

AGENDA FOR

PLANNING CONTROL COMMITTEE

Contact:: Keren Murphy
Direct Line: 0161 2535130
E-mail: k.m.murphy@bury.gov.uk
Web Site: www.bury.gov.uk

To: All Members of Planning Control Committee

Councillors : J Black, S Briggs, D'Albert, Harris,
R Hodgkinson, D Jones, A Matthews, O'Brien, Preston,
A Quinn, S Southworth (Chair), Skillen and Y Wright

Dear Member/Colleague

Planning Control Committee

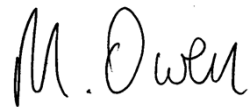
You are invited to attend a meeting of the Planning Control Committee which will be held as follows:-

Date:	Tuesday, 28 July 2015
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>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 also be provided in the supplementary agenda which will be circulated to Members and made available to the public on the Council's website on the day of the meeting.</p>
Notes:	<p>Food will be available from 5.00 pm (Balcony Bar). Pre-meeting briefing (Lancaster Room) at 5.45 pm. Details of site visit/Member training will be circulated separately, for the information of Members and Officers.</p>

The Agenda and Reports for the meeting are attached.

The Agenda and Reports are available on the Council's Intranet for Councillors and Officers and on the Council's Website at www.bury.gov.uk – Council and Democracy.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Owen'.

MIKE OWEN
CHIEF EXECUTIVE

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 LAST MEETING HELD ON 23 JUNE, 2015 *(Pages 1 - 4)*

4 PLANNING APPLICATIONS *(Pages 5 - 140)*

a SUPPLEMENTARY AGENDA

5 DELEGATED DECISIONS *(Pages 141 - 152)*

A report from the Development Manager on recent Delegated Planning decisions since the last meeting of the Planning Control Committee held on 23 June, 2015.

6 PLANNING APPEALS *(Pages 153 - 172)*

A report from the Development Manager on recent Planning Appeal decisions since the last meeting of the Planning Control Committee held on 23 June, 2015.

7 DEVELOPMENT MANAGEMENT PERFORMANCE *(Pages 173 - 186)*

A report from the Head of Development Management providing an annual summary of planning application performance statistics, including planning legislation changes and planning quality framework.

8 URGENT BUSINESS

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

This page is intentionally left blank

Minutes of: PLANNING CONTROL COMMITTEE

Date of Meeting: 23 June, 2015

Present: Councillor S Southworth (In the Chair)
Councillors J Black, M D'Albert, J Harris, R Hodgkinson,
D Jones, A Matthews, E O'Brien, C Preston, A Quinn

Public attendance: 15 members of the public were in attendance

Apologies for absence: Councillors S Briggs, R Skillen & Y Wright

PCC.104 DECLARATIONS OF INTEREST

Councillors Southworth and Hodgkinson declared a personal interest in respect of planning application 58768 as they are both members of the Board of the East Lancs Railway. Councillor Hodgkinson also declared a personal interest in respect of planning applications 58668 and 58669 as an owner of a business within the locality and as a member of Ramsbottom Business Group.

PCC.105 MINUTES

Delegated decision:

That the Minutes of the meeting held on 2 June, 2015 be approved as a correct record and signed by the Chair.

PCC.106 PLANNING APPLICATIONS

A report from the Development Manager was submitted in relation to the applications for planning permission. Supplementary information was also submitted in respect of application numbers: 58521, 58558, 58733 and 58768.

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 Head of Development Management in the report and supplementary information submitted and subject to the conditions included:

58558 8 Warwick Street, Prestwich, Manchester – Prestwich – St Mary's Ward

Change of use from beauty salon at ground floor and flat at first floor (Class C3) to mixed use cafe bar (Class A3) and Community Activity Facility (Class D1); Access/fire exit at rear; External roller shutters

58653 Grundy Day Care Centre, Wellington Road, Bury – Bury East – Redvales Ward

Change of use of day centre to a mixed use day care centre, hairdressers (A1) and cafe (A3) (to be open to members of the public)

58668 56-58 Bridge Street, Ramsbottom, Bury – Ramsbottom and Tottington – Ramsbottom Ward

Change of Use to ground floor of property only – from A1 (Shop) to A3 (Cafe) Some internal alterations to accommodate new licensed premises

The decision to Approve with Conditions is subject to an amendment to Condition 3 and subject to an additional Condition (5), both conditions to read as follows:

Condition 3: The use hereby permitted shall not be open to customers outside the following times: 08.00 to 20.00 hours daily.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/2 - Prime Shopping Areas and Frontages and S2/6 Food and Drink of the Bury Unitary Development Plan.

Condition 5: The door on the side elevation of the building fronting Silver Street, on approved plan 14/353.05 shall be used as an emergency exit for the A3 unit hereby approved and access to and from the upstairs residential accommodation only.

Reason. In the interests of pedestrian safety and residential amenity pursuant to Bury Unitary Development Plan Policies S2/6 - Food and Drink and EN7/2 - Noise Pollution.

58669 56-58 Bridge Street, Ramsbottom, Bury – Ramsbottom and Tottington – Ramsbottom Ward

Listed building consent for change of use of ground floor from shop (Class A1) to cafe (Class A3) and internal alterations arising as a result of application 58668 (resubmission)

58706 222-224 Dumers Lane, Radcliffe, Manchester – Radcliffe East Ward

Variation of condition no.2 (approved plans) of planning permission 54875 for alterations to the shop front, forecourt, new pitched roof at rear and omission of rear roller shutter

58733 Clay Bank Works, Unit 4A, Fletcher Street, Bury – Bury East Ward

Single storey rear extension and creation of two new entrances to side with roller shutters

58768 Burrs Country Park, Woodhill Road, Burrs, Bury – Bury West – Elton Ward

Variation of condition 2 of planning permission 51368 to shorten the platform; relocate the maintenance access to the south end of the platform; Amend construction method of platform to cross walls, located perpendicular to track; provide timber fencing to rear of platform; realignment of fence to caravan club site; additional pitch to caravan site.

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

58521 Former Red Bridge Inn, Bury Old Road, Ainsworth, Bolton – Radcliffe North Ward

Refurbishment and conversion/change of use of vacant public house to form 2 no. Cottages and 8 no. apartments and erection of 10 no. apartments with bin/cycle stores, reconfiguration of existing car park and hard/soft landscaping accessed via Bury Old Road.

PCC.107 DELEGATED DECISIONS

A report from the Development Manager was submitted listing all recent Planning application decisions made by Officers using delegated powers. Councillor Jones thanked the team for resolving the car parking issues in respect of planning application no. 58562.

Delegated decision:

That the report be noted.

PCC.108 PLANNING APPEALS

A report from the Head of Development Management was submitted which presented a list of recent planning appeal lodged against the decision of the authority and of a recent Planning Appeal decision.

Delegated decision:

That the report be noted.

PCC.109 SECTION 106 OBLIGATIONS

The Development Manager submitted a report which detailed the contributions made by Section 106 obligations since October, 2014 and included a summary of outstanding agreements. Councillor O'Brien commented on the amount of outstanding monies owed to the Authority and that the Council should recover as much of this as possible. The Development Manager explained that figures had fallen dramatically over recent years and although there were some difficulties involved in chasing funds, the Council are as rigorous as possible in doing so. The report reflected the upturn in applications and in the way developments were now coming through. In response to a question from Councillor Black, the Development Manager confirmed that the application for extension of time in relation to Application no's 49718 and 53800 had expired. Councillor D'Albert asked if there was a charge on houses before they are sold. It was reported that Section 106 agreements were registered on the local land register and would be flagged up on a local search during the sale of a property. The obligations run with the land but on residential developments, the Council does not enforce financial obligations against owners of individual units.

Delegated decision:

That the report be noted.

**CHAIR
COUNCILLOR SUSAN SOUTHWORTH**

(Note: The meeting started at 7.00 pm and ended at 7.40 pm)

Title	Planning Applications
To:	Planning Control Committee
On:	28 July 2015
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: Ramsbottom and Tottington - Ramsbottom	App No. 58499
	Location: Irwell Bridge Works, Kenyon Street, Ramsbottom, Bury, BL0 0AB	
	Proposal: Change of use of part of existing yard from waste recycling to mixed use for waste recycling and commercial vehicle wash (Retrospective)	
	Recommendation: Approve with Conditions	Site Visit: Y
<hr/>		
02	Township Forum - Ward: Bury East - Moorside	App No. 58587
	Location: Land off Lowes Road, Bury, BL9 6QS	
	Proposal: Residential development for 24 no. dwellings, memorial/community forest and wider public open space with associated infrastructure (resubmission)	
	Recommendation: Approve with Conditions	Site Visit: Y
<hr/>		
03	Township Forum - Ward: Bury East - Moorside	App No. 58615
	Location: Burrswood House, Newton Street, Bury, BL9 5HB	
	Proposal: Proposed extension to enclose lift	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
04	Township Forum - Ward: Ramsbottom and Tottington - Ramsbottom	App No. 58662
	Location: Ashton Lodge, Great Eaves Road, Ramsbottom, Bury, BL0 0PX	
	Proposal: Erection of single storey building to house boilers	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
05	Township Forum - Ward: Ramsbottom and Tottington - Ramsbottom	App No. 58702
	Location: Units 5 & 5a, Kay Brow Yard, Kay Brow, Ramsbottom, Bury, BL0 9AY	
	Proposal: A. Retrospective change of use of industrial units (5 and 5A)(Class B1) to shop (Class A1) and music rehearsal venue (Class D2) B. Change of Use of industrial unit 5A to Music Bar (Class A4)	
	Recommendation: Split Decision	Site Visit: Y

06	Township Forum - Ward: Bury East - Redvales	App No. 58729
	Location: Park Lodge, Manchester Road Park, Manchester Road, Bury, BL9 9BB	
	Proposal: Change of use from dwelling (Class C3) to training facilities at ground floor (Class D1) with ancillary first floor offices; New door, level access, external step lift and security gate at rear; Mesh covering to windows and doors	
	Recommendation: Approve with Conditions	Site Visit: N
07	Township Forum - Ward: Whitefield + Unsworth - Besses	App No. 58732
	Location: Land Adjacent To The Ark, Albert Road, Whitefield, Manchester, M45 8NN	
	Proposal: Creation of 8 no. new car parking spaces and ramped access from the disabled car parking bay	
	Recommendation: Approve with Conditions	Site Visit: N
08	Township Forum - Ward: Ramsbottom + Tottington - Tottington	App No. 58754
	Location: Land at rear of 131-133 Holcombe Road, Tottington, Bury, BL8 4AY	
	Proposal: Change of use from open land to form extension to residential curtilage	
	Recommendation: Approve with Conditions	Site Visit: N
09	Township Forum - Ward: Ramsbottom + Tottington - Tottington	App No. 58767
	Location: Land at side of 25 Booth Way, Tottington, Bury, BL8 3JW	
	Proposal: Erection of 1 no. attached dwelling; New vehicular access for both properties and new porch to the existing property	
	Recommendation: Approve with Conditions	Site Visit: N
10	Township Forum - Ward: Prestwich - Holyrood	App No. 58801
	Location: 8 Glebelands Road, Prestwich, Manchester, M25 1NE	
	Proposal: Change of use from 2 no. flats to 1 no. dwelling; Single storey extension at side/rear with first floor balcony; New first floor window at front, first floor french doors, juliet balcony and second floor window at rear; Render to front/side elevations	
	Recommendation: Approve with Conditions	Site Visit: N

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 01

Applicant: J Wheeldon Ltd

Location: Irwell Bridge Works, Kenyon Street, Ramsbottom, Bury, BL0 0AB

Proposal: Change of use of part of existing yard from waste recycling to mixed use for waste recycling and commercial vehicle wash (Retrospective)

Application Ref: 58499/Full

Target Date: 23/07/2015

Recommendation: Approve with Conditions

The Development Manager has recommended a site visit take place before the Planning Control Committee meeting.

Description

The application site is located on the eastern bank of the River Irwell to the north of Ramsbottom Bridge. It lies to the north of Stead Street and to the west of Kenyon Street. Access into the site is off Kenyon Street and leads directly into a service yard area. There is a row of residential 2 storey terrace properties to the south which front onto Kenyon Street and industrial/commercial units to the north and east.

The site does not lie within the designated Employment Generating Areas but is immediately adjacent to it, and it is located within the Ramsbottom Town Centre Conservation Area.

The premises operates as a waste recycling business, producing fuel for burning in industrial boilers, and this is carried out in the units located in the northern part of the site.

The southern area of the site comprises a service yard, with a weighbridge, office, storage building and turning area for vehicles. This part of the site is bounded to the south and east by a high stone wall which runs along the back edge of pavement of Stead Street and Kenyon Street.

This application is retrospective and involves the regularisation of a commercial vehicle wash which is operating in the south eastern corner of the service yard area. The wagon wash area is being used by the company's fleet of wagons and transportation vehicles. The applicant states they have also been approached by 8 other local companies requesting use of the wash facility.

The application has come about as a result of a complaint to the Enforcement team that the vehicle wash operation was being used by vehicles other than the applicant's.

Hours have been amended from originally proposed and the applicant has put forward 8am to 5pm Monday to Friday and 9am to 4pm on Saturdays. There would be no Sunday or Bank Holiday working.

Relevant Planning History

49635 - Conservation area consent for selective and partial demolition, alteration and extension of existing mill buildings to form B1 offices, additional new access and 40 car parking spaces (resubmission of 48217) at Irwell Bridge Mill, Kenyon Street, Ramsbottom. Approved with conditions - 9 July 2008

49636 - Proposed selective and partial demolition, conversion, alteration and extension of existing mill buildings to provide B1 office accommodation, additional new access, 40 car parking spaces and provision of footbridge (resubmission of 48183) at Irwell Bridge Mill,

Kenyon Street, Ramsbottom. Approved with conditions - 9 July 2008

53939 - Alterations and part demolition of structures and walls - Approve with Conditions 30/08/2011

54741 - Raise existing canopy within the yard area and over existing shutter doors and new roller shutter in gable side of factory - Approve with Conditions 17/02/2012

54742 - Non material amendment following granting of planning permission 53939 to remove rear wall to storage building and provision of weigh bridge office - Approve 16/01/2012

54765 - 2 No. non- illuminated fascia signs and 1 no. non-illuminated free standing sign - Approve with Conditions 02/03/2012

14/0358 - Enforcement case - Change of use to HGV washing - 02/06/2015

Publicity

14 letters sent on 2/6/2015 to properties at Nos 1-11 (odds) Peel Brow, Hearth of the Ram Peel Brow, Goulds, Ross Vale Tyres, Irwell Street Metals, Kenyon Street, 1-11 (odds) Kenyon Street.

Site notice posted 24/6/2015.

Press advert in the Bury Times 11/6/2015.

Two letters of objection received from No 7 Kenyon Street and one email (no address provided) which raise the following issues:

- The site is in close proximity to my house (31 feet and 120 inches). The commercial vehicle wash is just behind this wall and has been operating for approx 18 months without planning permission;
- The operation has given an insight into issues affecting me and other residents which are:
 - Diesel fumes from the commercial pressure washer which bellow a large amount of diesel fumes and black smoke which enters the house and worse when the wind carry's it;
 - Noise from the HGV vehicles revving engines to climb the wash ramp
 - Noise from the power washer and the wash itself;
 - Refuse vehicles are washed here and they bring foul smells as they are washed off;
 - Steam and wet mist from the power washer coming over the wall;
 - More traffic movements have added to what is a busy street;
 - Concerned of what is happening to the dirt and debris and foul/dirty water - already have problems with the drains and this needs to be controlled;
 - If approved, then conditions need to be imposed - working times, vehicle movements, ventilation of diesel fumes, power washer enclosed, noise screen installed, protection screen to stop spray, control of bad smells, drainage controls
- All the businesses on the street have always operated in a compassionate way towards residents - the way it should be;
- Residents have suffered since Wheeldon's waste started business here;
- Waste and foul water spilled from their trucks which smells;
- Large excavation type vehicles operating on steel tracks have shook the house and had to have it re-pointed;
- Have to keep windows/doors shut in Summer due to the foul smells and dust;
- The EA have resolved some issues but not all and do not appear to have the authority to take immediate action when residents complain;
- When Wheeldon's started the waste transfer business ,more conditions should have been imposed;
- Wheeldon's in fairness tried to improve the situation by replacing a diesel engine with electric motor but smell and dust still a major problem;
- Since Wheeldon's stopped operating, there have been no dust and smells;
- This type of business should never have been allowed in the heart of Rams bottom. It is a beneficial operation but in the wrong location.

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

Consultations

Traffic Section - No objection.

Drainage Section - No objection subject to condition.

Pollution Control - No objection subject to a condition to restrict hours of operation.

Unitary Development Plan and Policies

EN2/2	Conservation Area Control
EN2/1	Character of Conservation Areas
EC2/2	Employment Land and Premises
EN1/2	Townscape and Built Design
Area	Railway Street/Bridge Street/Peel Brow
RM5	
NPPF	National Planning Policy Framework
HT4	New Development
HT6/2	Pedestrian/Vehicular Conflict
EC6/1	New Business, Industrial and Commercial

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 - UDP Policy EC6/1 - Assessing New Business, Industrial and Commercial Development takes into account the surrounding environment, amenity and the safety of employees, visitors and adjacent occupiers. Factors considered include scale, layout, access and parking provision, boundary treatment and the effect on neighbouring properties.

UDP Policy EN7 - Pollution, EN7/1 - Atmospheric Pollution and EN7/2 - Noise Pollution seeks to control environmental nuisance and minimise pollution levels associated with development by limiting the environmental impact.

The application site is located within an established commercial premises in an area which is characterised by other industrial businesses. The commercial vehicle wash operation is being carried out within the boundary of the site, within a fully contained service yard area which utilises the existing access. As such, in terms of the principle of this use operating within an industrial area, the proposal is considered to be acceptable.

Impact on the surrounding area, the nearby residential dwellings and access and traffic issues are discussed in the report below.

Impact on residential amenity - The main issues raised by the objectors relate to fumes, noise from the commercial vehicles and washing equipment, smells, increase in traffic and drainage implications.

The nearest residential properties are the row of terrace cottages fronting Kenyon Street to the south of the site, with the gable wall of No 11 being the closest, 10m away.

Up to 4 wagons waiting to be washed can be accommodated within the service yard area along the eastern boundary wall.

Whilst by its very nature, an operation of this type would produce a certain amount of fumes and noise from both the washing equipment and wagons, planning permission for the use would not be required if it was only used by the applicant for the purpose of washing their own vehicles. It would be considered as an ancillary use to the main recycling business. The issue is the intensification of the use of the facility from 3rd parties.

Fumes, noise, smells - The vehicle wash operation is carried out within the service yard area which is located in the south eastern corner near to the site boundary. There is a solid stone wall, approximately 5m high, which runs round the entire south and eastern boundary and which contains the activities associated with the wash.

The development is small in scale, localised and buffered from the surrounding area by the boundary walls. The application demonstrates that only a limited number of vehicles could be accommodated within the site at one time and use the wash facility. There is one ramp and this allows only one vehicle to be washed at any one time. The control by condition of working hours would also ensure nearby residencies would be protected from fumes, noise and smells in the evenings and on Sundays when people are more likely to be at home and expect a quieter time.

Traffic - The only increase in traffic to the site would be from the other local companies using the wash facility. The applicant states that 8 companies have expressed an interest, and use of the vehicle wash would be on an appointment basis only. The reasons for this being two-fold - to ensure an employee was available to wash the vehicles and to ensure that visits to the site would be staggered, controlled and accommodated on the site.

Drainage - The application does not contain any information on how drainage from the wash business is dealt with. There have not been any recorded reports of problems with drainage associated with the use. The Drainage section have raised no objection to the proposal, subject to a condition requiring details of surface water treatment.

Hours - Proposed hours of Monday to Friday 8am to 5pm and Saturday 9am to 4pm are consistent with other business premises which operate in the area and given the associated activities occur during the daytime when it is expected people would be carrying out daily tasks, the hours are considered to be acceptable and not have a detrimental impact on the amenity of local occupiers in the adjacent area. The Pollution Control Section have raised no objection to the proposal and recommend a condition that working hours be restricted as above.

Given the scale of the proposed development, that it has been in operation for some time before this application has been submitted, that there have not been any complaints made to the Pollution Control Section, and that the hours of operation and drainage can be controlled by condition, it is considered the intensification of the wash operation by 3rd parties would not be significant to have a detrimental impact on residential amenity and as such considered to be acceptable.

In terms of traffic generation, it is considered the facility would not give rise to a significant number of vehicles which would visit the site.

