

AGENDA FOR

PLANNING CONTROL COMMITTEE

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To: All Members of Planning Control Committee

Councillors : A Cummings (Chair), J Black, S Briggs, S Carter, R Caserta, D Gunther, P Heneghan, D Jones, A Matthews, A Quinn, S Southworth and Y Wright

Dear Member/Colleague

Planning Control Committee

You are invited to attend a meeting of the Planning Control Committee which will be held as follows:-

Date:	Tuesday, 2 September 2014
Place:	Peel Room, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	<p>If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.</p> <p>Immediately prior to the Committee, the Development Manager will brief the Committee on any changes made to the planning applications to be considered since the issue of the Agenda. This information will be provided in the supplementary information agenda which will be circulated on the day of the meeting.</p>
Notes:	<p>A tea will be available from 5.00 pm (Balcony Bar) this will be followed by the usual pre-meeting briefing (Lancaster Room).</p> <p>Further information relating to Site Visits/Member Training will be circulated separately, for the information of Members and Officers.</p>

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of the Planning Control Committee are asked to consider whether they have an interest in any of the matters on the Agenda and, if so, to formally declare that interest.

3 MINUTES OF THE MEETING HELD ON 29 JULY 2014 *(Pages 1 - 4)*

4 PLANNING APPLICATIONS *(Pages 5 - 82)*

5 DELEGATED DECISIONS *(Pages 83 - 96)*

A report from the Development Manager on recent Delegated planning decisions since the last Planning Control Committee meeting held in July, 2014.

6 PLANNING APPEALS *(Pages 97 - 106)*

A report from the Development Manager on recent Planning Appeal decisions since the last meeting of the Planning Control Committee held in July, 2014.

7 URGENT BUSINESS

Any other business which by reason of special circumstances the Chair agrees may be considered as a matter of urgency.

Minutes of: PLANNING CONTROL COMMITTEE

Date of Meeting: 29 July, 2014

Present: Councillor A Cummings (In the Chair)
Councillors J Black, S Briggs, S Carter, R Caserta,
D Gunther, D Jones, A Matthews, A Quinn, S
Southworth and Y Wright

Public attendance: 13 members of the public were in attendance

**Apologies for
absence:** Councillor P Heneghan

P.185 DECLARATIONS OF INTEREST

Councillor Quinn declared a Prejudicial Interest in Application 57542 as he has been involved in discussions with an objector. Councillor Quinn left the meeting during consideration of the application.

P.186 MINUTES

Delegated decision:

That the Minutes of the Meeting held on 24 June, 2014 be approved as a correct record and signed by the Chair.

P.187 PLANNING APPLICATIONS

A report by the Development Manager was submitted in relation to various applications for planning permission. Supplementary information was also submitted in respect of application numbers: 57224, 57459, 57526, 57571 and 57586.

The Committee heard representations from applicants and/or objectors in respect of the applications submitted. This was limited to three minutes for each speaker.

Delegated decisions:

1. That **Approval** be given to the following applications in accordance with the reasons put forward by the Development Manager in the report and supplementary information submitted and subject to the conditions included:-

57512 2 Market Place (including 57 & 59 Bridge Street) – Ramsbottom and Tottington - Ramsbottom Ward

Change of use from shop (Class A1) to professional estates facilities and

property letting agents (Class A2) ground floor and basement only.

57526 1 Park Hill Place (rear of 12 Park Hill), Bury Old Road – Prestwich – Sedgley Ward

Change of use to office (Class B1a) with retention of storage (Class B8) at ground floor.

57542 91 Windsor Road, – Prestwich - Sedgley Ward

Change of use from office to coffee shop (Class A3) with external seating and new shop front.

57571 87 Church Street, Ainsworth, Bolton – Radcliffe - Radcliffe North Ward

Replacement Dwelling (amended scheme)

(Note: An additional condition relating to boundary treatment/hedgerow was agreed).

57586 Magnum Whiteline 184-188 Bury New Road – Whitefield & Unsworth – Pilkington Park Ward

Two storey extension at side; Widening of access road at side and change of use of waste land at rear to form car park.

57636 26 Silver Street, Bury – Bury East - East Ward

Change of use of ground floor and part of first floor to restaurant (Class C3); subdivision of building to form offices at ground, first and second floors (Class B1); new entrances formed on Bank Street and Silver Street and internal alterations.

57645 26 Silver Street, Bury – Bury East - East Ward

Listed building consent for change of use of ground floor and part of first floor to restaurant (Class C3); subdivision of building to form offices at ground, first and second floors (Class B1); new entrances formed on Bank Street and Silver Street and internal alterations.

57651 Tesco Stores Limited, Woodfield Retail Park, Peel Way, Bury – Bury East – Moorside Ward

Extension at side to create a dot com/click and collect area with canopy (resubmission).

2. That the Committee be **Minded to Approve** the following applications in accordance with the reasons put forward by the Development Manager in the report and supplementary information submitted and subject to the conditions included:-

57224 Land adjacent to 41 Station Close, Radcliffe, Manchester – Radcliffe – Radcliffe North Ward

Erection of 11 no. dwellings detached dwellings with access road and

demolition of existing bridge structure (resubmission)

57459 Land at Heap Street, Radcliffe, Manchester – Radcliffe – Radcliffe East Ward

Erection of 2 no. dwellings

P.188 DELEGATED DECISIONS

A report by the Development Manager was submitted listing all recent Planning application decisions made by Officers using delegated powers.

Delegated decision:

That the report be noted.

P.189 PLANNING APPEALS

A report from the Development Manager was submitted which presented a list of recent planning and enforcement appeals lodged and determined.

Delegated decision:

That the report be noted.

P.190 PLANNING ENFORCEMENT

A report from the Development Manager was submitted which provided statistical information on Enforcement activity between 1 April 2014 and 30 June 2014. The report also provided statistical information and a comparison with other Planning Authorities' Enforcement activity between 1 April 2013 and 31 March 2014.

Delegated decision:

That the report be noted.

COUNCILLOR A CUMMINGS (Chair)

(Note: The meeting started at 7.00 pm and ended at 7.50 pm)

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Title	Planning Applications
To:	Planning Control Committee
On:	02 September 2014
By:	Development Manager
Status:	For Publication

Executive Summary

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

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

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

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

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

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

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

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

upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

Development Manager

Background Documents

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

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

01	Township Forum - Ward: Bury West - Church	App No. 57475
Location:	Land at Wellington Street, Bury, BL8 2AX	
Proposal:	New operational training and community safety awareness facility for the fire service including mock houses, tram and train training facilities, fire street, urban search facilities, ship facility and eight floor high rise structure.	
Recommendation:	Approve with Conditions	Site Visit: Y
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02	Township Forum - Ward: Ramsbottom + Tottington - Tottington	App No. 57703
Location:	Land at Kirklees Lodges, Garside Hey Road, Bury, BL8 4LT	
Proposal:	Community asset and education centre for environmental awareness including stables (equine therapy), paddock, car park and education centre/clubhouse	
Recommendation:	Approve with Conditions	Site Visit: Y
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03	Township Forum - Ward: Bury East	App No. 57725
Location:	Bury Art Museum, Moss Street, Bury, BL9 0DF	
Proposal:	Listed building application for installation of temporary sculpture (12 months) in alcoves at front of sculpture centre and library entrance.	
Recommendation:	Approve with Conditions	Site Visit: N
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04	Township Forum - Ward: Prestwich - Sedgley	App No. 57767
Location:	Super Deli Kosher Meat and Grocery Shop, 53 Bury New Road, Prestwich, Manchester, M25 9JY	
Proposal:	Erection of a new canopy on front elevation; Creation of 6 no. new car parking spaces; Creation of a new footpath front and side; Cladding over existing roller shutters to be replaced with brick work facade; Replacement roller shutter.	
Recommendation:	Approve with Conditions	Site Visit: Y
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05	Township Forum - Ward: Prestwich - St Mary's	App No. 57784
Location:	Land to north of Beech House, Clifton Road, Prestwich, Manchester, M25 3HG	
Proposal:	Erection of garage	
Recommendation:	Approve with Conditions	Site Visit: N
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Ward: Bury West - Church

Item 01

Applicant: Greater Manchester Fire & Rescue Service

Location: Land at Wellington Street, Bury, BL8 2AX

Proposal: New operational training and community safety awareness facility for the fire service including mock houses, tram and train training facilities, fire street, urban search facilities, ship facility and eight floor high rise structure.

Application Ref: 57475/Full

Target Date: 25/07/2014

Recommendation: Approve with Conditions

A site visit is suggested by the Development manager given the unusual nature of the development and the size of the site.

Description

The application site comprises a site 3.78ha in size that was formerly used by Milliken's a floor covering manufacturer.

The site is relatively flat and has within the site a number of buildings that are vacant and of varying sizes. There is a significant amount of vacant land that had been used for servicing and parking within the site in conjunction with the main operations that used to be carried out at the site by Milliken.

The site is located within the Daisyfield Employment Generating Area (EGA) and is bounded to the north by the post officer sorting facility and other properties that are separated by Back Bolton Road that front on to Bolton Road; To the west is Wellington Street, which is the main accessway to the EGA, the river Irwell to the east and the Bury and Bolton canal to the south.

Greater Manchester Fire and Rescue Authority (GMFRA) have identified the need for a new operational training facility in the north west that would serve the ten boroughs of Greater Manchester and beyond.

The development would comprise the construction of a number of training scenarios which would have the ability to replicate different examples that the GMFRA might find themselves having to respond to in real life. To this extent, the development would also provide opportunities for Fire and Rescue crews from further afield including Cheshire, Cumbria, Lancashire and Merseyside.

The training scenarios would include an internal training area within a large warehouse building, a 'fire street', a collapsed building, a water scenario including jetty and ship fire, urban search and rescue to include a high rise facility of some 8 storeys in height, housing scenarios, culvert and sewer system, collapsed house, a trench and cutting area, a (dummy) chemical spillage and transport scenarios. Essentially residential, commercial and industrial scenarios and these would take place both inside and outside reflecting the nature of the scenario.

The new facility would also look to provide wider community safety campaigns by having interactive self-guided and accompanied tours, allowing visitors to experience training scenarios first hand at the visitor centre. The site will also feature an immersive learning zone to enhance the learning experience and demonstrate the importance of safety at home and on the road.

After extensive searches the site was selected from an original list of 20 sites as the one

which most closely met their needs which were established in February 2012.

- The site is large enough to contain all the necessary training and community functions.
- Existing features on the site provide an ideal environment for a diverse range of training scenarios, including the river and lodge.
- The site also boasts excellent links to the road network, and it is not envisaged that the operation of the site will have a negative impact on local traffic flows.
- The site is located in a predominantly industrial area of Bury which would minimise potential disturbance to local business and residents.

The applicant states that the site was chosen for its remoteness and would not therefore impact upon amenity. The centre would be available 24 hours per day and 7 days per week, with any late night training taking place indoors and remote to sensitive uses. The main use of the site would concentrate operation to between 7am and 11pm daily. The community safety centre would be operational between 9am and 5pm and on an appointment basis.

Parking for some 47 vehicles would be provided and space for 3 coaches. Access to the site would be from Wellington Road, off Bolton road and would be from the further south of the site near to the canal.

Initially, the applicant expects that visitors would be 1 coach per day increasing to no more than 3 and to arrive from 10am until 2pm. Other visitors are anticipated not to exceed 20. Permanent staff is likely to be approximately 10 in number.

Relevant Planning History

No relevant planning history.

Publicity

The application was publicised through letter notifications sent to 334 addresses including Millett Street, Sankey Street, Tenterden Street, Railway Terrace, businesses on/Off Wellington Street, Wlashe Street, Bolton Road, Doctors Lane, Fold Street, Arthur Street and Daisyfield on 25/4/14. A full list of the addresses can be found on the working file.

Site notices were put around the site on 2nd May 2014 and a press notice was published in the Bury Times on 25/4/14.

The applicant has also undertaken their own publicity through meeting schools, residents and businesses in the locality as well as published articles in the Bury Times and information on their own website.

As a result of this publicity, there have been 1 letter of objection from The Bacon Factory Heys Street and a comment from the Manchester Bolton & Bury Canal Society (see consultees section below). Issues raised include:

Objection: More consideration needs to be given to the impact on the access roads and parking in the area. All access to the site is regularly down to one lane because of the lack of adequate parking facilities. On Heys Street there are regularly reversing large 40 tonne vehicles to gain access to our site meanwhile The Post office workers and British Gas engineers park throughout the area from 6-7 am through to the afternoon and the general public use the road to gain access to the postal sorting office through out the day. This causes considerable congestion.

Most days large vehicle transporters park opposite the site itself on Wellington St, in order to deliver vehicles to the car sales companies in the area and the local taxi rank park along the road awaiting calls. Along Arthur st access is regularly reduced by the users of the Martial arts centre and local fast food takeaways.

On Buxton street, the only area of all day free parking , vehicles park on both sides of the

road all day, reducing it to one lane.

The application makes no mention of the extreme difficulty experienced by businesses and workers in the area already to find adequate parking and access without adding another (according to the application's figures) 176 car movements in the area every day.

I believe access for the fire service in and out for anything larger than a car will be extremely difficult at times, these issues are not ones that can be solved by further imposing parking restrictions, causing further damage to local businesses and impositions on their employees.

What is needed is the creation of additional parking facilities, perhaps the council/the fire service could include this in their plans as given the weight of traffic in the area and the considerable parking problems, any such venture would prove a wise investment with only a small charge to the users necessary, perhaps invite the private sector to invest?

Either way without additional parking the application is flawed and will cause considerable disruption to local firms and employees.

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

Consultations

Traffic Section - No objections. Indications are that there are no significant concerns as traffic generation would be significantly less than the former industrial use.

Drainage Section - No objections subject to conditions.

Environmental Health :-

Contaminated Land - No objections subject to conditions relating to contamination removal where necessary and gas ingress prevention..

Air Quality/Pollution Control - It is recognised that the modelling of fugitive emissions can be very difficult. However the applicant's consultants have used their experience and knowledge to model the likely impacts and all methods have been clearly described and justified where necessary. The conclusion is that the impact of the development will be negligible and this is accepted by the Environment Section.

Canal & River Trust - No objections in principle. Add conditions relating to the provision of historical information panels about the site's past, details relating to the excavation of the channel of the canal, details relating to Barlow's Bridge within the site and the re-siting of some aspects of the development so as not to impact upon the canal line within the site. Further work is being undertaken with regards to the conditions from this consultation and will be finalised/confirmed in the supplementary.

Environment Agency - No objections. Add conditions concerning drainage, an evacuation plan relating to flood risk, finished floor levels being set to a particular level.

Greater Manchester Police - designforsecurity - No response received.

National Grid - No objections.

United Utilities (Water and Waste) - No objections. There is a sewer crossing the site that and no built development would be permitted. Easements will also be required for access and maintenance. Drainage comments and water comments have also been provided with no objections to the proposals.

The Coal Authority - Initial objection due to the nature of the development and the relationship to close to surface former workings. An Update response is to be provided in the supplementary agenda.

Fire Protection Dept Bury Fire Station (Part B) - No objections.

Greater Manchester Ecology Unit - No initial objections. Some additional details required concerning the river wall in terms of habitation and a series of conditions relating to ecological mitigation.

G M Archaeological Advisory Service - No objections. Add condition relating to the need for archaeological study in relation to a written statement of investigation.

Unitary Development Plan and Policies

EC2/1 Employment Generating Areas

EN1	Built Environment
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN10/2	Riverside and Canalside Improvement in Urban Areas
EN3	Archaeology
EN5/1	New Development and Flood Risk
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/3	Water Pollution
EN7/4	Groundwater Protection
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
HT6/3	Cycle Routes
HT5/1	Access For Those with Special Needs
RT4/7	The Manchester, Bolton and Bury Canal
NPPG	National Planning Policy Guide

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Principle

In terms of the principle of the proposal, the site sits within a wider area designated as the Daisyfield Employment Generating Area under UDP Policy EC2/1. Under this designation, development will only be allowed for B1, B2 or B8 uses. Other uses will only be permitted where they constitute limited development or where it would not substantially detract from the area's value as an EGA.

The application site covers a significant area and cannot be regarded as constituting limited development in the context of Policy EC2/1. The issue is then whether the training centre would substantially detract from the area's value as an EGA. In this regard, it is necessary to consider whether the training centre would have an adverse impact on other existing businesses in the area. In this respect, it is not considered that a fire training centre would be a particularly sensitive use and that it would be resilient to the activities of surrounding business operations. As such, it is unlikely that the use of the site would lead to the imposition of restrictions on the activities of any of the surrounding businesses.

The use of the site as a fire training centre would lead to the loss of an existing, vacant employment site that could potentially be reused for employment purposes. However, it is considered appropriate to balance this issue against the fact that a concentrated area of employment use is likely to be the most appropriate location for accommodating such a use and that the site offers key features that are integral to providing the GMFRS with an ideal environment for a diverse range of training scenarios. In this respect the requirements of the GMFRS and the opportunities offered by the application site are unique.

Furthermore, the proposal represents a significant investment in the Borough which would also bring strong community benefits given the inclusion of a Community Safety Centre as part of the wider proposal.

In summary, although the proposal would lead to the loss of employment land within an EGA, it is considered that the use of the site would not adversely affect other businesses in

the area and the unique nature of the proposal means that an existing employment area represents an appropriate location for a fire training centre. Furthermore, the location, characteristics and features of the application site mean that it meets the wide ranging requirements of the GMFRS. This, coupled with the community benefits that would arise, means that, on balance, the proposal is considered to be acceptable in principle.

Design and Layout Approach - The new Operational Training Facility for Greater Manchester Fire & Rescue Service has been principally driven by the need for fire and rescue scenario fidelity and the need to deliver a community safety message to the general public.

The approach has also attempted to retain existing features where possible. Most significant of these features are the original Barlow's Bridge and the line of the canal running through the site. GMFRS have been cognisant of the need to maintain these structures and to preserve the ability to reinstate at a later date. We have provided a separate document that details the historical context of these features and demonstrates our desire to minimise development impact upon them.

The site offers significant opportunities to maintain and reuse existing structures for these purposes and this has been taken onboard. Where structures are reusable they have been; as with the main Community Building and the Vehicle Garage along with a number of other smaller structures including the security lodge at the Wellington Street entrance.

Many of the existing building envelopes and external works structures on the site have however come to the end of their design life and these envelopes have been replaced with new, ensuring longevity and enhancement to the sites aesthetic.

Where new structures have been provided these have been specifically designed to ensure training fidelity; the need to create realistic environments that will fully immerse the fire fighters within their training. They also need to create the typical real scenarios that may occur in a live situation. Each new building has been provided specifically to address a particular operational need whether it is dealing with a road traffic accident, a train incident or a fire in a multistorey block of flats.

The site would be split between the operational function of the fire service and the community awareness facility. The demarcation between the two is clearly defined to ensure safety and security. The existing southern end of the site provided an opportunity to develop car parking in an area of existing hard standing and utilise the existing large warehouse structure for a new Community entrance and safety awareness facility.

The site generally provides facility in four quadrants; community; fire street; hazmats; and transport. The existing entrance off Wellington Street, opposite Buxton Street utilises existing site roads to access various parts of the site. It provides access to the northern area of the site adjacent the Irwell via the historic Barlow Bridge. This northern area of the site has been developed in the past but currently does not contain any existing infrastructure.

New access roads and buildings have been provided to this area to replicate a typical street scene with residential, commercial and multi storey buildings provided alongside tram lines and street furniture. This 'fire street' is a critical part of the fidelity requirements for the site.

Many of the existing site features have been retained and are utilised in their original condition. These structures are of a scale to suit the proposed reuse which includes a visitor entrance and experience and an internal operational demonstration area in the existing warehouse adjacent the Irwell. The provision of a vehicle garage to the industrial building adjacent the reservoir is consistent with the plan dimensions and height of this

structure. The security lodge adjacent the Wellington Street site entrance is being refurbished internally and will accommodate security, administration and seminar functions.

New structures and buildings on the site have been provided consistent with the Fire Services training needs and to provide fidelity in use. Residential training facilities including detached houses, terraced houses and flats have been shown on the plans to be consistent with typical dimensions for these structures. The flats would be located in an 8 storey high multistorey facility, which would enable the Fire Service to recreate realistic operational conditions for fire fighters and replicate the physical and mental issues that result in fighting a fire or carrying out a search and rescue exercise at height. The site is substantial in size and there are high rise industrial buildings to the south that provide existing context for high rise buildings. Furthermore, the site is not on any main road frontage and the main roads are well enclosed by existing development such that the buildings on the site, including the high rise building would not be particularly visible or prominent.

Commercial training facilities including an office / retail space, a workshop / garage and a high rise office would be consistent with typical dimensions for these properties. The high rise office scenario has been located in the multi-storey building alongside the residential flats providing a dual use opportunity.

The roof of the multi storey building will also be utilised provide high ropes training. The multi storey building has been located in the lowest part of the site on 'firestreet' to minimise its height impact within the development.

Other facilities on the site including the ship scenario, the industrial scenario, the rail scenario, collapsed structure scenarios and confined spaces have all been provided to ensure minimal impact on the site and all have been provided consistent with the need to create a realistic training opportunity and are consistent with real facilities but do not impact on the visual appearance of the site.

The existing site boundaries are generally being retained as existing and are primarily galvanised steel pallisade fencing panels. Masonry site boundaries adjacent the river are generally in a poor state of repair and these will receive restoration works to ensure future longevity and integrity.

Existing site hardstandings are generally concrete, a remnant of the previous industrial use. These hardstandings are being retained and repaired where possible as they provide an excellent base for fire service vehicular traffic. New areas of hardstanding are generally to be concrete to provide a resilient surface to the extensive trafficking from fire service vehicles.

The car park to the southern end of the site has been overlain with a macadam surface due to issues with levels and surface water dispersal and to provide a more welcoming entry experience for the public.

New fire scenario structures including the mock residential properties, commercial buildings, collapsed structure and the like have all been proposed to be constructed from traditional materials found in these building types in real life (clay masonry and concrete roof tiles) to enhance realism and to provide a robust finish for fire protection. The 'elephant building' would principally be a transport garage and general storage facility.

Principal existing building structures on the site would be retained with over cladding to improve appearance, thermal performance and life cycle costs. The Community Safety facility would be extensively overclad to provide a more welcoming facility and opportunity to create a focus.

As such the development would have no significant impact upon the area and would not conflict with EN1/2.

Access and Car Parking - Current access into the site is from major estate roads that are constructed to highways standards with footpaths and street lighting. All provide level and safe access off Wellington Street. Access from the classified road network to the site is

gained from Bolton Road (A58) via the traffic signals at Arthur Street. Both Arthur Street and Wellington Street to and beyond the site accesses are protected by working day waiting restrictions. However, within the site boundary the on-site access roads have deteriorated and / or are none existent and would require repair and additional provision to enable the safe and effective use of the full site area.

Car parking is currently available to the south of the site. However this is an informal arrangement with no delineation of parking bays or restrictions on parking numbers. The parking is generally located on what appears to be floor slabs of previously demolished buildings. Parking is not permitted to an area believed to have basements from a previous building use, which is defined by a post and rail fence.

The application is accompanied with a transport assessment, which sets out the demands that the previous use of the site generated and the proposed demands arising from the proposals under consideration.

The previous use's demands are important in the consideration of access in that they set out how the highways to and from the site carried significant traffic movements (also in consideration of the other uses in the vicinity) and what degrees of change would be anticipated from the current proposals.

The site would be split such that the car parking areas would be well away from operational training areas and the site would be laid out so that the main entrance building provides security for the site and the first point of reference upon arrival. Parking would be provided for both staff and visitors and the development would also make provision for coach parking, to limit the need for reliance upon single mode transport. There are no specific levels of provision contained within the adopted SPD for car parking and new development. As such, the levels of provision must be determined on their own merits.

The site is well served by bus services with links to extensive travel opportunities particularly from local transport interchanges. Cycle parking would be provided and space for motorbikes. The transport Statement and associated travel plan recognises that there may be local issues in terms of parking and suggests that there ought to be a scheme submitted, secured through a planning condition, to strengthen the existing waiting restrictions in the vicinity of the operational site access. The Council's Traffic team has no objections to this proposal. Crews involved in training will arrive by their own tenders and visitors would arrive by coach. This would mean that day to day staff number (around 10 people) and other trainees would be unlikely to utilise all of the available parking and that based upon the 'spread of demand' throughout the day, the levels of provision are considered acceptable and compliant with HT2/4 and SPD11.

The area is typical of multi users with different vehicles and is consistent with an employment generating area. Planning land allocations would encourage the use of this application site, whether it be for this proposal or any other employment use and therefore there would always be an increase of traffic above the levels evident today. The key point is that in terms of the likely generation of traffic and movements for a site of this size, the proposals would generate a relatively modest level of traffic increase above current ones and therefore is considered to be acceptable.

Air Quality - As part of a new training development on the site to maintain realism, the training will be based upon live fire under controlled situations, and as such a large amount of smoke would be expected to be produced, which is an environmental hazard, with the smoke containing unburned particles and other harmful chemicals which could spread offsite.

In order to maintain the Fire Service's environmental commitments and to comply with the pollution regulations, the training facility is to be provided with smoke cleaning facilities that would reduce the contaminants released into the atmosphere to as low as possible given

the available technology. This report aims to outline the available methods of smoke cleaning, the most suitable system type and other design and operational considerations.

As part of the application proposals, there are consultant reports on the mechanical screening facilities to be used and also dispersion modelling has been carried to determine any residual effects.

Receptors assessed include adjoining businesses and other land uses in all directions from the site and including the residential properties and Grammar school to the east of the site across the river. Typically the modelling uses a 2x2km cartesian grid.

The training rigs would involve the construction of dwelling house within a larger portal frame building, where smoke could accumulate under the roof. As such, the facility has been subject to a smoke production model that has determined the likely smoke extract rate necessary for a mechanical system that will draw the smoke out at roof level. It is proposed that a suitable smoke cleaning system is provided to the mechanical extract system that will limit the amount of pollutants released into the atmosphere.

Control of the quality of the air controlled by the Environment Act 1995 and is enforced by the Local Authorities. The strategy document produced by DEFRA identifies the main pollutants that are monitored, and includes 'Particulate Matter' from combustion sources, Oxides of Nitrogen, Sulphur Dioxide, aromatic Hydrocarbons, Benzene and Carbon Monoxide, all of which will be produced in the combustion processes at the Training Centre.

Control of pollution from industrial sources is enshrined in the Pollution Prevention and Control Act 1999. Bury is part of the Greater Manchester Air Quality Network, which covers ten local authorities and comprises of a network of monitoring stations.

The proposals would seek to use different types of mitigation to prevent air borne pollution from burns. These would include the use of both wet and dry mechanical scrubbers that would remove pollutants. These can be capable of removing 95% of particles that are greater than 5 microns in diameter.

A spray tower scrubber is the simplest type, which consists of an open vessel with one or more sets of spray nozzles. Typically, the gas stream enters from below and passes upwards through the spray. This process is also available in a horizontal process, but is not as efficient. To improve the efficiency of the extraction of smaller particles, a system like a Venturi Wet Scrubber is used, where the waste gas stream is accelerated to atomise the liquid and improve gas/air contact.

The by-product of the scrubbing process is slurry, which the contents would have to be disposed of. As the content is inert, then it can be disposed of via landfill, however were any contents to be hazardous and would therefore require specialist disposal. Some systems have a 'de-watering' process that separates the water from the slurry and feeds it back into the scrubber system, leaving a dry waste. The slurry should be disposed of by a company that is compliant with Environmental Management Standard ISO 14001.

The modelling data using datasets of relatively local meteorological conditions and localised air quality monitoring data. The results in the report confirms that the impact upon human receptors is not expected to cause adverse effects and is not likely to lead to exceedences of the annual mean or 1 hour pollutant levels within the air quality monitoring boundaries. These findings are not disputed by the Council's Air Pollution team.

Canal and Historical Context

The site has been previously developed and historical uses that have left a legacy of archaeological features. These include a canal (infilled) running through the site from north to south, with Barlow's bridge, which is still present crossing the canal in the centre of the site. There were also various historical mills on the site formerly including Barlow's Croft Bleach Works, Elton Paper Mill, Victoria Mill (cotton), Albert Mill (cotton, cotton

spinning and engineering works) and New Victoria Mills (cotton spinning). Reservoirs and filter beds to the south and North West of the site serving previous mill works have been subsequently infilled. Numerous water channels / infrastructure associated with reservoirs, filter beds, the canal, River Irwell and works.

As part of the design process and a programme of archaeological work has been undertaken to establish and record historical features of the site where building works are likely to disturb these features. The site work for this has now been completed and a final report is awaited from the archaeologists. This report will be made publicly available on publication.

