 29th September 2005 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  
EC3/1 - Measures to Improve Industrial Areas  
EC4/1 - Small Businesses  
EN1/2 - Townscape and Built Design.

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