As such, the proposal would comply with UDP Policies EN7 - Pollution and EC6/1 - Assessing New Business, Industrial and Commercial Development.

Highways issues - There are no proposed changes to the access into the site, the internal layout of the service yard or the vehicle wash area than are already been carried out. As well as being used by the applicant in association with their recycling business, the facility is also used by local contractors. This operates on an appointment only basis, whereby the applicant is contacted and a time slot arranged. This enables the applicant to control the number of vehicles to the site at one time, and subsequently ensures that additional traffic to the site is kept to a minimum.

The proposed layout plans show that there would be an area within the yard for vehicles to park whilst waiting to be washed. The layout of the yard also facilitates vehicles to manoeuvre within the site to enable exit onto the highway safely in a forward gear.

The Highways Section have raised no objection to the application and no conditions have been recommended.

As such, it is considered that the proposal comply with EC6/1 - Assessing New Business, Industrial and Commercial Development and HT6/2 - Pedestrian/Vehicular Conflict.

Response to objectors - The concerns relating to noise, fumes, smells, drainage and traffic have been covered in the above report.

A condition restricting the hours of operation would be included on the grant of a permission.

Operations which are not associated with the vehicle car wash are not material planning considerations of the application.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

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.

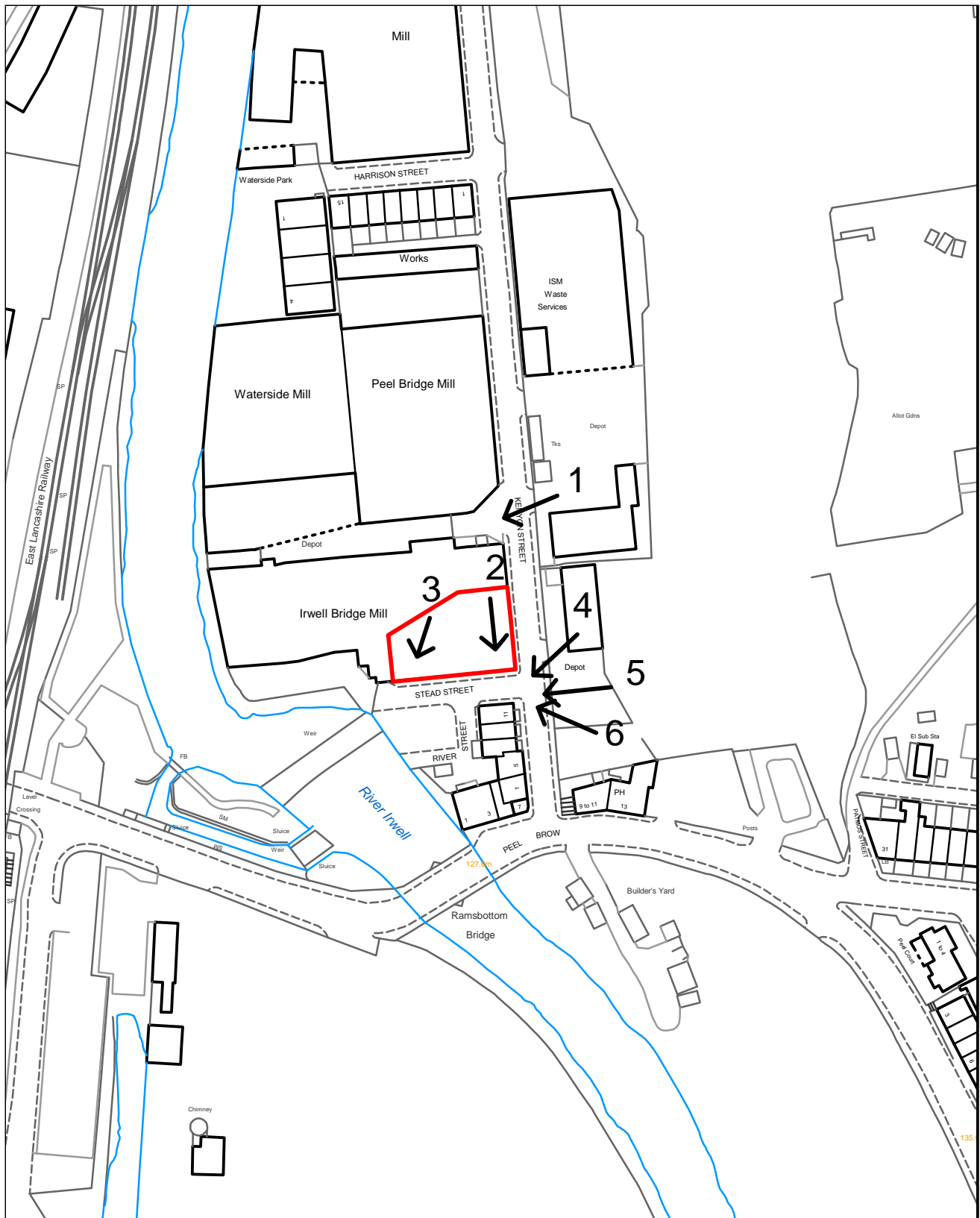
Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered Revised red edge location plan received 7/7/2015; Revised site layout plan DWG/01 Revision A1 7/7/2015; Design and Access Statement received 29/5/2015 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.
2. The use hereby permitted shall not be open to customers outside the following times: 08:00 to 17:00 Monday to Friday and 09:00 to 16:00 Saturdays. There shall be no Sunday or Bank Holiday working.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EC6/1 - Assessing New Business, Industrial and Commercial Development and EN7 - Pollution Control of the Bury Unitary Development Plan.
3. Details of surface water drainage aspects shall be submitted to and approved by the Local Planning Authority within 28 days of the permission hereby approved. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations to support the chosen solution. The approved scheme only shall be implemented within 28 days following approval of the scheme by the Local Planning Authority and thereafter maintained.
Reason. The application contains no consideration as to how surface water run off and the potential to use SuDS prevents risk from surface water run-off and the potential flooding pursuant to Chapter 10 - Meeting the Challenge of Climate Change of the NPPF.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58499

**ADDRESS: Irwell Bridge Works
Kenyon Street, Ramsbottom**

Planning, Environmental and Regulatory Services 1:1250

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.



Bury
COUNCIL

58499

Photo 1



Photo 2



58499

Photo 3



Photo 4



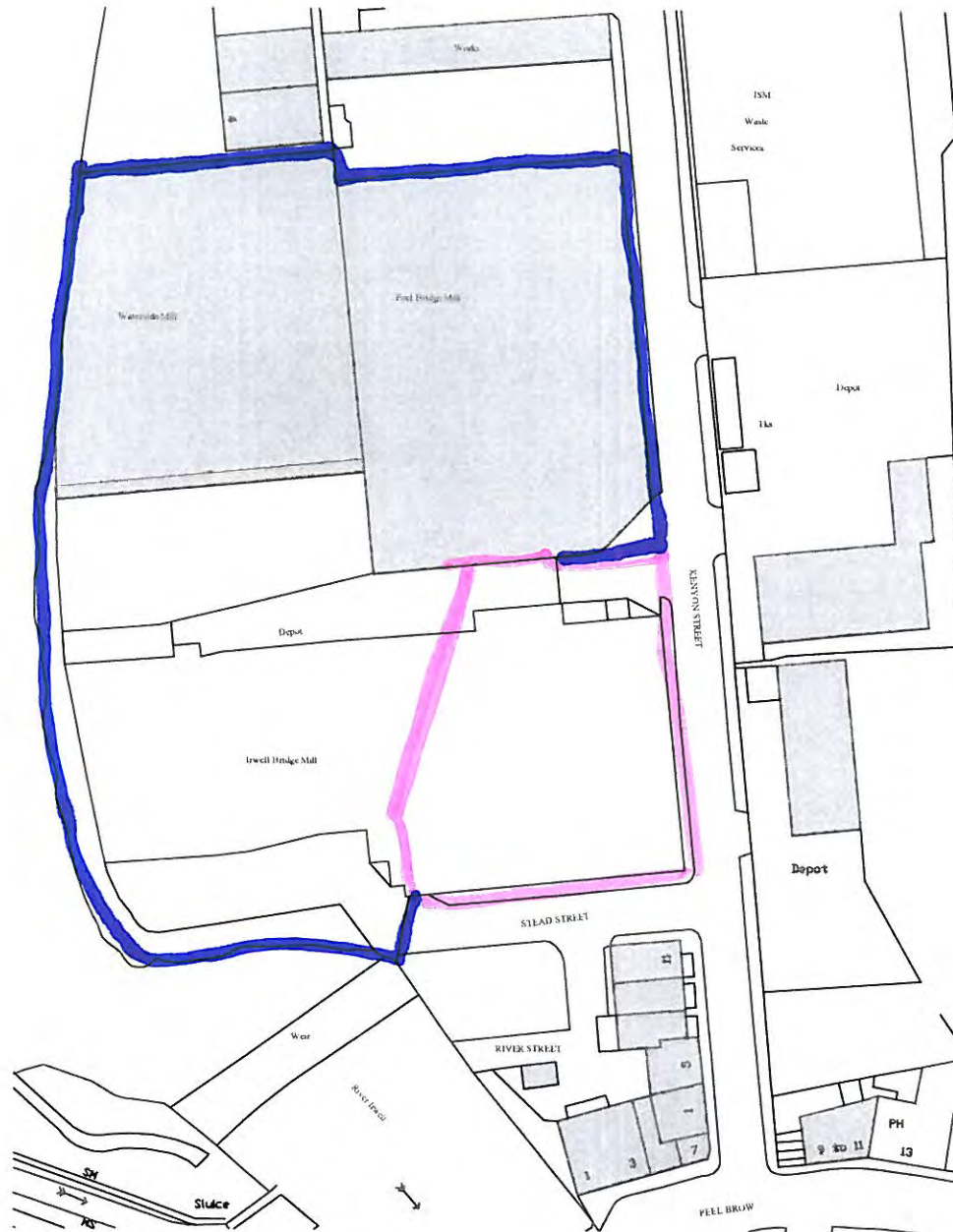
58499

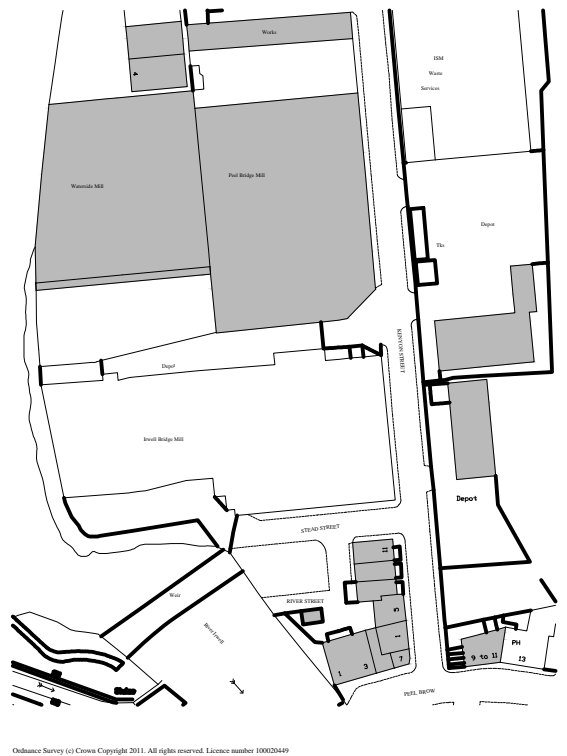
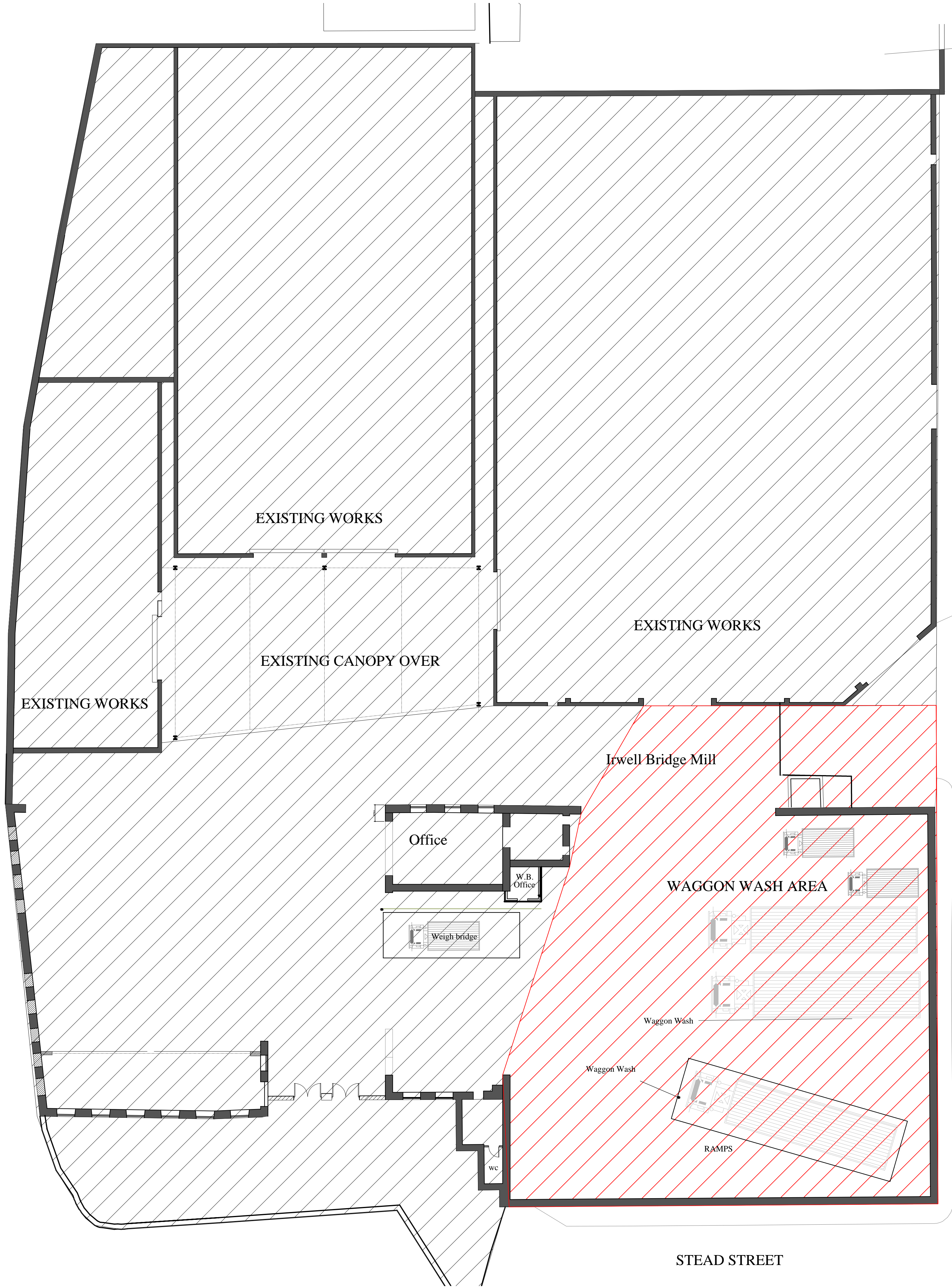
Photo 5




Photo 6







Client J, Wheeldon	
Location Irwell Dridge Mill, Kenyon Street, Ramsbottom, Bury.	
Project Change of use	
Drawing Planning Consent	
Agent APB Consultant Building Surveyors 1 Maple Grove Ramsbottom BL0 0AN Telephone 01706 826300 Mobile 07976040449	
	
Scale 1:200 & 1:1250	Date 15th Feb 2015
Drawing No. DWG/01	Revision A1 7/7/2015
This drawing is provided for planning & Building Regulations consent only. The contractor must check all dimensions on site before works are commenced. The contractor must comply with all requirements of the Health & Safety Regulations. DO NOT SCALE THIS DRAWING	
1 1	

Ward: Bury East - Moorside

Item 02

Applicant: The Brickworks (Bury) Ltd

Location: Land off Lowes Road, Bury, BL9 6QS

Proposal: Residential development for 24 no. dwellings, memorial/community forest and wider public open space with associated infrastructure (resubmission)

Application Ref: 58587/Full

Target Date: 09/07/2015

Recommendation: Approve with Conditions

The application has been advertised as a Departure from the Bury Unitary Development Plan.

It is recommended that this application is Minded to Approve subject to the signing and completion of a Section 106 agreement for recreation provision in accordance with Policy RT2/2 of the adopted Unitary Development Plan and SPD1. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application.

The Development Manager has recommended a site visit take place before the Planning Control Committee meeting.

Description

The application site comprises a piece of derelict, vacant and now overgrown land which is located on the periphery of an established residential estate. To the north is Gorses Quarry, to the east is Lowes Park Golf Course, and to the south is the access road to the Golf Club, beyond which is open land, all of which are within the Green Belt. To the west is residential development, with 2 storey houses on Sefton Drive and Lowes Road abutting the site. The topography of the site is such that it slopes upwards from west to east and across the site, north to south.

The site itself comprises approximately 4.2 hectares and is split into two parts. The smaller piece of land, 0.85 hectares, formerly accommodated Walmersley Brickworks. This was demolished and landfilled in the 1970's and is allocated as Other Protected Open Land under Bury UDP Policy OL2/1.

The larger parcel of land to the east, of approximately 3.35 hectares was used in association with the brickworks, including quarrying, following which it was used as a landfill tip. Following the closure of the landfill site, some restoration was carried out. The site is now covered by rough vegetation with informal public access. This piece of land is designated as Green Belt.

There is an existing means of access at the eastern end of Lowes Road which leads directly to the site and which is currently fenced off by a security gate.

The application is two fold and comprises residential development for 24 No. dwellings with associated access, parking and landscaping on the western parcel of land. It is also proposed to provide a Memorial/Community Forest and a wider public open space on the remaining land to the north and east.

Residential development - This is proposed in the western area of land on the former brickworks site. The residential accommodation would comprise family sized dwellings in a

3/4 bed semi-detached and detached mix. The majority of the houses would be 2 storey, with 6 dwellings 2.5 storey to accommodate a bedroom in the roof space. The houses would be moderate in design, brick built with tiled roofs. Each property would have a single garage and parking of 2 cars. Garden areas would be enclosed by 1.8m high timber fencing.

Access to the residential development would be from Lowes Road and would split into 2 cul de sac roads running to the north and south of the site.

It is also proposed to provide on-site public open space to include a Memorial/Community Forest. Memorial Forests are schemes which are managed by the charity organisation, 'Life for Life.' This offers members of the public the chance to commemorate the loss of a relative or friend by planting a memorial tree or installing a memorial bench.

The wider public open space and the Memorial Forest would be accessed from 3 public areas - via a pedestrian gate from the residential development to the north east of the site between plots 8 and 9, and kissing gates to the far north and southern boundaries of the site. The recreation area and forest would be publicly accessible at all times. Footpaths would be provided in the area to connect through the recreation site.

Members of the Memorial Forest travelling by car would also access the site via the new residential development, and would lead to a private car park via a locked/key coded gate.

Relevant Planning History

57551 - Proposed residential development of 26 no. houses, a memorial/community forest, public open space and associated infrastructure - Withdrawn by the Applicant 4/7/2014.

Publicity

71 letters sent on 9/4/2015 to addresses at Sefton Drive, Milbourne Road, Greymont Road, Lowes Road, Talbot Grove, Lime Grove.

Site notice posted 24/4/2015.

Press advert in the Bury Times 30/4/2015.

The following objections have been received. A full list of addresses is available to view on the public file.