The disused canal and Barlow's Bridge are the most visibly significant of the site's historical features. The bridge is in poor condition but is to be repaired. The trust has provided a separate document that has looked at the new developments effect on the canal and the bridge and provided this to the applicant.

The applicant has carried out load testing of Barlow Bridge to establish its capacity to continue to take vehicular traffic. These tests have shown that it still has adequate bearing capacity. It is the intent within the development proposals to carry out repairs and renovations to a number of existing structures on the site, including buildings, retaining walls, Barlow's Bridge, the canal and the only remaining mill wall backing onto the proposed Community Building.

The Canal and River Trust have been involved in both pre-application meetings and have been a key driver in the consideration and process to inform the proposals. The Trust is keen to ensure that the proposed development does not obstruct any potential restoration of the Manchester, Bolton & Bury Canal to navigation. Policy RT4/7 of the adopted Bury Unitary Development Plan states that "The Council will protect and safeguard the Manchester, Bolton and Bury Canal and support proposals for its restoration.

Proposals for canalside development will be expected to enhance the canal environment and not prejudice its restoration. The Trust notes that the proposal does not appear to include the erection of any new permanent buildings or structures within the line of the canal, and that no works are proposed to Barlow's Bridge that may obstruct navigation beneath it. They are pleased to note that the applicant has sought to demonstrate how the layout of the proposed facility can be adapted to allow for the restored canal in the Canal Design and Historical Context Statement.

The proposal to use the canal to the north of Barlow's Bridge for the siting of a ship training scenario is supported in principle, and ideally these works should involve the full restoration of this section of the channel to navigable standards. The Trust also supports the proposal to include educational panels informing visitors of the historic canal-related use of the site. The Trust have recommended conditions to enable the above matters to be delivered/incorporated.

Ecology

The application site lies within the riverside corridor where UDP Policy EN6/3 and EN6/4 seeks wildlife protection and enhancement in the corridor or the identification of ecological features. There are a number of ecological features and constraints associated with the site including the river and embankment, culverts outflows, river headwalls, mill pond, tree cluster, vacant buildings and an open unused site.

The Greater manchester Ecology Unit have been consulted on the proposals and consider that there are no fundamental objections to the scheme, subject to the inclusion of a number of planning conditions and the requirement for additional information.

Bats - All bar one building were assessed as no to low bat roosting potential despite the location. The final building was assessed as medium potential and two emergence surveys carried out in August and September. One bat was recorded emerging from the

building. The roost was assessed as being an occasional roost for low number of pipistrelle. A Natural England License will be required to destroy or disturb the roost. Current guidance is that Ecologically Protected Species licenses should now be conditioned through planning controls.

The results of the bat daytime inspection survey are shown in an addendum report following the response made by GMEU. In summary, no bats or signs of bats were recorded during the survey and the target features were assessed as offering no/low bat roost potential due to their construction. Taking this information into account, it was mutually agreed with GMEU that no further survey effort (i.e. nocturnal survey) is deemed necessary. Additionally, it was agreed that no further nocturnal surveys of the former mill wall are required prior to determination. The wall was re-inspected during survey of the other structures and no evidence of bats (e.g. droppings) was found as would be expected if the mill wall was being used as a maternity roost. Furthermore, the mill wall faces north and is therefore a sub-optimal site for use by a maternity colony.

Other Protected Species - GMEU are generally content with the overall assessment that other protected species are unlikely to be present on the site. However whilst correctly not picked up on the desk top search both otter and kingfisher are known to use the Irwell adjacent to the site, with records up and downstream ie the Irwell will form part of the territory of both these protected species. It is unlikely that the works will have any negative impacts on the Irwell as a habitat for either of these species. Informatives should however be added to any permission regarding the potential of these species to be present.

Whilst there is only a low risk of otters being present, the applicant has been reminded and has acknowledged that under the Habitat Regulation it is an offence to disturb, harm or kill otters or their place of rest. If an otter is found during the development all work should cease immediately and a suitably licensed ecologist employed to assess how best to safeguard the otter(s). Natural England should also be informed.

The applicant is reminded that Kingfishers are protected under schedule 1 of the Wildlife & Countryside Act 1981 (as amended). It is an offence to take, injure or kill a kingfisher or destroy its nest, eggs or young. It is also an offence to recklessly disturb the birds close to their nest during the breeding season. If a kingfisher is found to be nesting on or near the site during the development work should cease and a suitably experienced ecologist employed to how best to safeguard the kingfisher(s).

Nesting Birds - GMEU agree with the ecologists assessment of the bird nesting potential on site. A condition should be imposed to control any tree removal where nesting birds may be using as a habitat.

Invasive Species - Japanese knotweed, himalayan balsam and giant hogweed have been identified on the site all covered by schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended). Method statements for avoidance/control/eradication of all three species will be required. These can be covered via condition.

Mill Pond - The mill pond is fenced off so it was not possible to undertake a full investigation by the ecologists of the waterbody. The mill pond appears to be concrete/stone lined with steep (c45°) banks. These have been colonised by a range of habitats including scattered willow scrub, tall ruderals, rank grass and dense ivy. Reedmace is present around the northern margins of the waterbody and there are some patches of Japanese knotweed. The pond is likely to support a range of species groups including amphibians (smooth newt and common frog and toad), wildfowl (coot, moorhen and ducks) and fish (probably cyprinids considering that the pond was formerly used by the local angling club). The pond is therefore likely to be a feature of site value importance.

The pond will not be affected by the proposed development and will remain insitu. Pollution will be prevented during the construction and operational phases through the installation of interceptors around its perimeter. Japanese knotweed will be treated and eradicated prior to

development commencing.

Other Features of Ecological Value and Wildlife Corridor - A number of trees will be lost as a result of the development, features of ecological value under Bury Councils UDP policy EN6/3. These are not subject to any Tree Preservation Order. Similarly the mill pond will be covered under this policy, which whilst retained could be indirectly impacted upon by the development. Finally the River Irwell is a major strategic Wildlife Corridor covered under UDP policy EN6/4. The corridor is already weak at this point. The development provides an opportunity to enhance this feature. The development should seek to achieve no nett loss of biodiversity in line with section 109 of the NPPF. I would therefore recommend that mitigation for the loss of trees occurs through enhancements to the River corridor and around the Mill Pond.

The ecologist has identified Wild Service Tree (*Sorbus torminalis*) On the site. If true this would be the first record for Greater Manchester and the GMEU would object to its removal. However the identification of the tree was erroneous and does not have the same value or status of importance.

Given the above, it is considered that there would be no undue impact upon ecology as a result of the development with the use of appropriate planning conditions.

Response to objections - This has been dealt within in the parking and access section of this report.

Conclusion - This proposal would bring forward an extensive vacant site and would introduce a unique training facility to the Borough. The development proposed would incorporate many mitigating features through controls achieved through planning conditions and in so doing would ensure that the site would maintain and assist riverside and canalside improvements and maintainance of historical features.

The development would not have any significant impact upon neighbours, air quality or traffic levels and would bring a number of jobs to the site and value to the borOUGH as a diversification and importance facility to the fire Authority.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

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:
PLANS:
External Hardstandings sheet 1 of 4 1805.25 (0) 111 Rev P3

Retaining walls to Fire Street GA Plan 1805.25 (0) 107 Rev P3
 Multi storey building plans sheet 1 of 2 1805.25 (2) 306 Rev P8
 Multi storey building plans sheet 2 of 2 1805.25 (2) 307 Rev P8
 Security Lodge – Proposed plan and Elevations 1805.25 (4) 302 Rev P3
 External hardstandings sheet 3 of 4 1805.25 (0) 113 Rev P3
 External hardstandings sheet 2 of 4 1805.25 (0) 112 Rev P4
 Retaining walls to Fire Street elevations and sections 1805.25 (0) 108 Rev P3
 GA and RC Details of foundation to ship 1805.25 (0) 122 Rev P3
 Unmade areas 1805.25 (0) 205 Rev P2
 Existing buildings 1805.25 (0) 204 Rev P2
 Swept path analysis for 12.4 Hydraulic Inspection platform 7357-003
 Swept Path Analysis for 2.4 Hydraulic Inspection Platform (option 2) 7357-002
 Swept path analysis for Hydraulic Inspection Platform (option 1) 7357-001
 Security Lodge – existing plans and elevations 1805.25 (4) 301 Rev P1
 Elephant Building – existing plans, elevations and sections 1805.25 (3) 301 Rev P2
 Commercial building – section 1805.25 (2) 502 Rev P4
 Fire House – Elevations 1805.25 (2) 407 Rev P4
 Pump house – existing and proposed layouts 1805.25 (0) 302 Rev P2
 Existing and proposed gas meter building layouts 1805.25 (0) 301 Rev P2
 Roads 1805 (0) 208 Rev P2
 External works details 1805.25 (0) 127 Rev P2
 Sundry structures sheet 1 of 2 1805.25 (0) 206 Rev P2
 Below ground foul drainage to community building 1805.25 (0) 126 Rev P1
 Pontoon and access to lodge 1805 (0) 125 Rev P3
 Pontoon and River access 1805.25 (0) 124 Rev P3
 GA and RC details of trench collapse scenario 1805.25 (0) 123 Rev P3
 Community building – Existing elevations 1805.25 (1) 401 Rev P2
 External hardstanding sheet 4 of 4 1805.25 (0) 114 Rev P3
 Domestic terraced level 2 and roof plans 1805.25 (2) 304 Rev P6
 Domestic terrace levels 0 and 1 plans 1805.25 (2) 303 Rev P7
 Ground Improvement layout 1805.25 (0) 109 Rev P3
 Community building – demolition plan 1805.25 (1) 305 Rev P1
 Community building – existing sections 1805.25 (1) 501 Rev P1
 Distressed building scenario 1805.25 (0) 606 rev P2
 USAR area detail 1805.25 (0) 602 Rev P6
 Collapsed structure scenario 1805.25 (0) 607 Rev P2
 Briefing shelter detail 1805.25 (0) 601 Rev P3
 Electrical services – external lighting Isolux plot 96-G-02b Rev B
 Domestic detached 1 plans 1805.25 (2) 301 Rev P7
 Community building – existing floor plan 1805.25 (1) 301 Rev P3
 Commercial detached plans 1805.25 (2) 305 Rev P7
 Proposed site sections 1805.25 (0) 502 Rev P1
 Site plan – proposed signage locations 1805.25 (0) 213 Rev P2
 Existing site sections 1805.25 (0) 501 Rev P2
 Ship scenario 1805.25 (0) 608 Rev P5
 Sundry structures sheet 2 of 2 1805.25 (0) 207 Rev P2
 Rail and tram platform detail 1805.25 (0) 604 Rev P4
 Existing site plan 1805.25 (0) 202 Rev P1
 Electrical services – external lighting tabulated results 96-G-01a Rev B
 Swept path analysis of a 15.0m luxury coach 7935-002 Rev A
 Combined services – MEPH External services layout 96-G-01 Rev C
 Safety centre – ground floor proposal 2342-001 Rev C
 Swept path analysis of a single deck bus 7935-001
 Swept analysis for 12.4 hydraulic platform at Wellington Street viaduct 7357-005
 Swept path analysis for DB32 Fire Appliance (option 2) 7357-004
 Safety centre – first floor proposal 2342-002 Rev C
 Swept path analysis of a 12.0m coach 7935-003
 Industrial fire scenario area 1805.25 (0) 603 Rev P3

Community building proposed ground floor 1805.25 (1)302 rev C1
 Location Plan 1805.25 (0)201 rev P5
 Proposed site drainage layout sheet 1 of 4 1805.25 (0) 115 rev T2
 Proposed site drainage layout sheet 2 of 4 1805 (0)116 rev T2
 Proposed site drainage layout sheet 3 of 4 1805.25 (0) 117 rev T1
 Proposed site drainage layout sheet 4 of 4 1805.25 (0) 118 rev T1
 Domestic bungalow sections 1805.25 (2) 504 rev C1
 Multi storey building sections 1805.25 (2) 503 rev C1
 Section – domestic 1805.25 (2) 501 rev C1
 Elephant building proposed elevations 1805.25 (3) 401 rev C1
 Multi storey building elevations 1 and 2 sheet 1 of 2 1805.25 (2) 405 rev C1
 Multi storey building elevations 3 and 4 sheet 2 of 2 1805.25 (2) 406 C1
 Domestic detached bungalow 2 elevations 1805.25 (2) 402 rev C1
 Domestic detached 1 elevations 1805.25 (2) 401 rev C1
 Community building proposed sections 1805.25 (1) 502 C1
 Domestic detached bungalow 2 plans 1805.25 (2) 302 rev C1
 Community building proposed elevations 1805.25 (1) 402 rev C1
 Domestic terrace elevations 1805.25 (2) 403 C1
 Proposed Masterplan 1805.25 (0) 203 C1
 Community building existing and proposed roof plans 1805.25 (1) 304 C1
 Community building proposed first floor plan 1805.25 (1) 303 C1

REPORTS

Archaeology Assessment Report by University of Salford ref 07/2014;
 GMFRS Community Facility Desk Research Report 16 December 2013;
 Urban Regen Stage 1 & 2 Site Investigation January 2013;
 Environmental Acoustics Report by Cheshire Environmental Associates 9/4/14;
 Extended Phase I Habitat Survey by Middlemarch Environmental Ltd August 2013
 Report Number: RT-MME-114747-01;
 Sanderson Associates Travel Plan ;
 BGH Drainage Design Strategy;
 Exova CFD Analysis Report 302486/AC4561R dated 27/3/14;
 Canal Design and Historical Context Statement 04.04.14;
 GMFRS Planning Submission statement April 2014-08-22;
 Sanderson Associates Flood Risk Assessment ref:7650/DH/001/01 April 2014;
 BGH Structural Assessment of Buildings to be demolished ;
 Sanderson Transport Assessment Ref: 7932/001/01 April 2014;
 BGH Design & Access Statement 25/03/14;
 Archaeological Desk-Based Assessment Matrix Archaeology August 2013 Report
 2013-10 project code MA538;
 Bat Report October 2013;
 Air Quality Impact Assessment report 13038/1 AMEC Environment and
 Infrastructure UK Limited January 2013;
 14.07.02 – LK Group Commentary on Planning Comments – BGH LLP Edit;
 Revised Remediation Strategy Project no. 321733-02 (00) July 2014;
 Shallow Mining Report L0312 SFK (TLC643) April 2014;
 Responses to consultees feedback;
 Coal risk assessment 321733-R03 (00); Ecology report,
 Dunelm Ecology Addendum June 2014;
 Environmental Data in Support of an EIA Screening Opinion April 2014 1381.01.
 and the development shall not be carried out except in accordance with the
 drawings hereby approved.

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

3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted

to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the 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.

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

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

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

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

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

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

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 National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

8. Following the provisions of Condition 4 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and
A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason - To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
9. Prior to the commencement of development, full details of a scheme of educational panels informing visitors about the historic canal-related use of the site and proposals for the restoration of the canal, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust. The approved scheme shall be carried out in accordance with the approved details and approved timescale with the Local Planning Authority.
Reason - To enhance the opportunity for the restoration of the Manchester, Bolton & Bury Canal by increasing awareness in accordance with Policy RT4/7 of the Bury Unitary development Plan.
10. Prior to the commencement of development, full details of the works to excavate the channel of the Manchester, Bolton & Bury Canal to enable the siting of the ship scenario, and all other works to renovate or repair the remaining canal infrastructure including Barlow's Bridge, the canal washwalls and towpath, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust. The works to the canal infrastructure shall be carried out in accordance with the approved details.
Reason - To safeguard the heritage value of the Manchester, Bolton & Bury Canal infrastructure and to allow for the restoration of the canal in accordance with Policy RT4/7 of the adopted Bury Unitary Development Plan.
11. Other than the development hereby approved, no further works within the line of the Manchester, Bolton & Bury Canal as indicated on Historical Context Drawing 1805.25.(0)215) or alterations to the remaining canal infrastructure including Barlow's Bridge, the canal washwalls and towpath, shall be carried out without the approval of the Local Planning Authority in consultation with the Canal & River Trust.
Reason - To safeguard the heritage value of the Manchester, Bolton & Bury Canal infrastructure and to allow for the restoration of the canal in accordance with Policy RT4/7 of the adopted Bury Unitary Development Plan.
12. Demolition works of the northern wall as identified in the Dunelm Ecology Report page 9, para. 3.1.2 October 2013, is likely to cause harm to pipistrelle bats and shall not in any circumstances commence or be removed or altered unless the local planning authority has been provided with either:
 - a) a license issued by Natural England pursuant to Regulation 53, of the Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development go ahead: or
 - b) a statement in writing form the relevant licensing body to the effect that it does

not consider that the specified development will require a license.

Reason - The development has identified that there are likely to be protected bat species utilising part of the site, which should not be affected unless and until appropriate approvals have been provided pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

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

Reason - In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

14. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonia Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) and giant hogweed is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

Reason. To ensure that the site is free from Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape

15. Prior to any earthworks an ecological mitigation and enhancement plan and landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority. The content of the plan should include elements to mitigate for loss of trees shrubs, bird nesting habitat, bat roosting habitat, enhancement of the Irwell Corridor and enhancement of the Mill Pond. The approved plan will be implemented in accordance with the approved details.

The scheme shall include the following elements:

- detail extent and type of new planting including landscape schedule largely based on native species.
- detail of all retained soft landscaping within site boundary.
- details of long term maintenance and management regimes, including adequate financial provision and named body responsible for management plus production of detailed management plan
- details of any new habitat created on site i.e., new species rich grasslands.

Reason - In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

16. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the extension hereby approved being brought into use.

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.

17. Prior to the commencement of development a scheme shall be submitted that provide details of provisions and shelters for cycle parking, two wheeled motorised vehicle parking and a scheme for directional traffic signage from the A58 Bolton road. The approved details shall be implemented and be available for use before the development is brought into use.
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.
18. Prior to the commencement of development a scheme relating to the enhancement of the waiting restrictions on Wellington Street and in the vicinity of the operational site access shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented and be available for use before the development is brought into use.
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.
19. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Sandersons (ref: 7650/DH/001/01) and the following mitigation measures detailed within the FRA:
1. Provision of a sustainable surface water drainage system based on soakaway/infiltration as outlined in the drainage strategy by BGH.
 2. Provision of an evacuation plan to the satisfaction of the LPA in accordance with section 9 of the FRA..
 3. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

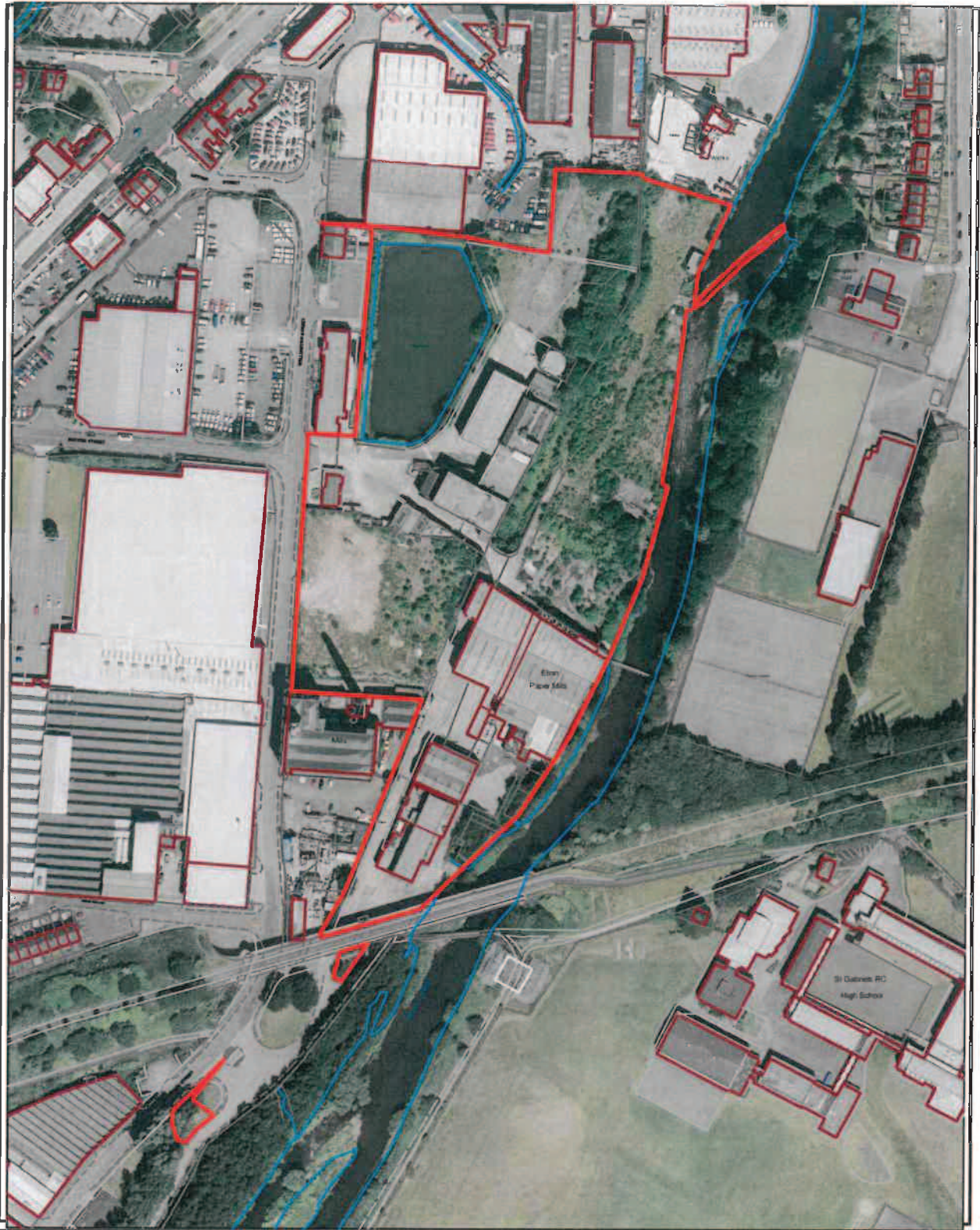
Reason - To reduce the increased risk of flooding and pursuant Chapter 10 of the National Planning Policy Framework and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk.

20. No development shall take place until a scheme for the provision and management of an 6 metre wide buffer zone alongside the River Irwell shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from new built development including lighting; and could form a vital part of green infrastructure provision. The schemes shall include:
- *plans showing the extent and layout of the buffer zone*
 - *details demonstrating how the riparian buffer zone and ecological network will be protected during development and preferably enhanced as part of scheme design.*
 - *details of any proposed new structures, retaining walls, river access areas, footpaths, fencing, lighting etc.*

Reason - Land alongside river corridors is particularly valuable for wildlife and it is essential this is protected pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

21. No development shall take place until the applicant or their agents or their successors in title have secured the implementation of a programme of archaeological works. The programme is to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the local planning authority. The WSI shall cover the following:
1. A targeted archaeological watching brief during development ground works
 2. A programme for post investigation assessment to include:
 - analysis of the site investigation records and finds
 - production of a final report.
 3. Provision for an information board to dissemination to disseminate the results of the site investigation.
 4. Provision for archive deposition of the report, finds and records of the site investigation.
 5. Nomination of a competent person or persons/organisation to undertake the programme set-out within the approved WSI.
- Reason - To record and advance the understanding of the significance of the historic building fabric/ below ground remains for archival and research purposes pursuant to In accordance with NPPF paragraph 141 and 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.

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



PLANNING APPLICATION LOCATION PLAN

APP. NO 57475

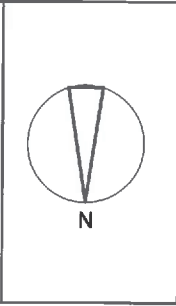
**ADDRESS: Land At Wellington Street
Bury**



Planning, Environmental and Regulatory Services 1:1250

(C) Crown Copyright and database right (2011). Ordnance Survey 100023063.

status
PLANNING



P3	RED LINE BOUNDARY ADJUSTED TO SOUTH OF SITE	MC	16.03.14
P4	RED LINE BOUNDARY ADJUSTED SOUTH OF PRODUCT	MC	06.04.14
P5	RED & BLUE LINE BOUNDARIES ADJUSTED	MC	03.04.14
P2	RED LINE & BLUE LINE BOUNDARIES ADJUSTED, OPENING EXPANDED TO COVER MORE AREA	SMT	19.03.14
P1	INITIAL ISSUE	SMT	16.12.13
	revision	by	date

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Belper BL1 1PR
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BGH
Architects
Consulting Engineers
Quantity Surveyors

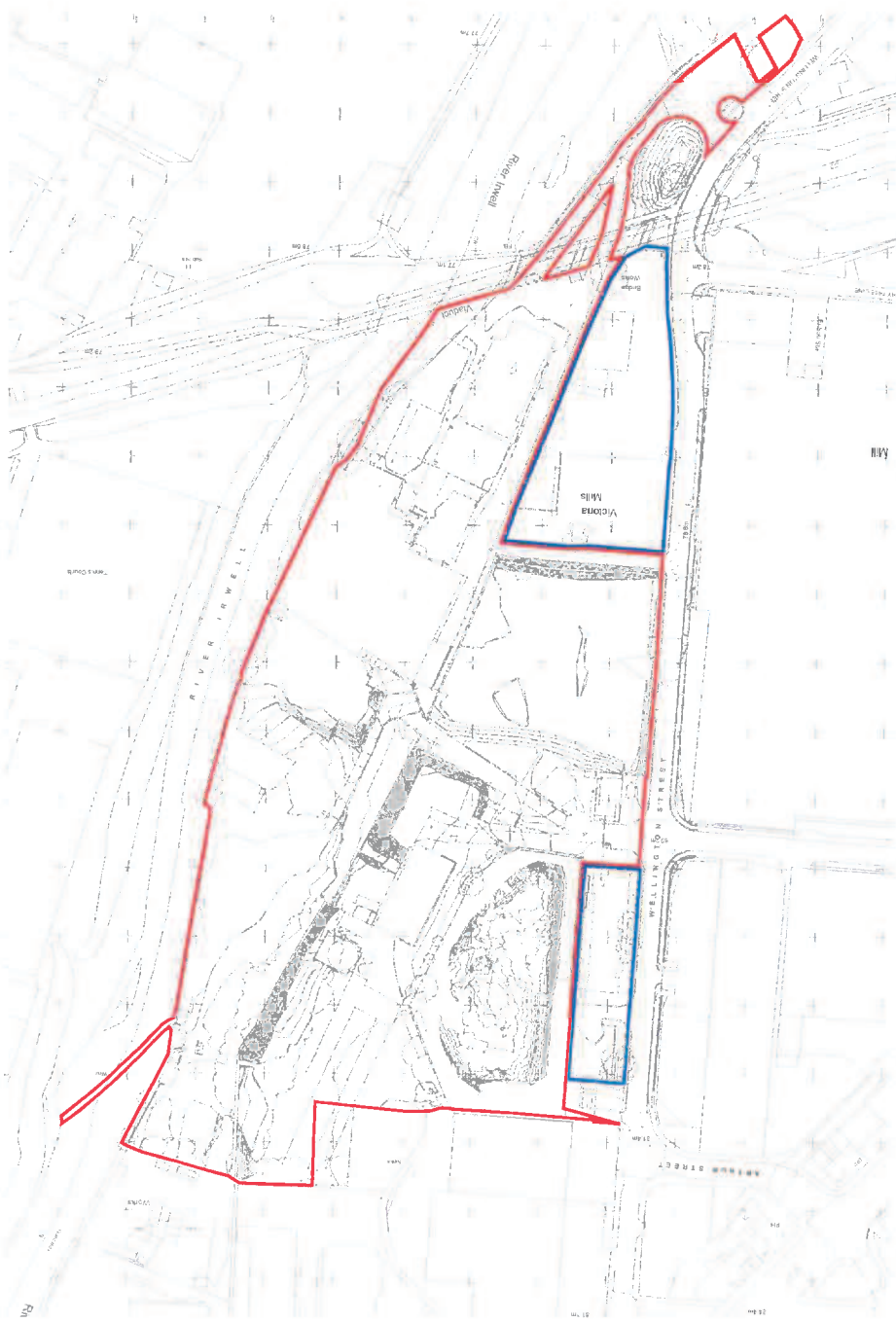
Bradshaw Gass & Hope LLP

client
KIER CONSTRUCTION (NORTHERN)

project
OPERATIONAL TRAINING & COMMUNITY SAFETY CTR. FOR GMFRS

drawing
LOCATION PLAN

drawn	SMT	date	27.11.13
approved		date	
scale	1:1250		
drawing no	rev		
1805.25.(0)201	P5		
dept.	ARCHITECTURAL		