- What has changed since the application last year?
- Is this land now fit to be built on;
- Safety of the children at Chesham Primary School;
- Presence of methane gas/gases on the site which when disturbed will leach into house/land drains creating health and hazardous conditions for the entire neighbourhood;
- This quarry was filled in with food waste despite the tipping regulations stipulating only hard core to be tipped, generating unstable ground conditions;
- Poisonous toxins found in the remediation statement will be released into the air, land, springs and many water courses;
- Mud produced by site vehicles;
- Impact on wildlife in the area;
- Lowes Road would be used as the main route for all contractors vehicles and HGV's delivering materials. It is already riddled with pot holes and with continuous heavy traffic would get worse;
- Would Lowes Road be resurfaced?;
- Increase in traffic and disruptions for local residents and the school runs;
- Painting 20mph has had zero effect on traffic speed within the area - adding more traffic is adding more danger and pollution to the area;
- Area used extensively by the majority of the surrounding area in a recreational capacity;
- The traffic survey was carried out before the busy golf season;
- Wagons would damage parked cars on Lowes Road, be danger to school children and cause mud on local roads;

- Damage caused to homes as a result of Bury Brick works, digging and disturbing the landfill in April (photographs submitted);
- Not clear what the exceptional circumstances are given for the gardens and memorial garden within the Green Belt;
- The land is designated as OPOL (Other Protected Open Land) and should not be built on; Contravenes UDP Policy;
- The Local Plan has been withdrawn by the Council, a challenge to which was in regards to the removal of the designation of the OPOL status;
- Encroachment into the Green Belt - contravenes policy;
- Conflicting information in the application - saying risks have been eliminated but the development would have to deal with the element of risk;
- Problems with standing water on the bridal path and the development would exacerbate the situation for the residents on Sefton Drive;
- Existing problems with rodent infestation exacerbated;
- Some neighbours did not receive notification of the application;
- The material used as in-fill on the site remains questionable, and what protection would be employed as it is planned not to remove any materials from site;
- Loss of privacy;
- Creation of dust during construction;
- Design not in keeping in the location;
- Concern the quarry landfill could contain a hidden reservoir similar to the nearby Gorses quarry, into which chemicals could leache;
- Anti social behaviour from users of the forest;
- Parking and traffic problems from users of the Memorial Forest;
- Misleading plan of extent of tree planting in the Memorial Forest;
- Objecting to the development based on the lack of consultation with residents around the reports on present gases;
- The reports are not in lay person speak and it is worrying that there is concern about explosions but the residents have not been informed of what that means for us;
- Aware that some nearby houses had steel posts added to the construction to ensure traffic did not cause subsidence and with 26 new homes traffic will increase and what assurances existing homes will be safe; (superseded - now 24 dwellings proposed)
- Want an independent review of the report in lay persons terms so the danger/issues can be understood;
- Objects on the basis of the health and safety risk to the occupiers and their properties in the immediate area;
- Open Protected Land designation and therefore cannot be used for housing etc;
- Landfill Gas Migration - Obvious from this resubmission that remediation plans need to be introduced; 100% guarantee cannot be provided as to the future of the known gases in terms of their migration to both the development and the surrounding properties including Chesham School; doubts raised as to what went in the landfill; the application is heavily weighted in ensuring there are no risks associated with gas migration; concern about the Parsons Brinckheroff which states changes to the site may result in key assumptions being negated;
- Site Investigation Report for the withdrawn application (ref 57551) cannot be dismissed as it revealed shocking risks that cannot have gone away;
- Rodent infestation - Serious sewerage and drainage problem problems in the area which has encouraged houses in the area to be infested by rats - complaints and inspections made by Bury Environmental Health Dept;
- It would be a failure of responsibility by Bury MBC and the Planning Department to allow this land to be developed for residential purposes should it be found that the disturbance of the site has created major health and safety risks to school children and local residents;
- Appendix A and B attached to the objection commenting on extracts from the Parsons Brinckerhoff Report and extracts from Landfill Leachate information web sites (see file for full details);
- Detrimental impact on residential amenity - does not take into consideration the

extension to No 61 Lowes Road and proximity of the development; loss of privacy to bedroom of No 12 Lowes Road;

- Amendments required by the Crime Impact report have not been included;
- Encroachment onto neighbours land to remove Japanese knotweed;
- Unreasonable working hours;
- Unsuitability of the siting of the double stacked workers welfare cabins;
- Insufficient parking for construction traffic;
- When mineral extraction rights were granted in 1876 believe one of the conditions was land to be restored to its original contours - which this development would not;
- Detract from the visual amenities of the area popular with walkers, runners and dog walkers;
- Proposed community forest would end up as a 'rubbish dump'. A local resident already clears the wooded area of litter;
- Plots 3 and 4 would be elevated and overlook my property;
- Loss of sunlight and oppressive impact due to position of houses, garages and proposed tree planting;
- Disruption during the building stages to the residents on Lowes Road;
- Ruin the lifestyle of the current residents and the local community;
- Article submitted by the resident from 14 Lowes Road relating to a gas incident which occurred at a housing estate in County Dublin. Worried a similar incident from methane gas on the proposed site.

Letter of objection from the Lowes Road Residents Group, summarised as follows:

- Land designation - 'Other Protected Open Land' (OPOL) in the Bury UDP imposes a blanket ban on residential development on such sites. Para 210 of the NPPF states development should be determined in accordance with the development plan in force at the time. It is therefore in direct contravention of this policy;
- Development in Green Belt land - Concerns regarding plots 16, 17, and 18 - Very Special Circumstances do not exist, the land will no longer be open and presents scope for future development in the Green Belt;
- Transport Statement and Inadequate off road parking - Concern about the flawed nature of this study, carried out at a quiet time for the golf club (3rd-10th March 2014). Significant impact on traffic flows not taken into account in the report. Reservations the driveways would be used to park 2 cars and on road parking would become commonplace and has not been taken into account. The access gateway is currently used by residents to park and its loss would mean loss of residential amenity;
- Loss of Privacy, Overshadowing and Overlooking - Due to elevated position of the development, the gardens of the existing properties would be severely overlooked from the top rooms resulting in serious invasion of privacy and contravenes Policy H2/1. Human Rights Act should be considered by the Council. Contradicts NPPF para 59 as the design of the houses would not be in keeping with the surrounding properties. Overdevelopment of the site with 26 houses. Discrepancy in the drawing which do not account for the extension to No 61 Lowes Road;
- Building on Landfill - Land contaminants could lead to serious health issues for the proposed occupiers and future users of the area. Asbestos is present. Significant gas odours can be noticed in the correct weather conditions, backed up by a recent council report. Japanese knotweed may be spread;
- Site operating hours - Work hours proposed are unreasonable and the council should consider powers to enforce control of operations;
- The objection included 2 photographs of parking on Lowes Road;
- 36 Greymont Road - Include objections to previous application relating to traffic problems, water drainage problems, pollution, development layout, house designs and wildlife impact;

The Residents Group also reiterated concerns raised to the withdrawn application ref 57551.

Rochdale Bury Bridleways Association with the following issues:

- The length of the development is too long to expect horse riders to avoid the area;
- Delivery of materials and HGV's and construction activities so close to the bridleway poses a significant threat to the safety of horse riders;
- The site is bounded on the west by bridleway 37. Not been noted in any documents that the road accessing Lowes Park Golf Course is also a bridleway. If closed this would have an effect on safety if forced to use the roads instead;
- Horse owners are economically important to rural economy of the area;
- Bridleway 37 is badly affected by drainage - hope this is remedied;
- Request the developer liaises with updates.

Comment received from No 4 Lime Grove

- The open space element is welcome. There has been some improvement over the years as Chesham Woods has been opened up for public access and use as an extension of Clarence Park.
- The site of the old brickworks could be a further enhancement.
- The application does not seem to recognise the existence of Chesham Woods - even though it virtually adjoins the site. Suggest to the applicant that they should consider this relationship in detail - the footpath access to the new woodland for example could be more conveniently sited for people leaving Chesham Woods and maybe wanting to enter the new woodland.
- Suggest that the Friends of Chesham Woods are consulted for advise on these matters.
- For small amendments there could be the chance of a better scheme regarding these matters.

Following the original submission for a development of 26 houses, revised plans were received on 22/5/2015, amending the scheme to 24 No houses with alterations to the proposed site boundary.

The residents were notified of the amendments by letter on the 26/5/2015.

Further objections received from No 63 Sefton Drive with the following issues raised:

- Two houses less is not very much;
- Maintain the land is both suitable for residential development - will you be informing future occupiers what the houses are built on - as a former tip?
- Houses on Sefton Drive are 6ft below the bridlepath and privacy and light would be seriously compromised;
- Are going to be responsible when all this is disturbed, knowing what is under the ground;
- The land is toxic for house building;
- Lowes park advised against using the land because of its toxic condition and plans to extend were dropped.

Further objection received from the Lowes Road Resident's Group and a similarly submitted letter from No 18 Sefton Drive summarised as follows:

- Whilst objections to the application have been raised over the past year, there has been no correspondence from both the Planning Department and the developers -apparent information is being exchanged between the 2 parties;
- Aggravating the developers are not prepared to meet with the Residents Group;
- The whole process is balanced in favour of the Planning Dept and developers - we have to wait the final outcome and hope concerns receive a fair hearing. Information submitted by the developer is technical jargon which fails to comply with the Equality Act 2010, to make reasonable adjustments for people with diverse needs;
- Led to believe objections and correspondence received to the first application are not considered on this application which is an absolute disgrace. The developer are taking advantage of the fact many letters may not be re-submitted - its a ludicrous situation;
- Expect views from the Planning Dept on the following - developing on open protected land; landfill gas migration and the responsibility for current and future property checks; future health and safety risks to residents, visitors and school children; rodent infestation; responsibility in the future relating to gases, contaminated water, explosions,

sewerage, subsidence, damage to houses internally and externally, especially if developers cease to trade; plans to test the whole of the existing site for monitoring and testing before and after development;

- If the development is accepted, the developer and Bury MBC will be taking on board major risk regarding the contaminated landfill. What assurances can Bury MBC give that they will take full responsibility for all future health and safety issues that occur as a result of this 'unknown quantity' turning into an environmental nightmare;
- Surely it is part of the planning process residents are made aware of all issues raised before a planning decision is made.

Issues raised by the Lowes Road Resident's Group following their meeting on 18th June 2015:

- Concern about what the developers are uncovering and building on - is it safe?
- Traffic problems - congestion, parking and access;
- Status of the land as Open Protected Land Policy OL2/1 does not allow for building;
- Residents homes will be overlooked as there is a difference in levels;
- Pitch roofs not in keeping with the area;
- Need to be clear about working hours for the builders;
- Excavated soil to be used to create a landscape plateau - is it safe for the public?
- Will wildlife and domestic pets be at risk from contaminants;
- What constitutes a significant risk (report says not significant);
- Report states that contaminants are present that would require some form of protection to future users of the site;
- Will surrounding houses be safeguarded from gases as a result of excavation on the landfill;
- Identified at the site - elevated concentrations of ground gas including methane and carbon dioxide found to be present;
- Is it an EIA development?;
- Local school is already oversubscribed;
- Issues of construction traffic;
- Probability of traffic does not take into account delivery vehicles;
- Issues with boundaries and who owns them - residents or the applicants?

Following a meeting on 26 June 2015, of the Lowes Road Resident's Group, they request conditions be considered on any grant of permission relating to the following:

- Rodent infestation control, methane gas controlled and managed, gas property checks, restriction on delivery times and working hours, privacy/overlooking considered, removal of Japanese knotweed, Tree protection Orders considered, clarification of category of land, details of additional mediation work undertaken, drainage works considered, environmental works should be conditioned, avoidance of structural damage to homes and roads, cleaning and restoring the area following completion, identification of a timetable of start dates and phasing works.

The planning department facilitated a meeting between the applicant and 3 local residents representing the Lowes Road Residents Group. Issues were raised and discussed, and there is on-going communication between the 2 parties.

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

Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - No objection subject to condition.

Environmental Health Contaminated Land - No objection subject to conditions.

Environmental Health Pollution Control - No comments.

Public Rights of Way Officer - No objection subject to a condition requiring a drainage scheme to be submitted to take account of problems with ground and surface water affecting the bridleway and adjacent properties.

Environment Agency - No objection subject to conditions.

Greater Manchester Police - designforsecurity - No objection. The development should be constructed in accordance with the recommendations in the Crime Impact Statement. and Secured by Design Standards.

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

The Coal Authority - No objection. No specific mitigation measures are required to address coal mining legacy issues.

Greater Manchester Ecology Unit - No objection subject to conditions and informatives.

Unitary Development Plan and Policies

OL1	Green Belt
OL2/1	Development on Other Protected Open Land
NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/2	Sites of Nature Conservation Interest LNR's
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/4	Groundwater Protection
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
EN9	Landscape
EN10	Environmental Improvement
EN7/3	Water Pollution
HT4	New Development
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
HT5/1	Access For Those with Special Needs
HT2/3	Improvements to Other Roads
SPD1	DC Policy Guidance Note 1: Recreation Provision
RT2/2	Recreation Provision in New Housing Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
SPD10	Planning for Equestrian Development
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.

Land use and housing principle - The part of the application relating to residential development is located on land designated as Other Protected Open Land (OPOL) in the Bury UDP under Policy OL2/1. The policy seeks to retain OPOL and residential development is contrary to the purposes considered appropriate, and which are listed in the policy, to include agriculture and forestry, outdoor recreation and cemeteries. Residential development is not permitted under Policy OL2/1 and therefore this aspect is judged to

represent a departure from the development plan.

Decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a significant material consideration and it requires local authorities to meet housing needs and significantly boost the supply of housing, and includes a presumption in favour of sustainable development.

The residential element of the site is considered to be in a sustainable location, abutting the urban area and sits outside the Green Belt. Similar sites are being released across the country to help meet local housing needs and appeal decisions for similar land designations to OPOL tend to favour their release.

In terms of housing supply, the Borough has a shortfall of suitable housing sites to meet local needs and the latest Department of Communities and Local Government (CLG) projections. As such, additional housing land is needed and it is important to note that the Core Strategy sought to remove the OPOL policy on the basis that such sites would provide more opportunities to meet local housing needs and help to protect the Green Belt. Whilst this was never tested at the Examination and the Core Strategy has now been withdrawn, there is still a need to find additional housing land within the Borough and OPOL sites are considered to offer an opportunity to contribute towards housing needs.

The site is also contaminated and the proposals would remediate the site, which is a significant benefit to the local environment in this location.

On balance, the principle of residential development on this OPOL site is considered to be acceptable given the benefit of remediating a contaminated site and the contribution that it would have to meeting local housing needs. The national requirement to significantly boost the supply of housing under the NPPF, and the Council's intentions to release OPOL for development in the Core Strategy represent material considerations that would give favour to the release of this site in principle terms, subject to detail.

Green Belt - The proposal involves the laying out of a memorial forest and a small cycle and car parking area for visitors to the memorial forest which would be on Green Belt land. Paragraph 89 of the NPPF sets out that the construction of new buildings are inappropriate in the Green Belt and that exceptions to this include the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

The memorial forest and ancillary parking area are regarded as being appropriate facilities for outdoor recreation. The proposed development of this land would preserve the openness of the Green Belt and it is viewed that neither would conflict with the five Green Belt purposes. Paragraph 81 of the NPPF requires local authorities to look for opportunities to provide access, provide opportunities for outdoor sport and recreation and to improved damaged and derelict land. It is considered that the memorial forest and parking area would meet these objectives. The memorial forest provides accessible public open space on a site which currently offers no public access and is overgrown. The parking area would serve the memorial forest and would be constructed from compacted gravel which is an appropriate surface for the Green Belt according with guidance in SPD10 'Planning for Equestrian Development'.

As such, it is considered that the proposal with regard to the proposed use of the Green Belt land would be in compliance with the principles of the NPPF.

Contaminated Land Issues -

Site History

The site was formerly a brick works and associated clay pits (late 19th Century to the

1970s) and was later operated as a landfill site between 1973 and 1986. It is thought that waste deposited included domestic, commercial, non hazardous industrial, difficult and sludge waste. Some restoration was carried out following the closure of the landfill site, but the site is not believed to have an engineered capping layer. The site is now covered by rough vegetation with informal public access.

A number of site investigations have been undertaken at the site since the closure of the landfill site in the 1980s which included testing of soils and groundwater and also for gas. In 2012/2013, Bury commissioned an assessment of the site under Part 2A of the Environmental Protection Act 1990. The risk assessment concluded that there was no evidence that the adjacent land and buildings were currently being affected by ground gas from the site due to ground conditions (the presence of glacial till beneath the properties on Lowes Road and Sefton Drive) and groundwater levels (high levels) outside the site minimising lateral migration of gas from the main body of the landfill. However, a reservoir of previously generated gas was found to exist in the main landfill and leachate with dissolved methane in it was found to be entering the sewer in Lowes Road.

The Part 2A report concluded that changes to ground, gas and water conditions at the site could alter the way gas migrates, therefore, when consulted on a proposed residential development at the site, Bury Council requested that a site investigation and risk assessment report and an outline remediation strategy should be submitted and approved before a decision could be made on any application.

Information Submitted by Applicant

The following reports have been submitted:

February 2014 (pre-planning)

- Ground Gas Assessment for Lowes Road Landfill, Lowes Road, Bury, Chandos Remediation Services, No Reference, February 2014 – DRAFT.
- Remediation Statement for The Brickworks, Lowes Road, Bury, Chandos Remediation Services, No Reference, February 2014 – DRAFT.

April/May/June 2014 (57551 - withdrawn)

- Ground Gas Assessment, The Brickworks, Lowes Road, Bury, Chandos Remediation Services, No Reference, March 2014.
- Remediation Statement, The Brickworks, Lowes Road, Bury, Chandos Remediation Services, No Reference, March 2014.
- Letter to Bury Council from Chandos Remediation Services regarding Lowes Road Landfill Site, No Reference, 5 June 2014.

October 2014 (pre-planning)

- Intrusive Site Investigation and Ground Gas Assessment Report for Lowes Road, Bury, TerraConsult, Reference: 2076/01 Issue 2, 1 October 2014.
- Gas Monitoring Data for Lowes Road, Bury, TerraConsult, Reference: 2076, 9 October 2014.

March 2015 (pre-planning) and April 2015 (58587)

- FINAL Remediation Statement, The Brickworks, Lowes Road, Bury, Chandos Remediation Services, Reference: V1.2, February 2015.
- Letter Report – Ground Gas Vent Trench Design, Lowes Road, Bury, TerraConsult, Reference: 2076/R02-2/CSE, 20 January 2015.
- Ground Gas Risk from Construction of Chandos' Lowes Road Development (Including Vent Trench) for the Chesham Primary School, Bury, TerraConsult, Reference: 2076/R03-3/CSE, 27 February 2015.
- Email from Richard Horsnell, Chandos with attached Spreadsheet with Rockhead levels encountered in additional targeted investigation carried out GGS, dated 4 February 2015.
- Construction Management Plan for Lowes Road, Chandos Remediation Services, No Reference, 28 April 2014.

Site investigations focusing on landfill gas/waste within the proposed residential area was

carried out in Summer/Autumn 2014 by TerraConsult with further SI carried out in November and December 2015. The investigation found that waste material existed within the proposed residential area and elevated concentrations of methane which varied across the site from 1.2%v/v to 60.6 %v/v, however, flow rates were low indicating that gas production is reducing as the remaining degradable material such as wood breaks down.

The reports concluded that there is currently a high level of risk from gas at the site and the following remediation measures were required in order to safely develop the site:

- Gas vent trench.
- Gas protection measures in properties.
- Over-dig to remove all the waste material from beneath residential zone.
- Placement of excavated waste material on top of existing landfill which will be covered in site generated inert material.
- Placement of clean soil in garden areas.
- Japanese Knotweed eradication.
- Drainage and degassing of run-off.
- Surface water and groundwater management.
- Environmental monitoring and controls during remediation phase to deal with potential for dust and odour nuisance.
- Third party validation of the remedial measures.

If permission is granted, the following further assessment work will be required in order to fully characterise the site and produce a detailed Remediation Strategy and Plan:

- Soil testing both pre and post earthworks.
- Gas and groundwater monitoring through out development.
- Controlled water testing and assessment and consultation with the Environment Agency (hydrocarbon odours have been noted in the groundwater) - controlled waters remediation maybe required.
- Validation of actions would be required.

Benefits of the development

The site is a former brick works and landfill which, although the site does not meet the definition of Part 2A Contaminated Land, suffers from a number of issues which could be alleviated by the proposed development:

- **Potential migration of gas that exists within the landfill site.** Although current levels of gas generation are considered to be low and declining, there is still a reservoir of gas within the landfill. The Part 2A investigation identified that changes in groundwater could lead to migration of gas. The outline remediation proposes the removal of all waste material from beneath the residential development and the installation of a gas vent trench between the residential development and the main landfill. This will not only offer protection to the new houses but also to the existing houses on Lowes Road and Sefton Drive and to the school by providing a preferential pathway for gas to migrate to the surface and vent to air.
- **High water levels and waterlogging** – Artisan water has been noted in the gardens and road of Sefton Drive. The bridleway between the development site (run-off from the landfill) and Sefton Drive is often flooded and water runs down into the gardens on Sefton Drive which are at a lower level to the bridleway. In order for the site to be successfully developed for housing the high groundwater levels and standing surface water will need to be dealt with and it is currently proposed to install drainage around the residential barrier which will discharge in to the existing sewer. This should help to alleviate the waterlogging suffered by the land adjacent.
- **Methane in the water/leachate discharging to the sewer** – Monitoring has identified dissolved methane in the artesian water on the site and water discharging from the site into the sewer. This could lead to a build up of methane in the sewer.

As part of the drainage works, measures will be put in place to de-gas the water/leachate before it discharges to sewer.

The Environmental Health Section is satisfied that the investigations which have been carried out on the site and the submitted reports, satisfactorily demonstrate that the site could be safely remediated and could be developed out for residential purposes, with no risk to existing local residents. The works would offer substantial benefit to enable the land to be used for this purpose, as well as enabling a significant area of land to be used for recreational purposes by members of the public. Subject to conditions, no objection has been raised. As such, it is considered the proposed development would comply with chapter 11 - Conserving and enhancing the natural environment of the NPPF.

UDP and Housing Policies - In terms of the location and relationship of the proposed development to the surrounding area, the following UDP Policies are relevant, the details of which are discussed in the report below.

UDP Policy H1/2 - Further Housing development states that the council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development takes into consideration factors relating to the height and roof type of adjacent buildings, the impact of developments on residential amenity, the density and character of the surrounding area and the position and proximity of neighbouring properties. Regard is also given to parking provision and access, landscaping and protection of trees/hedgerows and external areas.

Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties provides useful guidance in terms of acceptable aspect standards between dwellings and design criteria.

Layout - The form, shape and access into the site, together with the position of the adjacent properties directly to the west, has largely dictated the cul de sac type layout and density of the scheme. The existing access from Lowes Road would be utilised and re-engineered to lead into the site, whereon the road would split off to the north and south leading to 2 turning head areas, with separate accesses to each dwelling.

Each property would have a private garden area, garage space and dedicated driveway parking for 2 cars. Gardens would be separated by 1.8m high close boarded wooden fences and the boundary of the site to the open land to the east secured by a 2.1m high boarded timber fence.

It is proposed to provide a link through the residential development to the Memorial Forest from the north east of the residential site. This would be accessible for both vehicles and pedestrians via a gate and would lead to a small parking area. Two pedestrian gates would allow public access from the north and south site boundaries, with footpath links through the Memorial Forest.

The layout of the site and arrangement of the properties is considered to emulate the character of the surrounding residential roads and would offer an honest approach in terms of scale and density.

As such, the proposed layout is considered to be acceptable and would not only offer a well designed family sized housing scheme, but would be an efficient use of available land which is currently unusable and derelict.

Impact upon residential amenity - SPD 6 contains supplementary guidance on

householder extensions and is the yardstick used when assessing relationships to new residential development. A separation distance of 20m between habitable room windows and 13m between a principal ground floor habitable room window and a 2 storey blank wall is generally considered to be an acceptable minimum distance. Where there is a difference in levels between 2 properties, additional separation would be sought.

Currently, the site slopes up from west to east and north to south. It is proposed to excavate and re-grade the site to provide a more gentle gradient.

Along the western boundary of the site, there would be a separation distance of 13.7m and a difference in levels of 2.4m, between plot 4 and No 63 Sefton Drive. Plot 4 would have a blank 2 storey elevation facing the original rear elevation of No 63 and as such, a separation distance of 13m, plus up to 3m to acknowledge levels, should normally be provided. This is guidance only, and each site assessed on a case by case basis.

In this instance, there would not be a direct relationship between the 2 properties as plot 4 would be orientated in an off-set position to No 63. The gable of plot 4 facing No 63 would be blank, and as such there would be no issue of overlooking into the resident's garden from this plot. There is already a high boundary fence which runs along the back of No 63 and the adjacent properties which effectively screens their ground floors from view. In addition, a 1.8m high fence proposed along the rear boundary of these plots and proposed tree planting would further mitigate privacy concerns. As such, the relationship between the new build and existing houses at this part of the site is considered to be acceptable and would comply with policy guidance in SPD6.

There would be a distance of 23m and 24.5m from Plot 3 to the original rear elevations of Nos 65 and 67 Sefton Drive respectively. Taking the difference in levels as above, aspect standards would be satisfied and exceeded.

There would be a distance of 4.7m between the side gables of No 61 Lowes Road and Plot 1. There is no habitable room window in the side of No 61 and no windows proposed to Plot 1. As such aspect standards would be acceptable.

In terms of the relationship to the other existing houses on the periphery of the site, all aspect standards would be satisfied or exceeded.

To safeguard the amenity of the properties on Sefton Drive directly to the west of the site from any future development of the dwellings opposite, permitted development rights plots 2,3 and 4 would be removed.

As such, it is considered the relationship of the new dwellings would not significantly harm the privacy of the adjacent existing properties and the development would be carried out in accordance with UDP Policy H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development and SPD 6.

Design and appearance - The proposed development would comprise a mix of semi detached/mews and detached properties, 2 storey in height, apart from one house type ('H4B' on plots 11-16 inclusive) which would have a dormer to facilitate a bedroom and en-suite in the roof space. The scale and massing of the proposed dwellings would be similar to those properties directly to the west on Lowes Road and Sefton Drive, as well as the wider outer lying residential estate.

The properties would be modest in design, with features to include window headers and sills, pike roofs and entrance canopies. Materials proposed are red/brown rustic brick, tiled roof, white window frames and black upvc rainwater goods, found similar in new developments in the Borough.

It is considered the style and design of the houses would be in keeping with the local vernacular and therefore would be appropriate to the area and also to the character of the

development type proposed, and as such in compliance with UDP Policies EN1/2 and H2/1.

Parking and access -

Residential - The development would be accessed by an existing opening at the top of Lowes Road into the site, which is currently gated off. A new road would be created with a 1.8m wide footpath. Within the site, the road would split to the east and west and lead to two turning heads. Visibility splays would be incorporated and the road layout and footpaths delineated and designed in line with the Traffic Section's approval.

Although the site would be accessed via Lowes Road, which is a cul de sac, and where cars often park on road, it would still be wide enough to accommodate two passing vehicles. It is considered that as a housing development of the scale proposed, the increase in traffic would not be significantly intensive, and would be at periodic times when residents would be accessing and leaving at different times of the day. As such access to the site is considered acceptable.

The Traffic Section is satisfied that the proposal would comply with UDP Policy H2/2 - The Layout of New Residential Development.

In terms of parking, SPD11 states the maximum standards for 3 and 4 bed properties in a high access area are 2 and 3 spaces respectively. The development would provide driveway parking for 2 cars and a garage space for each property. The site is in a high access area with links to public transport. All the parking would be within the site, thereby not adding to the pressures on Lowes Road. As such, it is considered that there would be sufficient parking for the development in compliance with SPD11 and the Traffic Section have raised no objections.

It is acknowledged, though, that during the construction of the development, Lowes Road would be trafficked by contractors and works vehicles which are likely to cause damage to road which is already in a poor state. The applicant has accepted these concerns and following completion, a provision of the S106 Agreement would require the applicant to resurface Lowes Road between the site and Talbot Grove.

The applicant is also agreeable to a contribution to highways improvements towards the funding of a traffic calming scheme in the vicinity of the site and a 20mph zone on the residential estate roads that form the access to the site, in order to mitigate additional traffic generated by the development and improve highway safety. This would be incorporated within the S106 Agreement (see below).

Public open space - A pedestrian entrance to the recreation land would be created at the northern part of the residential development, between plots 6,7,8 and 9 which would allow for permeability through from the south for local residents to access the public open space. The open space would also be accessible by foot via 2 gates at the north and southern boundaries which would connect to footpaths within the site and form a link through from Gorses Quarry to Chesham Woods.

In terms of vehicular access, this would at the same location as the pedestrian access and limited to memorial forest 'members' only (ie those that have planted trees) and maintenance staff. Access to a dedicated car park for these users only would be via a locked gate. Memorial forests tend to be visited fairly irregularly by patrons, either at particular times of the year or special anniversaries, and is not likely to result in excessive trips to the site or create significant traffic issues for local residents.

The open land and memorial forest to the north of the residential development would form the entire on site contribution for recreation provision for the purposes of policy requirements of SPD1 (see S106 contributions section below).

As such, it is considered that adequate access to this area of public open realm would be

incorporated as part of the development and would not be of detriment in terms of highway safety.

Construction traffic - Some of the objections received to the development raise the issue of construction traffic and how this would impact on amenity, access and parking for local residents.

By its very nature, a development of this type is likely to cause some disturbance and disruption to local residents from the movement of works vehicles. The applicant has submitted a Construction Management Plan which demonstrates that there would be sufficient provision made for access to the site, parking on-site of operatives' and construction vehicles together with storage on-site of construction materials.

The Traffic Section have raised no objection to the principle of the proposed provision, and have recommended that a condition that a finalised Construction Management Plan be submitted prior to the commencement of development which would be retained for the duration of the construction period. The applicant would work with the residents to finalise this.

Drainage - Restricted Byway Number 36 Bury runs to the south west edge of the site and Bridleway Number 37 Bury to the western edge. Drainage water currently runs off the development site onto these 2 paths. Whilst a contribution (S106) is to be allocated to improve the bridleway once the development is complete, a drainage condition would be included to take account of problems with ground and surface water affecting the bridleway and adjacent properties to the south of the site. The scheme would address this issue and mitigate the effects of run-off and groundwater onto neighbouring land.

Ecology - An ecological assessment has been submitted with the application which concludes that the site is considered unlikely to support significant numbers of wildlife, and recommends a series of reasonable avoidance measures as a precaution. GMEU have been consulted and raise no objections in principle to the development and have made the following recommendations.

Great Crested Newts - GCN are found in Gorses Quarry over 250m north of the site. There are a number of water bodies within 250m but none closer than 150m. These were assessed as low to moderate risk for breeding, but given the intermediary habitat the risk of newts actually even present in the closer ponds straying onto the development site would be low. An informative would be included reminding the developer of responsibility to protected species.

Nesting Birds - The trees which have already been cleared have regenerated from their stumps and now provide significant nesting cover. A condition is recommended restricting works to trees outside March-September unless a survey is carried out.

Invasive Species - Japanese knotweed is still present on the site. Himalayan balsam and giant hogweed were not located by the ecological consultant despite balsam being present across Lowes Road and to the north around Gorse Quarry. A condition and informative have been recommended to deal with the eradication and control of invasive species. The applicant has commenced spraying treatment of the knotweed on site.

Bats - Low bat potential has been identified in 2 trees. Although it is probable that these trees would be retained, it is recommended that the reasonable avoidance measures in the habitat Survey be conditioned.

Loss of Trees and Biodiversity - The development site was already cleared prior to the submission of the application, although this is now undergoing regeneration and there is regrowth from the stumps of the trees that were felled. There is sufficient land to provide on site mitigation but no detail has been provided.

The development would require the removal of some trees on the western boundary of the site. A request has been received from a local resident to TPO these trees. None of the trees have been identified as being of particular value or make a special contribution to the amenity of the area in the Arboricultural Report.

The proposal includes a landscaping plan and tree protection measures for those trees to be retained. The applicant has also expressed that trees would not be removed necessarily. The application seeks to include robust replacement and additional tree planting particularly to the western boundary, and as such the proposals are considered to be acceptable.

It is also noted that the proposed habitat works and Memorial woodland should aim to compliment and relate to the adjacent Local Nature Reserve. A condition would be included requiring the submission of an ecological enhancement plan.

Mammal Welfare - Deer and rabbits have been reported on the site. Whilst not protected under wildlife legislation, all mammals are protected under animal welfare legislation, and as such would be included as an informative to the applicant.

As such, it is considered that the proposed development would provide suitable and acceptable ecological and arboricultural measures and would comply with chapter 11 - Conserving and enhancing the natural environment, of the NPPF.

Planning obligations -

Recreation Contribution - UDP Policy RT2/2 requires developers of new housing on sites of 10 or more dwellings to provide for the recreational needs of the prospective residents. The Council's SPD1 adopted in June 2015 supports Policy RT1/1 and specifies that the priority is for this requirement to be in the form of an off-site developer contribution. On-site provision is only considered in exceptional circumstances and where justified by the individual merits of a site.

A key objective of the applicant for this proposal is to make provision for a memorial forest which will be planted and managed by the 'Life for a Life' charity. Whilst a site of 24 dwellings would normally attract an off-site contribution of £68,084.08, it is considered that the memorial forest would accord with guidance in the SPD in that the site would assist in improving connectivity with other areas of greenspace, in the case of this site from Chesham Woods in the south and Gorses Quarry to the north, and therefore exceptional circumstances exist. No off-site contributions are therefore due to satisfy SPD1.

The site extends to 3.64 hectares and would represent a suitable size to serve the development. SPD1 requires that the developer should make provision for future maintenance and that the open space must be publicly accessible.

A private management company would be responsible for maintaining the site. The plans and drawings submitted demonstrate that, despite the erection of electronically-controlled wrought iron gates that manage the flow of vehicles entering the memorial forest car park from the development, pedestrian access to the memorial forest for the public would be provided via a side gate which would not be locked. Kissing gates on the adjacent side of the car park and to the north and south allow through-access for the general public to the whole site thereafter. It is therefore considered that the proposed access arrangements to the memorial forest are in accordance with SPD1 in relation to maintenance and offering public access.

Highways - A financial contribution of £25,000 towards overall traffic calming scheme for the wider area to reinforce the existing residential area and this would be included in the S106.

also part of the S106 Agreement, would be the requirement of the applicant to re-surface the carriageway on the cul-de-sac section of Lowes Road.

A street lighting scheme for the residential development to include the section of Lowes

Road from its junction with Greymont Road/Talbot Grove to the westerly site boundary would be sought by condition.

Bridleway - A contribution of £10,000 for improvements to bridleway No 37, Bury, which is adjacent to the site is proposed in the S106 Agreement.

Response to objectors -

- Publicity and notification of the application has been carried out in accordance with statutory requirements.
- Disruption during the construction of the development, working hours and siting of work portable cabins are not material planning considerations and issues in this respect would be covered by the Environmental Protection Act. Submission of a Construction Management Plan would be conditioned.
- The development for 24 houses is considered not to be of such a scale to impact on local educational facilities.
- All other objections raised have been covered in the above report.

Conclusion - In view of the analysis, discussion and dissemination of the application and development proposals, together with consideration of all the issues raised by the local residents, it is concluded that the site would be suitable for a residential development of this scale and character, without either a detrimental or significant impact on the amenity of local residents. The contribution it would have to meeting local housing needs and the proposal to provide an extensive area of land as usable Public Open Space would bring considerable benefits to the Borough and its occupiers.

The development is therefore considered to be acceptable and would comply with the policies contained in the NPPF and Bury Unitary Development Plan.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

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 - Proposed site levels 14013/SK1 Rev D and 140136/SK2 Rev C; CC3032 - LP01.A; EW02.Rev*; MF01.C; MF02.B; PL01.L; PL02.L; PL03.L; PL04.L; SS.01.B; SS.02.B; SE.01.*; H3A.01.A; H3A.02*; H3A.03*; H3B.01.A; H3C.01*; H4A.01*; H4B.01*; HG01.Rev*; EW01.Rev*; Site survey sss-5126 Rev A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. No development shall commence unless and until:-
 - Where actual/potential contamination and/or ground gas/landfill gas risks have

been identified in the preliminary Risk Assessment, 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. Further information is required in order to ensure and 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.

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

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

5. 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.

6. 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;
- 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 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 and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

7. A comprehensive construction design for a gas vent trench shall be submitted to the Local Planning Authority and incorporated into the development to prevent the ingress of landfill gas or ground gas into the residential development area to be approved by the Local Planning Authority before work commences for the

construction of the dwellings.

Subject to the above, a Site Verification Report detailing the design and installation of the gas vent trench, including substantiating evidence, shall be submitted to and approved by the Local Planning Authority with approved timescales. It shall be implemented and validated prior to first occupation of the development hereby approved.

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.

8. A scheme shall be designed for implementing long term gas monitoring and maintenance of the gas vent trench and submitted to and approved in writing by the Local Planning Authority before commencement of development. The approved details shall include a programme of implementation and the approved details only implemented.

Reason. The information was not provided at application stage, and is required 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.

9. No development shall commence unless and until a scheme to minimise dust and odour emissions has been submitted to and approved in writing by the Local planning Authority. The scheme shall include details of all dust and odour control measures and the methods to monitor emissions of dust arising from the development. The development shall be implemented in accordance with the approved scheme with the approved dust and odour control measures being retained and maintained in a fully functional condition for the duration of the development hereby approved.

Reason. The information was not submitted at application stage and is required to reduce the impacts of dust and odour disturbance from the site on the local environment, pursuant to chapter 11 of the NPPF - Conserving and enhancing the natural environment.

10. No development shall commence unless and until details of a foul drainage scheme and surface water drainage scheme have been submitted to and approved by the Local Planning Authority. The applicant must demonstrate that potential SuDS options have been assessed and provide full details, including calculations to support the choice of solution. The scheme should take account of problems with ground and surface water affecting the bridleway and adjacent properties to the south of the site. Any proposals should address this issue and take steps to reduce the effects of run-off and groundwater on neighbouring land. The approved scheme only shall be implemented prior to the first occupation of the development hereby approved and thereafter maintained and managed in accordance with the approved details.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. The area is known to suffer from surface water run-off and ground water problems affecting the bridleway to the south of the site and adjacent properties on Sefton Drive. These problems have been exacerbated by tree clearance and failure of the existing drainage to the site. Draft proposals outlined in the FRA suggest utilising the existing surface water drainage, which has historically suffered from blockages, without any form of control or attenuation. Suitable means of controlling / reducing the rate of discharge to this should be considered. Any suitable scheme will provide evidence of the impact on ground water and run-off issues affecting adjacent properties and the bridleway. This is in pursuant to Chapter 10 of the National Planning Policy Framework - Meeting the Challenge of Climate Change, Flooding and Coastal Change and Unitary Development Plan Policy EN5/1 - New Development and

11. Notwithstanding the details indicated on approved plan reference PL01 .K, no development shall commence unless and until full details of the following have been submitted to and approved by the Local Planning Authority:
- formation of the proposed site access onto/extension of Lowes Road including all necessary highway works at the interfaces with Public Rights of Way No.'s 36 & 37, Bury;
 - a street lighting scheme for the residential development to include the section of Lowes Road from its junction with Greymont Road/Talbot Grove to the westerly site boundary;
 - all associated highway and highway drainage remedial works;
 - swept path analysis of the proposed estate roads.

The details subsequently approved shall be implemented to an agreed programme.

Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT4 - New Development.

12. Notwithstanding the submitted 'Construction Management Plan', no development shall commence unless and until a 'Construction Traffic Management Plan' (CTPM) has been submitted to and approved by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period and, in addition to the information included in the submitted document, shall ensure that there is provision to be made for the turning and manoeuvring of vehicles within the curtilage of the site, parking on-site of operatives' and construction vehicles together with storage on-site for construction materials. The provision shall be retained and used for the intended purpose for the duration of the construction period and the areas identified shall not be used for any other purposes than the turning and parking of vehicles and storage of construction materials respectively.
- Reason. Additional information and clarification of details is required to ensure that adequate turning facilities, car parking provision and materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT2/4 - Car parking and New Development.

13. The visibility splays indicated on approved plan reference PL01.K shall be implemented to the written satisfaction of the Local Planning Authority before the development is first occupied and subsequently maintained free of obstruction above the height of 0.6m.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Bury Unitary Development Plan Policy HT6/2 - Pedestrian and Vehicular Conflict.

14. The turning facilities indicated on approved plan reference PL01.K shall be provided before the development is first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

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

15. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.
Reason. To ensure that the adopted highways are kept free of deposited material from the ground work operations pursuant to Bury Unitary Development Plan Policy HT4 - New Development.
16. No works to trees or shrubs shall be carried out between 1st March and 31st August inclusive in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present.
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.
17. Prior to any earthworks carried out, a method statement detailing eradication and/or control and/or avoidance measures for Japanese knotweed, should be submitted to and agreed by the Local Planning Authority. The approved method statement shall include a timetable for implementation. The approved method statement shall be adhered to and implemented in full.
Reason. Detail of the eradication of Japanese Knotweed and Himalayan Balsam has not been provided at application stage to ensure that the site is free from invasive species in the interest of UDP Policy EN9 - Landscape and chapter 11 - Conserving and enhancing the natural environment of the NPPF.
18. The reasonable Avoidance Measures for bats shall be carried out in accordance with the details contained in the Extended Phase 1 Habitat Survey Report, REC reference 60196p1r3 Section 5.5 and approved by the Local Planning Authority prior to determination.
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 Section 11 of the National Planning Policy Framework.
19. An ecological management plan, including a timetable shall be submitted to and approved by the Local Planning Authority prior to the construction of the first dwelling on the development site hereby approved. The content of the plan should include:
- elements to mitigate for loss of trees shrubs;
 - bird nesting habitat;
 - enhancement of land adjacent to and within Gorses Quarry SBI; and
 - information on how the site will relate to the adjacent Chesham Woods Local Nature Reserve.
- The approved plan and timetable only shall be implemented in accordance with the approved details and timetable, and prior to the first occupation of the development hereby approved.
Reason. Details are required To ensure satisfactory measures are carried out to mitigate for loss of trees and bird habitats, and to ensure satisfactory enhancement of the site pursuant to chapter 11 - Conserving and enhancing the natural environment of the NPPF.
20. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within the terms of Classes A to E of Part 1 of Schedule 2 of the Order, of plots 2,3 and 4 without the

prior written consent of the Local Planning Authority.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to Bury Unitary Development Plan H2/2 - The Layout of New Residential dwellings and H2/6 - Garden and Backland Development.