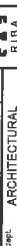


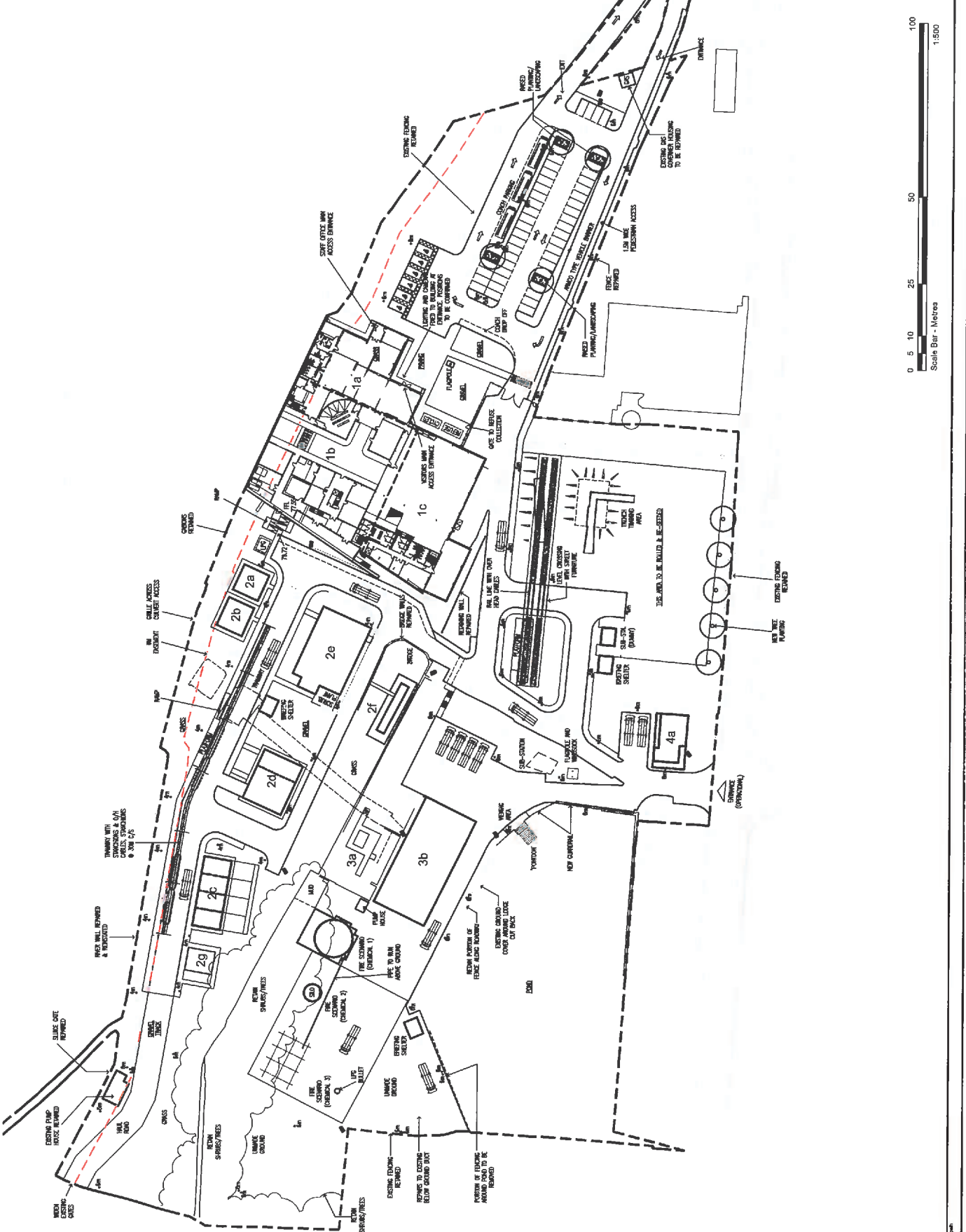
Schedule of Buildings	
Area 1	
14	Workshop
15	Home Shop
16	Recreation
17	Recreation
18	Recreation
19	Recreation
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100	Recreation

CONSTRUCTION

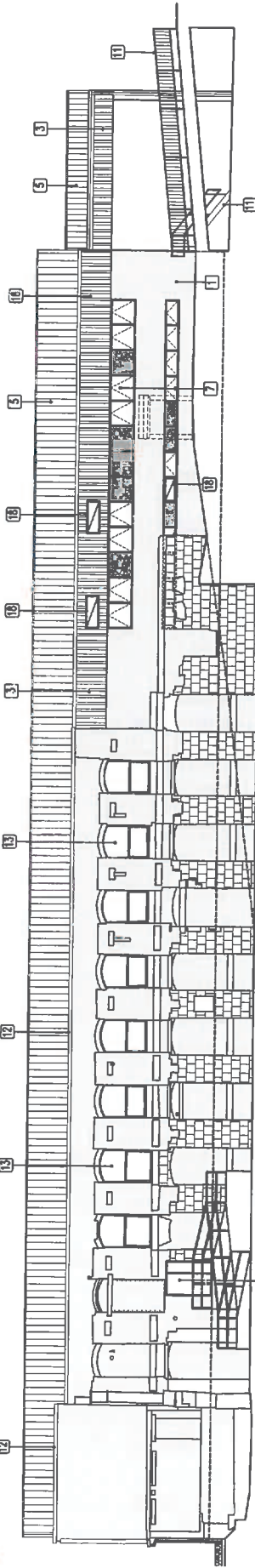
KIER CONSTRUCTION (NORTHERN)

OPERATIONAL TRAINING & COMMUNITY SAFETY CTR. FOR GMFRS

Client	Bradshaw Gass & Hope LLP
Project	Operational Training & Community Safety Ctr. for GMFRS
Drawing	Site Plan
Proposed Masterplan	
Drawn	GMFR
Checked	GMFR
Scale	1:500
Drawing No	1805-25-0203 C1
Revision	A1
	

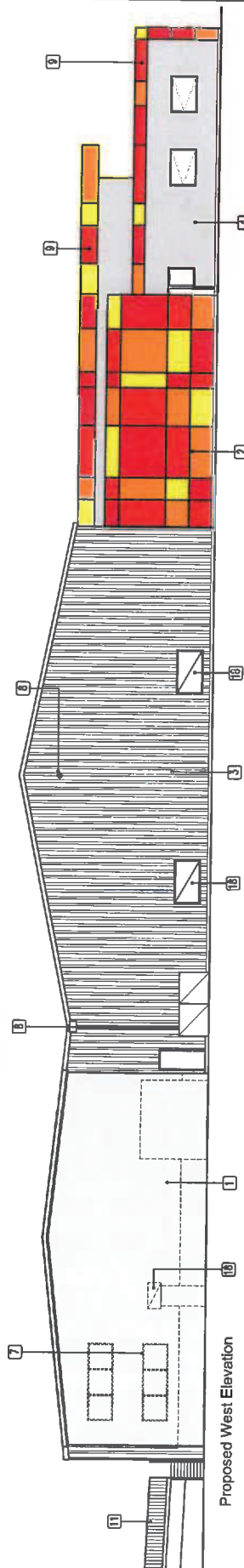


Item	Description
1	Existing Party Brickwork (red good when new)
2	New Trade Tile Cladding
3	New Full 107 Thermal/Full Cladding
4	Insulation Right to existing Bricks
5	New Composite Roof Cladding
6	Crackle Walling
7	PVC Cladding (vertical Ribbed Windows With
8	Decorative Lights
9	UPVC Window Frames & Sills
10	Grey Calcium Silicate Panels
11	Brickwork & Tiles to be retained
12	Existing Brickwork to be removed and replaced with new Cladding
13	Existing brickwork to be removed and replaced with new Cladding
14	Existing brickwork to be removed and replaced with new Cladding
15	Existing brickwork to be removed and replaced with new Cladding
16	New floor Lights
17	PVC Insulated panels (horizontal with frame)
18	New Louvers
19	Insulation to be removed up and new door
20	New Full Foundation



NOTE: SEE DRG NO. 1805.25(0)150 FOR HERITAGE WALL TREATMENT DETAILS

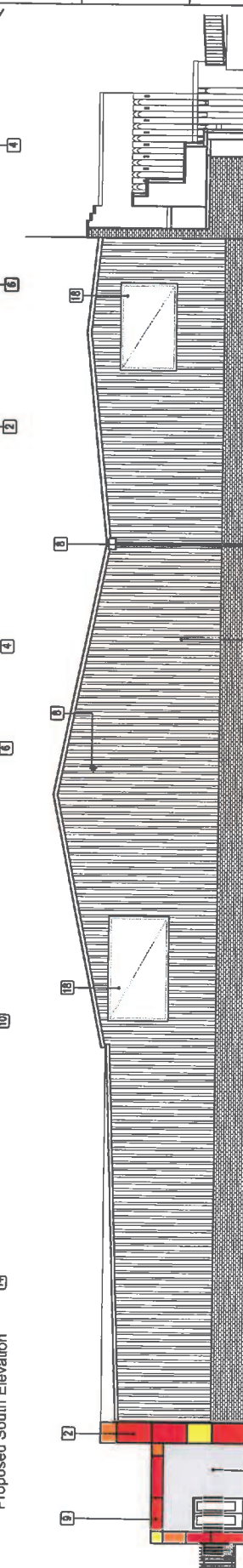
Proposed North Elevation



Proposed West Elevation



Proposed South Elevation



Proposed East Elevation

CONSTRUCTION

Materials Legend

Item	Description
1	Existing Party Brickwork (red good when new)
2	New Trade Tile Cladding
3	New Full 107 Thermal/Full Cladding
4	Insulation Right to existing Bricks
5	New Composite Roof Cladding
6	Crackle Walling
7	PVC Cladding (vertical Ribbed Windows With
8	Decorative Lights
9	UPVC Window Frames & Sills
10	Grey Calcium Silicate Panels
11	Brickwork & Tiles to be retained
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16	New floor Lights
17	PVC Insulated panels (horizontal with frame)
18	New Louvers
19	Insulation to be removed up and new door
20	New Full Foundation

BRADSHAW GASS & HOPE LLP

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enquiries@bradshawgass.com

Client
KIER CONSTRUCTION
(NORTHERN)

Project
OPERATIONAL TRAINING &
COMMUNITY SAFETY CTR.
FOR GMFRS

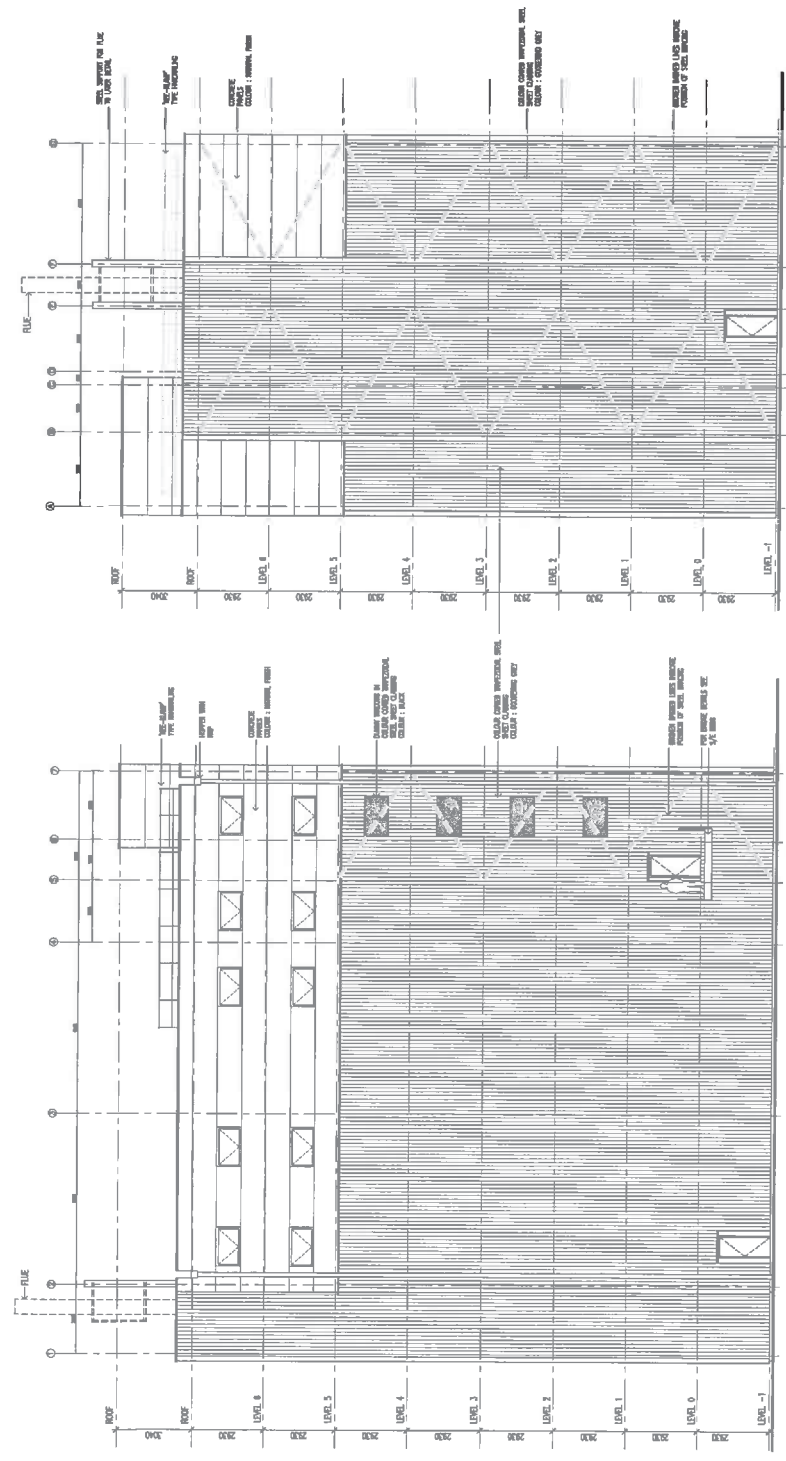
Drawing
COMMUNITY BUILDING
PROPOSED ELEVATIONS

Scale: 1:100

Drawing No: 1805.25(1)402 C1

Architect: BRADSHAW GASS & HOPE LLP





Elevation 1

Elevation 2

SPECIFICATION NOTES

EXTERNAL JOISTS
HANGS GALV STEEL SHEET PANELS WITHIN STEEL FRAMEWORK FINISH T.G.C.

INTERNAL JOISTS
200mm DEEP 800mm CAST IN-SITU SUSPENDED CONCRETE SLAB
SLAB TO BE FINISHED WITH 10mm FLOORING
14 TYP. SUSPENDING TIMBER DOGS WITH 4mm PLYWOOD FINISH

WALLS
HANGS GALV STEEL SHEET PANELS WITHIN STEEL FRAMEWORK FINISH T.G.C.

ROOF
150mm INSULATION
150mm CONCRETE FINISH WITH 50mm REND BOND INSULATION LAD TO
1201 FALL TO DRAIN 50mm SLOPED LAD ON INSULATION WITH 20mm ASPHALT
FINISH TYPICAL

FRAMES / WINDOWS / DOORS
COLOR COATED GALVANNEED PRESSED STEEL LAPPING TO FINISH

INTERNAL WALLS
COLOR COATED GALVANNEED STEEL COMPACT FINISH T.G.C.

SMALL BELIEF
SMALL BELIEF ARE TO BE OBTAINED FROM ARCHITECT ROOMS/SKETCHES WITH
THE DRAWING.

INTERNAL DOORS
ALL INTERNAL & ELECTRICAL BUILDING SERVICES ARE TO BE PROVIDED & DETAIL
BY SPECIALIST CONTRACTOR. SEE SCHEDULE DRAWINGS / SPECIFICATIONS FOR
DETAILS.

EXTERNAL WALLS
COLOR COATED STEEL THICKNESS, PROFILE, COLOR: CHECKING
CONCRETE PANELS TO UPON LADERS WITH SHOWN COLOR: BRIC

INTERNAL WALLS
PRE-CAST CONCRETE PANELS (M IS D 845-2)

INTERNAL WALLS
INTERNAL WALLS GENERALLY
FINISH (UPON JOINT) WITH SHOWN COLOR.

INTERNAL FLOORING
200mm DEEP REEF ROLLER CORE PRECAST CONCRETE SLABS

INTERNAL ROOF
200mm DEEP REEF ROLLER CORE PRECAST CONCRETE SLABS
14 TYP. SUSPENDING TIMBER DOGS WITH 4mm PLYWOOD FINISH

INTERNAL WALLS
HANGS GALV STEEL SHEET PANELS WITHIN STEEL FRAMEWORK FINISH T.G.C.

INTERNAL WALLS
HANGS GALV STEEL SHEET PANELS WITHIN STEEL FRAMEWORK FINISH T.G.C.



client
KIER CONSTRUCTION
(NORTHERN)

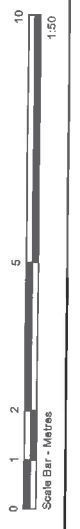
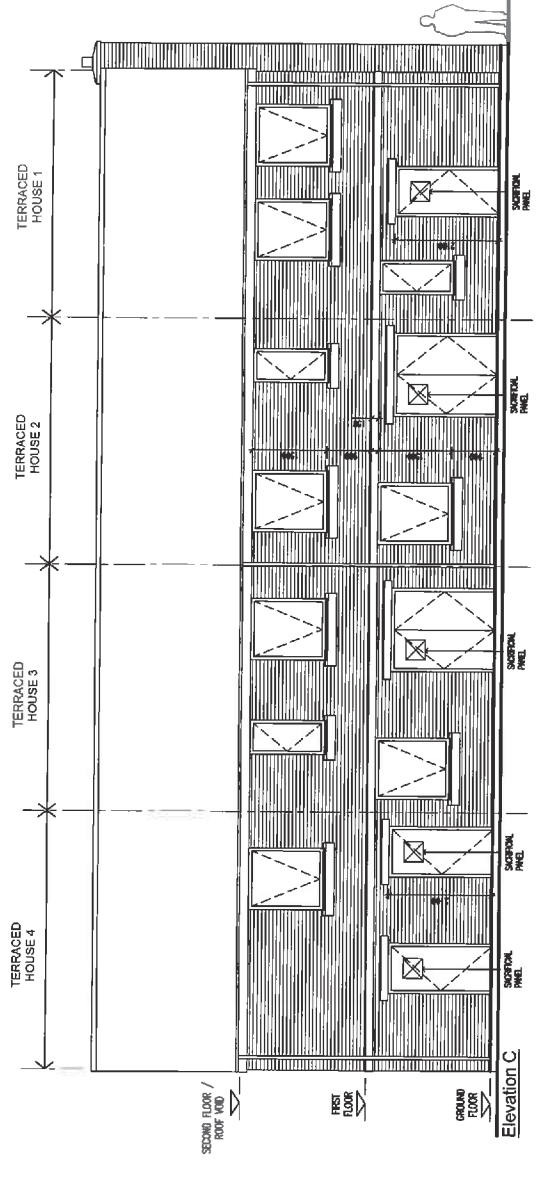
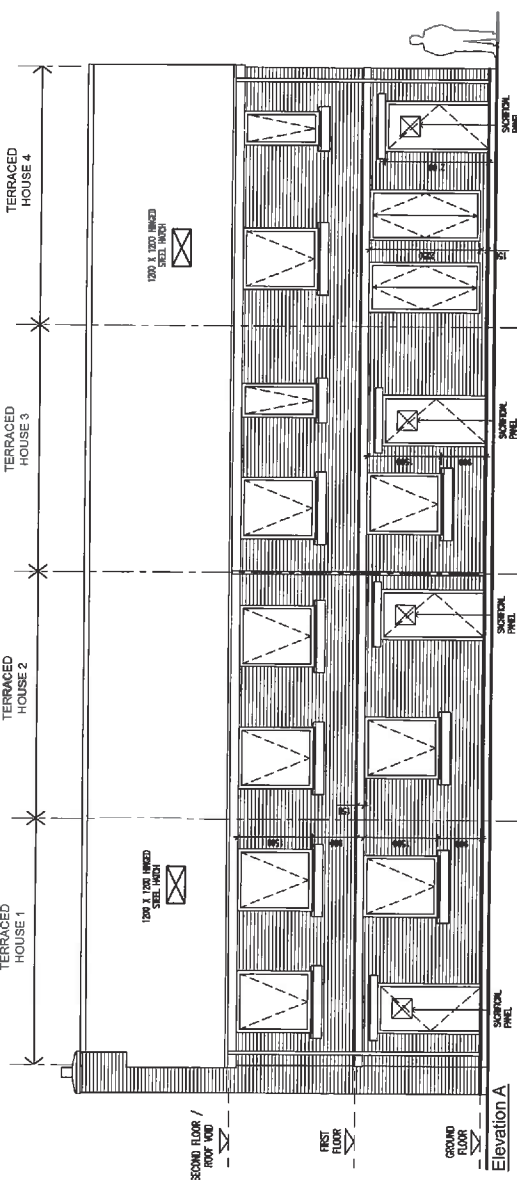
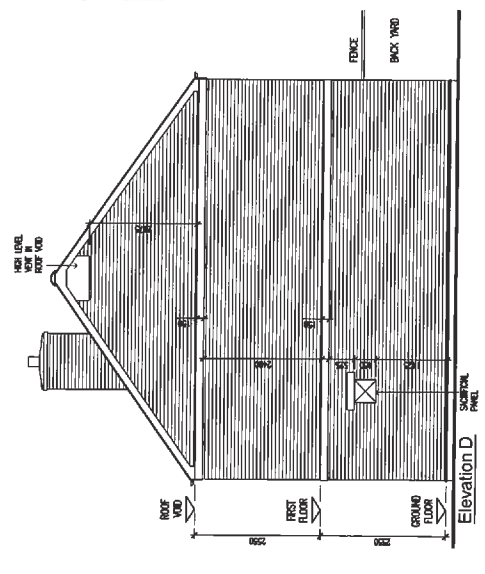
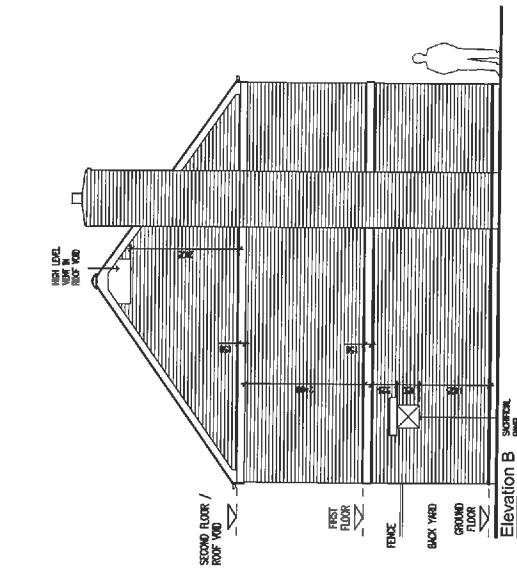
project
OPERATIONAL TRAINING &
COMMUNITY SAFETY CTR.
FOR GMFRS

drawing
ELEVATIONS
MULTI-STOREY BUILDING
SHEET 1 of 2

drawn	MC	date	20.06.11
approved		date	

1:100
drawing no
1805.25.(2)405
C1
A1
RIBA
ARCHITECTURAL

CONSTRUCTION	
FOR SPECIFICATION NOTES REFER TO PARTS 1805.25.(2)301	
DATE	1805.25.(2)301
PROJECT	OPERATIONAL TRAINING & COMMUNITY SAFETY CTR. FOR GMFRS
CLIENT	KIER CONSTRUCTION (NORTHERN)
ARCHITECT	BRADSHAW GASS & HOPE LLP
SCALE	1:50
DRAWING NO.	1805.25.(2)403
REV.	C1
DATE	
BY	JA
CHECKED	JA
DATE	
SCALE	1:50
PROJECT	OPERATIONAL TRAINING & COMMUNITY SAFETY CTR. FOR GMFRS
CLIENT	KIER CONSTRUCTION (NORTHERN)
ARCHITECT	BRADSHAW GASS & HOPE LLP
SCALE	1:50
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REV.	C1
DATE	
BY	JA
CHECKED	JA
DATE	



CONSTRUCTION

status

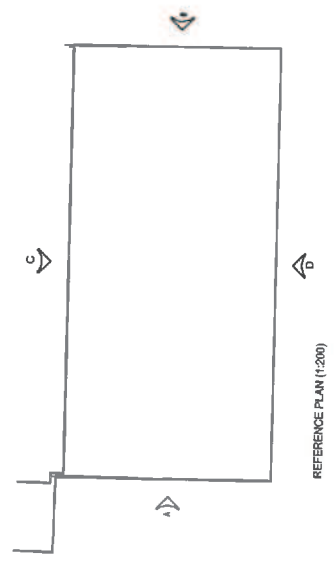
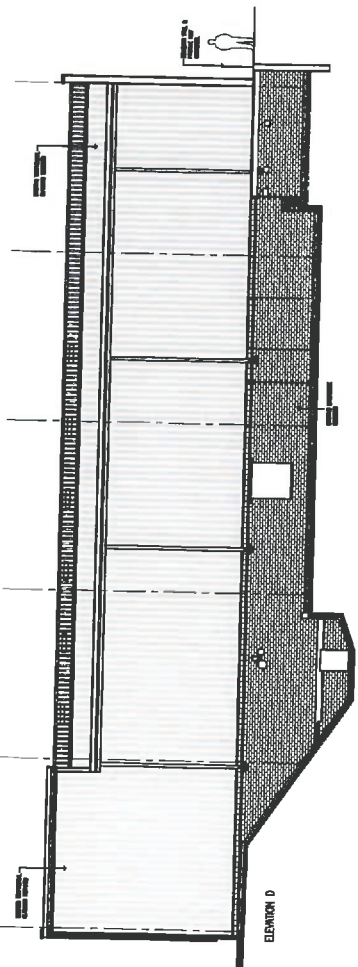
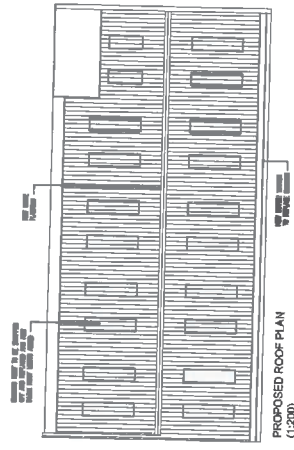
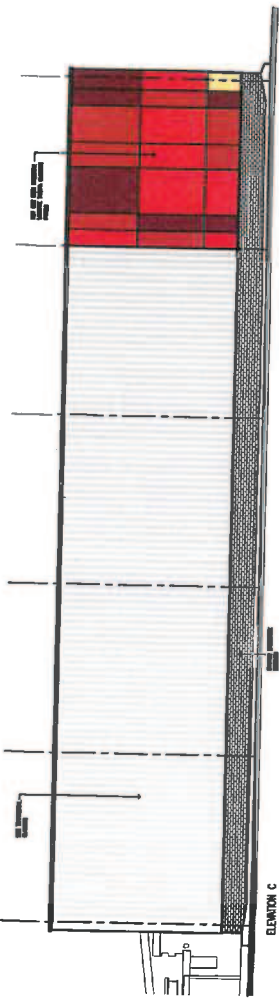
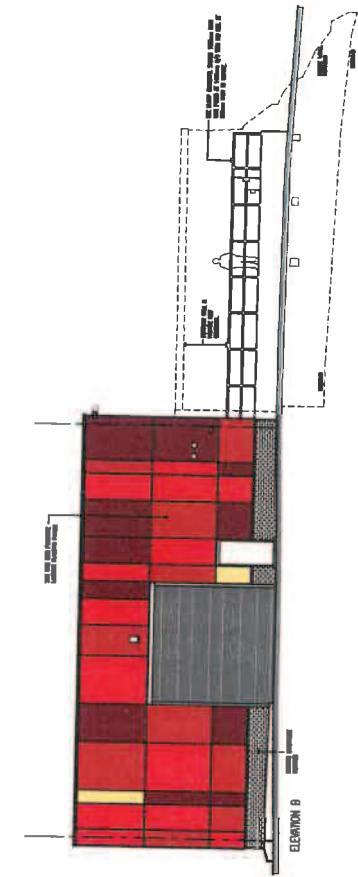
no.	description	date	by	check