21. Details/Samples of the materials (bricks/roof tiles) 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 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.

22. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall be carried out in accordance with the tree protection measures recommended in the Arboricultural Method Statement Ref:TRE/LR dated 24 February 2015. All the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

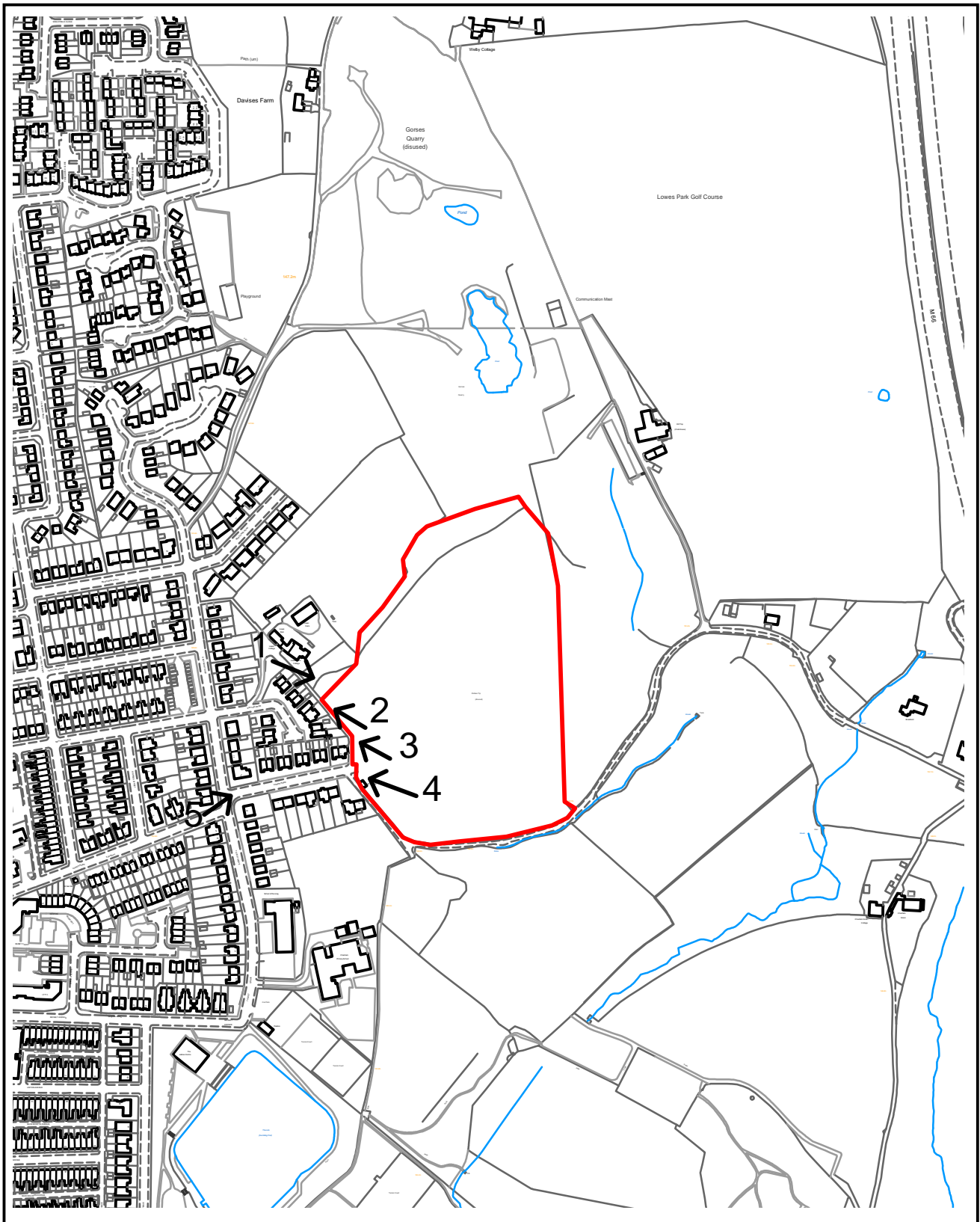
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

23. No development shall commence unless and until a landscaping scheme for the residential development hereby approved has been submitted to and approved by the Local planning Authority. It shall be implemented not later than 12 months from first occupation of the dwellings hereby approved. Any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

Reason. Full details have not been submitted at application stage to ensure and secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design, EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 11 - Conserving and enhancing the natural environment of the NPPF.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58587

ADDRESS: Land off Lowes Road
Bury



Bury
COUNCIL

Planning, Environmental and Regulatory Services 1:1250

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.

58587

Photo 1



Photo 2



58587

Photo 3



Photo 4

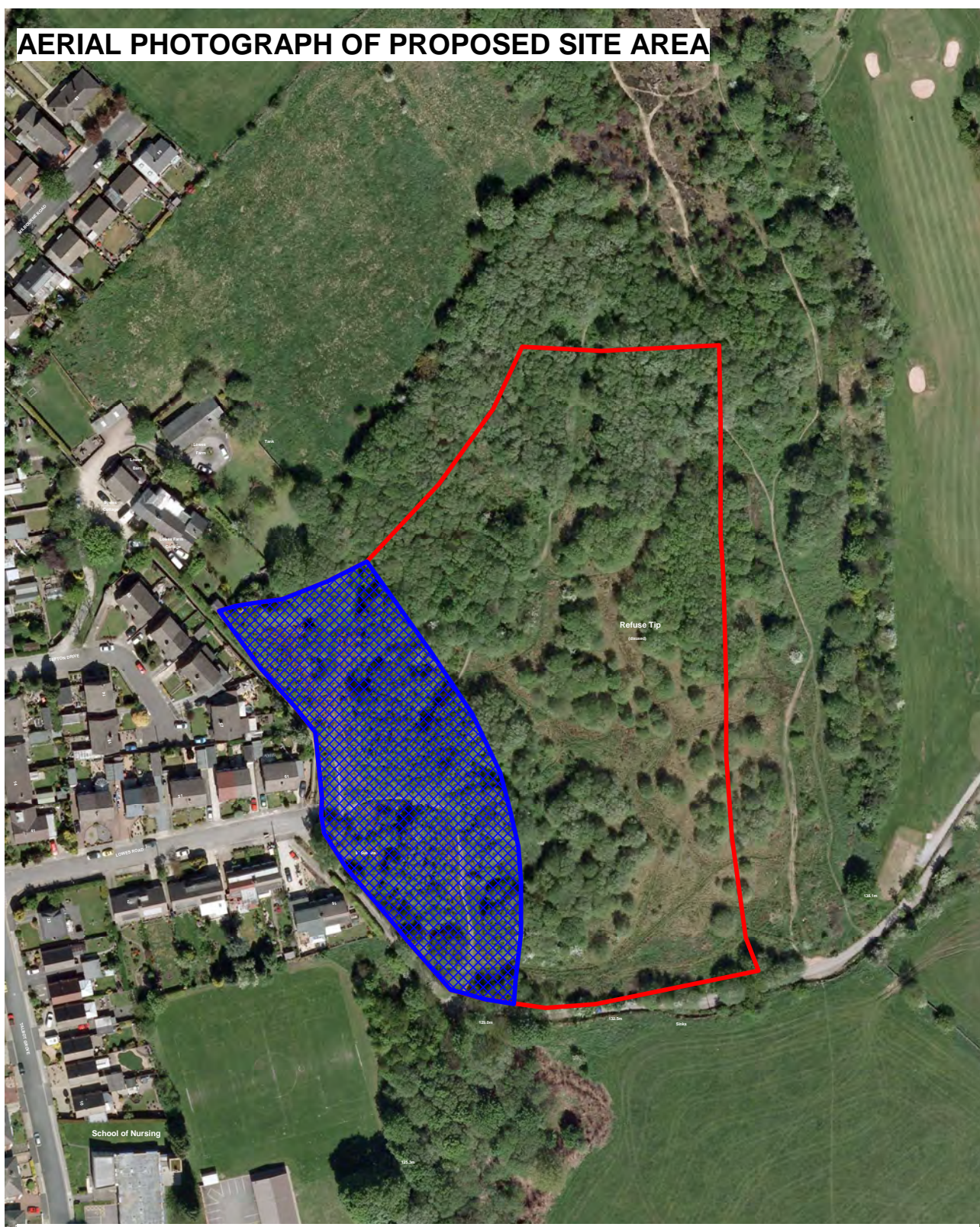


58587

Photo 5



AERIAL PHOTOGRAPH OF PROPOSED SITE AREA



Proposed Memorial Forest and Recreation Area



Proposed Residential Development

Bury
COUNCIL

(C) Crown Copyright and database right (2015).
Ordnance Survey 100023063.



Site Layout @ 1:1000 0 10 20 30 40 50m



Rev C	Additional tree planting to Plot 2-4 site boundary	30.06.15
Rev B	Boundaries revised	01.06.15
Rev A	Updated to latest site layout amendments	20.05.15

MEMORIAL FOREST
LANDSCAPE STRATEGY

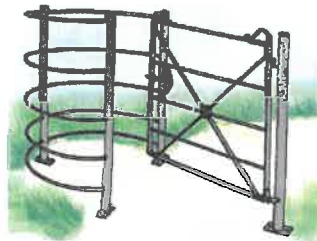
1:1000 @ A3
02.03.15

T F A
ARCHITECTS

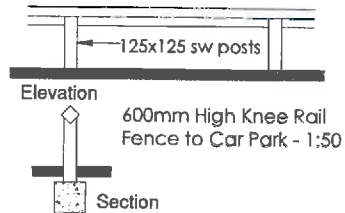
The Old Vicarage
Stone Heyes Lane
Barton Northwich
Cheshire CW8 4QS
T: 01606 892296
F: 01606 892325
info@tfa-architects.com

CC3032
MF01.C

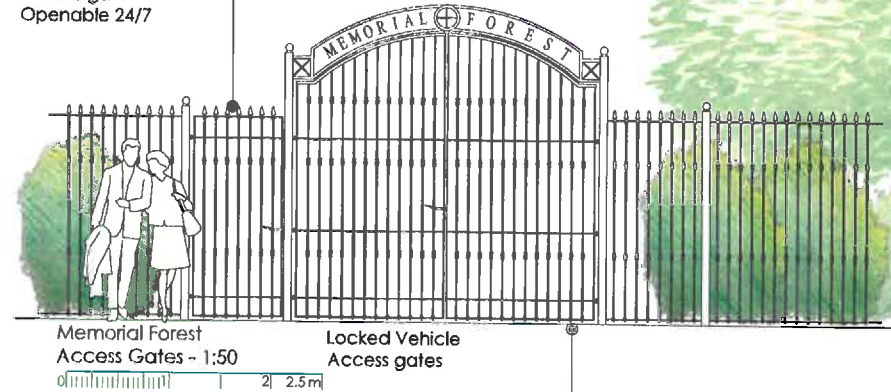
LOWES ROAD, BURY



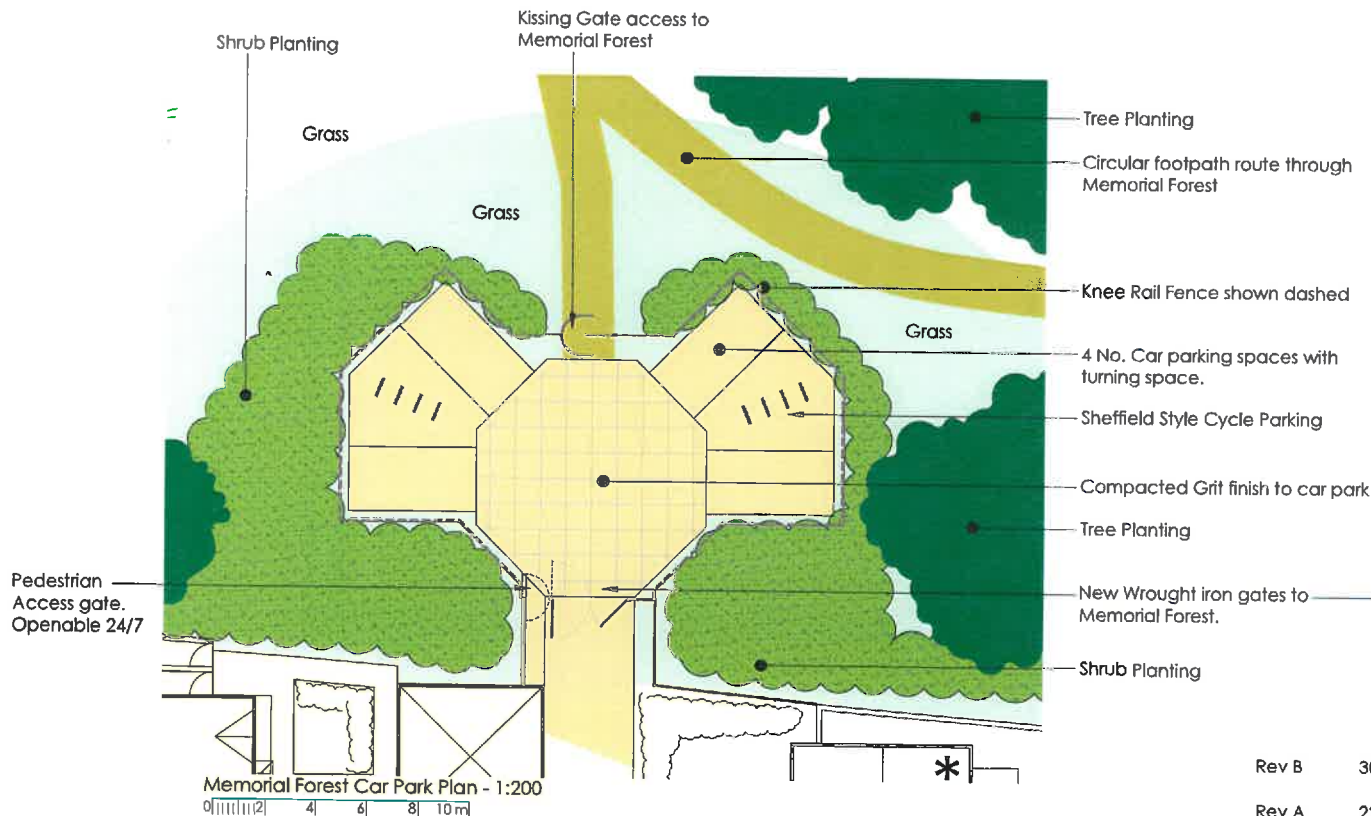
Illustrative Kissing Gate



Pedestrian Access gate.
Openable 24/7



New Wrought iron gates to Memorial Forest.
Locked Vehicle access gates only openable by designated key/fob holders.



T F A
ARCHITECTS

The Old Vicarage
Stone Heyes Lane
Barton Northwich
Cheshire CW8 4QS
T: 01606 892296
F: 01606 892325
info@tfa-architects.com

Rev B 30.06.15 Gate access notation amended.
Pedestrian gate reinstated.
Rev A 22.06.15 Coded lock note added to Vehicle gate.
Pedestrian gate omitted.








LOWES ROAD, BURY

MEMORIAL FOREST
ENTRANCE & PARKING DETAILS
1:200 & 1:50 @ A3
11.06.15

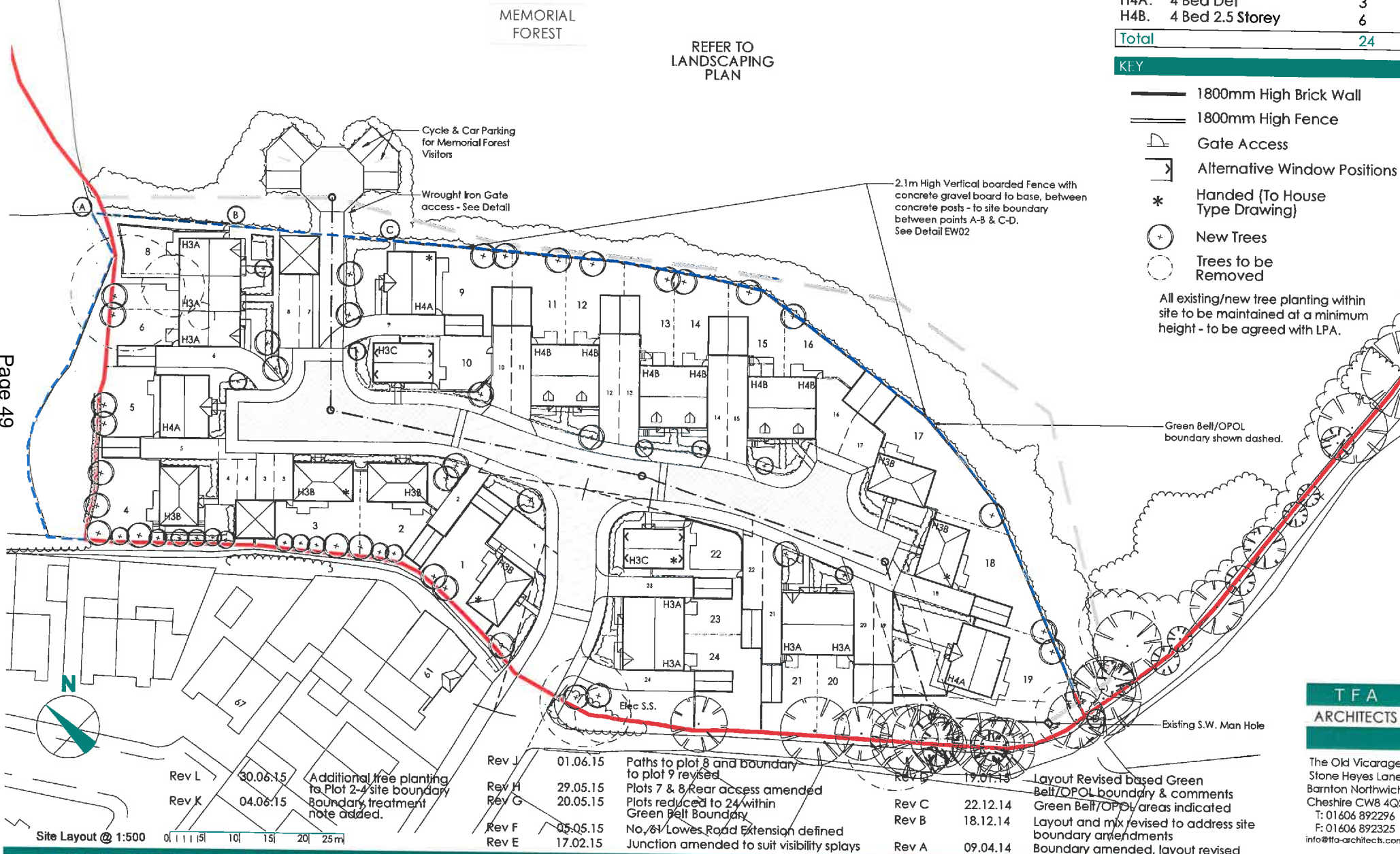
CC3032
MF02.B

MIX:	No.
H3A. 3 Bed Semi/Mews	7
H3B. 3 Bed Det	6
H3C. 3 Bed Det	2
H4A. 4 Bed Det	3
H4B. 4 Bed 2.5 Storey	6
Total	24

KEY

-  1800mm High Brick Wall
-  1800mm High Fence
-  Gate Access
-  Alternative Window Positions
-  Handed (To House Type Drawing)
-  New Trees
-  Trees to be Removed

All existing/new tree planting within site to be maintained at a minimum height - to be agreed with LPA.