19 Skirwell Street
 Belper DE11 1PR
 Tel: 01293 52221
 Fax: 01293 52222
 email: info@bradshawgass.com

Bradshaw Gass & Hope LLP

Architects
 Consulting Engineers
 Quantity Surveyors

client	KIER CONSTRUCTION (NORTHERN)	
project	OPERATIONAL TRAINING & COMMUNITY SAFETY CTR. FOR GMFRS	
drawing	ELEPHANT BUILDING PROPOSED ELEVATIONS	
drawn	MS	27/05/11
approved	date	
scale	1:100	
drawing no	1805.25.(3)/401	
rev	C1	
auth	RIBA	
discipline	ARCHITECTURAL	



Rev 10/11

PLANNING

DATE																				
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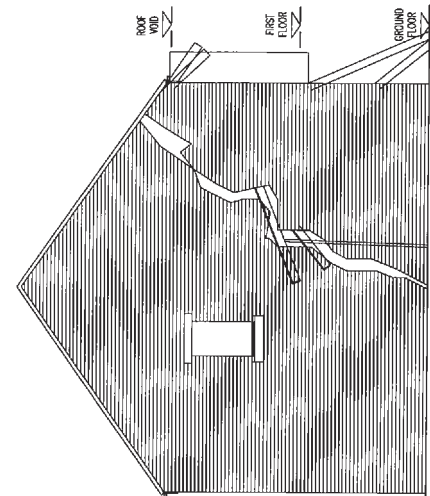
PROJECT	OPERATIONAL TRAINING & COMMUNITY SAFETY CTR. FOR GMFRS
CLIENT	KIER CONSTRUCTION (NORTHERN)

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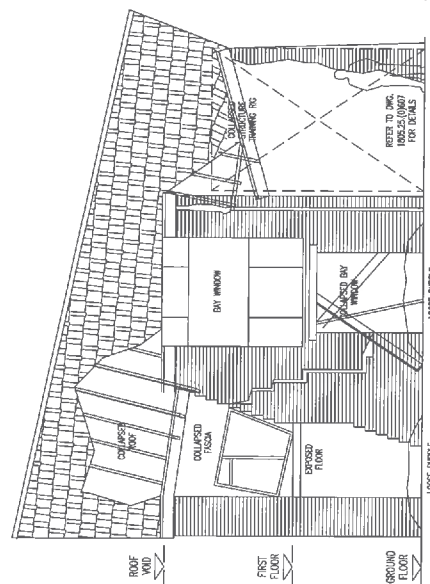
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CLIENT	KIER CONSTRUCTION (NORTHERN)
PROJECT	OPERATIONAL TRAINING & COMMUNITY SAFETY CTR. FOR GMFRS
DRAWING	DISTRESSED BUILDING SCENARIO

DATE	DATE	DATE	DATE
15.12.14	15.12.14	15.12.14	15.12.14

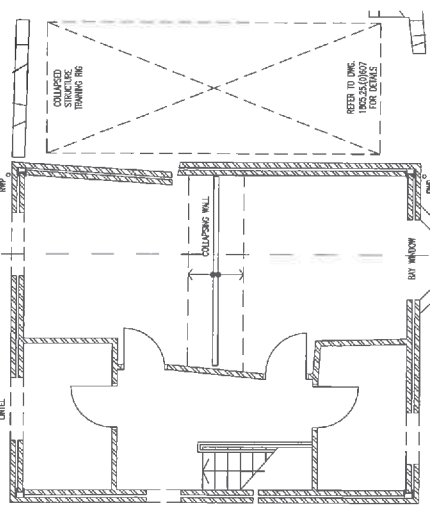
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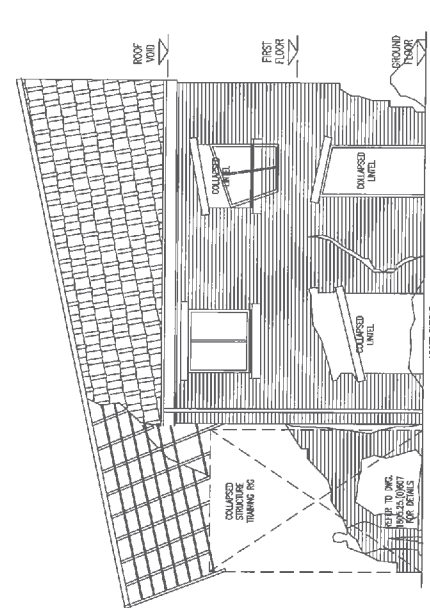
Elevation A



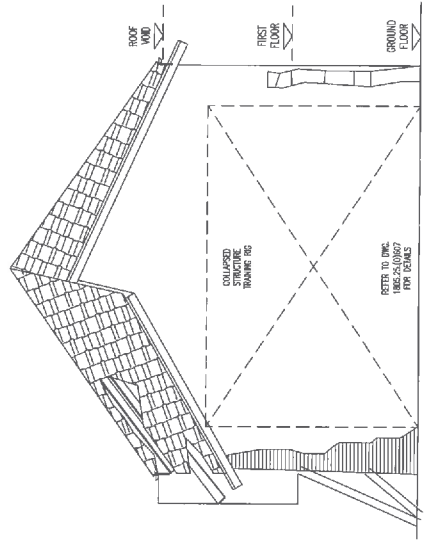
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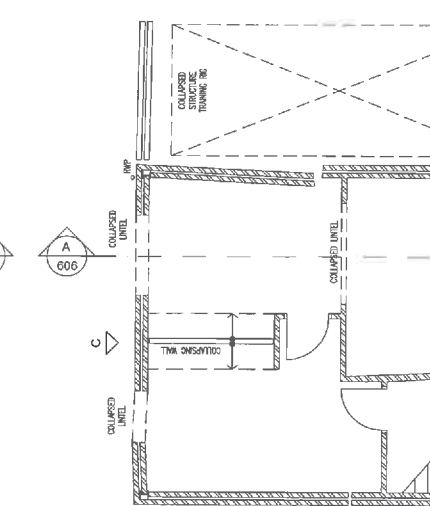
Level 1



Elevation C



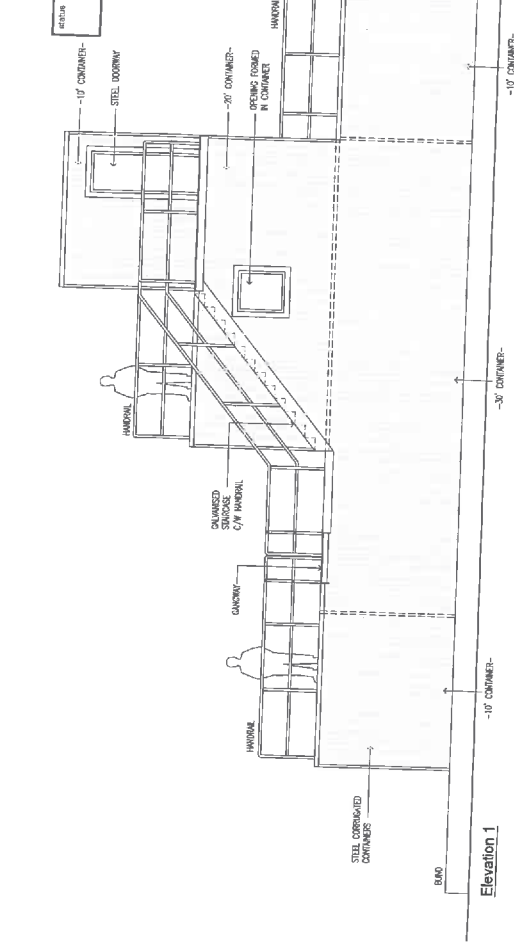
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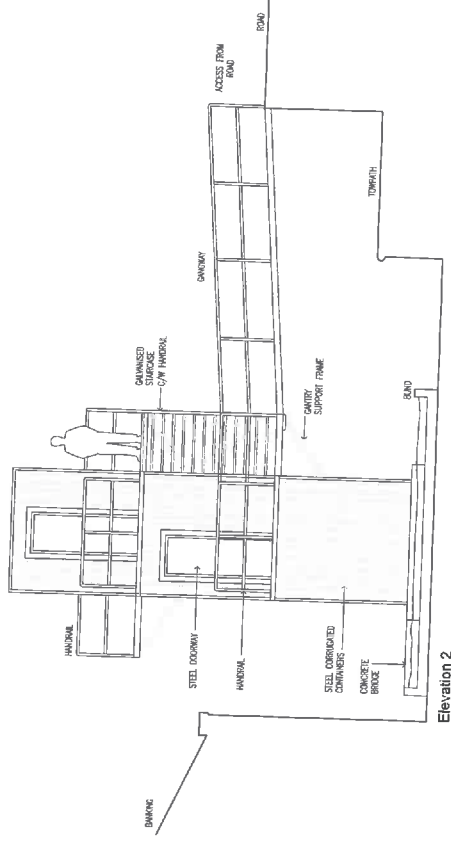
Level 0



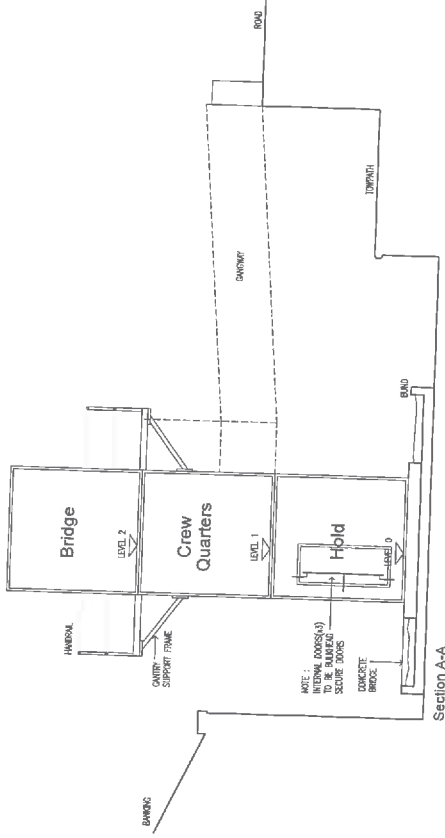
PLANNING



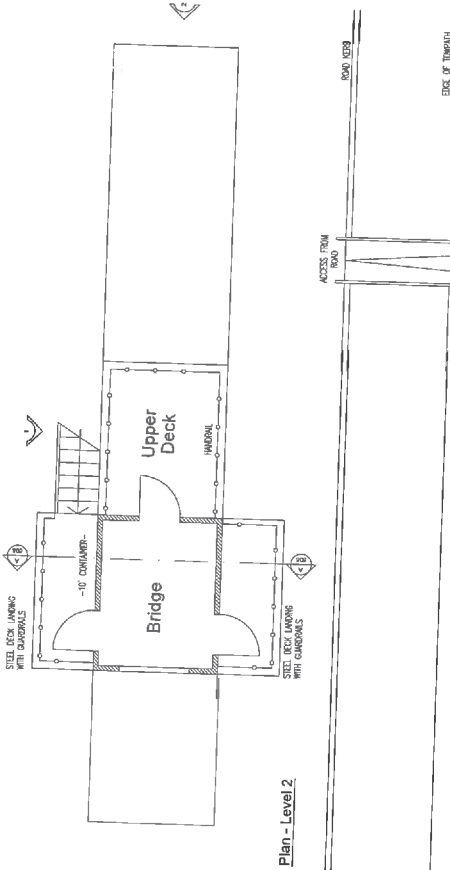
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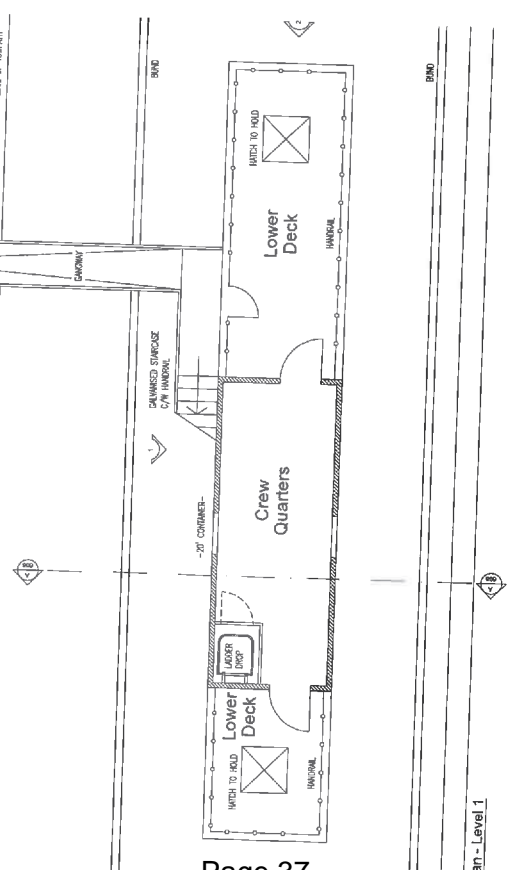
Elevation 2



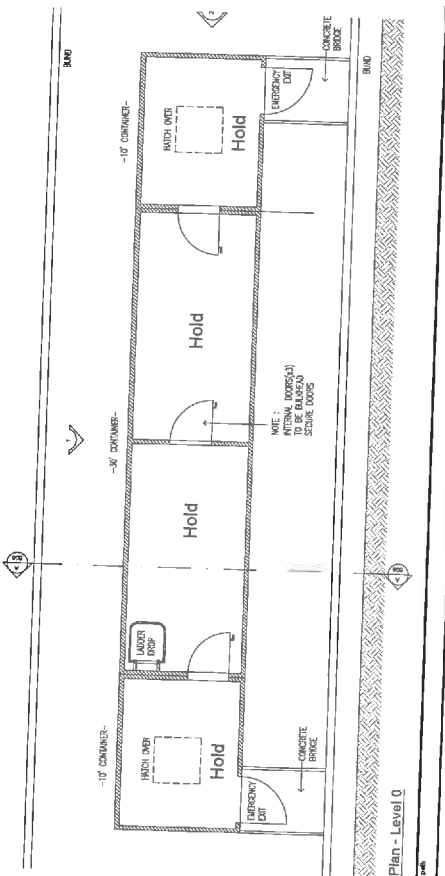
Section A-A



Plan - Level 2



Plan - Level 1



Plan - Level 0

15	BRIDGE TO BE CONCRETE	MC	REBUILT
16	REINFORCING STEEL	MC	REBUILT
17	ACCESS FROM ROAD	MC	REBUILT
18	CONCRETE BRIDGE	MC	REBUILT
19	STEEL DOORWAY	MC	REBUILT
20	HANDRAIL	MC	REBUILT
21	STEEL CORRUGATED CONTAINERS	MC	REBUILT
22	CONCRETE BRIDGE	MC	REBUILT
23	STEEL DOORWAY	MC	REBUILT
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25	STEEL CORRUGATED CONTAINERS	MC	REBUILT
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98	CONCRETE BRIDGE	MC	REBUILT
99	STEEL DOORWAY	MC	REBUILT
100	HANDRAIL	MC	REBUILT

100 St. James Street
 Dublin D01 X9K5
 T: 01204 693321
 F: 01204 526669
 E: info@bradshaw.co.uk
Bradshaw Gass & Hope LLP

client: **KIER CONSTRUCTION (NORTHERN)**

Project: **OPERATIONAL TRAINING & COMMUNITY SAFETY CTR. FOR GMF&RS**

drawing: **SHIP SCENARIO**

scale: **1:50**

drawing no: **1805.25.01608**

rev: **P5**

sheet: **A1**

DATE: **03.03.14**

APPROVED: [Signature]

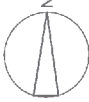
DESIGNED: [Signature]

DRAWN: [Signature]

STRUCTURAL

SCALE

FOR PLANNING



NOTES

DO NOT SCALE FROM THE DRAWING. ANY DIMENSIONAL DISCREPANCIES TO BE REPORTED TO THE ENGINEERS.

THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL ARCHITECTS DRAWINGS AND SPECIFICATIONS.

ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE RELEVANT SPECIFICATIONS AND BRITISH STANDARDS.

THE CONTRACTOR SHALL ENSURE THE STABILITY OF THE BUILDING AND ANY ADJOINING STRUCTURES IS MAINTAINED AT ALL STAGES OF CONSTRUCTION. THE CONTRACTOR SHALL TAKE NECESSARY MEASURES TO MAINTAIN AND MAINTAIN ANY NECESSARY TEMPORARY WORKS.

TO DRAWING REVISIONS & NOTES ADDED	DATE	BY
PT 1: RAIL LAYOUT, SLURGE TO BE BLOCKED UP	16/03/14	ARC
PT 2: RAIL LAYOUT	16/03/14	ARC
PT 3: RAIL LAYOUT	16/03/14	ARC
PT 4: RAIL LAYOUT	16/03/14	ARC
PT 5: RAIL LAYOUT	16/03/14	ARC
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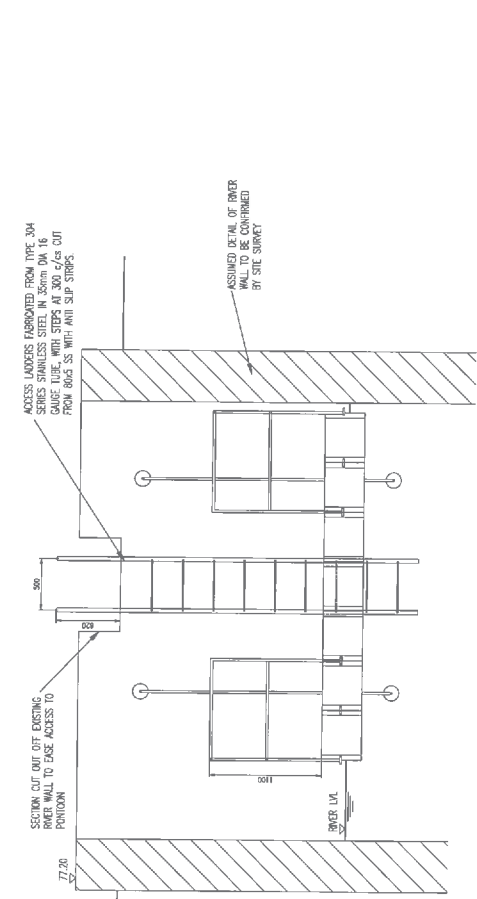
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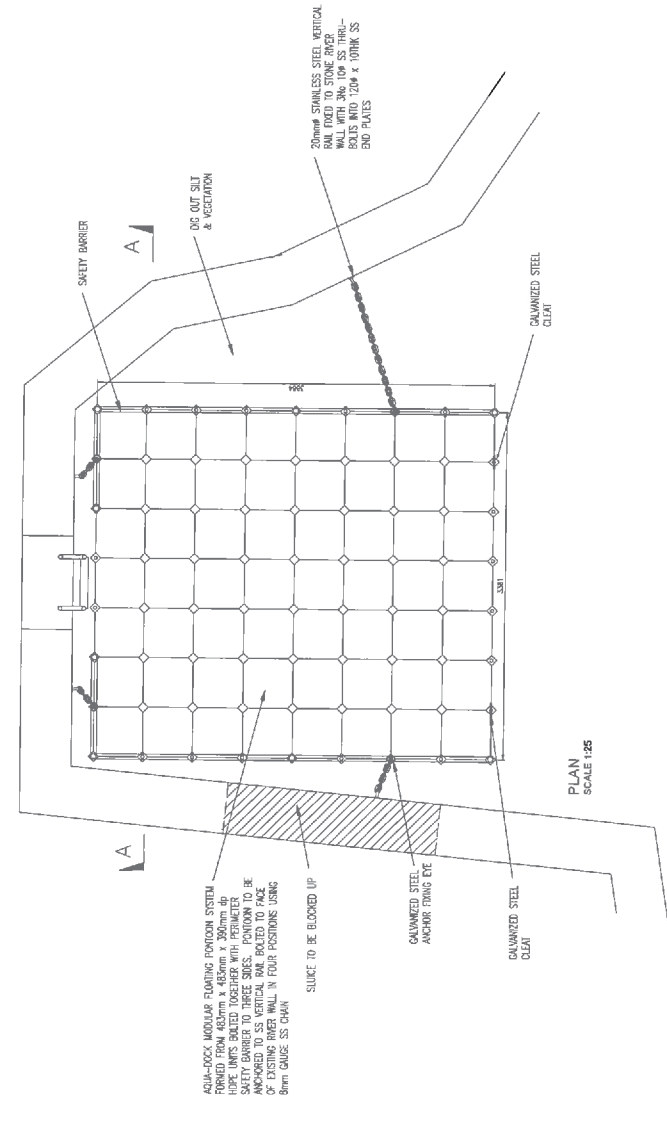
Project
OPERATIONAL TRAINING & COMMUNITY SAFETY CTR. FOR GMF&S

drawing
PONTOON & RIVER ACCESS

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SECTION A-A
SCALE 1:25



PLAN
SCALE 1:25

Ward: Ramsbottom + Tottington - Tottington

Item 02

Applicant: The Enterprise Centre Ltd

Location: Land at Kirklees Lodges, Garside Hey Road, Bury, BL8 4LT

Proposal: Community asset and education centre for environmental awareness including stables (equine therapy), paddock, car park and education centre/clubhouse

Application Ref: 57703/Full

Target Date: 22/08/2014

Recommendation: Approve with Conditions

Description

The site comprises part of a field adjacent to Kirklees Lodge some 0.11ha in area.

The field is bounded by an unadopted road that links Brandlesholme Road to the Kirklees Trail, the Greenmount Bird Sanctuary and the Kennels and Stables for the Hunt as well as a number of residential properties and farmers fields. This unadopted road also contains Footpath No.44, Tottington. The principal vehicle access to the site will be along this road although there are other pedestrian access points to the site, via Kingsbury Close and other statutory footpaths.

The frontage to the site is formed by a timber rail fence with a gate that serves the existing informal car park on the site that is used by the anglers who use the Kirklees Lodge for fishing. The western boundary is formed by the lodge itself and the eastern boundary by a 4m high field hedgerow. The northern boundary opens on the remained of the field to which the site forms part. The site slopes down from north to south towards the road and east to west towards the lodge in the south east corner. The fall across the site is 1.5m. The site is located on one of the main access points to the Kirklees Valley, Kirklees Trail and is located on the edge of the associated Local Nature Reserve.

The proposal is for the site to be used for a social enterprise project that will bring together the existing angling use on the site with outdoor recreation in terms of the stables use and environmental education in terms of awareness of the natural environment and the significance of this area to informal outdoor recreation. It will be jointly operated by The Naturally Enterprising project and Bury District Anglers Society.

The proposal is to build two timber buildings, one a stables 15m long for 4 ponys and store together with a similar sized building to be jointly used by the enterprise as a training/education room and fisherman's room with yard area for the ponys between the two buildings. These two buildings, together with a separate composting toilet will be located close to the lodge on the western end of the site. To the east of the building block, a small paddock is proposed 15m square. Between the buildings and paddock and fronting onto the road, an extension to the existing car park is proposed and to be formed from of natural materials. It will contain a turning area to allow vehicles to enter and leave the site in forward gear, a passing place close to the entrance on the road and 2 disabled parking spaces with 16 additional spaces.

Relevant Planning History

'The Ranch' was the original social enterprise project located some 150m from the site on the Tottington village side of the Kirklees River.

Publicity

29 Neighbouring properties at 46 to 72 Kingsbury Close, Brandlesholme Hall Farm Cottage, Brandlesholme Old Hall Farm, Brandlesholme Old Hall, Brandlesholme Hall, Brandlesholme Hall Farm, Old Mews, 1 - 3 Old Mews, 1 - 5 Ivy Cottages, Hunt Kennels and Green Mount Wild Bird Sanctuary were written to on the 27th June 2014 and 12 objections have been

received from 46, 48 x 2, 52, 54, 57, 70 x 2, 72, 117 Kingsbury Close, 1, 3 Old Hall Mews, 1, 5 Ivy Cottages and The Farmhouse, Old Hall Mews and these can be summarised as follows:

- Potential vehicular conflict with the horses, pedestrians and other traffic using the road
- Parking on verges blocking the road
- Not necessary and other sites could be found in existing premises
- Potential for increased traffic on the Miller Brook Estate which is already over crowded with vehicles
- Vehicular access from Miller Brook Estate is hazardous due to its steep incline
- The existing passing place developed as part of the Miller Brook Estate has no signage and is used by anglers
- Unadopted road is unsuitable for most types of vehicles and increased use will exacerbate problems
- Who is going to pay for the maintenance of the lane?
- The proposal is a security risk when the premises are un-attended
- No risk assessment policy has been submitted for children visiting the site
- The applicant has not demonstrated an ability to run the project
- The application contravenes UDP and Green Belt Policies
- The proposal will have an adverse impact on ecology
- Loss of privacy to properties on Kingsbury Close from overlooking
- There are too many parking spaces
- There are not enough parking spaces

2 letters of support have been received from 32 Cockey Moor Road and Communities and Wellbeing Department, Bury Council and their comments can be summarised as follows:

- The existing work carried out with the Enterprise Centre clearly demonstrates a beneficial impact of the participants particularly with developing new skills, motivation and an understanding of the natural environment and animals.
- The applicant has a proven track record of working with young people and enhancing the lives of the people who attend her courses.

All parties who have made representations have been informed of the Planning Control Committee.

Consultations

Traffic Section - No objections subject to a condition on additional passing places to be provided along the vehicular access to the site.

Drainage Section - No comments received.

Environmental Health Contaminated Land/ Air Quality - No objections subject to standard conditions.

Environmental Health Pollution Control - No objections

Public Rights of Way Officer - No objections subject to a condition on additional passing places to prevent vehicular pedestrian conflict.

Greater Manchester Ecology Unit - No objections subject to a condition requiring a 'environmental construction method statement' to be submitted.

United Utilities - No objections

Unitary Development Plan and Policies

OL1	Green Belt
OL5/2	Development in River Valleys
EN6/4	Wildlife Links and Corridors
RT3/2	Additional Provision for Recreation in the Countryside
NPPF	National Planning Policy Framework
EN6/2	Sites of Nature Conservation Interest LNR's
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
OL1/2	New Buildings in the Green Belt
OL4/7	Development Involving Horses

OL6/1	New Uses and Development of the Countryside
RT3/3	Access to the Countryside
RT3/4	Recreational Routes
HT5/1	Access For Those with Special Needs

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Principle

Green Belt - The site is located within the Green Belt and as such it needs to be assessed against both National and Local Policies. The land in question is already used as informal parking for the Bury and District Angling Club and has a redundant stables from a previous 'horsiculture use' and as such its use for outdoor recreation is established, consequently the principle concern is the development of the new buildings on the site. Consequently Paragraph 89 of the NPPF is of pivotal importance. This makes it clear that new buildings in the Green Belt are inappropriate unless they meet one of the exceptions. One of these being 'provision of appropriate facilities for outdoor sport, outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purpose of including land within it'. The stables, paddock and facilities for the anglers clearly fall into this category and as such buildings on the site can be appropriate providing their impact will preserve the openness of the Green Belt. As such the proposal accords with both the NPPF and Unitary Development Plan Policy OL1.

Visual Amenity - The proposed buildings are to be of timber construction and of a type that is common in rural settings. They have a low ridge height of 3m and the timber construction is appropriate will blend in with the surrounding area. The buildings are set well into the site and are screened by the high hedgerow to the east. Because of the difference in levels and garden fences to the properties on Kingsbury Close, they will not be readily visible from these properties and when viewed from the east, across the Kirklees Lodge, they will be viewed with the back drop of the high field hedgerow. As such the buildings will not impact adversely on the openness or character of the Green Belt and are acceptable. As such the proposal conforms with the NPPF and Unitary Development Plan Policies OL1/2 - New Buildings in the Green Belt, RT3/2 - Additional Provision for Recreation in the Countryside and OL4/7 - Development involving Horses

Access - The application has been supported by a Travel Plan although the scale and type of development would not statutorily require its submission. The plan demonstrates that the applicant has carefully considered how the site will be accessed by vehicular traffic and pedestrians. While it is possible to access the site through the Miller Brook Estate this is not the route that the centre will use for vehicular access. The application includes the road from Brandlesholme Road to the site within its application areas as the principal access. This is currently the access used by the Hunt and Greenmount Bird Sanctuary which are located to the west of the site as well as serving a number of residential properties. The site will continue to be used by anglers and the new car park arrangements will mitigate the need for anglers to either park on the road or in the Miller Brook Estate and as should improve the current situation. Having assessed the travel plan the proposed use of the centre for outdoor recreational purposes, the intensity of use of the road by both cars and minibuses, which will be the principal method of transport to the centre for visitors, will amount to 340 movements a year and a similar number for the staff who will be encouraged to car share, a total of 680 movements over 170 days or 4 movements a day in terms of normal operation, over and above the anglers usage which is already established. The travel plan has clearly identified the need for alternative arrangements to be made for

managing vehicles should the centre be used for events such as fishing competitions and 'open days' and as such it is not considered that the additional traffic on the road would be such as to warrant refusal of the application. As such the proposal conforms with Unitary Development Plan Policy RT3/3 - Access to the Countryside, RT3/4 - Recreational Routes and OL6/1 - New Uses and Development in the Countryside.