Site Layout @ 1:500

LOWES ROAD, BURY

Rev J	01.06.15	Paths to plot 8 and boundary to plot 9 revised
Rev H	29.05.15	Plots 7 & 8 Rear access amended
Rev G	20.05.15	Plots reduced to 24 within Green Belt Boundary
Rev F	05.05.15	No. 61 Lowes Road Extension defined
Rev E	17.02.15	Junction amended to suit visibility splays

Rev D	19.01.14	Layout Revised based Green Belt/OPOL boundary & comments
Rev C	22.12.14	Green Belt/OPOL areas indicated
Rev B	18.12.14	Layout and mix revised to address site boundary amendments
Rev A	09.04.14	Boundary amended, layout revised

PLANNING LAYOUT

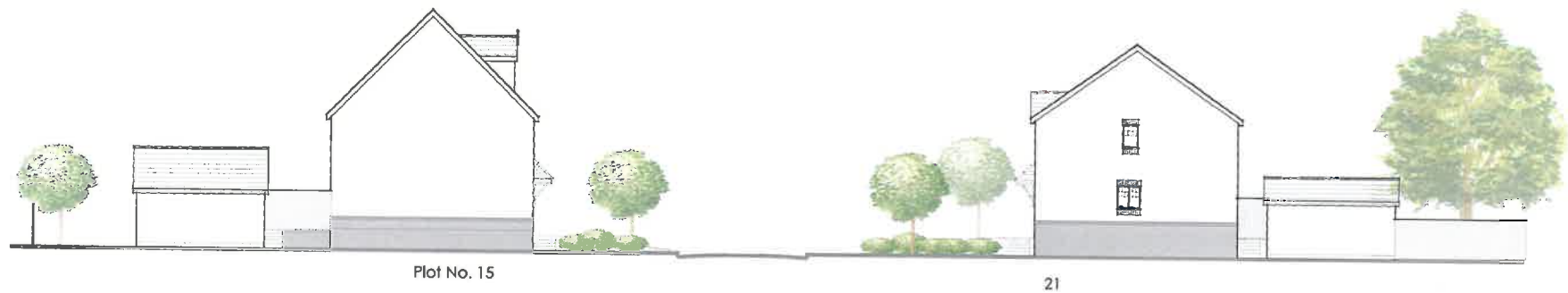
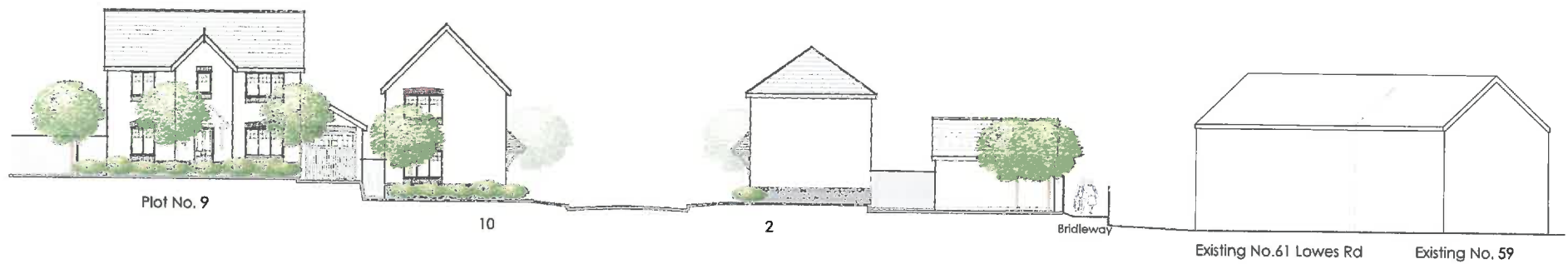
1:500 @ A3
17.02.14

TFA
ARCHITECTS

The Old Vicarage
Stone Heyes Lane
Barnton Northwich
Cheshire CW8 4QS
T: 01606 892296
F: 01606 892325
info@tta-architects.com

CC3032
PL01.L





T F A
ARCHITECTS

The Old Vicarage
Stone Heyes Lane
Barton Northwich
Cheshire CW8 4QS
T: 01606 892296
F: 01606 892325
info@tfa-architects.com

LOWES ROAD, BURY

STREETSCENES & SECTIONS 02

1:200 @ A3
30.06.15

CC3032
SS.02.B





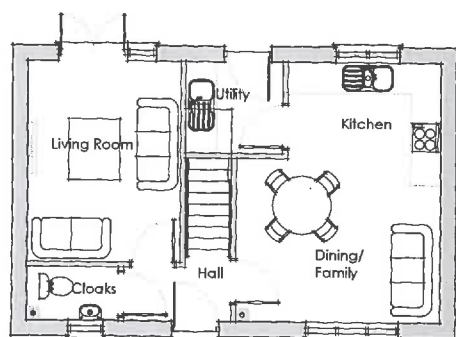
Front Elevation

Side Elevation

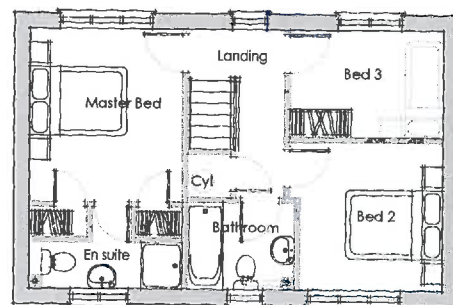
Rear Elevation

Side Elevation

Page 53



Ground Floor



First Floor

T F A
ARCHITECTS

The Old Vicarage
Stone Heyes Lane
Barnton Northwich
Cheshire CW8 4QS
T: 01606 892296
F: 01606 892325
info@tfa-architects.com

LOWES ROAD, BURY

HOUSE TYPE 'H3B'



1:100 @ A3
30.06.15

CC3032
H3B.01.A

Ward: Bury East - Moorside

Item 03

Applicant: BUPA (UK)

Location: Burrswood House, Newton Street, Bury, BL9 5HB

Proposal: Proposed extension to enclose lift

Application Ref: 58615/Full

Target Date: 03/06/2015

Recommendation: Approve with Conditions

Description

The site contains an existing two storey building, which is in use as a residential care home. The building is constructed from red brick with a tile roof and the building is located around a small car park. The site is accessed from Newton Street and there is additional parking areas to the north and south of Newton Street.

There are residential properties to the north, south, east and west of the site. There is a commercial garage to the east, which is opposite Purdon Street.

The proposed development involves the erection of an extension to provide a lift at the care home. The proposed extension would be located on the southern element of the building and would be adjacent to a car park. The proposed extension would be two storeys in height with a pitched roof and would be constructed from red brick with a tile roof.

Relevant Planning History

Adjacent site

53642 - Two storey extension to rear at Littlewood Cottage, Newton Street, Bury. Approved with conditions - 13 April 2011.

Publicity

The neighbouring properties were notified by means of a letter on 10 April 2015.

3 letters were received from the occupiers of Littlewood Farmhouse and Littlewood Cottage, which raised the following issues:

- Object as the proposal would have an adverse impact upon residential amenity through overshadowing.
- The proposed development would affect daylight to the front rooms and bedroom windows.
- Object to the unacceptably high density/overdevelopment of the site, as it is already overdeveloped.
- Object to the visual impact of the proposal and the design and height of the roofline.
- The proposed development would restrict access as well as parking.
- There would be a loss of view.
- There are alternatives to this proposal, but these are unacceptable to the applicant on grounds of cost. The extension could be sited on the southern side of the building or within the existing footprint.
- The siting of the lift here would mean that the door would be used more frequently by undertakers.
- The proposed development would bring an oppressive, blank facade four metres closer to the lounge and bedroom windows.

The neighbouring properties were notified of revised plans on 17 June 2015.

1 letter has been received from the occupiers of Littlewood Cottage, which has raised the following issues:

- Wish to reiterate our objections.
- The access road is narrow and there are already excessive parking problems caused by overdevelopment of the home.
- The proposed work would overlook the front rooms and family bedrooms and would impact on our enjoyment of both view and daylight.
- The amended design does not adequately address access and remains unsuitable due to the visual impact of the proposal.
- The proposal is over-bearing, out of scale and out of character in terms of its appearance.
- No alternative location has been considered.

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

Consultations

None required.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN7	Pollution Control
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
CF1/1	Location of New Community Facilities
CF3	Social Services
CF3/1	Residential Care Homes and Nursing Homes
SPD6	Supplementary Planning Document 6: Alterations & Extensions
NPPF	National Planning Policy Framework

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 - Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the impact upon residential amenity and the local environment; traffic generation and car parking; the scale and size of the development; accessibility by public and private transport; the needs and requirements of the disabled.

Policy CF3 states that the Council will, where appropriate, consider favourably proposals for the provision of new, and the improvement of existing social services facilities for children, young people, elderly people, people with mental and/or physical handicaps and illnesses, and other groups with special needs.

The proposed development involves a two storey extension to provide an additional lift within the nursing and residential care home and as such, would improve the existing facilities for the residents in the nursing home. The proposed development would be appropriate in terms of the size and scale of the extension in comparison to the care home. Therefore, the proposed development would be in accordance with Policies CF1/1 and CF3 of the Bury Unitary Development Plan.

Design and layout - The proposed extension would be located on the northern elevation of the building and would be two storeys in height. The proposed extension would be

constructed from red brick with a tile roof. The design of the roofline to the proposed development has been amended and the pike detail would be removed and a pitched roof proposed. As such, the proposed development would not be a prominent feature within the streetscene and would be in accordance with Policies CF1/1 and EN1/2 of the Bury Unitary Development Plan.

The proposed development would involve the installation of a ramp, which would ensure that the proposed building is fully accessible for all. Therefore, the proposed development would be in accordance with Policy HT5/1 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD 6 provides guidance on aspect standards between residential properties and as such, would be relevant in this case. The SPD states that there must be a minimum of 13 metres between a habitable room window and a two storey blank wall.

There would be a minimum of 17.3 metres between the proposed development and the front elevation of Littlewood Cottage and Littlewood Farm. This would be in excess of the aspect standard.

There would be 54.5 metres between the proposed extension and the rear elevation of 327 Walmersley Road, which would be in excess of the aspect standard.

Therefore, the proposed development would not have an adverse impact upon the residential amenity of the neighbouring properties and would be in accordance with Policy CF1/1 of the Bury Unitary Development Plan.

Highways issues - The proposed development would be located on a grassed area with a path and as such, would not have an adverse impact upon the access arrangements or parking provision at the site.

Response to objectors

There may be other options, but the Council has to determine the application before it. The loss of view is not a material planning consideration and cannot be taken into consideration. The issue of residential amenity, visual amenity and the issues relating to access and parking are addressed above.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

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

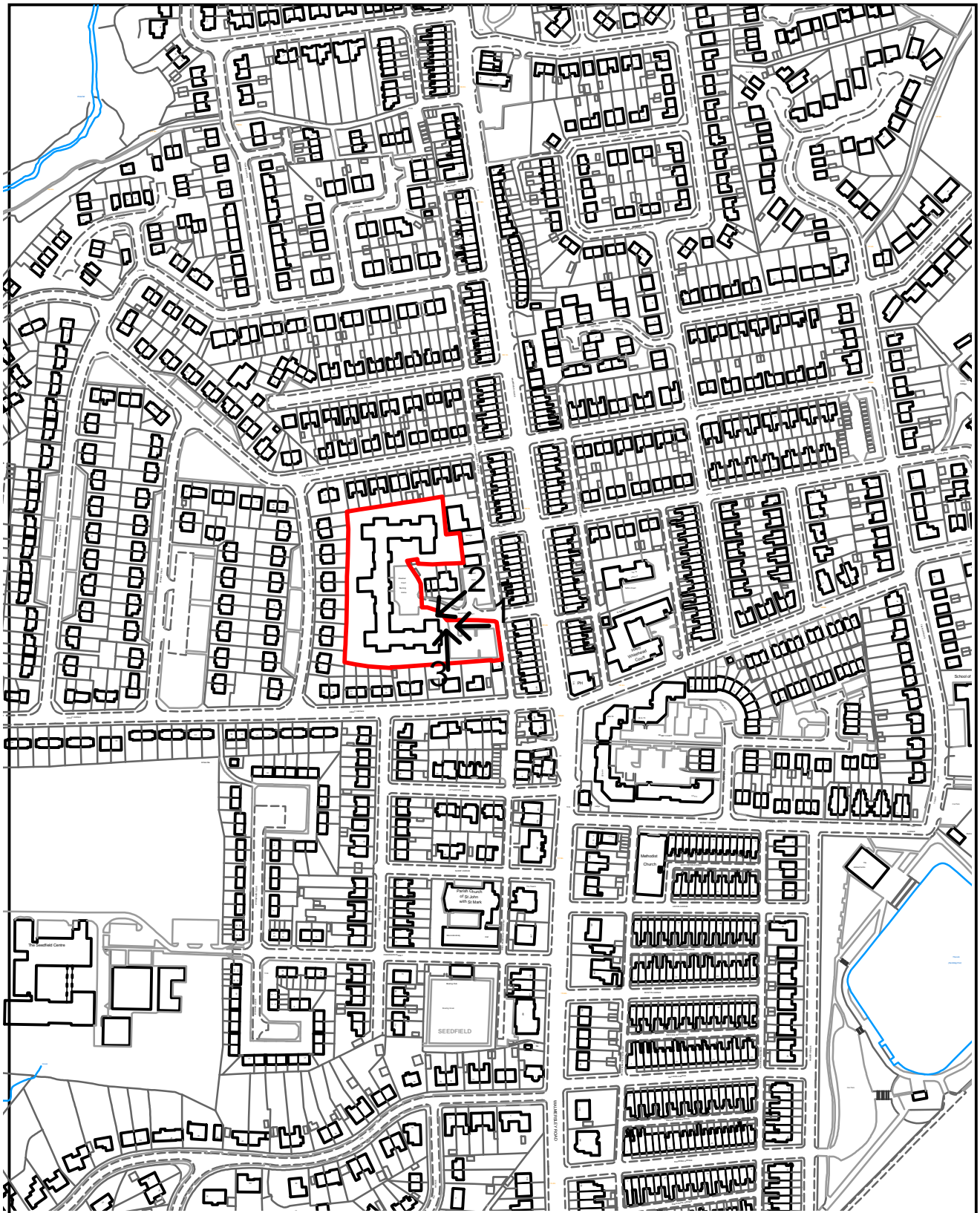
Conditions/ Reasons

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 AL(51) 10, AL(0) 02 A, AL(0) 04 B, AL(0) 03 B, AL(51) 01 B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58615

ADDRESS: Burrswood House
Newton Street, Bury



Bury
COUNCIL

Planning, Environmental and Regulatory Services 1:1250

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.