Access to those with special needs - The development is designed so as to provide access for all the site and would have 2 disabled parking spaces immediately adjacent to the stables with level access throughout the buildings. As such the proposal accords with Unitary Development Plan Policy HT5/1 - Access for those with Special Needs.

Public Footpath - The road also incorporates a public right of way and as such the potential for vehicular pedestrian conflict. The general configuration of the road means that vehicles only travel at low speeds and along much of the roads length there are ample opportunities for vehicles and pedestrians to pass without conflict. In addition there are a number of wider sections of the road that act as informal passing places for vehicles which further mitigate against conflict with pedestrians. However, two areas have been identified by the highways team where additional informal passing places will need to be created by trimming of overgrown hedges and 'stoning;' of the highway verge. The applicant has indicated that they would accept a condition requiring these to be provided and as such a condition is recommended and has been included. As such the proposal would accord with Unitary Development Plan Policy HT6/2 - Pedestrian Vehicular Conflict and RT3/3 - Access to the Countryside.

Parking/Servicing - The existing car park is currently not demarcated. The proposed car park will have 2 disabled parking spaces and 16 laid out other vehicular parking spaces. The Council has no set standards for this type of use but given that the lodge has a maximum of 12 pegs for fishing and that each angler comes by car this will mean that 4 spaces plus the disabled spaces will be available for visitors to the Enterprises centre. Given the Travel Plan and assessment of vehicular movements, this will mean that the proposed parking should be adequate for the development. As such the proposal would accord with Unitary Development Plan Policy HT2/4 - Car Parking and New Development.

Residential Amenity - The vehicular access from Brandlesholme Road to the site passes a number of residential properties but given the frequency of vehicular movements it is not considered that these will be so detrimental to residential amenity so as to warrant refusal of the application. In terms of the properties on Kingsbury Close, the formalisation of traffic arrangements for the fishing lodge and the centre should mean that the disturbance from vehicular movements and parking on the estate, should be mitigated. While the use of the road at the end of the gardens of these properties will generate some disturbance it is not considered that it would be so great as to be a material consideration. The proposed new buildings are located over 30 m from the rear garden fences of these properties and this accords with the distance requirements set out in SPG 10 for Equestrian Development separation from residential properties. As such it is considered that the proposal will not impact so greatly on the residential amenity of these properties as to warrant refusal. As such the proposal would accord with Unitary Development Plan Policy OL6/1 - New Uses and Development in the Countryside and OL4/7 - Development Involving Horses.

Ecology - The application was supported by a Design and Access Statement that looked at this issue. In addition Greater Manchester Ecology Unit was consulted on the proposed development. They assessed the scheme independently and have stated 'The proposed development is adjacent to part of the Kirklees Brook Site of Biological Importance (SBI). Although the development will only directly affect a small part of the SBI there will be indirect effects arising from increased public use of the site. However, given the type of facility planned and the expected uses of the site for raising environmental awareness and for environmental education I would not consider that the planned-for relatively low-key use of the site will be substantively harmful to the special nature conservation value of the SBI. I therefore have no objections to the proposal on nature conservation grounds.' It is recommended that a condition be imposed on any consent granted requiring a

environmental construction method statement to be submitted. As such the proposal would accord with Unitary Development Plan Policy EN6/2 - Site of Nature Conservation Interest.

Objections - The principle issues concerning compliance with policy, access, pedestrian vehicular conflict, parking, visual and residential amenity as well as ecology have been dealt with in the report above. The maintenance of the road is a matter for the owners of the road and not a consideration in this application. The issue of the need for the proposal and the experience of the operators of the site are not material planning considerations. Regarding security, these buildings are similar to many agricultural and or equestrian buildings built in the countryside. As such an advisory is recommended to be imposed on the application that the applicant should seek the advice of the Greater Manchester Policies Secure by Design Unit and implements any recommendations that they may have regarding this issue.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

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 Drawing No. 1, 2 and 2/2A 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 the policies of the Bury Unitary Development Plan listed.
3. Prior to the commencement of works on the site a scheme demonstrating to provision of two informal passing places on the unadopted highway between the site and Brandlesholme Old Hall Farm, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented before the development is first brought into use.
Reason. To ensure good highway design in the interests of road safety and to accord with Unitary Development Plan Policy HT6/2 - Pedestrian Vehicular Conflict.
4. No development approved by this permission shall be commenced until a environmental construction method statement has submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the commencement of works on site and maintained during the construction period.
Reason. To preserve and protect the Local Nature Reserve/SBI and to accord with Unitary Development Plan Policy EN6/2 - Sites of Nature Conservation Interest (LNR's and Grade B and C SBI's)
5. The parking and passing place indicated on the submitted plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use.

Reason. To ensure good highway design in the interests of road safety and to accord with Unitary development Plan Policy HT2/4 - Car Parking in New Development and HT6/2 - Pedestrian Vehicular Conflict.

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

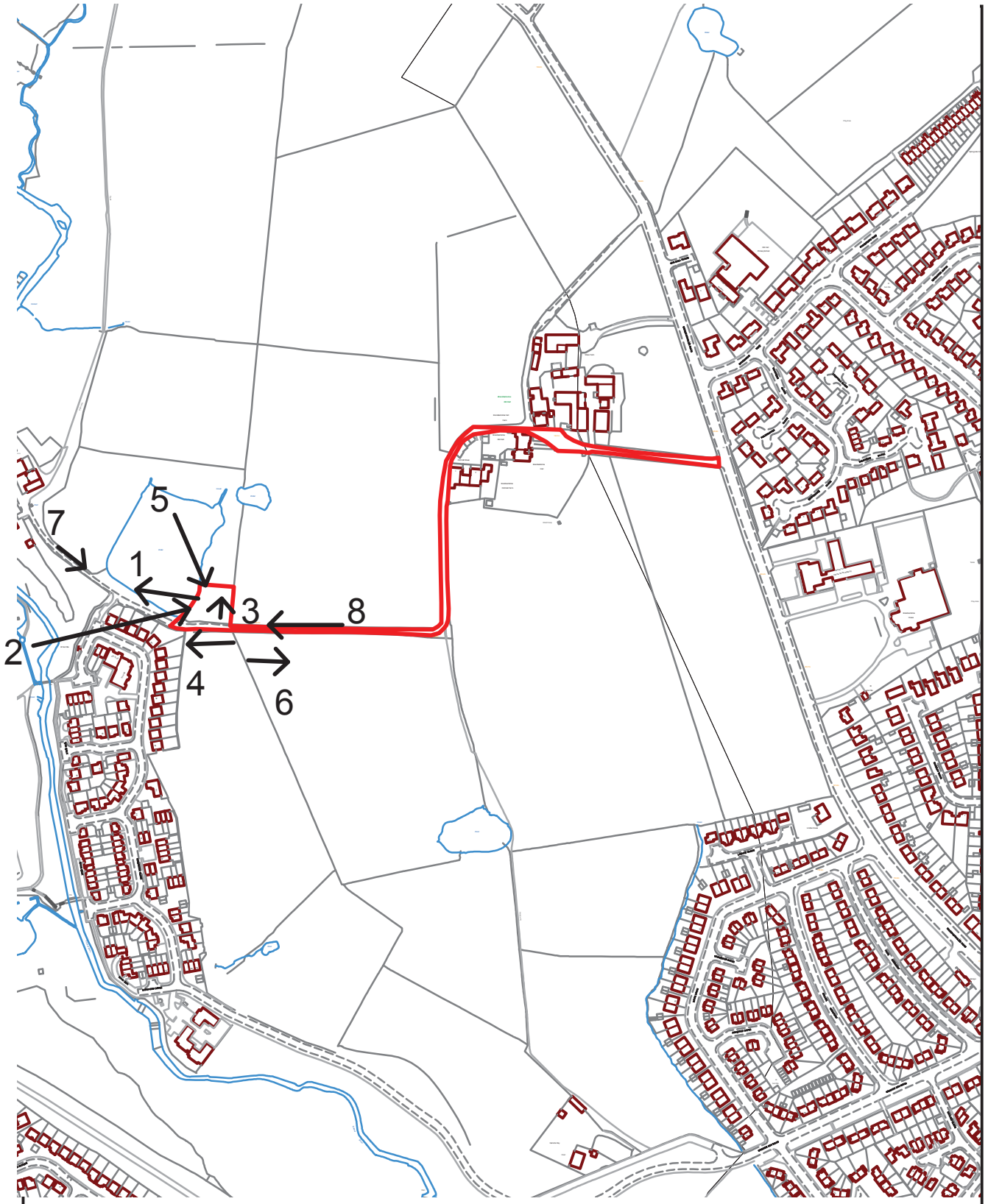
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

7. Following the provisions of Condition 6 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and
A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 57703

ADDRESS: Land at Kirklees Lodges, Garside Hey Road
Bury



Bury
COUNCIL

Planning, Environmental and Regulatory Services **1:1250**

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Photo 1



Photo 2



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Photo 3



Photo 4



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Photo 5



Photo 6



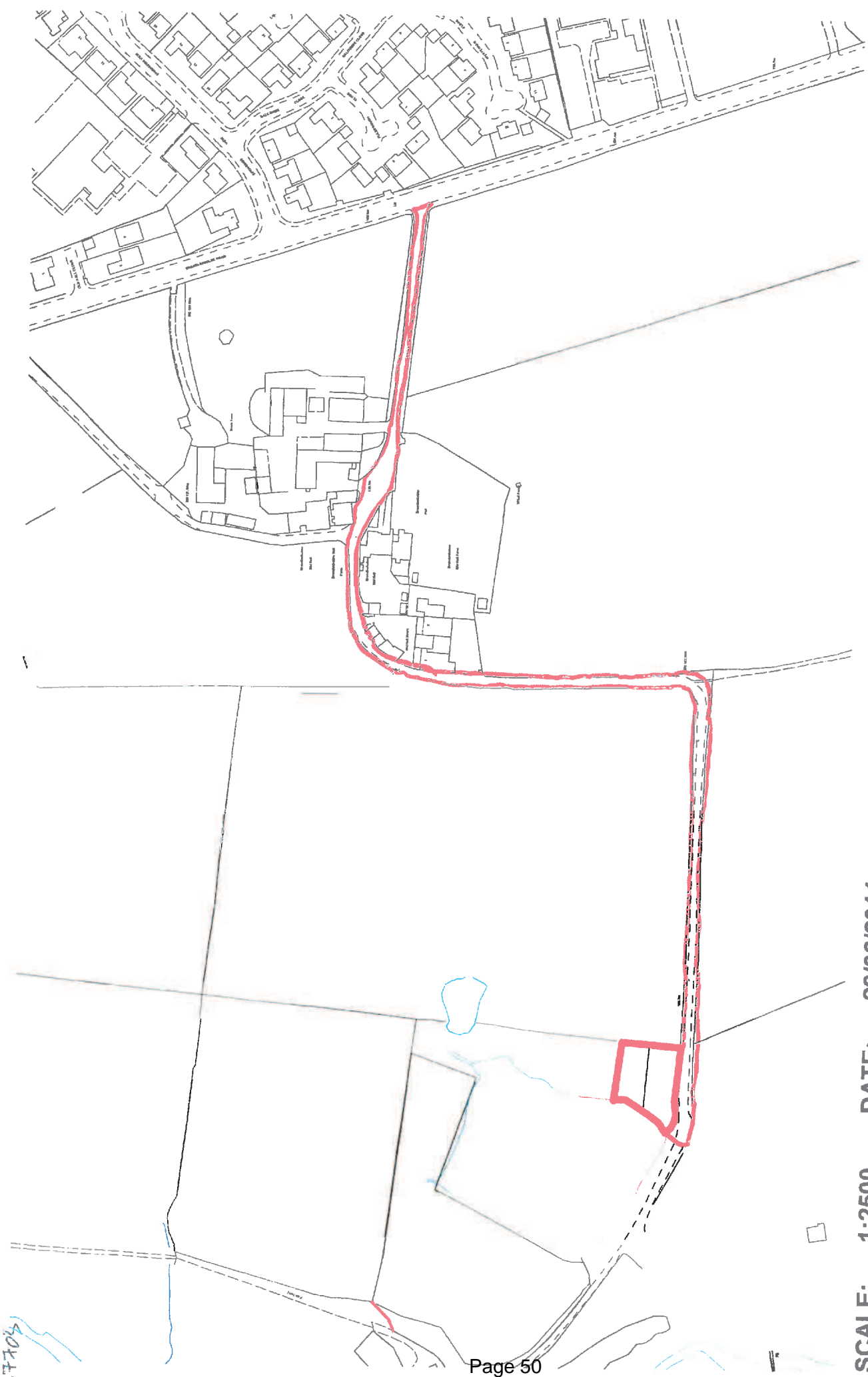
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Photo 7



Photo 8



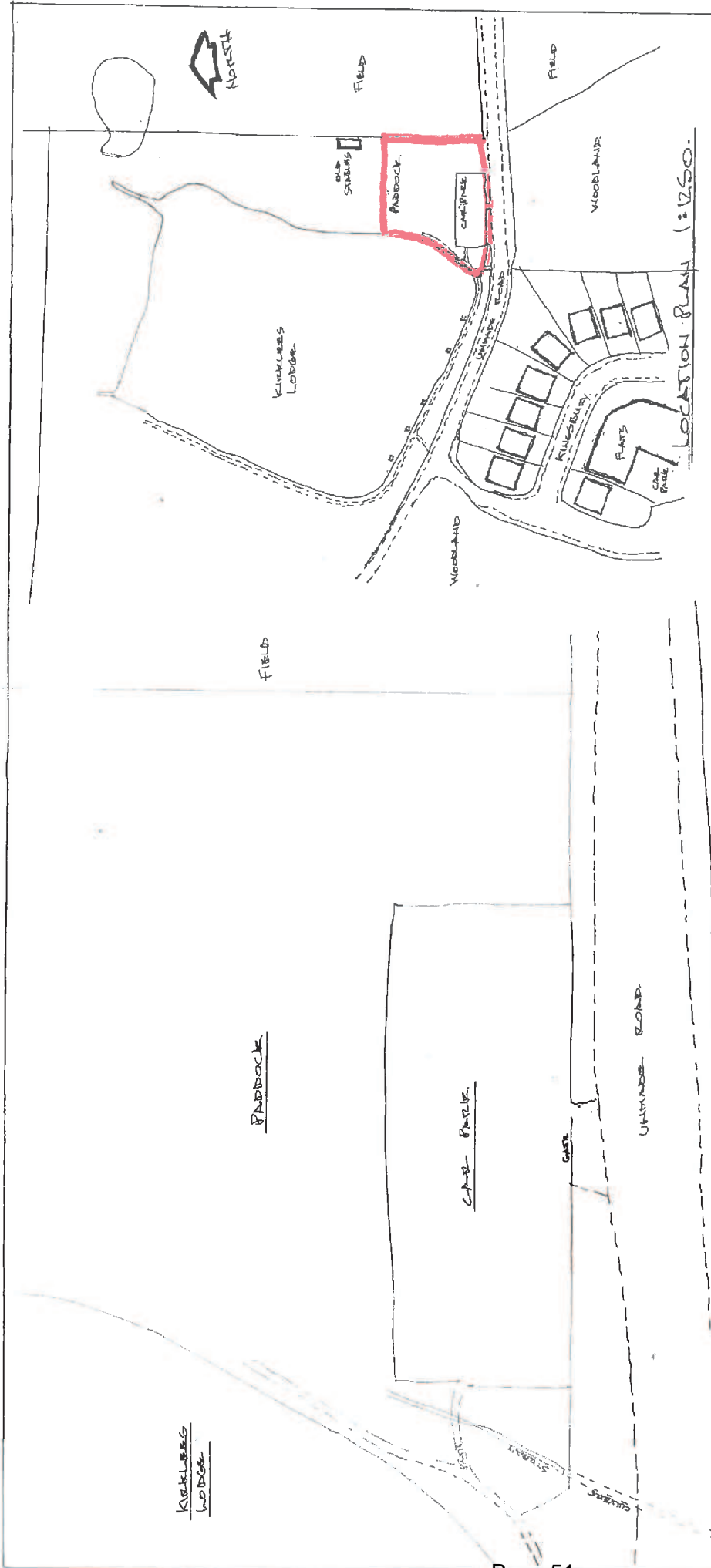



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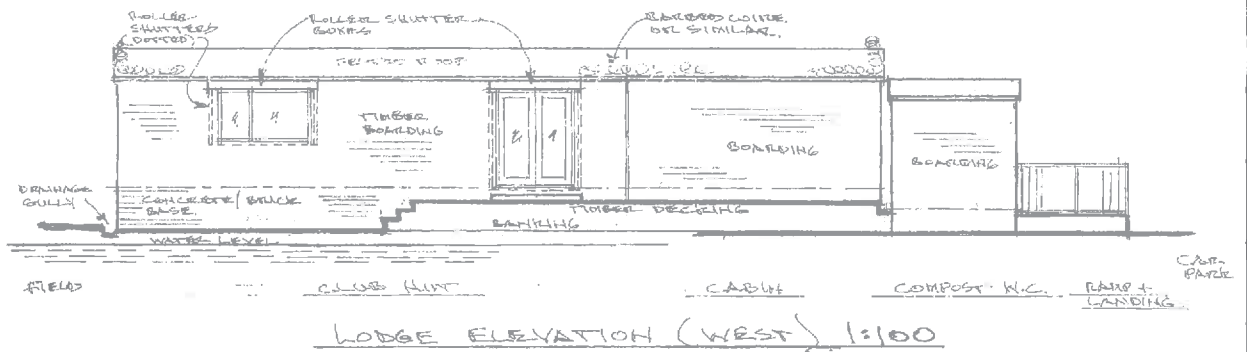
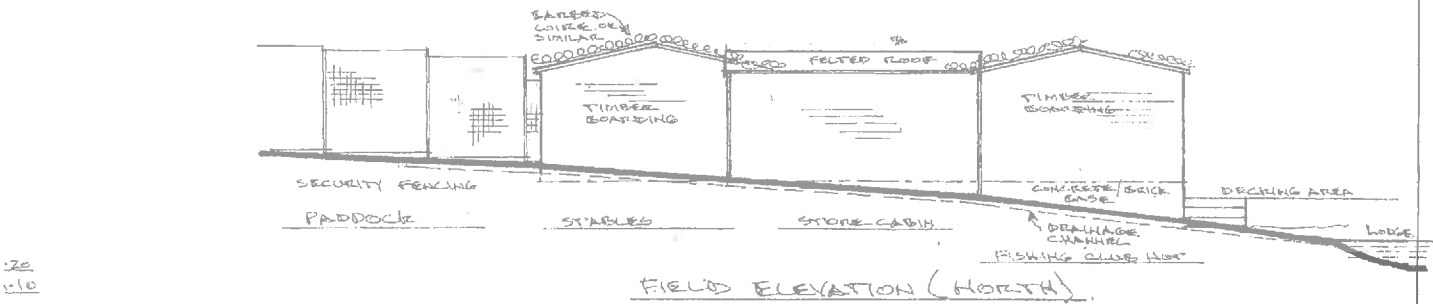
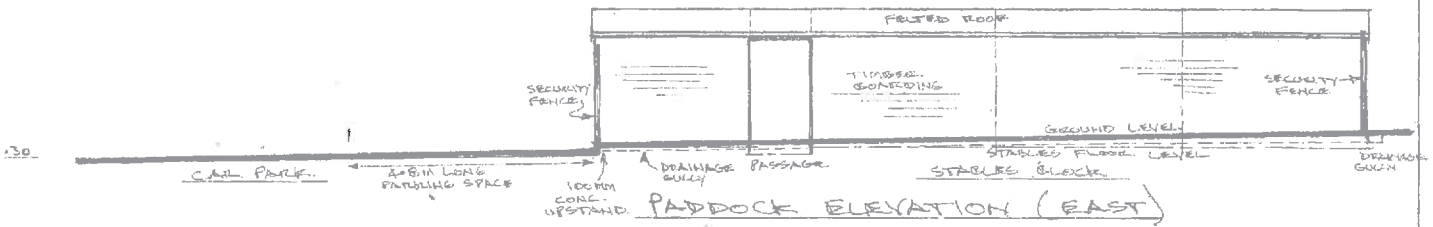
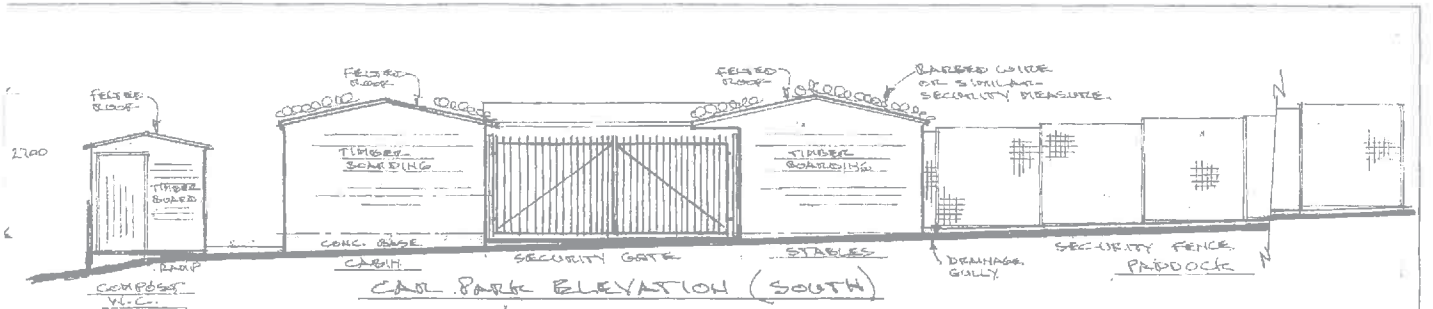
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57103



Architectural & Building Services NEIL BUTTERWORTH Tel: 01204 865618 Mobile: 07786 275483 89 Higher Almsworth Road, Radcliffe, Manchester M26 4JJ	
	
Job Title PROPOSED ENTERPRISE CENTRE /FISHING FACILITIES, ON LAND AT KIRKLEES LODGES, OFF BRANDLESHOLME RD., BURY.	
Drawing Title EXISTING SITE PLAN /LOCATION PLAN.	
Scale 1:200	Date MAR. 14
Drawn by N.B.	Drawing No. 1

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Also - flat changed stables and doors on paddock side as the doors would have to be higher, and thus stable block would be higher than fishing block.

Nest

Architectural & Building Services



NEIL BUTTERWORTH

Tel: (01204) 853516
Mobile: 07785 275483

89 Higher Aineworth Road,
Raddcliffe, Manchester M26 4JJ

Job Title PROPOSED ENTERPRISE CENTRE FACILITIES,
ON LAND AT KIRKLEES LODGES,
OFF BRANDLESHOLME RD., BURY.

Drawing Title PROPOSED PLANS & ELEVATIONS

Scale

1:200, 1:100

Date

MAR. 14

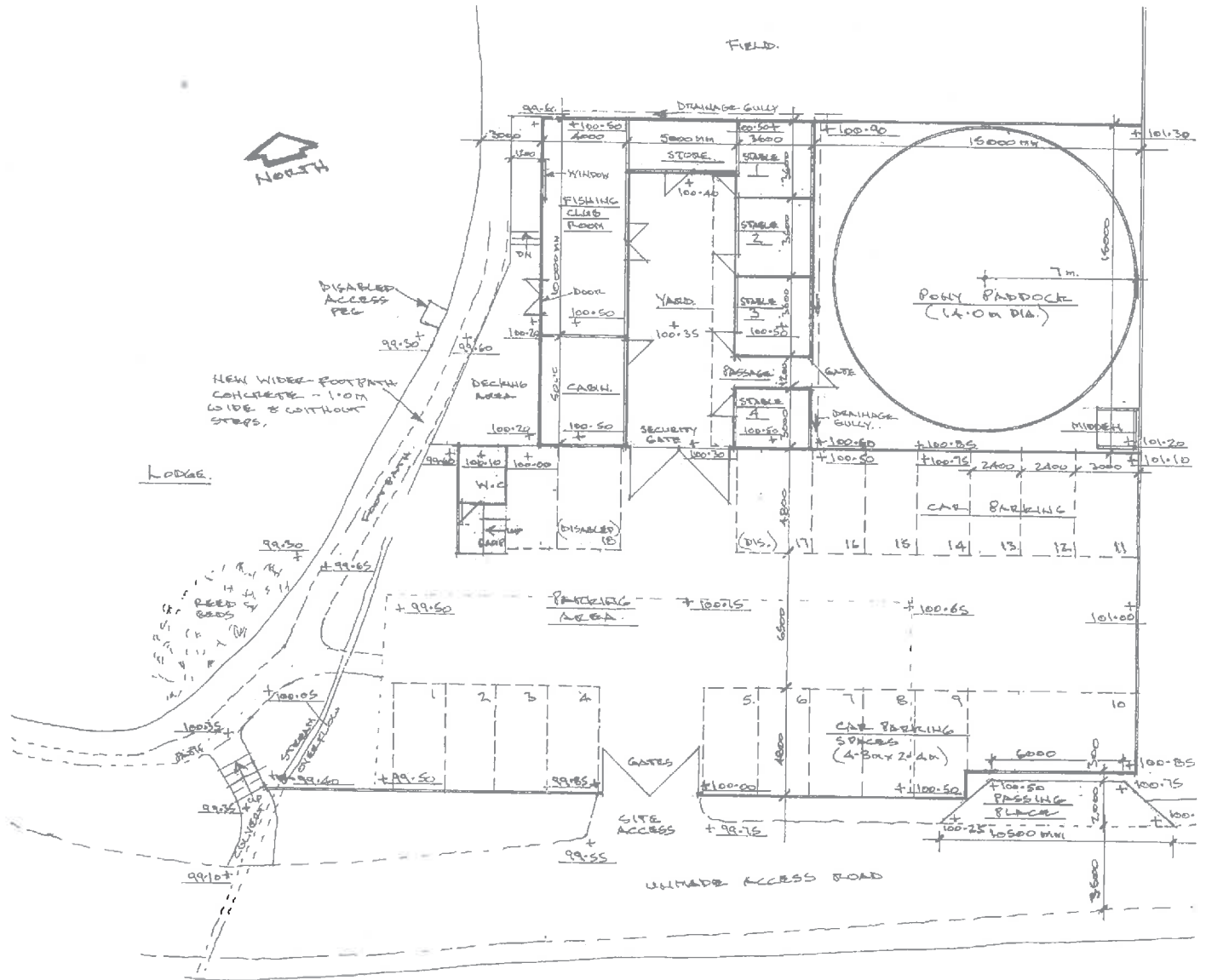
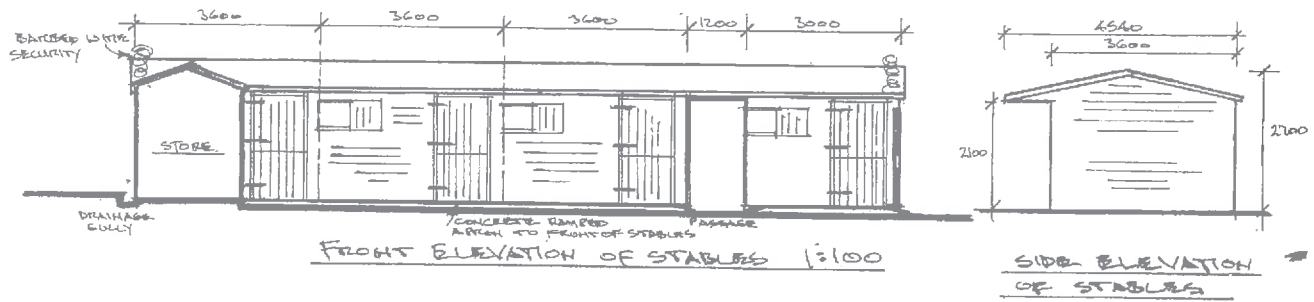
Drawn by

N.B.

Drawing No.

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REV. A - VEHICLE PASSING PLACE TO BE FORMED OUTSIDE OF CAR PARK & PARKING SPACES REDUCED. S.O.B. 14 N

PROPOSED ENTERPRISE CENTRE / FISHING FACILITIES ON LAND AT KITTLEES LODGES OFF SHUTTLEHOLME RD, BURY

PROPOSED PLANS & ELEVATIONS

SCALE 1:200, 1:100 DWG NO Z/2A

Ward: Bury East

Item 03

Applicant: Mr Chris Holland

Location: Bury Art Museum, Moss Street, Bury, BL9 0DF

Proposal: Listed building application for installation of temporary sculpture (12 months) in alcoves at front of sculpture centre and library entrance.

Application Ref: 57725/Listed Building
Consent

Target Date: 25/08/2014

Recommendation: Approve with Conditions

Description

The application relates to the Central Library, Sculpture Centre, Museum and Art Gallery in Bury, which is a Grade II Listed Building located within the Bury Town Centre Conservation Area. The adjacent building to the south is Textile Hall which is linked by a corridor to the library. The building is located at the corner of Moss Street and Silver Street and the art gallery and museum front onto Moss Street.

The building is an example of a neo-classical design and architecture dating back to 1901. It is two storey and constructed in stone blocks and ashlar with a multi hipped slate roof and has a basement level containing the museum and archives which is accessed from Moss Street. The main entrance to the library/sculpture centre is not the original lobby, it was added to the building around the late 1970's, and is accessed off Manchester Road via a set of stone steps with handrails.

Following the grant of listed building consent for internal alterations in January 2014, part of the library now forms the sculpture centre.

The site is bounded by several listed buildings - St Mary's Place, Manchester Road, St Marie's RC Church, the Art Picture House, the former Barclays Bank, the Fusiliers Museum and the war memorial.

The proposed development involves the provision of 2 metal sculptures within the alcoves to each side of the entrance to the library and sculpture centre. The proposed sculptures would be 'free form' in design and constructed from a powder coated aluminium frame with lightweight floral elements in a range of bright colours attached. Each of the sculptures would be fixed to 2 points in the alcove and each fixing would consist of 3 metal studs.

The proposed sculptures would be in position for 12 months. On removal of the proposed sculptures, the fixing points would be made good with mortar to match the stone on removal of the artwork. The structures themselves are permitted development but listed building consent is required as the proposals would result in the alteration of the character of the building in terms of its architectural and historical interest.

Relevant Planning History

43990 - Listed building consent - neon text artwork on gable wall fronting Back Knowsley Street 3.3 metres long by 0.23 metres deep at Bury Art Gallery, Moss Street, Bury. Approved with conditions - 18 March 2005.

52443 - Replacement of existing main entrance doors and frame; replacement of 4 windows to right hand gable elevation; pointing and new rainwater goods at Public Library, Art Gallery and Museum, Moss Street, Bury. Approved with conditions - 28 May 2010

52535 - Listed building consent for the replacement of existing main entrance doors and frame; replacement of 4 windows to right hand gable elevation; pointing and new rainwater

goods at Public Library, Art Gallery and Museum, Moss Street, Bury. Approved with conditions - 28 May 2010

56987 - Listed building consent - Schedule of works include; stud partitions removed, new stud walls between archways, curved partition wall creating new entrance corridor for library, automated single door and set of double doors installed between library and sculpture centre, uplifting carpet tiles and reinstate original parquet floor, new carpet tiles to new library area, new led spotlighting to sculpture area, decoration throughout at Bury Central Library, Manchester Road, Bury. Approved with conditions - 22 January 2014.

Publicity

The neighbouring properties were notified by means of a letter on 7 July and a press notice was published in the Bury Times on 17 July. Site notices were posted on 9 July 2014.

6 letters have been received from the occupiers of Chiltern Drive, 31 Berkshire Court, Brooklands, Wilson Street, Bury, 11 Tor Avenue, Greenmount and 113 Burnley Road, Edenfield, which have raised the following issues:

- The proposal is out of keeping with the building.
- The proposal would detract from the main use of the building, which is a library and not a sculpture centre.
- The proposed sculptures would not complement the period building.
- Have reservations as to how the sculpture would be attached to the building.
- It would be better to have the sculptures inside the building.
- The proposed sculptures are unnecessary and would not enhance the Grade II listed building.
- The appearance of the listed building would be cheapened by the addition of garishly-coloured pieces of metal.

An objection has been received from Councillor Walker, which has raised the following issues:

- The library forms part of the architectural features of Bury along with the Textile Hall, St Marie's Church, the former Barclays bank and further along the Parish Church.
- The Council has a duty to preserve the dignity of this fine building (library).
- The proposed installations would be multi coloured, very large, metal objects, which would be placed in an intrusive position for a year (not very temporary).
- This is a Council officer applying to do this to a listed building.
- The proposal is totally out of keeping with the listed building.

The objectors and Councillor have been informed of the Planning Control Committee meeting.

Consultations

None required.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be

specifically mentioned.

Design and impact upon the listed building - The NPPF states that when determining applications for heritage assets, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of the heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

When considering the impact of a proposal on the 'significance of a designated heritage asset', great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. 'Significance' can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Therefore, in order to assess the impact of the proposed development upon the listed building, the significance and appearance of the building must be assessed first.

The building is of grand neo-classical design with two main, highly detailed and decorated elevations to Silver Street and Moss Street. The Moss Street entrance provides access to the art gallery and the Silver Street entrance provides access to the newly completed sculpture centre and library. The building is of two tall storeys with a basement level set in a well, and this level contains the museum and archive. The building is square in form and is constructed in stone blocks of both plan and rusticated ashlar, with a slate covered multi-hipped roof. The ground floor level is set above street level and is accessed by stone steps.

The Silver Street elevation is symmetrical, with two projecting bays containing ionic columns, cruciform windows, strong string courses, decorated friezes and figures and above eaves level, these are topped by tall bays with decorated pediments with balconies and balustrades. Between the bays is a central entrance set forward of the first floor and formed from a three arch arcade with a central doorway and alcoves to each side with balustrades.

Therefore, the significance of the building is in:

- The completeness of the building's exterior design and level of preservation;
- The building's scale and impact on the streetscene;
- It's neo-classical detailing and level of decoration;
- The Victorian interpretation of classical orders and novel re-working of traditional design combinations;
- It's contribution to the character of the area through its location, impact and relationship with other buildings of the 19th/20th century.

The proposed development would consist of two sculptures which would be located within the alcoves to the sides of the entrance on Silver Street. The proposed artwork is modern in design and as such, would represent a departure from the traditional design of the building.

Paragraph 58 of the NPPF states that 'developments should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.'

The proposed artwork would be striking and modern in design but would represent appropriate innovation detailed within paragraph 58. The proposed modern sculptures would make it clear that these are a modern addition to the building, thus enabling the building behind to be read. The proposed artwork would be located within the alcoves and as such, would not be visible from the wider streetscene views of the building and Conservation Area. The proposed development would announce the location and function of the sculpture centre, which has secured the use of the listed building and has the

potential to have a positive impact within the Cultural Quarter of the town. The proposed artwork would be in place for a 12 month period and as such, any impact upon the design and character of the listed building would be a temporary one.

The proposed sculptures would be attached to the building at two points by a bracket with 3 screws. As such, the impact of the proposed development upon the fabric of the listed building would be localised to 12 holes from screws in the short term. The proposed development states that these holes would be made good with mortar to match the stonework, which would be controlled by a condition. Therefore, the proposed development would not cause any long term damage to the fabric of the building.

Therefore, the proposed development would represent an addition to the building, but would preserve and enhance the character of the Grade II listed building and the conservation area. The proposed development would be in accordance with Policy EN1/2, EN2/1, EN2/2 and EN2/3 of the Bury Unitary Development Plan and the NPPF.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

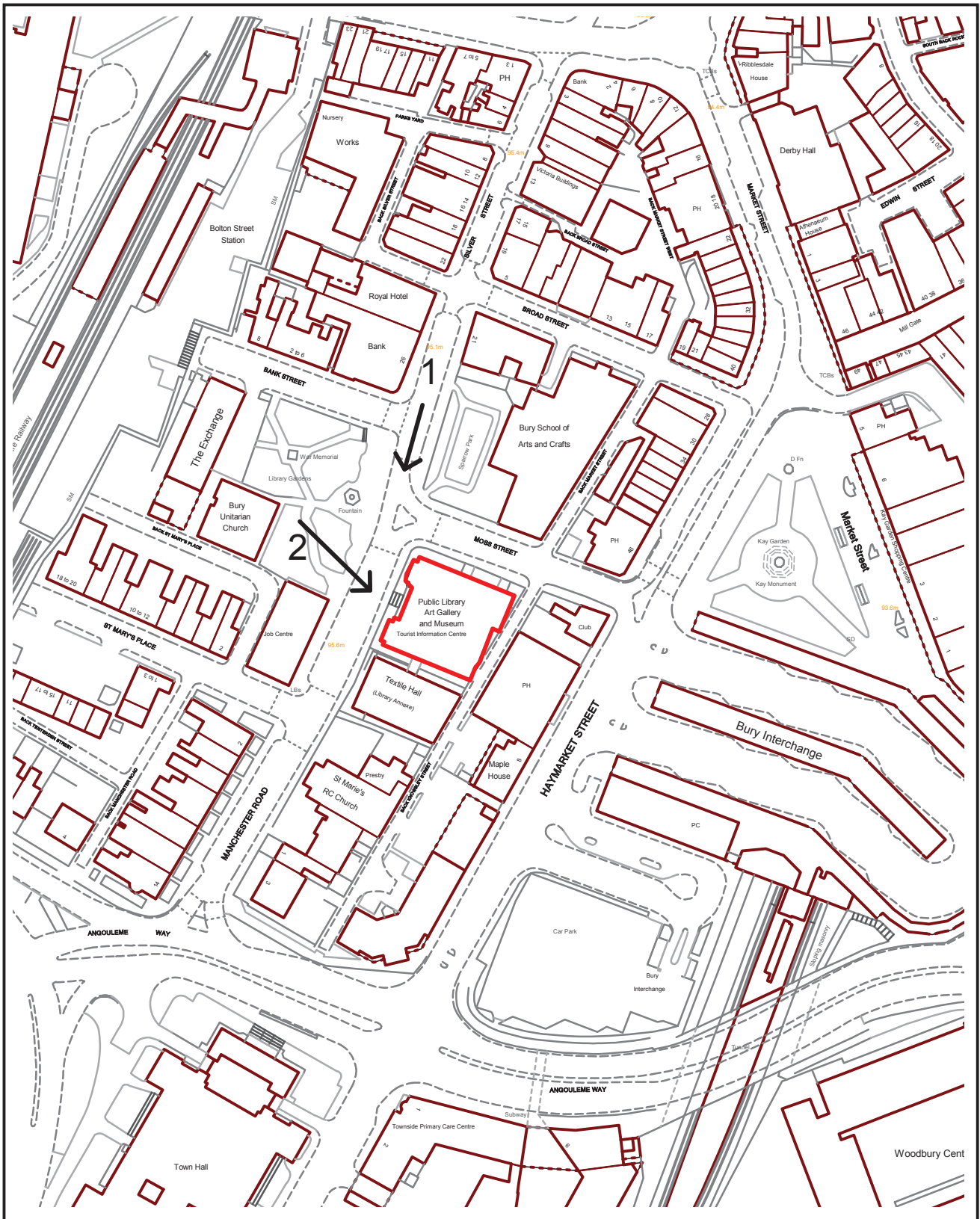
Conditions/ Reasons

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. This decision relates to all plans and supporting documents received on 30 June 2014 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 the policies of the Bury Unitary Development Plan listed.
3. Prior to commencement of works, a notice of intent to start the works hereby approved, including a timetable schedule of the works, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved timetabled schedule.
Reason - To ensure that the development is carried out in accordance with the approved plans, to protect the fabric of a listed structure/building during implementation and pursuant to Policy EN2/3 – Listed Buildings of the Bury Unitary Development Plan.
4. When the artwork is removed after a period of 12 months from the date of the decision, the works hereby permitted shall be reversed and the building shall as far as practicable be restored to the condition in which it was immediately prior to the carrying out of the permitted works. The details of the reversal works shall be submitted and approved in writing and only the approved works shall be carried out.
Reason. In order to preserve features of special architectural or historical interest and as provided for under Section 17(1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. The permission hereby granted is for a limited period only, namely for a period expiring on 3 September 2015 and the buildings, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued at the end of the said period.
Reason. Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the development is of a temporary nature only pursuant to policies of the Unitary Development Plan listed below.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 57725

ADDRESS: Bury Art Museum
Moss Street
Bury

Planning, Environmental and Regulatory Services 1:1250

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Bury
COUNCIL

57725

Photo 1



Photo 2




Sculpture dimensions in each alcove





MIXED MEDIA
permanent materials & finishes

- laser cut marine grade aluminum shapes 1mm - 5mm
- architectural grade UV resistant polyester powder coating
- vivid metallic aluminum coloured anodising
- mirrored gold 3mm aluminum composite panel
- mirrored polished sphere

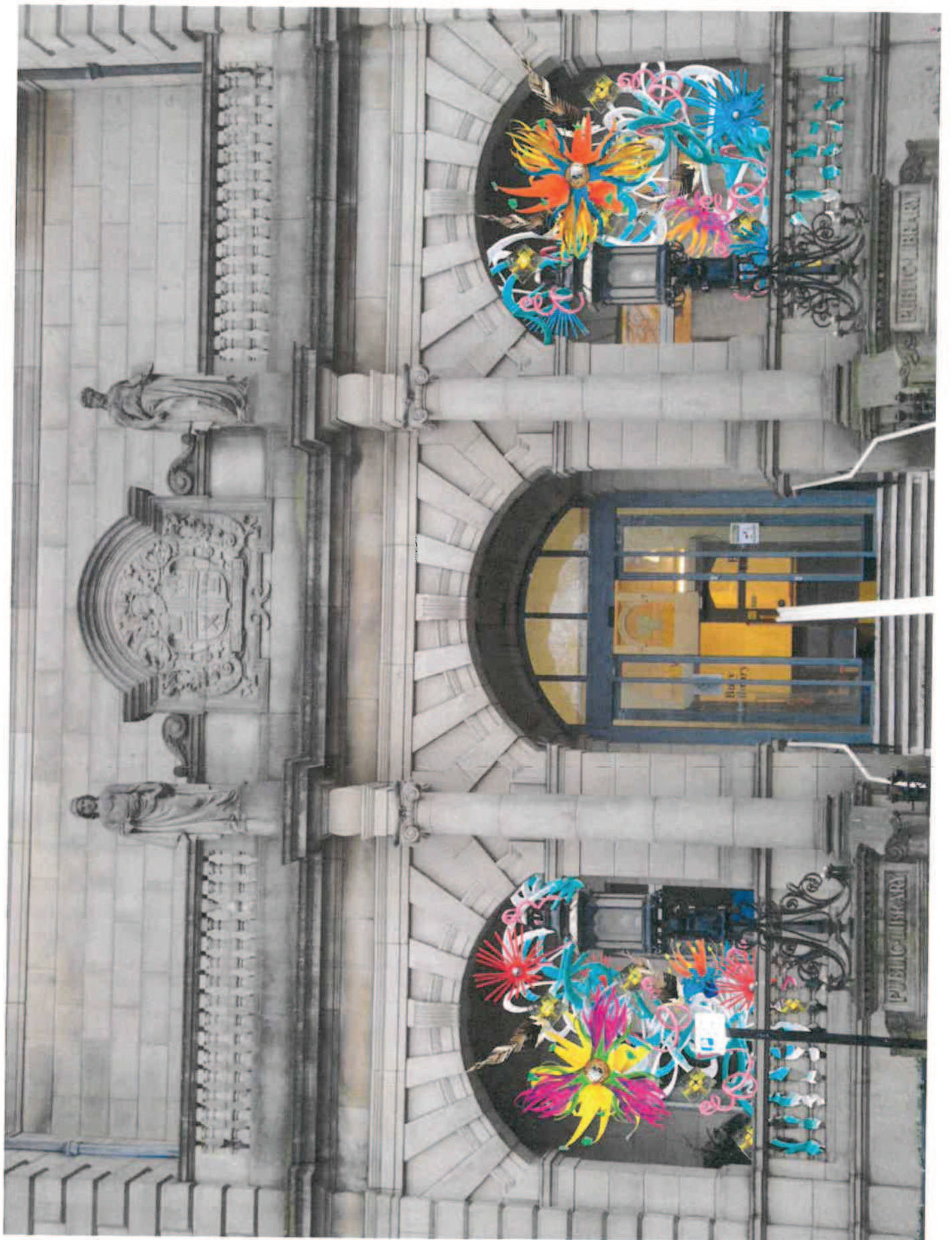


- Bolting four main organic sections to form central structure (two fixings to the side and back walls)

- Also fix the bottom plate with two L brackets to the back & front walls.

Side View





Applicant: Mr Shefa Mehadrin

Location: Super Deli Kosher Meat and Grocery Shop, 53 Bury New Road, Prestwich, Manchester, M25 9JY

Proposal: Erection of a new canopy on front elevation; Creation of 6 no. new car parking spaces; Creation of a new footpath front and side; Cladding over existing roller shutters to be replaced with brick work facade; Replacement roller shutter.

Application Ref: 57767/Full

Target Date: 12/09/2014

Recommendation: Approve with Conditions

Description

The site comprises a popular general store (A1), with ancillary office and storage above, on the corner of Bury New Road and Buckingham Road. The site is within Sedgley Park District Shopping Centre and has a total floor area of 413sq m. Directly to the north on Bury New Road is a BT Telephone Exchange building. To the west are houses, slightly elevated and fronting Buckingham Road. To the south, across Buckingham Road are commercial properties fronting Bury New Road.

The parking area to the side of the shop, in plan form appears to be an 'in-out' arrangement, however in practice the area is not used in this way. There are six existing car parking spaces that are at right angles to the public footpath along Buckingham Road. These are sub-standard in length and in practice are accessed over the pavement on Buckingham Road. Although there are six spaces marked up, it is not unusual to see up to 9 cars squeezed into within this area. There is a gated service area accessed from Buckingham Road between the rear elevation of the shop and the gable of No.2 Buckingham Road.

The application has a number of elements:

1. Front Canopy - The existing unauthorised canopy would be removed and the footway on the frontage lifted and relevelled. The new canopy would comprise of a black steel frame, open at the side and a shallow perspex covered roof. A narrow powder coated steel strip plate would hide the roof fixing and guttering.
2. On the side/Buckingham Road elevation the existing roller shutter over the entrance to the service yard would be replaced by a powder coated roller shutter in a colour to be agreed. The profiled cladding over the roller shutter would be removed and replaced with brickwork and a stone coping to the same height.
3. The proposal also involves a new parking arrangement along Buckingham Road. The scheme involves reducing the width of the road to the side of the premises and creating 6 parking bays directly off Buckingham Road with a new footway between the property and the parking spaces. The existing lighting column on the footway would need to be relocated along Buckingham Road.

Relevant Planning History

48298 - Temporary consent for two refrigerators at rear - Refused 06/08/2007

48650 - Temporary consent for two refrigerators at rear - Approved 26/10/2007

49822 - Extension and alterations to existing kosher meat and grocery shop (resubmission) - Approved 24/07/2008

52931 - Siting of two temporary storage containers at rear - Approved 01/12/2010

53891 - Disabled access ramp and security shelter to front (retrospective) - Refused 15/06/2011

Publicity

The following 53 neighbours were notified by letter dated 22/07/14.

1, 2, 3, 4, 6 and 8 Buckingham Road,
45, 47, 53, 60-74(even) Bury New Road
5, 23-35(odd) Hilton Crescent
2 and 4 Arlington Crescent,
Telephone Exchange, Portugal Road.

Nine representations have been received from residents at Nos.4, 6 and 15 Jesmond Avenue, 3, 12, 25, 27 Woodland Crescent, 2 Arlington Crescent, 66 Bury New Road. Points of objection raised are summarised below.

- The shelter protrudes onto the public footway and creates an obstruction. This is made worse by existing unsightly outside storage and refuse.
- Parking would still encroach onto the public footpath and pose a danger to pedestrians. There have been many incidents and the proposed parking would make the existing chaotic situation worse.
- Existing problems will not be solved by the proposed layby, reducing the width of Buckingham Road and a single yellow line along Buckingham Road.
- To exit the new parking bays car will have to reverse uphill with the risk to pedestrians and motorists on Buckingham Road.
- Delivery vehicles do not use the service yard but load and unload on Buckingham Road. Photos showing an articulated truck and stacker truck loading from Buckingham Road have been submitted as an objection. A number of safety concerns about this have been highlighted (licence, H&S issues, driver qualifications etc).

Councillor Quinn has also expressed some specific concerns about the loading/servicing operations at the premises.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection - see Highways section below.

Greater Manchester Police - No comment.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN1/8	Shop Fronts
EN1/7	Throughroutes and Gateways
S1/3	Shopping in District Centres
EC4/1	Small Businesses
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD16	Design and Layout of New Development in Bury
HT2	Highway Network
HT2/3	Improvements to Other Roads

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Existing Situation - The use of the building as a retail outlet is not altered by this proposal.

In practical terms the use of the footway immediately outside the entrance on Bury New Road has been altered by the creation of the enclosed shelter and its use as a trolley store. Whilst this may be acceptable in principle, the design, siting and construction of the existing shelter, associated ramp, railings and trolley store are very poor and have restricted pedestrian access along the adopted footway.

Visual Amenity - The site is very prominent and fronts on to Bury New Road which is a 'throughroute' within the Borough where special emphasis should be on encouraging environmental improvement and high standards of design.

The existing unauthorised enclosed canopy is particularly incongruous and has the appearance of a rather unsightly bus shelter attached to the shopfront. The design of the existing shelter has encouraged the build up of unsightly refuse/storage around it during opening hours, restricting access and further reducing the visual amenity of the streetscape as indicated in the photographs attached to this report.

The proposed open sided canopy in terms of its design, siting and construction is a significant improvement on the existing shelter which would be removed. The new canopy would be powder coated steel and have a more traditional appearance. It is also intended to remove the existing concrete ramp/plinth that steps up from the footpath and regrade the footway at the front of shop to create a more naturally graded access. The trolleys would be stored inside the building, leaving the canopy open with a relatively unrestricted access along the frontage.

The alterations to the building on the side, Buckingham Road elevation, the replacement roller shutter and the new brickwork above would improve the appearance of the property.

In terms of visual amenity the proposed alterations would improve the general appearance of the site and would comply with UDP Policies EN1/2 Townscape and Built Design, EN1/7 Throughroutes and Gateways, EN1/8 Shopfronts and S1/3 Shopping in District Centres.

Highways - The proposed alterations to the highway, including the new parking layout and footpath realignment, have been discussed with the Council's Traffic Section prior to submission of the planning application.

The alterations to the pavement levels at the front mean that a purpose built wheelchair ramp would not be required to access the shop.

The proposed new parking arrangement, involving the narrowing of the roadway on Buckingham Road, the introduction of chevron parking and the creation of a new public footway between the parking area and the shop, would mean that customer vehicles would not drive over the existing pavement area as they do at present but access the parking directly from Buckingham Road. It is considered that the proposed reconfiguration would represent a significant improvement over the existing situation which is particularly hazardous to pedestrians.

The proposed highway works entail the applicant entering into a S.278/38 Agreement under the Highways Act 1980. Subject to the S.278/38 agreement and planning conditions, the proposal is considered to be acceptable in terms of parking and highway safety and would comply with the following UDP policy and guidance - EN1/2 Townscape and Built Design, HT2 Highway Network, HT2/3 Improvements to Other Roads, HT2/4 Car Parking and New Development, HT5/1 Access for those with Special Needs and HT6/2 Pedestrian /Vehicular Conflict.

Objections - The issues raised by the objectors have been addressed in the above report.

The proposals are considered to represent a significant improvement over the existing situation and as such are recommended for approval subject to conditions.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

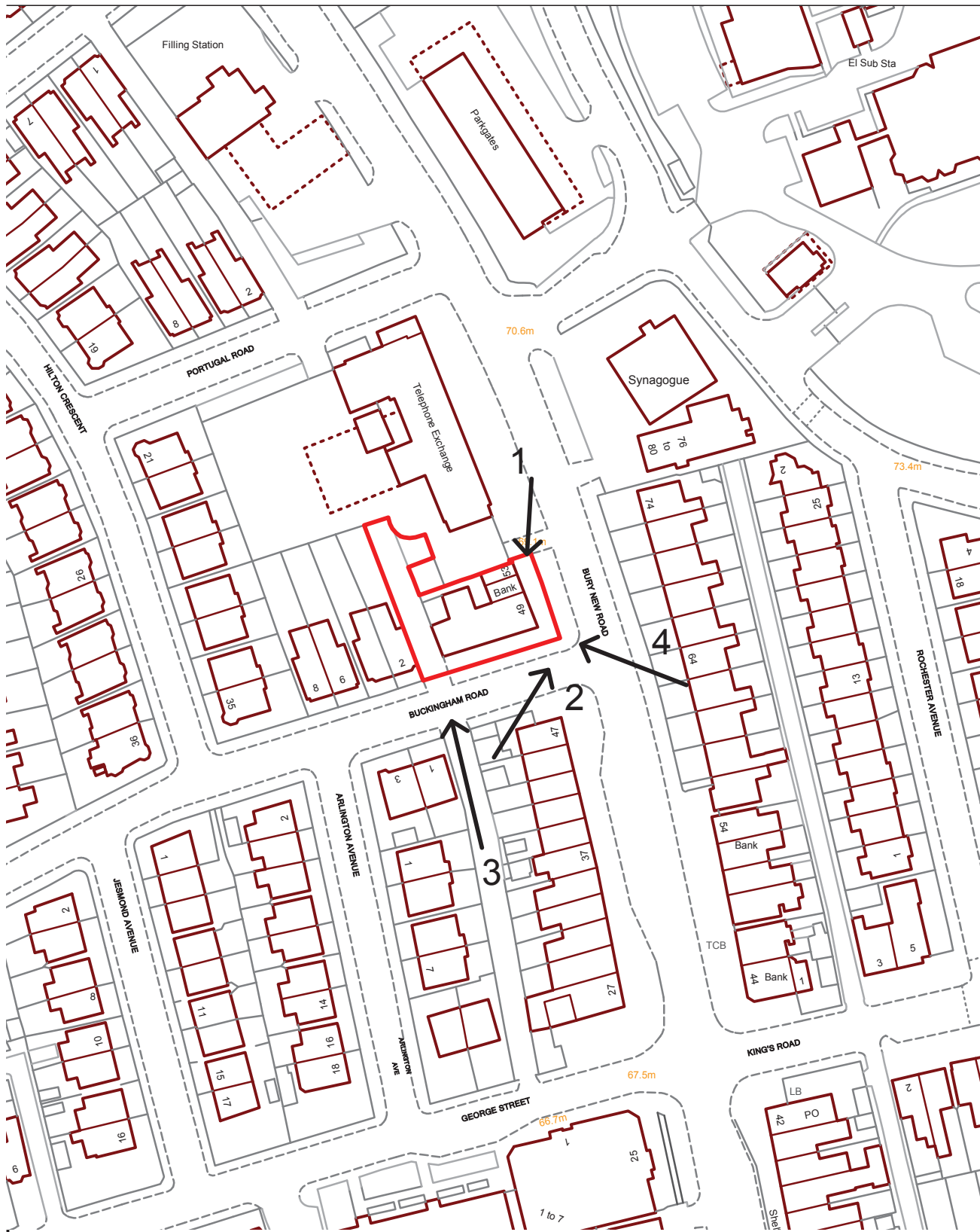
Conditions/ Reasons

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 Site Plan and drawings M09075-A-100A, 106A, K1075/01A, 02 and 03/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 the policies of the Bury Unitary Development Plan listed.
3. Details of the materials to be used in the canopy, external elevations and external paving/surfaces shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the 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.
4. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted to and agreed in writing with the Local Planning Authority:
 1. Works to form the proposed parking bay on Buckingham Road and replacement adopted footway including all necessary alterations to kerblines, highway drainage, street furniture, bollards and associated remedial works.
 2. Proposals to provide rear yard access gates that do not open out into the future adopted highway and desire line of pedestrian using the replacement adopted footway.
 3. Proposals to revoke/amend any existing traffic regulation orders, including all necessary road markings and associated signage.
 4. Works to remove the existing illegal structure and concrete base on the existing adopted highway and all associated temporary remedial works.
 5. Proposals to re-grade the existing paved footway areas on Bury New Road and Buckingham Road from the front/side elevations of the building to the respective kerblines in excess of the limits shown indicatively and incorporating a maximum cross fall of 1 in 40, and all associated remedial works.
 6. Proposals to form the proposed canopy structure on the front elevation of the building to a specification to be agreed, incorporating a 2.4m minimum underside clearance above the raised pedestrian areas and application for the requisite licence under the Highways Act 1980.
 7. Proposals to incorporate adequate facilities for the off-highway storage of shopping trolleys within the curtilage of the premises.
 8. Proposals to provide rear yard access gates that do not open out into the future adopted highway and desire line of pedestrian using the replacement adopted footway.