58615

Photo 1



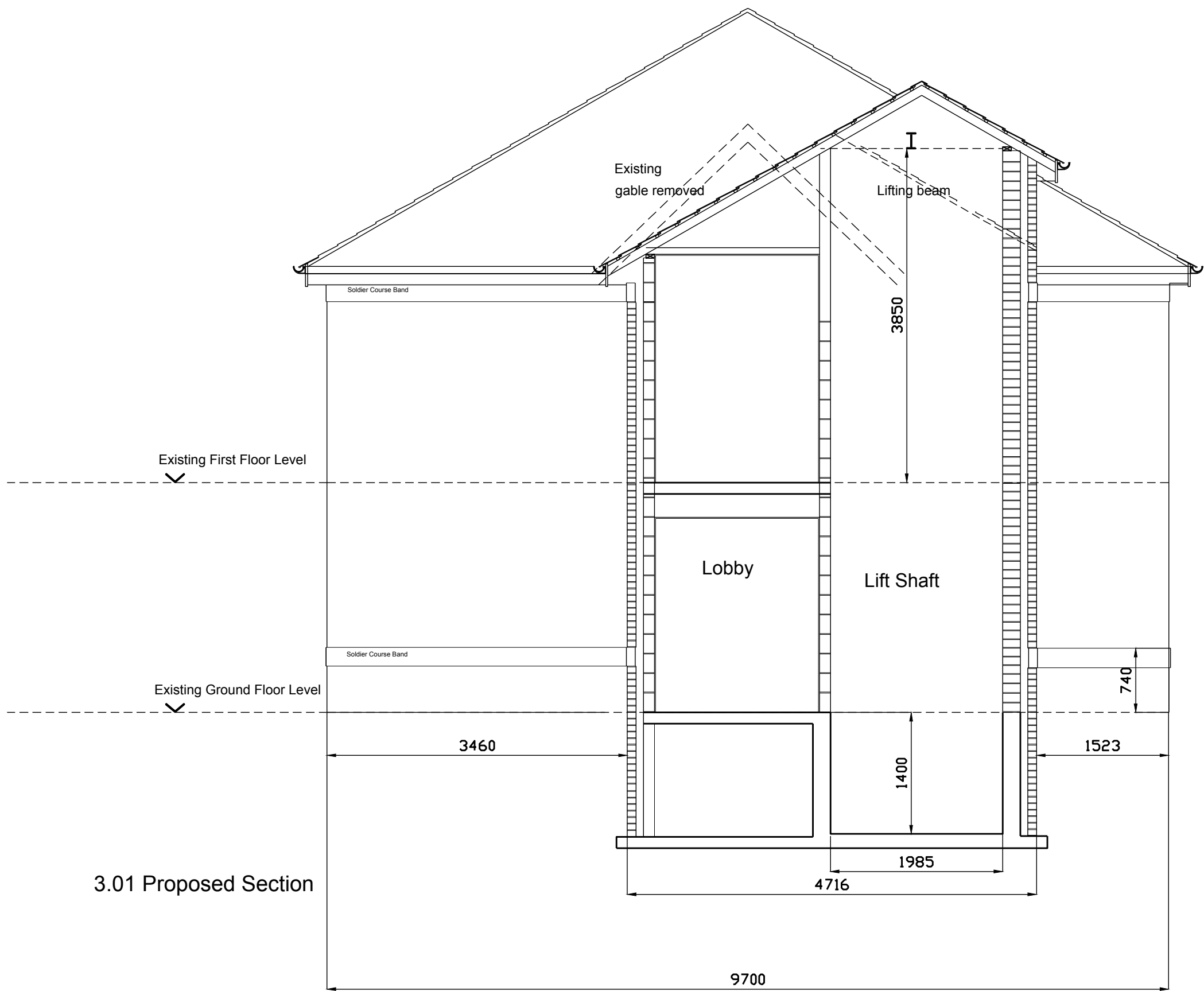
Photo 2



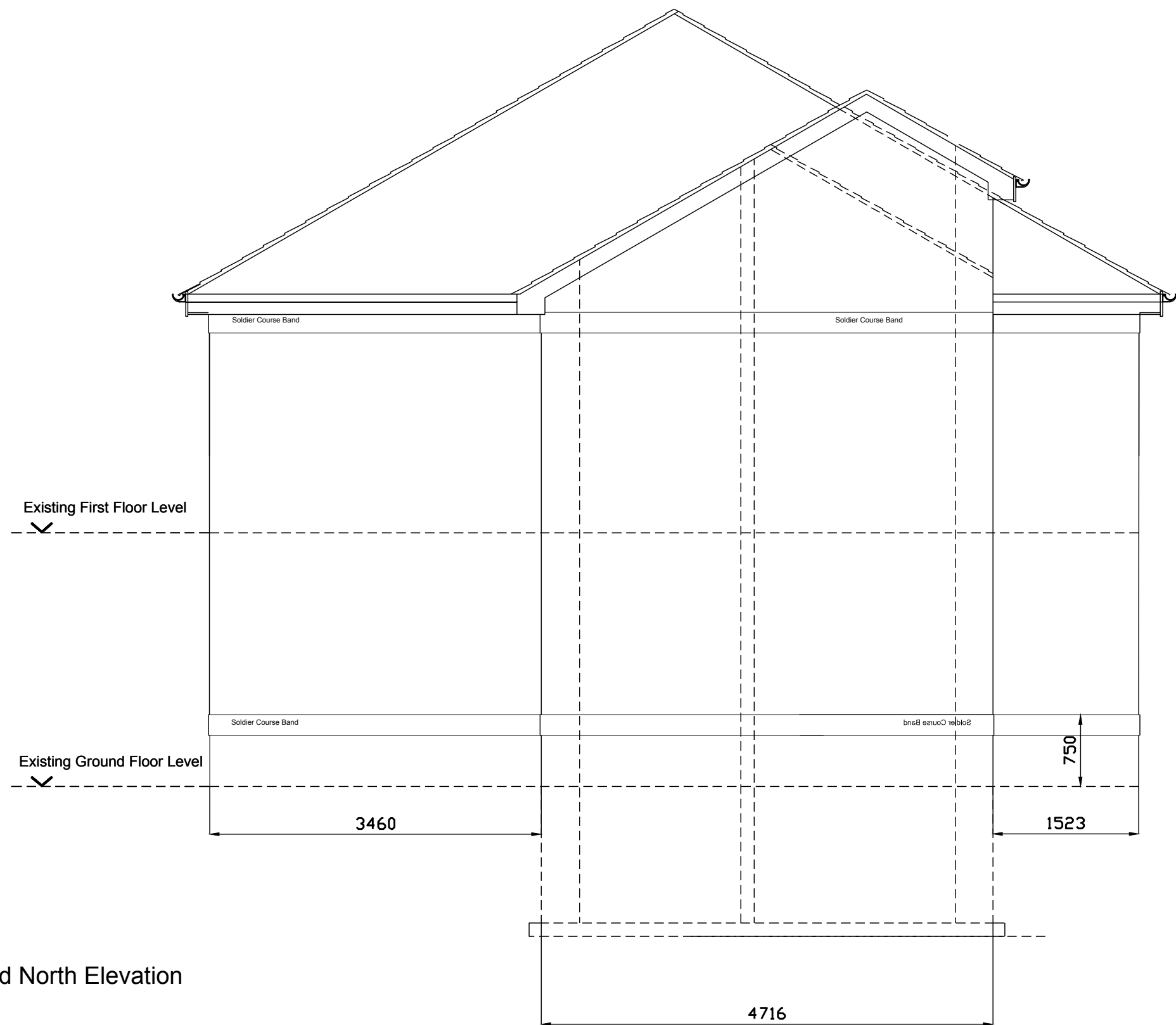
58615

Photo 3

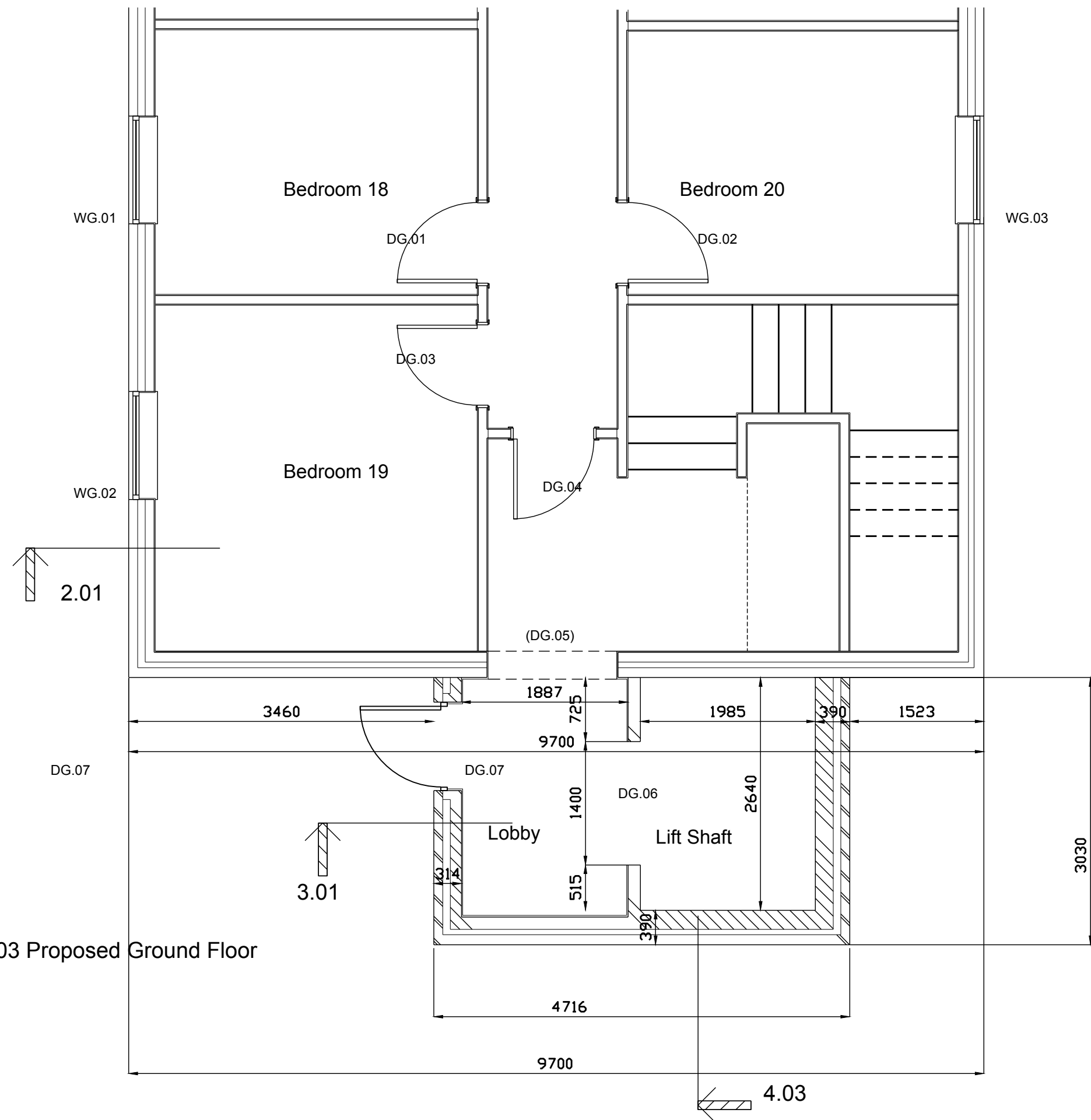




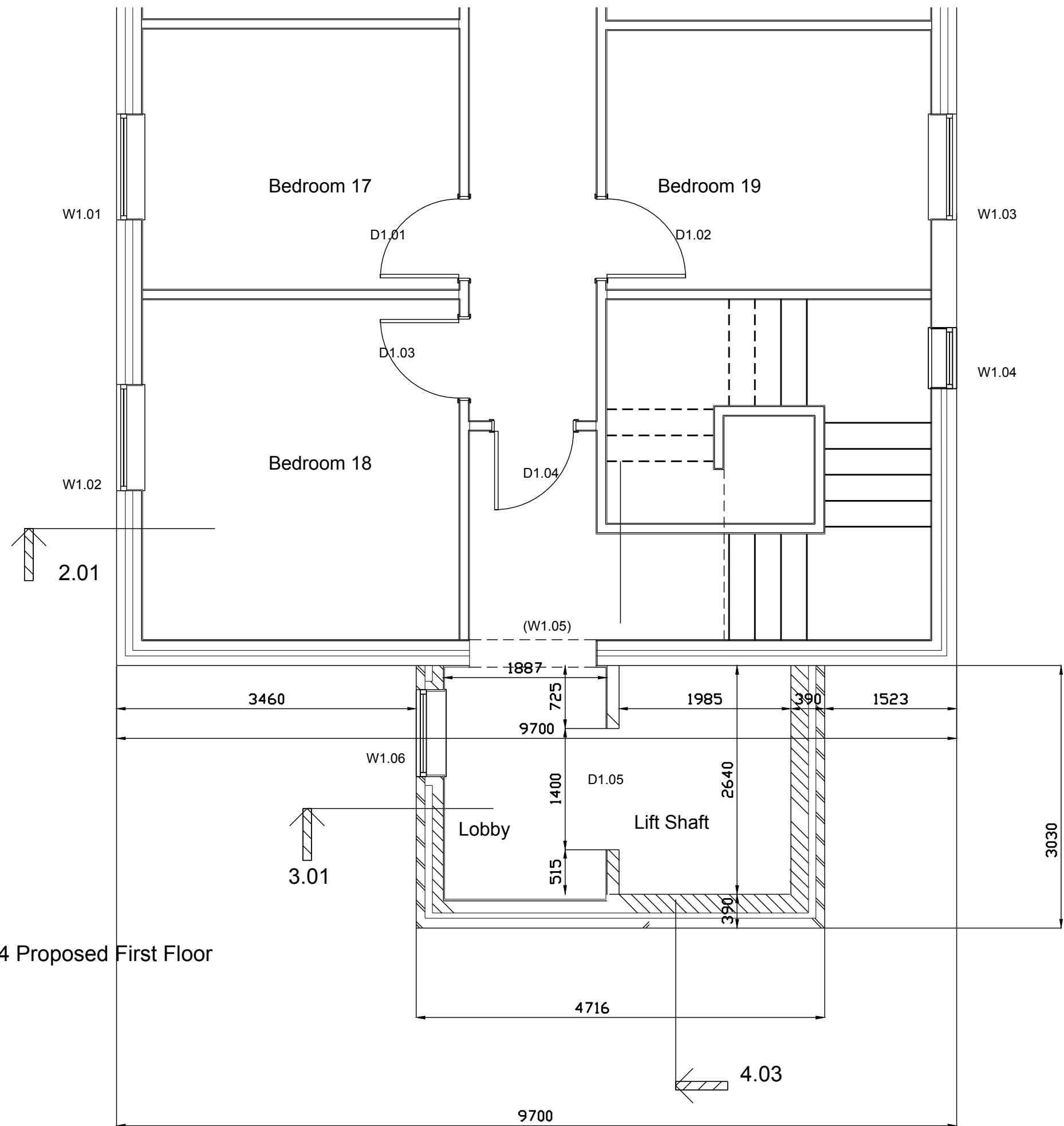
3.01 Proposed Section



3.02 Proposed North Elevation



3.03 Proposed Ground Floor



3.04 Proposed First Floor



Notes

Do not scale, use figured dimensions only.

All dimensions to be verified on site prior to the commencement of any work or the production of any shop drawing. All discrepancies to be reported to the Architect.

This drawing is to be read in conjunction with all related Architect's and Engineer's drawings and any other relevant information.

This drawing is copyright © of DWA Architects Ltd.

date	revision	
-	10.03.2015	Provisional Issue
A	31.03.2015	Notes added for planning application
B	10.06.2015	Revised scheme planning observations

Existing Materials (for external fabric)
External Walls: Facing brickwork (red brown) with soldier course bands and soldier course details to windows.
Roof: Profiled concrete roofing tiles (dark grey)
Windows: White (self coloured) UPVC
Doors: White (self coloured) UPVC

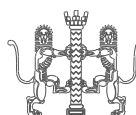
Proposed Materials (for external fabric)
External Walls: Facing brickwork (red brown) with soldier course bands colour and texture as existing facing brickwork
Soldier course details to windows.
Roof: Profiled concrete roofing tiles (dark grey)
colour and texture as existing roof materials.
Windows: White (self coloured) UPVC
Doors: White (self coloured) UPVC

DWA ARCHITECTS

PLANNING ISSUE

DWA

DWA Architects Ltd
Renaissance House
1 St Mary's Court
York
YO24 1AH
Telephone
01904 544400
Facsimile
01904 544449
Email
york@dwa-architects.co.uk
Website
www.dwa-architects.co.uk



Client

BUPA

Project

Burrswood Bury

Drawing Title

Proposed Plans, Section and Elevation

Scale

1:50 @ A1

Date

10.03.2015

Drawn by

CMB

Checked by

CS

Job No.

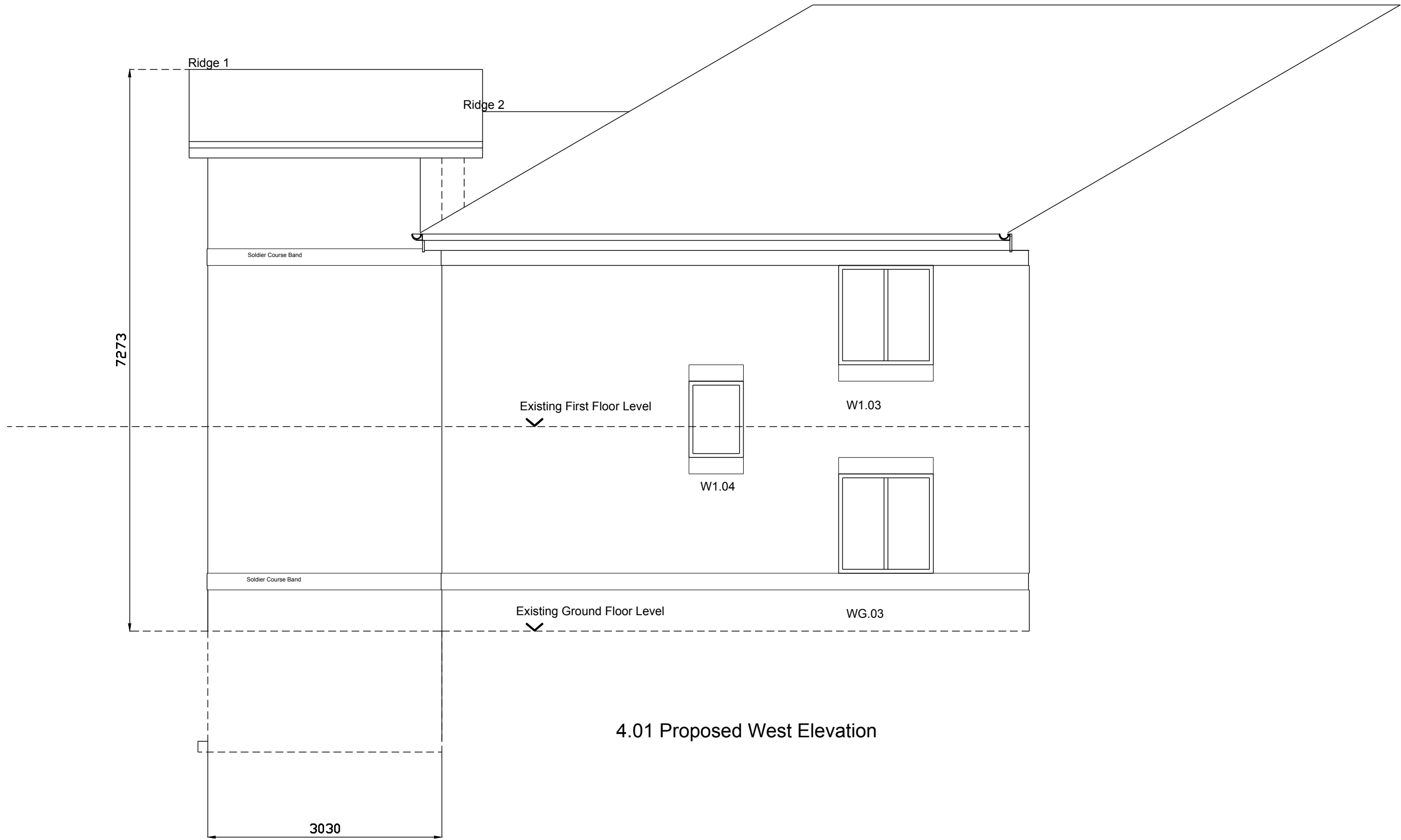
B5138

Drawing No.

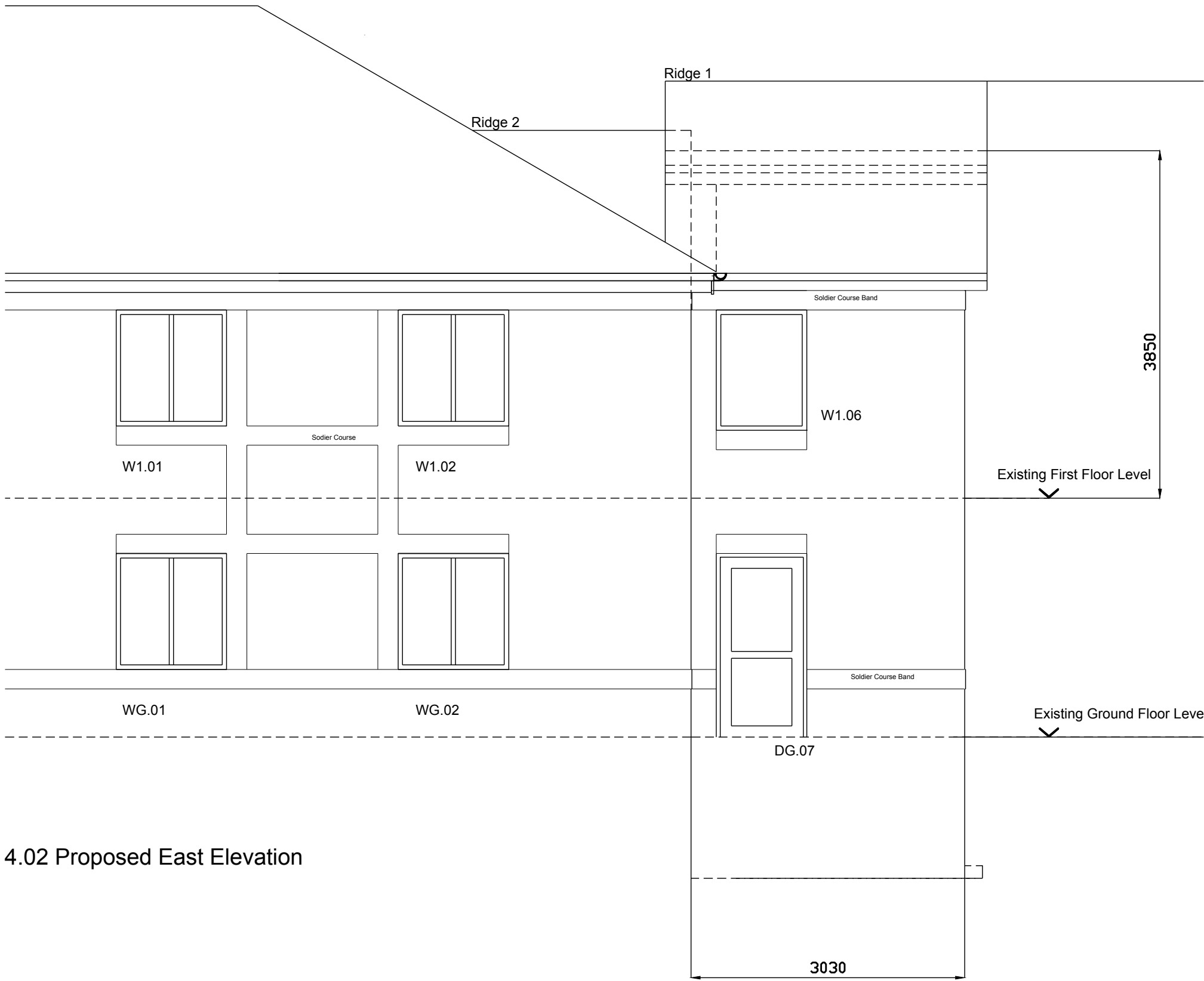
AL(0)03

Rev.