The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.
Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to the following UDP Policies and guidance: HT2 Highway Network, HT2/3 Improvements to Other Roads, HT2/4 Car Parking and New Development, HT5/1 Access for those with Special Needs and HT6/2 Pedestrian /Vehicular Conflict, SPD11 Parking Standards in Bury.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 57767

ADDRESS: 53 Bury New Road
Prestwich



Planning, Environmental and Regulatory Services 1:1250

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57767

Photo 1



Photo 2



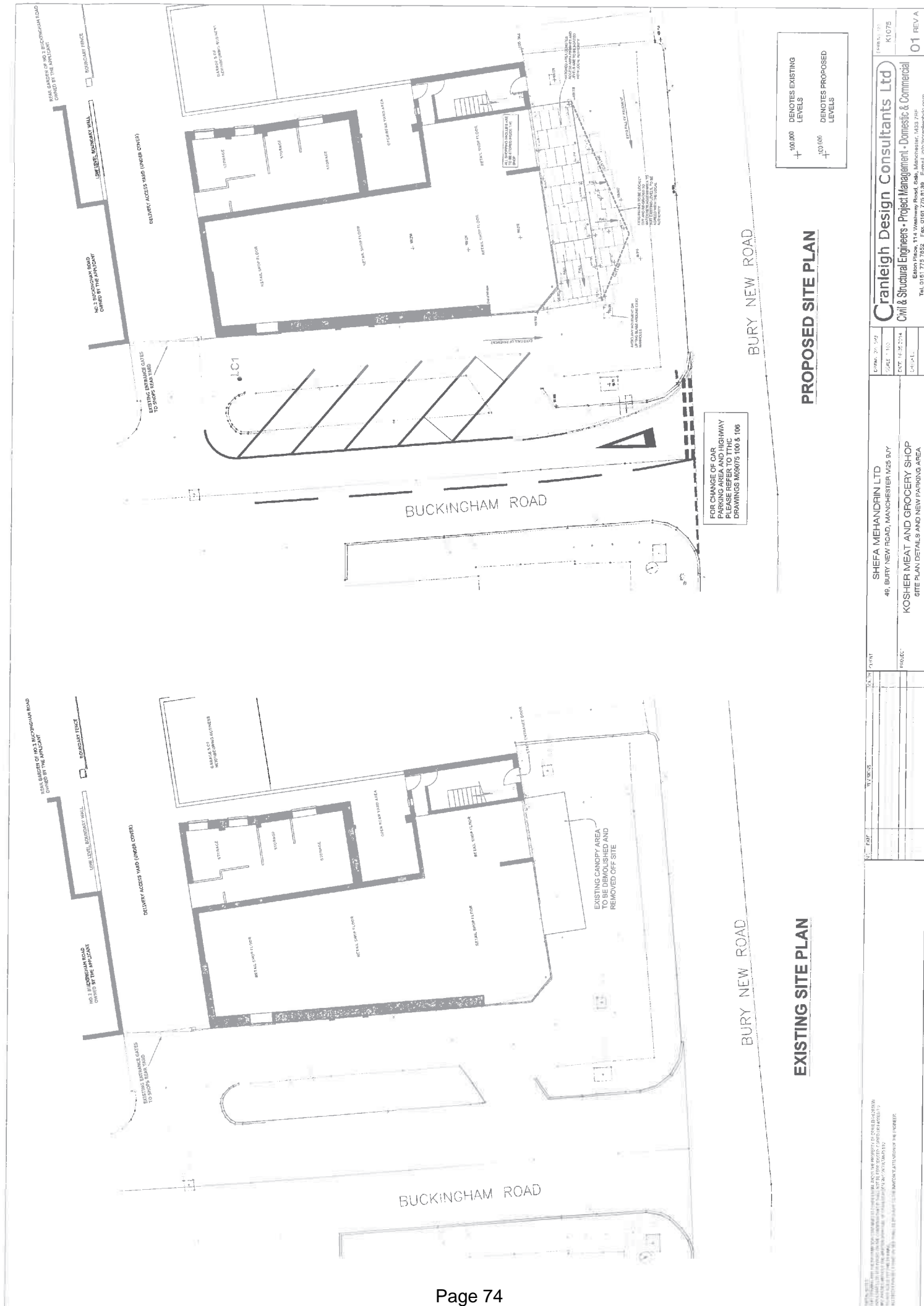
57767

Photo 3



Photo 4





+100.000 DENOTES EXISTING LEVELS
 +103.000 DENOTES PROPOSED LEVELS

FOR CHANGE OF CAR PARKING AREA AND HIGHWAY PLEASE REFER TO THE DRAWINGS NUMBERED 100 9 106

SHEFA MEHANDRIN LTD 46, BURY NEW ROAD, MANCHESTER M25 5JY KOSHER MEAT AND GROCERY SHOP SITE PLAN DETAILS AND NEW PARKING AREA	SHEFA MEHANDRIN LTD 46, BURY NEW ROAD, MANCHESTER M25 5JY KOSHER MEAT AND GROCERY SHOP SITE PLAN DETAILS AND NEW PARKING AREA	SHEFA MEHANDRIN LTD 46, BURY NEW ROAD, MANCHESTER M25 5JY KOSHER MEAT AND GROCERY SHOP SITE PLAN DETAILS AND NEW PARKING AREA	SHEFA MEHANDRIN LTD 46, BURY NEW ROAD, MANCHESTER M25 5JY KOSHER MEAT AND GROCERY SHOP SITE PLAN DETAILS AND NEW PARKING AREA
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Ward: Prestwich - St Mary's

Item 05

Applicant: Mr Brian Sweatman

Location: Land to north of Beech House, Clifton Road, Prestwich, Manchester, M25 3HG

Proposal: Erection of garage

Application Ref: 57784/Full

Target Date: 24/09/2014

Recommendation: Approve with Conditions

Description

The site is part of a strip of land between the Clifton Road and a private access road with four properties which face it. It is at a raised level from the footpath to the Clifton Road side with a stone boundary wall and is mainly grassed. Two sections adjacent the application site have been levelled to create parking for the other residential properties fronting the land and there are various mature trees which are not protected.

The application relates to the section facing Beech House where it is proposed to erect a garage. The garage would have a footprint of 6m by 4.8m with a dual pitch roof to a height of 4m. It would be set 2.1m back from the boundary with the public footpath to the front.

The building would be of timber frame construction with the elevations in green ship lap board and the roof would be tiled with blue/grey man made fibre cement slates and a soakaway adjacent the drive would provide drainage.

Relevant Planning History

56632 - Lawful development certificate for proposed garage - Refused 09/10/13 Appeal Dismissed 28/01/2014.

52588 - Conservatory and single storey extension at rear to create 'granny annexe' - AC 06/07/2010.

Publicity

5 notification letters were sent on 31/07/14 to addresses at 86, 201 & 203 Clifton Road, St Anthony's Clifton Road and Annex Lodge Clifton Road.

One objection has been received from 201 Clifton Road who has raised the following issues:-

- The proposed development is on a natural strip of land on which there has been no building.
- It is on the opposite side of a private road and is a considerable way in front of the current building line.
- The proposal is to build on top of an old, fragile underground conduit that runs parallel to the private road. In the last 5 years this has collapsed twice leaving a dangerous eight foot deep hole and to the same width and cost about £1500 to repair.
- The disruption of building and additional weight could cause further collapse and therefore it would be foolish, dangerous and inappropriate to build a garage in that position.

The objector has been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Drainage Section - No objection subject to a condition for the submission of details of surface water drainage.

Environmental Health - Contaminated Land/ Air Quality - No comments to make.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN5/1 New Development and Flood Risk

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Visual amenity and design - The garage would be set 2.1m into the site from the main view along Clifton Road. The building would be of a size and design typical of a domestic garage and the green timber finish would see it blend to the surroundings. Given the existing informal parking spaces on the adjacent sites, the garage would not appear out of place. In addition, with it being set back into the site and at a raised level, with the stone wall frontage, and mature trees surrounding it, it is not considered that the structure would be an intrusive feature in the streetscene and as such the proposal complies with UDP Policy EN1/2 - Townscape and Built Design.

Residential amenity - The other 3 residential properties fronting the land are set over 6m, from the garage and as such the aspect standard for this type of development have been met. As such it will not impact on their amenity. As such it would comply with H2/3 - Alterations and extensions to residential properties.

Response to neighbour objection - The location of the garage in terms of its visual impact on the area is addressed in the above report.

The impact on the 'conduit' (culvert) in the event of construction is not a planning matter but a private one and the responsibility of the land owner.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during pre-application discussions to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

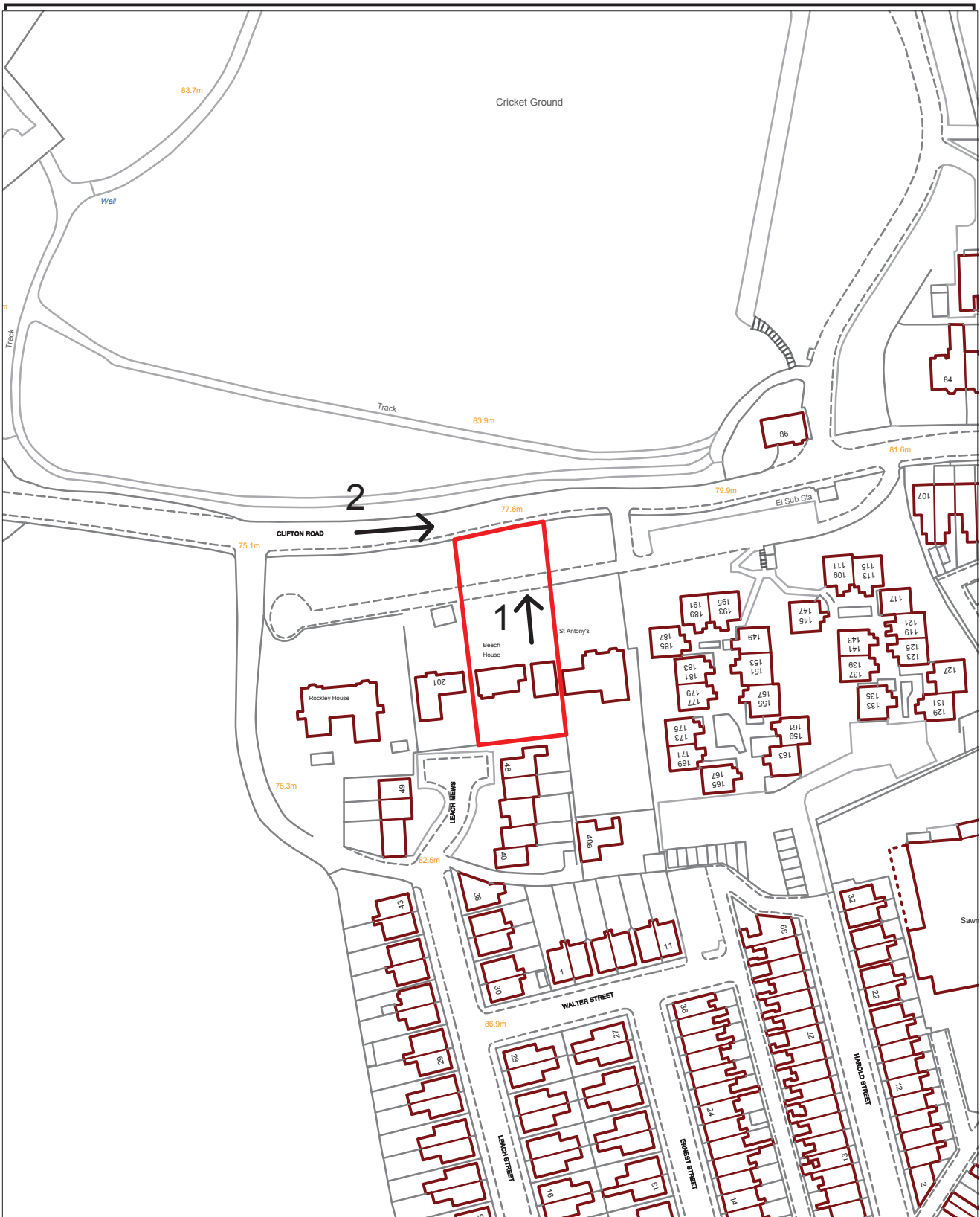
Conditions/ Reasons

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 30/07/14 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 the policies of the Bury Unitary Development Plan listed.

3. Development shall not commence until details of surface water drainage aspects have been submitted to and approved by the Local Planning Authority. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations to support the chosen solution. The scheme should take consideration of the culvert which is thought to run through the plot.
Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 57784

**ADDRESS: Land to north of Beech House
Clifton Road, Prestwich**



Planning, Environmental and Regulatory Services 1:1250

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57784

Photo 1



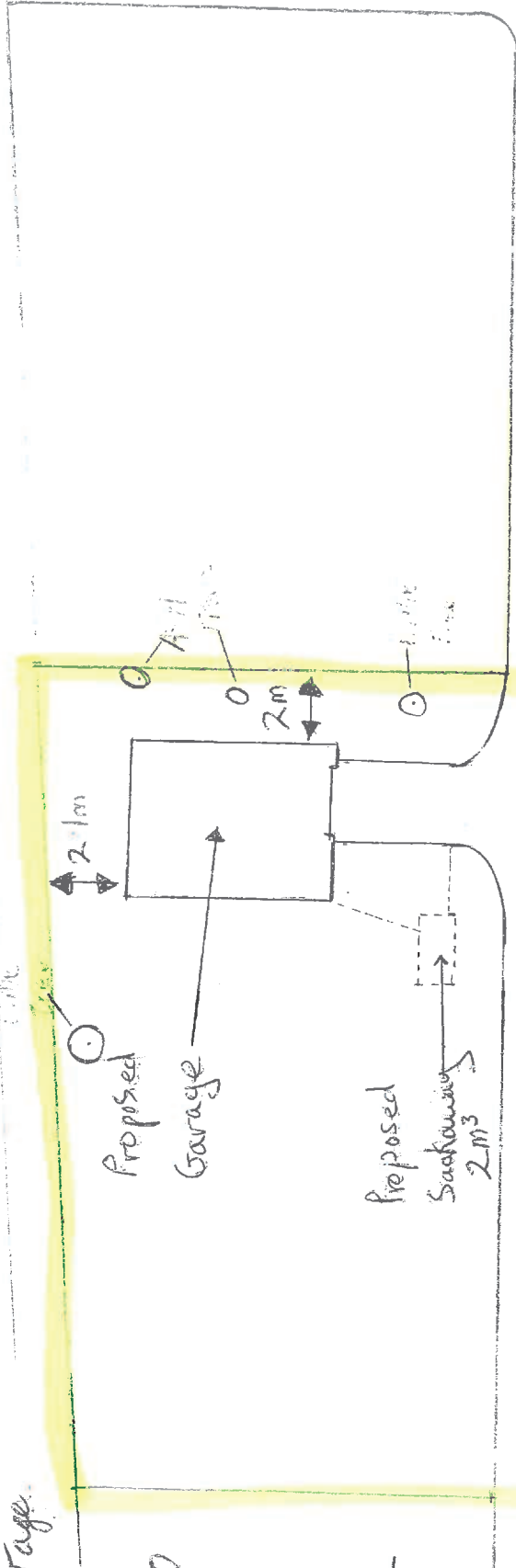
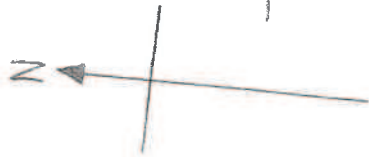
Photo 2



SITE PLAN: BEECH HOUSE

Proposed Garage

Scale 1:200



57784

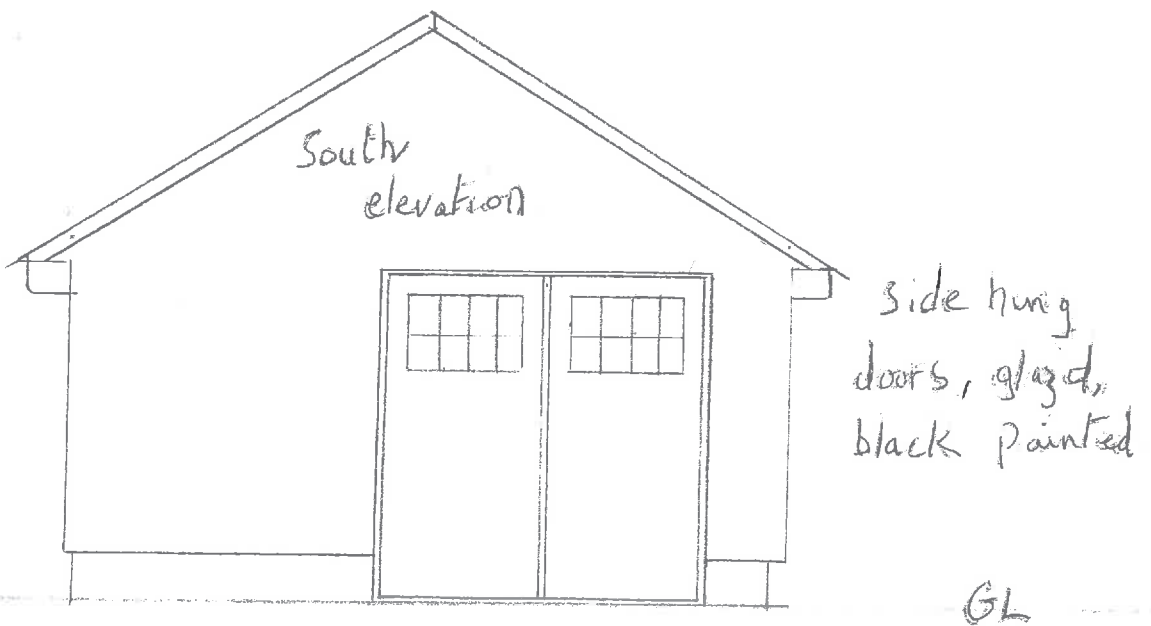
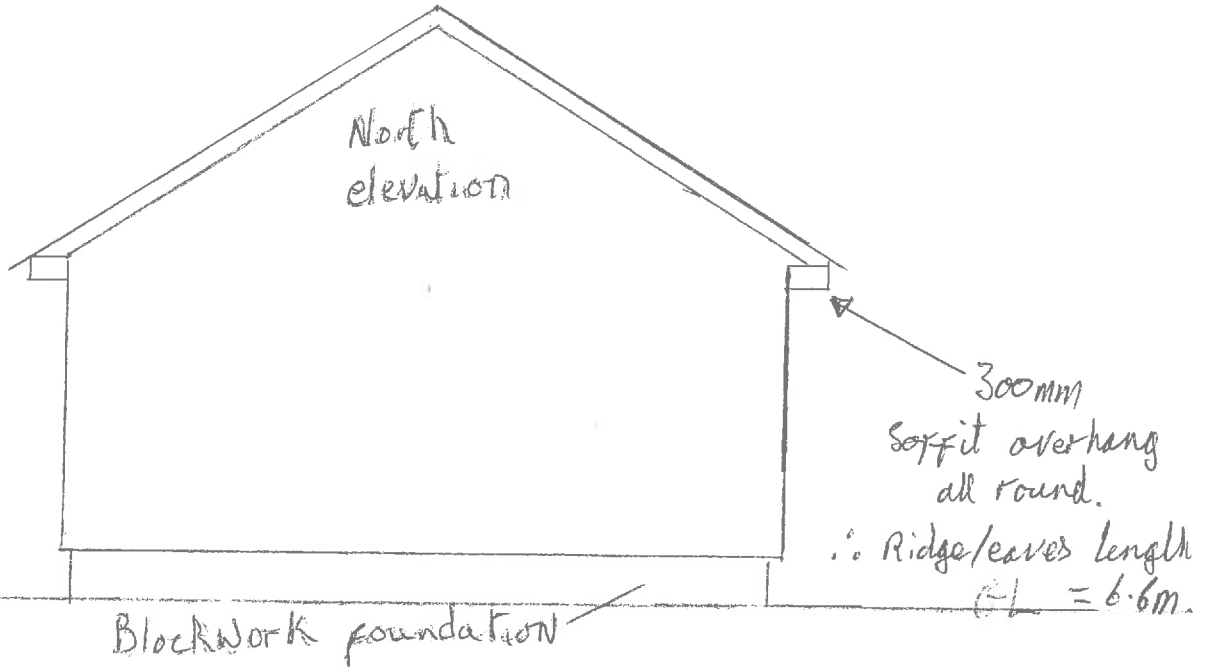
100m Rd

100m Rd

Beech House

100m Rd

Proposed Garage, Beech House, M25 3HG
scale 1:50 . April 2014



REPORT FOR DECISION

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	2nd SEPTEMBER 2014
SUBJECT:	DELEGATED DECISIONS
REPORT FROM:	DEVELOPMENT MANAGER
CONTACT OFFICER:	JOHN CUMMINS
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	The report lists: Recent Delegated planning decisions since the last PCC
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices.
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A
Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS**DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

This is a monthly report to the Planning Control Committee of the delegated planning decisions made by the officers of the Council.

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-None**Contact Details:-**

John Cummins
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 Planning Services, Department for Resources and Regulation
 3 Knowsley Place
 Bury BL9 0EJ

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Email: j.cummins@bury.gov.uk

Planning applications decided using Delegated Powers

Between 21/07/2014 and 20/08/2014



Ward: **Bury East**

Application No.: 57581 **App. Type:** ADV 21/07/2014 Approve with Conditions
Location: Enterprise Centre, Market Street, Bury, BL9 0DS

Proposal: 3 No. internally illuminated fascia signs

Application No.: 57615 **App. Type:** FUL 05/08/2014 Refused
Location: 24 Second Avenue, Bury, BL9 7RL

Proposal: Single storey extension at rear

Application No.: 57631 **App. Type:** FUL 20/08/2014 Refused
Location: 12 Tithebarn Street, Bury, BL9 0JR

Proposal: Change of use from office to childcare and learning centre (Class D1); External alterations and work to windows and doors

Application No.: 57634 **App. Type:** FUL 28/07/2014 Approve with Conditions
Location: Land at junction of Fountain Street North & Back Manor Street, Bury, BL9 7AN

Proposal: Erection of industrial building (Class B1) with associated parking (retrospective)

Application No.: 57652 **App. Type:** FUL 22/07/2014 Refused
Location: 6 Heywood Street, Bury, BL9 7EA

Proposal: Change of use of basement of dwellinghouse from residential (Class C3) to business (Class B1(a))

Application No.: 57682 **App. Type:** LDCE 28/07/2014 Lawful Development
Location: PC World unit, Angouleme Retail Park, George Street, Bury, BL9 0BZ

Proposal: Lawful development certificate for existing retail use (Class A1) without limitation

Application No.: 57693 **App. Type:** FUL 15/08/2014 Approve with Conditions
Location: Holy Trinity Church, Spring Street, Bury, BL9 0RW

Proposal: Change of use from church (Class D1) to display and sale of antiques, collectables and arts and crafts (Class A1)

Application No.: 57723 **App. Type:** ADV 28/07/2014 Approve with Conditions
Location: 3-5 Princess Parade, Bury, BL9 0QL

Proposal: 2 no. internally illuminated fascia signs and 2 no. internally illuminated projecting signs

Application No.: 57763 **App. Type:** FUL 20/08/2014 Approve with Conditions
Location: 18 Silver Street, Bury, BL9 0ER

Proposal: Removal of current PVCu frontage and erection of a timber framed frontage of the Monkey House bar, with double glazed and timber panels (Resubmission of 57510).

Application No.: 57792 **App. Type:** FUL 19/08/2014 Approve with Conditions
Location: 64 Hazel Avenue, Bury, BL9 7QT
Proposal: Two storey extension at side/rear (Resubmission of 57609)

Ward: **Bury East - Moorside**

Application No.: 57082 **App. Type:** FUL 14/08/2014 Refused
Location: Gorsey Brow Farm, Fern Grove, Bury, BL9 6SS
Proposal: Erection of 1 no. dwelling

Application No.: 57642 **App. Type:** FUL 28/07/2014 Approve with Conditions
Location: 45 Buckley Street, Bury, BL9 5AF
Proposal: Single storey extension at rear

Application No.: 57668 **App. Type:** FUL 15/08/2014 Approve with Conditions
Location: Auto Spares World, Park Road, Bury, BL9 5BQ
Proposal: Erection of two new industrial units (B1, B2, B8)

Application No.: 57753 **App. Type:** DEM 28/07/2014 Prior Approval Required and Refused
Location: St Josephs & St Bedes RC Primary School, Danesmoor Drive, Bury, BL9 6ER
Proposal: Prior notification of proposed demolition of single storey nursery building

Application No.: 57777 **App. Type:** FUL 15/08/2014 Approve with Conditions
Location: Britannia Mill, Cobden Street, Bury, BL9 6AW
Proposal: Erection of 3 no. light industrial units (Class B1 c) with car parking

Application No.: 57838 **App. Type:** DEM 05/08/2014 Prior Approval Required and Granted
Location: St Josephs & St Bedes RC School, Danesmoor Drive, Bury, BL9 6ER
Proposal: Prior notification of proposed demolition of single storey nursery building

Ward: **Bury East - Redvales**

Application No.: 57474 **App. Type:** FUL 05/08/2014 Approve with Conditions
Location: Holy Cross College, Manchester Road, Bury, BL9 9BB
Proposal: Three storey extension to rear of Mary Kelly building; single storey link between the Mary Kelly and Marie Therese building; alterations to car park

Application No.: 57564 **App. Type:** FUL 31/07/2014 Approve with Conditions
Location: Bury College Millenium Campus, Market Street, Bury, BL9 0BG
Proposal: Demolition of the existing Sports Hall / Theatre system-built building and the construction of a new 2 storey Science, Technology, Engineering and Mathematics (STEM) Centre providing workshops, general teaching and LRC accommodation.

Application No.: 57675 **App. Type:** FUL 21/07/2014 Approve with Conditions
Location: 34 Somerset Drive, Bury, BL9 9DQ
Proposal: Single storey extension at front

Application No.: 57677 **App. Type:** FUL 28/07/2014 Approve with Conditions
Location: 9 Horne Street, Bury, BL9 9BW
Proposal: Single storey extension at rear

Application No.: 57687 **App. Type:** FUL 05/08/2014 Approve with Conditions
Location: Swan and Cemetery, 406 Manchester Road, Bury, BL9 9NS
Proposal: Removal of smoking shelter and erection of extension at side/rear

Application No.: 57688 **App. Type:** FUL 04/08/2014 Split Decision
Location: 5 Enfield Close, Bury, BL9 9TU
Proposal: Proposal A Single storey extensions at side.
Proposal B Single storey extension at rear.

Application No.: 57732 **App. Type:** TEL 14/08/2014 Prior Approval Required and Granted
Location: Land at Bury Football Club, Gigg Lane, Bury, BL9 9HU
Proposal: Proposed upgrade to existing equipment including removal and replacement of existing support pole with extended pole (1M higher antennae); Proposed removal and replacement of existing 3no antennae with 3no. new antennae on existing pole. Removal of 1no. equipment cabinet and erection of 2no equipment cabinets.

Ward: **Bury West - Church**

Application No.: 57378 **App. Type:** FUL 25/07/2014 Refused
Location: Land at the rear of Belbeck Street, Bury, BL8 2PX
Proposal: Erection of 2 no. semi detached dwellings

Application No.: 57657 **App. Type:** FUL 29/07/2014 Approve with Conditions
Location: Elton Electrical Supplies, 307 Bolton Road, Bury, BL8 2PD
Proposal: Part change of use of electrical supplies shop (A1) to dog grooming (Sui Generis); New pitched roof at rear and shopfront to side (Retrospective)

Application No.: 57689 **App. Type:** FUL 21/07/2014 Approve with Conditions
Location: 22 Lodge Side, Bury, BL8 2SW
Proposal: Single storey extension to garage

Application No.: 57705 **App. Type:** FUL 21/07/2014 Approve with Conditions
Location: 25 Haig Road, Bury, BL8 2ND
Proposal: Retrospective application for lean to canopy over front elevation and new pitched roof over garage.

Application No.: 57709 **App. Type:** FUL 04/08/2014 Refused
Location: 4 Keighley Close, Bury, BL8 2JY
Proposal: Part two storey and part first floor extension at side

Application No.: 57735 **App. Type:** FUL 06/08/2014 Approve with Conditions
Location: 24 Buckingham Drive, Bury, BL8 2DH
Proposal: Dormer extension to front elevation.

Application No.: 57771 **App. Type:** FUL 07/08/2014 Approve with Conditions
Location: 1 Bentham Close, Bury, BL8 3DL
Proposal: Single storey extension at rear

Ward: **Bury West - Elton**

Application No.: 57614 **App. Type:** FUL 23/07/2014 Refused
Location: Alfred Works, Woodhill Street, Bury, BL8 1AT
Proposal: Single storey extension to existing works and erection of 5 no. single storey private garages/storage buildings within the existing storage yard (resubmission)

Application No.: 57671 **App. Type:** FUL 25/07/2014 Approve with Conditions
Location: Burrs Country Park, Caravan Club site ,Woodhill Road, Bury, BL8 1DA
Proposal: Erection of a new 'wardens accommodation unit'.

Application No.: 57711 **App. Type:** ADV 28/07/2014 Approve with Conditions
Location: Tesco Express, 359-361 Brandlesholme Road, Bury, BL8 1HS
Proposal: 2 no. internally illuminated fascia signs, 1 no. externally illuminated fascia sign, 1 no. internally illuminated hanging sign, 1 no. externally illuminated ATM sign and 4 no. non illuminated vinyl signs

Application No.: 57713 **App. Type:** FUL 18/08/2014 Approve with Conditions
Location: Asha Restaurant, 292-294 Tottington Road, Bury, BL8 1TA
Proposal: Construction of external utility staircase to the rear

Application No.: 57787 **App. Type:** ADV 19/08/2014 Split Decision
Location: Topps Tiles, Webb Street, Bury BL8 1AF
Proposal: A: 2 no. internally illuminated fascia signs, 1 no. non illuminated fascia sign
B: 1 no. non illuminated post sign.

Ward: **North Manor**

Application No.: 57706 **App. Type:** FUL 04/08/2014 Refused
Location: 2 Arlington Close, Summerseat, Bury, BL9 5NY
Proposal: Two/single storey extension at side/rear with rear dormer; Reinstatement of parking space and vehicular access to Cliff Avenue

Application No.: 57707 **App. Type:** FUL 20/08/2014 Approve with Conditions
Location: 1 Hazel Hall Cottages, Hazel Hall Lane, Ramsbottom, Bury, BL0 9UR
Proposal: Two storey extension at side/rear and single storey extension at side/rear; Porch at side and external alterations (resubmission)

Application No.: 57729 **App. Type:** LBC 07/08/2014 Approve with Conditions
Location: 40 Mount Pleasant, Nangreaves, Bury, BL9 6SR
Proposal: Listed building application to replace 7 external windows (3 to the front, 1 to the side and 3 to the rear elevations).

Application No.: 57734 **App. Type:** FUL 06/08/2014 Refused
Location: Higher Hilltop Barn, Hollymount Lane, Tottington, Bury, BL8 4HP
Proposal: Erection of a three car garage (Resubmission of 56804)

Application No.: 57759 **App. Type:** ADV 11/08/2014 Approve with Conditions
Location: 335 Holcombe Road, Tottington, Bury, BL8 4BB
Proposal: 1 no. non illuminated sign to front elevation.

Ward: **Prestwich - Holyrood**

Application No.: 57649 **App. Type:** LDGP 22/07/2014 Lawful Development
Location: 36 St Josephs Avenue, Whitefield, Manchester, M45 6NT
Proposal: Lawful Development Certificate for proposed single storey extension at rear

Application No.: 57724 **App. Type:** FUL 08/08/2014 Approve with Conditions
Location: 4 Nursery Road, Prestwich, Manchester, M25 3EN
Proposal: Single storey extension and new external access to basement

Application No.: 57751 **App. Type:** FUL 04/08/2014 Approve with Conditions
Location: 57 Glebelands Road, Prestwich, Manchester, M25 1WF
Proposal: First floor extension at side

Application No.: 57752 **App. Type:** FUL 04/08/2014 Split Decision
Location: 27 Ferndene Road, Prestwich, Manchester, M25 2RB
Proposal: Proposal A : Demolition of existing garage and erection of two/single storey extension at side & Front Porch.
Proposal B : Dormer roof extension at rear.

Application No.: 57773 **App. Type:** FUL 18/08/2014 Approve with Conditions
Location: 7 Holyrood Grove, Prestwich, Manchester, M25 1PG
Proposal: Garage conversion with extension to front elevation

Ward: **Prestwich - Sedgley**

Application No.: 57565 **App. Type:** FUL 05/08/2014 Approve with Conditions
Location: 44 Bury New Road, Prestwich, Manchester, M25 0JU
Proposal: Change of use from retail (Class A1) to mixed use (Classes A1, A2, A3 & A5)

Application No.: 57611 **App. Type:** FUL 05/08/2014 Refused
Location: 74 Windsor Road, Prestwich, Manchester, M25 0DE
Proposal: First floor extension at side and rear

Application No.: 57731 **App. Type:** FUL 06/08/2014 Approve with Conditions
Location: 47 Kings Road, Prestwich, Manchester, M25 0LN
Proposal: Single storey rear extension

Application No.: 57743 **App. Type:** FUL 18/08/2014 Approve with Conditions
Location: 2 Harrogate Avenue, Prestwich, Manchester, M25 0LT
Proposal: Loft conversion with dormers at front and rear

Application No.: 57744 **App. Type:** FUL 04/08/2014 Refused
Location: 63 Downham Crescent, Prestwich, Manchester, M25 0EH
Proposal: Single storey extension at rear; new side door with canopy

Application No.: 57755 **App. Type:** GPDE 22/07/2014 Prior Approval Required and Refused
Location: 59 Scholes Lane, Prestwich, Manchester, M25 0AW
Proposal: Prior notification of single storey extension at rear

Application No.: 57770 **App. Type:** FUL 15/08/2014 Approve with Conditions
Location: 27 Sheepfoot Lane, Prestwich, Manchester, M25 0BP
Proposal: Two storey extension at side with first floor extension above existing garage

Application No.: 57781 **App. Type:** FUL 13/08/2014 Refused
Location: Deli N Dine, 5 Park Hill, Bury Old Road, Prestwich, Manchester, M25 0FX
Proposal: Temporary siting of storage container at the rear for 24 months (Retrospective).

Application No.: 57783 **App. Type:** FUL 20/08/2014 Approve with Conditions
Location: 9 Oakfield, Prestwich, Manchester, M25 0DP
Proposal: Single storey rear extension

Ward: **Prestwich - St Mary's**

Application No.: 57605 **App. Type:** FUL 05/08/2014 Approve with Conditions
Location: 28 Stanley Avenue South, Prestwich, Manchester, M25 3AR
Proposal: Single storey extensions at front and rear

Application No.: 57672 **App. Type:** FUL 18/08/2014 Refused
Location: Land between 7 & 11 Prestwich Park Road South, Prestwich, Manchester, M25 9PF
Proposal: Erection of dwelling (resubmission)

Application No.: 57676 **App. Type:** FUL 18/08/2014 Refused
Location: 431 Bury New Road, Prestwich, Manchester, M25 1AF
Proposal: Change of use from Dog Grooming Parlour to Private Hire booking office (Sui Generis)

Application No.: 57695 **App. Type:** FUL 13/08/2014 Approve with Conditions
Location: 11 School Grove, Prestwich, Manchester, M25 9RJ
Proposal: Two storey extension at side and rear

Application No.: 57740 **App. Type:** FUL 14/08/2014 Approve with Conditions
Location: 408 Bury New Road, Prestwich, Manchester, M25 1BD
Proposal: Change of use from shop (A1) to hot food takeaway (A5) (re-submission).

Application No.: 57750 **App. Type:** FUL 18/08/2014 Approve with Conditions
Location: 45 Sandy Lane, Prestwich, Manchester, M25 9RD
Proposal: Single storey extension at side and rear

Application No.: 57766 **App. Type:** FUL 06/08/2014 Approve with Conditions
Location: 13 Ruskin Road, Prestwich, Manchester, M25 9QN
Proposal: Single storey extension at rear (retrospective)

Ward: Radcliffe - East

Application No.: 57552 **App. Type:** FUL 23/07/2014 Approve with Conditions
Location: 150-160 Dumers Lane, Radcliffe, Manchester, M26 2GF
Proposal: Change of use of industrial unit (Class B2) to MOT Testing Centre

Application No.: 57617 **App. Type:** FUL 22/07/2014 Approve with Conditions
Location: Bealey Community Hospital, Dumers Lane, Radcliffe, Manchester, M26 9QD
Proposal: Provision of 5 no. additional parking spaces.

Application No.: 57673 **App. Type:** FUL 07/08/2014 Approve with Conditions
Location: Radcliffe Tower, Church Street East, Radcliffe, Manchester, M26 2PT
Proposal: Conservation works to Radcliffe Tower and landscaping of surrounding land including timber raised planters, boundary treatments and planting

Application No.: 57680 **App. Type:** AG 28/07/2014 Prior Approval is Required
Location: Coney Green Farm, Greenbank Road, Radcliffe, Manchester, M26 4ER
Proposal: Prior approval of proposed change of use of agricultural building to 2 no. dwellinghouses (Use Class C3)

Application No.: 57696 **App. Type:** FUL 04/08/2014 Approve with Conditions
Location: Bank House, 23 Radcliffe New Road, Radcliffe, Manchester, M26 1LS
Proposal: Single storey extension at side

Application No.: 57710 **App. Type:** FUL 06/08/2014 Approve with Conditions
Location: Former Whittaker House, Whittaker Street, Radcliffe, Manchester, M26 2TD
Proposal: Part demolition of Whittaker House and construction of 11 no. affordable dwellings
(resubmission)

Ward: Radcliffe - North

Application No.: 57276 **App. Type:** FUL 29/07/2014 Approve with Conditions
Location: Masonic Hall, 110 Bury New Road, Brightmet, Bolton, BL2 6QU
Proposal: Demolition of existing masonic hall; Erection of two storey masonic hall and associated development.

Application No.: 57504 **App. Type:** FUL 25/07/2014 Refused
Location: Ainsworth Hall Farm, Ainsworth Hall Road, Ainsworth, Bolton, BL2 5QT
Proposal: Single storey outbuilding at side of dwelling; Demolition of redundant agricultural building

Application No.: 57626 **App. Type:** FUL 24/07/2014 Approve with Conditions
Location: 26 Bradley Fold Road, Ainsworth, Bolton, BL2 5QD
Proposal: Single storey extension at rear; Single storey bay extension at front

Application No.: 57690 **App. Type:** FUL 31/07/2014 Approve with Conditions
Location: 19 Cockey Moor Road, Radcliffe, Bury, BL8 2HD
Proposal: Variation of condition no. 2 (approved plans) of planning permission 56805 - demolition of existing bungalow and erection of 2 storey replacement dwelling: Reposition house forward 700mm to allow increase in depth (700mm) on either 'wing'.

Ward: Radcliffe - West

Application No.: 57640 **App. Type:** FUL 22/07/2014 Approve with Conditions
Location: 2 Astbury Street, Radcliffe, Manchester, M26 1JS
Proposal: Retrospective application for erection of boundary fence (resubmission)

Application No.: 57648 **App. Type:** FUL 31/07/2014 Approve with Conditions
Location: New Bay, 219 Stand Lane, Radcliffe, Manchester, M26 1JJ
Proposal: Retention of dormer at rear

Application No.: 57718 **App. Type:** FUL 01/08/2014 Approve with Conditions
Location: 59 Highmeadow, Radcliffe, Manchester, M26 1YN
Proposal: Single storey extension to rear/south elevation.

Application No.: 57741 **App. Type:** TEL 11/08/2014 Prior Approval Not required
Location: 3 Ardenfield Close, Radcliffe, Manchester, M26 1UP
Proposal: Prior notification of single storey extension at rear

Application No.: 57795 **App. Type:** FUL 18/08/2014 Approve with Conditions
Location: 7 Crossfield Drive, Radcliffe, Manchester, M26 3RX
Proposal: Two storey extension at side and single storey extension at front (revised scheme)

Ward: **Ramsbottom + Tottington - Tottington**

Application No.: 57591 **App. Type:** FUL 14/08/2014 Approve with Conditions
Location: Bleakholt Animal Sanctuary, Bury Old Road, Edenfield, Ramsbottom, Bury, BL0 0RX
Proposal: Removal of 3 no. field shelters and erection of 4 no. replacement field shelters

Application No.: 57656 **App. Type:** FUL 22/07/2014 Approve with Conditions
Location: 39 Sunnywood Close, Tottington, Bury, BL8 3GH
Proposal: Single storey extension at rear

Application No.: 57678 **App. Type:** FUL 18/08/2014 Refused
Location: Land at side of 201 Booth Street, Tottington, Bury, BL8 3JD
Proposal: Change of use of land to residential and erection of fencing (retrospective)

Application No.: 57720 **App. Type:** FUL 04/08/2014 Refused
Location: Butcher Head Farm, Watling Street, Tottington, Bury, BL8 3QL
Proposal: Erection of single storey detached garage.

Application No.: 57730 **App. Type:** FUL 04/08/2014 Approve with Conditions
Location: 34 Victoria Street, Tottington, Bury, BL8 4AG
Proposal: Erection of front porch

Application No.: 57764 **App. Type:** FUL 14/08/2014 Approve with Conditions
Location: Bleakholt Animal Sanctuary, Bury Old Road, Edenfield, Ramsbottom, Bury, BL0 0RX
Proposal: Erection of 1 no. haylage barn

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.: 57570 **App. Type:** FUL 07/08/2014 Approve with Conditions
Location: Former Cobden Mill, Square Street, Ramsbottom, Bury, BL0 9AZ
Proposal: Conversion of former mill to 11 no. two bedroom apartments and 3 no. 1 bedroom apartments along with 1 no. three bedroom dwelling house and 3 no. four bedroom town houses in the former mill yard.

Application No.: 57685 **App. Type:** FUL 20/08/2014 Refused
Location: Higher Tops Barn, Moor Road, Holcombe, Bury, BL8 4NU
Proposal: Erection of agricultural store and yard, entrance onto Moor Road (resubmission)

Application No.: 57697 **App. Type:** ADV 25/07/2014 Refused
Location: St Andrews C Of E Primary School, Nuttall Lane, Ramsbottom, Bury, BL0 9JD
Proposal: 1 No. non illuminated banner sign attached to school railings.

Application No.: 57704 **App. Type:** FUL 15/08/2014 Approve with Conditions
Location: Hazelhurst County Primary School, Geoffrey Street, Ramsbottom, Bury, BL0 9PQ
Proposal: Single storey in-fill extension to form additional classroom.

Application No.: 57727 **App. Type:** FUL 04/08/2014 Refused
Location: 16 Cleveland Close, Ramsbottom, Bury, BL0 9FH
Proposal: Two storey extension at side/front

Application No.: 57754 **App. Type:** FUL 11/08/2014 Approve with Conditions
Location: Topwood, Spring Wood Street, Ramsbottom, Bury, BL0 9DS
Proposal: Raise roof height of side (west) wing by 1600mm; Single storey extension at rear with roof terrace above; Addition of juliet balcony to side elevation and additional windows and general modifications to existing windows and doors

Ward: **Whitefield + Unsworth - Besses**

Application No.: 57849 **App. Type:** LDCP 20/08/2014 Lawful Development
Location: 28 Thatch Leach Lane, Whitefield, Manchester, M45 6BE
Proposal: Lawful Development Certificate for a proposed single storey side and rear extension.

Ward: **Whitefield + Unsworth - Pilkington Park**

Application No.: 57702 **App. Type:** FUL 21/07/2014 Approve with Conditions
Location: 4 Delamere Avenue, Whitefield, Manchester, M45 7WJ
Proposal: Single storey extension at rear; raising the ridge height of roof and dormer at rear to create a first floor

Application No.: 57717 **App. Type:** FUL 24/07/2014 Approve with Conditions
Location: 11 Oakdale Close, Whitefield, Manchester, M45 7LU
Proposal: New porch; remodeling of front elevation with coloured rendering.

Application No.: 57749 **App. Type:** FUL 19/08/2014 Approve with Conditions
Location: 140 Radcliffe New Road, Whitefield, Manchester, M45 7RW
Proposal: Single storey rear extension; New steps to new external courtyard; Erection of a new outhouse

Application No.: 57761 **App. Type:** FUL 18/08/2014 Approve with Conditions
Location: 75 Sergeants Lane, Whitefield, Manchester, M45 7TR
Proposal: Garage conversion with new bay window to front elevation; New front porch; Alterations to side/rear elevations; Widening of existing front driveway

Application No.: 57775 **App. Type:** FUL 18/08/2014 Approve with Conditions
Location: 24 Woodhall Avenue, Whitefield, Manchester, M45 7QF
Proposal: Single storey extension at front; Two storey extension at rear

Ward: **Whitefield + Unsworth - Unsworth**

Application No.: 57714 **App. Type:** TEL 14/08/2014 Prior Approval Required and Granted
Location: Whitefield Methodist Church, Elms St., Whitefield, M45 8GQ
Proposal: Prior notification for installation of 8m steel pole, containing 3 antennae to western elevation. Erection of an equipment cabinet at ground level to east of building and associated development. Retention of existing antennae and cabinet on eastern elevation.

Application No.: 57716 **App. Type:** FUL 31/07/2014 Approve with Conditions
Location: 12 Alnwick Drive, Bury, BL9 8BZ
Proposal: Single storey extension at rear

Total Number of Applications Decided: **96**

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REPORT FOR DECISION

**Agenda
Item**
6

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	2nd SEPTEMBER 2014
SUBJECT:	PLANNING APPEALS
REPORT FROM:	DEVELOPMENT MANAGER
CONTACT OFFICER:	JOHN CUMMINS
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>Planning Appeals:</p> <ul style="list-style-type: none"> - Lodged <p>Enforcement Appeals:</p> <ul style="list-style-type: none"> - Decided
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices.
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

This is a monthly report to the Committee of the Planning Appeals lodged against decisions of the authority and against Enforcement Notices served and those that have been subsequently determined by the Planning Inspectorate.

Attached to the report are the Inspectors Decisions and a verbal report will be presented to the Committee on the implications of the decisions on the Appeals that were upheld.

2.0 CONCLUSION

That the item be noted.

List of Background Papers:- Copy Appeal Decisions attached

Contact Details:-

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**Planning Appeals Lodged
between 21/07/2014 and 20/08/2014**



Application No.: 57456/FUL

Appeal lodged: 28/07/2014

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Refuse

Applicant: Mr Rohall Nawaz

Location 73 Bury Old Road, Prestwich, Manchester, M25 0FG

Proposal Retrospective application for front porch, two storey/first floor extension at side and single storey extension at rear

Application No.: 57654/FUL

Appeal lodged: 13/08/2014

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Refuse

Applicant: Mr Dean Jackson

Location 528 Holcombe Road, Greenmount, Bury, BL8 4EJ

Proposal Two storey extension at side/rear, first floor rear extension and garage conversion; Porch/single storey extension at front; Decking and balustrade at rear; Bin store at front

Total Number of Appeals Lodged: 2

**Details of Enforcement Appeal Decisions
between 16/06/2014 and 20/08/2014**



Location: Former Waterloo Hotel, 155 Manchester Road, Bury, BL9 0TD **Case Ref:** 13 / 0301

Issue: The erection of five metal flues to the side and rear elevations of the property.

Appeal Decision: Dismissed 11/08/2014

Location: Former Waterloo Hotel, 155 Manchester Road, Bury, BL9 0TD **Case Ref:** 13 / 0301

Issue: The erection of five metal flues to the side and rear elevations of the property.

Appeal Decision: Dismissed 11/08/2014

A copy of the Planning Inspectorates Report and Decision is attached below



Appeal Decisions

Site visit made on 23 July 2014

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 August 2014

Appeal A - Ref: APP/T4210/C/14/2214475 155 Manchester Road, Bury, BL9 0TD.

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Denis Sutherland against an enforcement notice issued by Bury Metropolitan Borough Council.
- The Council's reference is 13/0301.
- The notice was issued on 27 January 2014.
- The breach of planning control as alleged in the notice is the change of use of the property to two hot food takeaways.
- The requirements of the notice are to permanently cease the use of any part of the property as a Hot Food Takeaway.
- The period for compliance with the requirements is 60 days.
- The appeal is proceeding on the grounds set out in section 174(2) (a), (b) and (e) of the Town and Country Planning Act 1990 as amended.

Summary of the Decision: the appeal is dismissed, planning permission is refused and the notice is upheld.

Appeal B - Ref: APP/T4210/C/14/2214481 155 Manchester Road, Bury, BL9 0TD.

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Denis Sutherland against an enforcement notice issued by Bury Metropolitan Borough Council.
- The Council's reference is 13/0301.
- The notice was issued on 27 January 2014.
- The breach of planning control as alleged in the notice is the erection of five metal flues to the side and rear elevations of the property.
- The requirements of the notice are to a) dismantle and permanently remove from the property the five metal flues together with all associated fixtures, fittings and brackets; b) following step a) make good the concrete block, render, and mortar to the side and rear elevations using materials of a similar size, type and colour.
- The period for compliance with the requirements is for step 5(a) – 60 days and for step 5(b) – 90 days.
- The appeal is proceeding on the grounds set out in section 174(2) (a), (e) of the Town and Country Planning Act 1990 as amended.

Summary of the Decision: the appeal is dismissed, planning permission is refused and the notice is upheld.

Background

1. The site comprises a three storey building located on the end of a terrace of residential properties and within an area which is generally residential in

character. It is apparent from the planning history of the site that the premises were previously a public house- 'The Waterloo Hotel' and there remains a sign to this effect on the front of the building. The notice refers to No. 155 Manchester Road, and the appellant says that the public house also occupied No. 153. At the time of my site visit I noted from the outside that the ground floor of the main building had been sub-divided into two premises. No.155 was called 'Jamalicious', whereas No. 155a had a fascia sign saying 'Waterloo Diner' but the premises appeared to be closed. I also noted that two of the high external flues to the side and rear of No.155a, as shown in photograph 1 as attached to the notice, had been removed.

2. The appeals are made by the operator of No.155.

The Notices

3. The appellant's agent submits that both notices are fundamentally flawed as they relate to the overall premises and the Notice in appeal A alleges a material change of use to two hot food take-aways, whereas the appellant Mr Sutherland is only the operator of one unit. Likewise the Notice in Appeal B alleges the construction of 5 metal flues whereas Mr Sutherland is only responsible for 3 flues on his property. Therefore it is submitted that the appellant can never comply with the part of the alleged use relating to the premises now known as No. 155a and the related flues on the south side of the building.
4. Although the ground floor of No. 155 appears to now be subdivided into two separate planning units in different tenancies, there is no reason in principle why this cannot be tackled in one enforcement notice. This is subject to the proper serving of a copy of the notice on any person with an interest in the land which I will deal with under ground (e) below. Further, although the appellant says he cannot be held responsible for complying with the requirements in respect of No. 155a it appears that these have or are being complied with. Mr Sutherland has therefore not suffered any injustice as a result of the nature of the notices referring to the overall property.
5. I conclude on this initial aspect that the notices are not flawed and there is no error to correct.

Appeals A and B - Appeal on ground (e)

6. The appellant submits that the notices were served incorrectly and not in accordance with s172 of the Act.
7. The Council have submitted evidence to show that before the notices were issued, details of the people with an interest in the land were received from a Land Registry search and from local enquiries made. Further, a Planning Contravention Notice was sent to the known owner of the property and when completed and returned the Council say it did not make reference to the people now operating the premises called 'Jamalicious' and Waterloo Diner'.
8. It is apparent that the copy of the notices was served on Nakia Brown and Denis Sutherland at No. 153 and Abdul Jafar at No. 153a, as opposed to 155 and 155a. Nevertheless, it is clear that Mr Sutherland received a notification and he was able to lodge his appeal in time.

9. On the evidence provided by the Council, I am satisfied that the Council took reasonable steps to find out who had an interest in the land and served the notices on these people appropriately. Although the reference to the wrong property number is regrettable, this error in the administration of the serving of the notice did not cause Mr Sutherland substantial prejudice. The appeals on this ground therefore fail.

Appeal A – appeal on ground (b)

10. The appeal on this ground is that the alleged breach of planning control has not occurred as a matter of fact as the appellant says there has been no material change of use of the premises. It is submitted that the use undertaken is as a restaurant/café for the sale of food and drink for consumption on the premises, and not as a hot food takeaway for the sale of hot food for consumption off the premises.
11. The appellant refers to a survey of the use he undertook over a week in February 2014 where 111 customers ate inside the premises and 25 took their food away. The appellant's agent says this degree of take-away use at about 20% is *de minimus* and does not result in a material change from a restaurant. He says this is a similar split to that of other national chain diners like 'KFC' and 'McDonalds'.
12. The Council refer to a site visit where a Council officer visited the premises, purchased a meal and then left with it to eat it elsewhere, and to 5 other observations at the site. The Council also refer to the advertising of the premises which features the take-away facility and the option to have food delivered to the customer's home.
13. At my site visit I noted the overall layout of the premises which featured a counter for the serving of hot food and which subdivides the food preparation area from the public side. To the front of the counter were three tables with seats and bars that customers could stand at. At the time of my visit there were customers sitting at tables and also another person who took away hot food. However, given this relatively short snapshot of time for a pre-planned visit, I cannot place much weight on these comings and goings. Nor do I consider it relevant as to whether customers stand up or sit down at tables, or the lack of waiter service or cutlery on the tables as the Council suggests.
14. It appears to me that the main criterion as to whether a material change of use is involved, as indicated in the difference between Classes A3 and A5¹, is whether the operation is designed primarily for hot food to be eaten on or off the premises. From my observations at my site visit, including the advertisements displayed on and within the unit, it appeared to me that the overall nature and appearance of the premises displayed the characteristics of food being prepared and wrapped mainly to be taken away for consumption elsewhere. The appellant says that 20% take-away is an ancillary level to a café/restaurant, but this is at odds with the Council's evidence. From the character of the premises that I saw on site it appears to me that the take-away of food is the principal function rather than being only of a *de minimis* level. Accordingly, I find, as a matter of fact and degree, that the use undertaken is materially and substantially different to that of a hotel/public

¹ As defined in the Town and Country Planning (Use Classes) Order 1987.

house and that a material change of use has taken place. The appeal on this ground therefore fails.

Appeals A and B – Appeal on ground (a)

Main Issues

15. The main issue in Appeal A is the effect of the change of use to two hot food take-aways on the living conditions of the occupiers of residential properties near the site by reason of cooking fumes and noise disturbance, and in Appeal B the main issue is the effect on the character and appearance of the area and on the living conditions of neighbours through causing noise disturbance.

Reasons

16. In terms of the nature of the use, the buildings to the side and rear of the premises are residential houses. The cooking of hot food on a commercial basis could reasonably be expected to give rise to odour and smells coming from the kitchen which could harm the living conditions of people living in houses nearby the site.
17. Although some extensive flues have been installed, there is no evidence before me to demonstrate that these ventilation systems mitigate the extent of odour and smells to an acceptable level. Further, the ventilation systems themselves are likely to be mechanically driven but no information has been submitted to establish that the systems will not cause a noise problem as the Council alleges. A written objection submitted by a neighbour refers to the smells from cooking coming from the premises and to the loud noise coming from the flues early in the morning till late in the evening.
18. In terms of the visual appearance of the flues, although the two larger ones had been removed at the time of my visit, the nature of all of the flues is shown in the photographs attached to the notice in Appeal B. I consider that due to the size, position and materials of the flues, individually and collectively they harm the appearance of the surrounding area and the host building. Even though they are or were attached to the side and rear of the building, they are clearly visible from the public realm.
19. For these reasons, I consider the use as hot food take-aways and the erection of the metal flues cause the environmental harm that I have described and do not accord with the requirement of saved policies EN1/2, EN7/1, EC4/1 and S2/6 of the Bury Unitary Development Plan, 1997 (UDP). Although the UDP is of some age, the policies mentioned generally accord with the National Planning Policy Framework which places an emphasis in securing high quality design and a good standard of amenity, and should be given due weight.
20. I have also taken into consideration the many factors put forward in support of the proposal in the bullet points on page 7 of the appellant's Statement, but these factors do not outweigh the conclusion I have reached that the nature of the use has a harmful effect on the living conditions of neighbours and the appearance of the area. This harm could not be mitigated by the imposition of reasonable conditions on a planning permission.
21. For the reasons given, I conclude that planning permission should not be granted in both cases and the appeals on this ground fail.

Conclusions

22. For the reasons given above I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the deemed application.

Decisions

Appeal A - Ref: APP/T4210/C/14/2214475

23. The appeal is dismissed and the enforcement notice is upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Appeal B - Ref: APP/T4210/C/14/2214481

24. The appeal is dismissed and the enforcement notice is upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

David Murray

INSPECTOR

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