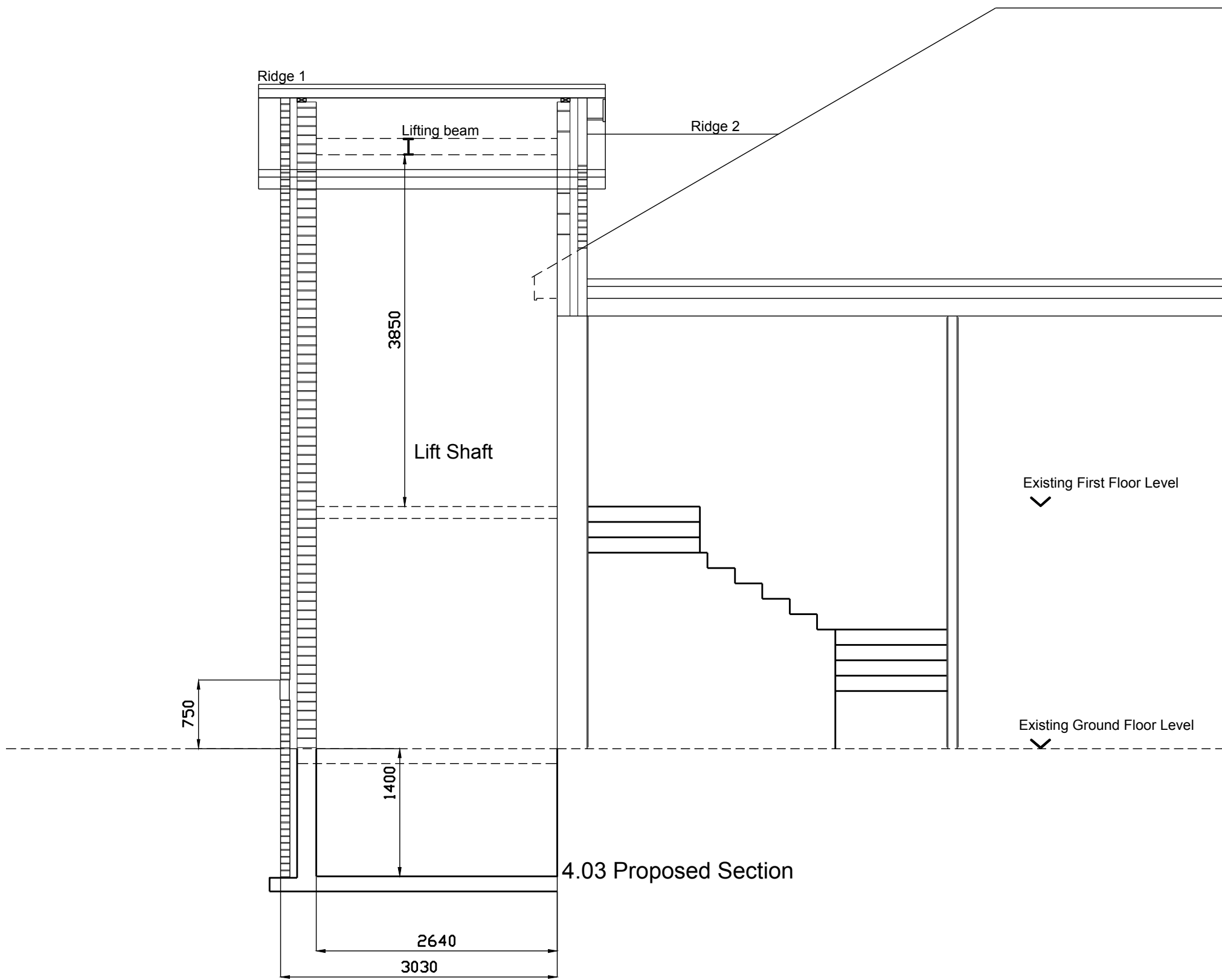
B



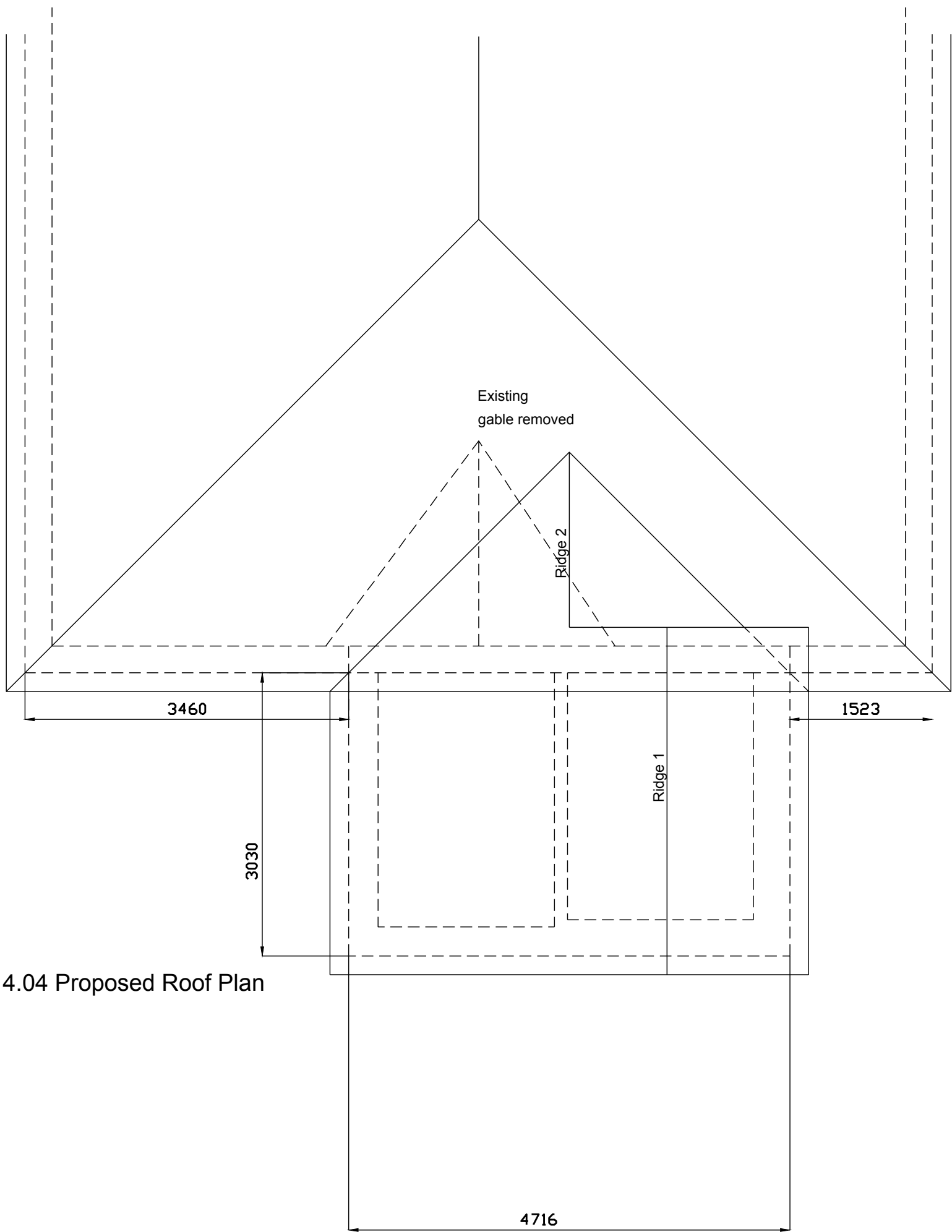
4.01 Proposed West Elevation



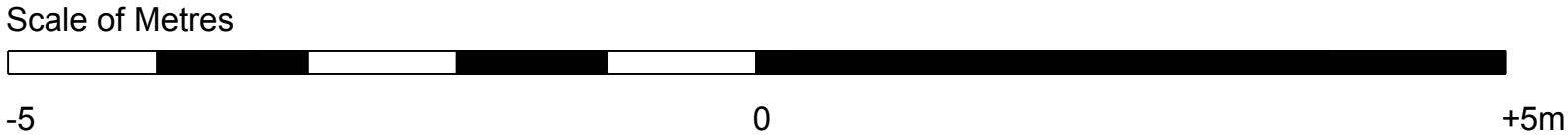
4.02 Proposed East Elevation



4.03 Proposed Section



4.04 Proposed Roof Plan



Notes

Do not scale, use figured dimensions only.

All dimensions to be verified on site prior to the commencement of any work or the production of any shop drawing. All discrepancies to be reported to the Architect.

This drawing is to be read in conjunction with all related Architect's and Engineer's drawings and any other relevant information.

This drawing is copyright © of DWA Architects Ltd.

date	revision	
-	10.03.2015	Provisional Issue
A	10.03.2015	Notes added for planning application
B	10.06.2015	Updated after planning observations

Existing Materials (for external fabric)
External Walls: Facing brickwork (red brown) with soldier course bands and soldier course details to windows.
Roof: Profiled concrete roofing tiles (dark grey)
Windows: White (self coloured) UPVC
Doors: White (self coloured) UPVC

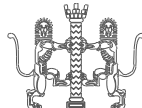
Proposed Materials (for external fabric)
External Walls: Facing brickwork (red brown) with soldier course bands colour and texture as existing facing brickwork
Soldier course details to windows.
Roof: Profiled concrete roofing tiles (dark grey)
colour and texture as existing roof materials.
Windows: White (self coloured) UPVC
Doors: White (self coloured) UPVC

DWA ARCHITECTS

PLANNING ISSUE

DWA

DWA Architects Ltd
Renevue House
1 St Mary's Court
York
YO24 1AH
Telephone
01904 544400
Facsimile
01904 544449
Email
york@dwa-architects.co.uk
Website
www.dwa-architects.co.uk



Client

BUPA

Project

Burrswood Bury

Drawing Title

Proposed Elevations, Sections and Roof Plan

Scale 1:50 @ A1 Date 10.03.2015

Drawn by CMB Checked by CS

Job No. Drawing No. Rev.

B5138 AL(0)04 B

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 04

Applicant: FCS Energy

Location: Ashton Lodge, Great Eaves Road, Ramsbottom, Bury, BL0 0PX

Proposal: Erection of single storey building to house boilers

Application Ref: 58662/Full

Target Date: 07/07/2015

Recommendation: Approve with Conditions

Description

The site contains retirement/sheltered accommodation for the elderly in a series of buildings, which are located around a courtyard in Ramsbottom. The existing buildings contain 33 dwellings and are a mixture of two and three storeys in height. The buildings are constructed from stone with a slate roof and are accessed from Stubbins Lane via Great Eaves Road. The central courtyard provides car parking and amenity space.

The East Lancashire Railway is located to the east and there are commercial buildings to the north. There are residential properties to the west and a church and recreational space to the south.

The proposed development involves the erection of a single building for use as a boiler room. The proposed building would measure 2.57 metres by 2.52 metres and would be 2.8 metres in height. The building would be constructed from zinc coated steel cladding, which would be overlaid in timber. The proposed building would be located centrally in the amenity space between the building and Stubbins Lane.

Relevant Planning History

30189 - Residential development - 33 dwellings at Great Eaves Road, Ramsbottom.
Approved with conditions - 6 October 1994

Publicity

The neighbouring properties were notified by means of a letter on 12 May 2015.

1 letter was received from the occupiers of Flat 23, Ashton Lodge, which raised the following issues:

- Object as the building would be placed directly under a bedroom window.
- Concerned about the disturbance that the work would cause.

The neighbouring properties were notified of revised plans on 16 June 2015.

1 letter was received from the occupiers of 73 Stubbins Lane, which has raised the following issues:

- No objection to the principle of a boiler house, but am concerned that the building will look ugly.
- The building appears to be an ugly industrial looking boiler house. Prefer to see a more aesthetically pleasing structure.

The objectors have been notified of the Planning Control Committee.

Consultations

None required.

Unitary Development Plan and Policies

EN1/1 Visual Amenity
EN1/2 Townscape and Built Design
EN7 Pollution Control

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.

Impact upon the surrounding area - The proposed building is required to provide a new boiler house to the sheltered accommodation. The proposed building would be constructed from zinc coated steel cladding coloured green. In addition, a timber trellis fence would be erected approximately 1 metre in front of the building and evergreen climbing plants would be planted. As such, the proposed development would not be a prominent feature within the streetscene. Therefore, the proposed development would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - The proposed development has been relocated and would be located centrally between the two residential blocks. The proposed building would be 5.8 metres and 7.2 metres from the gable elevation of Ashton Lodge and would not be directly overlooked from occupiers of the residential flats to the north and south. There would be 8.5 metres between the proposed building and the residential units to the east, which would be acceptable. Therefore, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

Response to objectors

The proposed building has been relocated and is no longer located under any bedroom windows. The proposed building would be clad with timber trellis fencing with planting, which would screen the proposed building over time, giving it a domestic appearance.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

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.

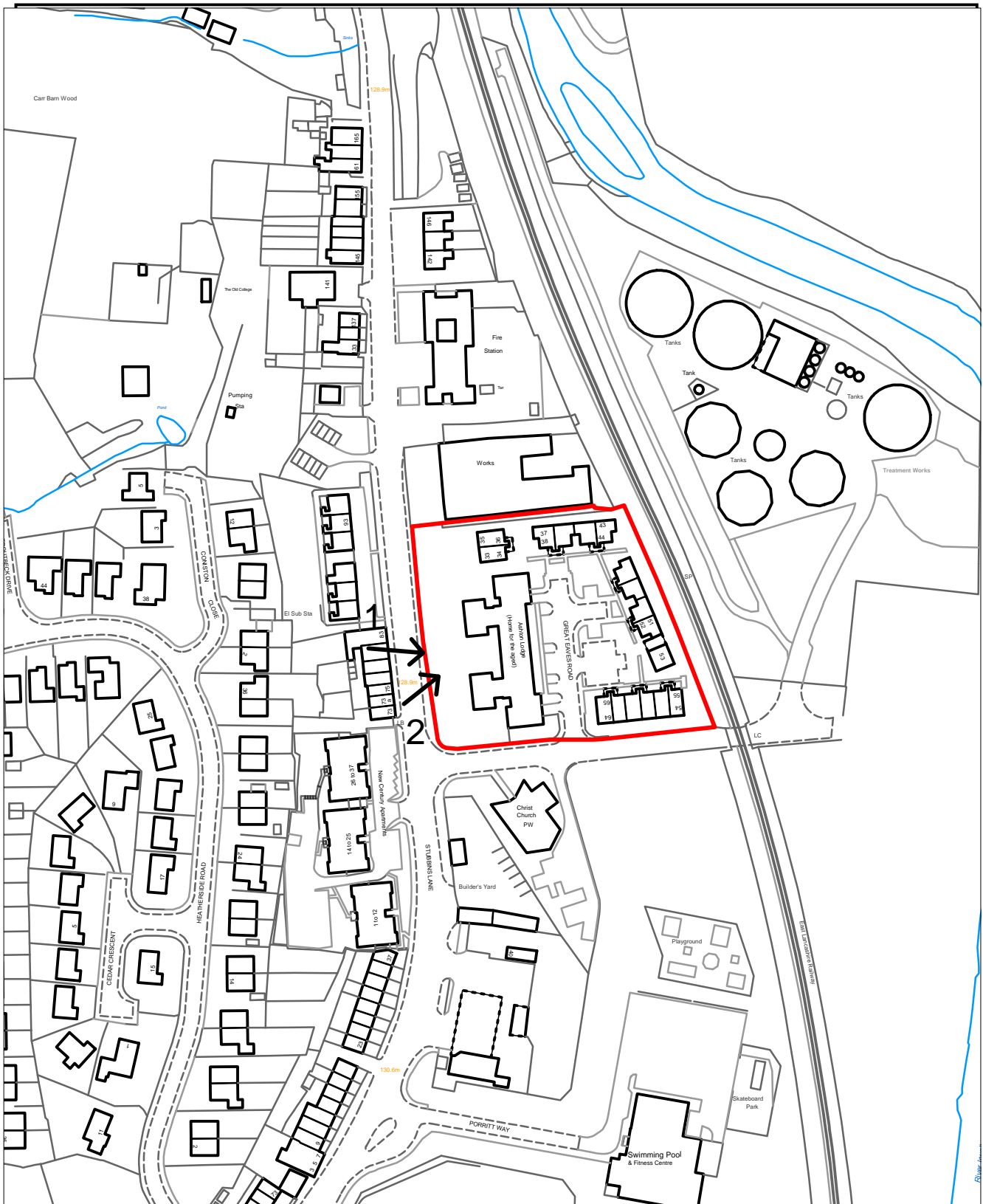
Recommendation: Approve with Conditions

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 1186-3-1, 1186-3-2, 1186-3-3, 1186-3-4, 1186-3-5, 1186-3-6 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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58662

**ADDRESS: Ashton Lodge
Great Eaves Road, Ramsbottom**

Planning, Environmental and Regulatory Services 1:1250

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.



Bury
COUNCIL

58662

Photo 1



Photo 2



ALL RIGHTS RESERVED. THE COPYRIGHT IN THIS DRAWING IS RESERVED IN PACKAGED PLANT SOLUTIONS LTD AND NO PART THEREOF MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, INCLUDING PHOTOCOPYING AND RECORDING, AND NO PART THEREOF MAY BE STORED IN A RETRIEVAL SYSTEM OF ANY NATURE WITHOUT THE PREVIOUS WRITTEN CONSENT OF PACKAGED PLANT SOLUTIONS LTD. THIS DRAWING SHALL NOT BE USED IN CONNECTION WITH THE WORK OR IMPROVEMENT OF ANY WORK OTHER THAN THOSE FOR WHICH THEY WERE SPECIFICALLY PREPARED. ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE. UNDESIGNED DIMENSIONS ARE NOT TO BE SCALED FROM THIS DRAWING. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE SPECIFIED. IF ANY DISCREPANCY OR DETAIL CONFLICT, PLEASE NOTIFY PACKAGED PLANT SOLUTIONS LTD IMMEDIATELY.

Services run around wall from existing boiler room then drop to trench.

New gas-fired plantroom

Services run underground from new plantroom.

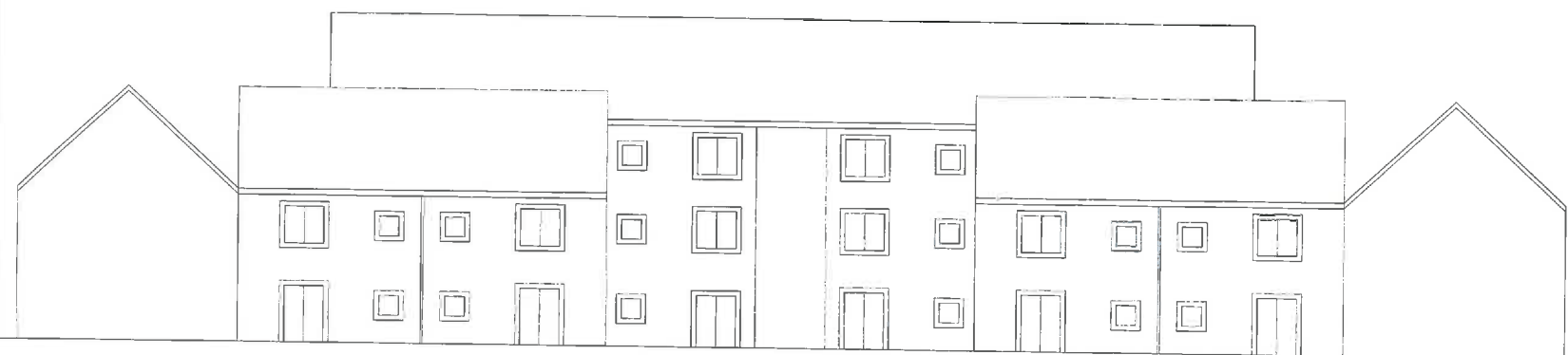
Trellis fence around plantroom.

STUBBINS LANE

Ashton Lodge

Rev.	Description	Int	Date
<p>Unit 8 Thornton Chase Linford Wood Milton Keynes MK14 6FD Tel: 01908 711371 Fax: 01908 312234 www.packagedplant.com</p> <p>PPS THINKING INSIDE THE BOX</p> <p>Packaged Plant Solutions Ltd</p>			
<p>Project Name</p> <p>Ashton Lodge Ramsbottom</p>			
<p>Drawing Title</p> <p>Site Layout</p>			
Job No	Scale	Dwg. Prepared By	
1186-3	1:200 @ A3	DM	
Drawing No	Date	Dwg. Checked By	
1186-3-4	Mar.'15		
Revision	Sht. No. A3		

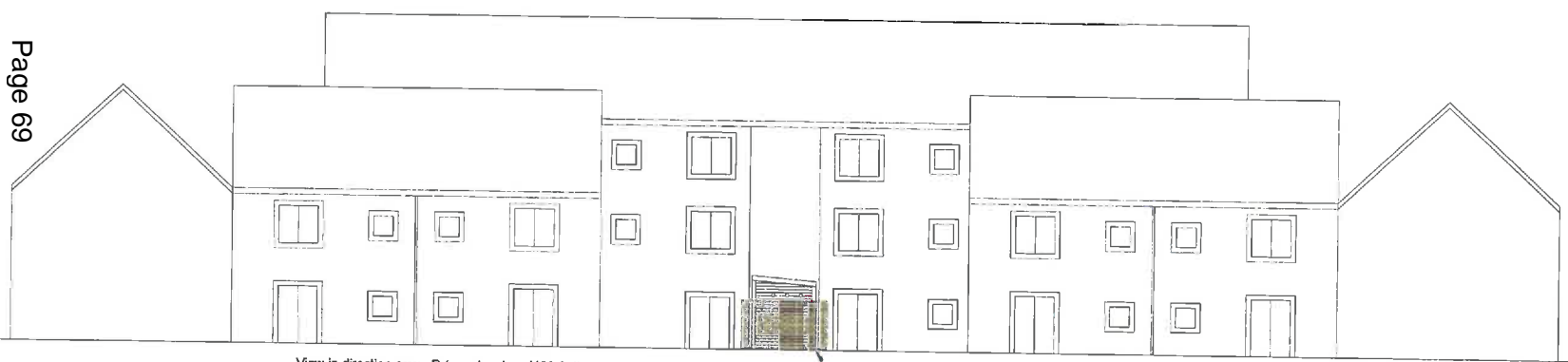
THE CLIENT ACCEPTS THE RESPONSIBILITY FOR THE PROVISION OF INFORMATION IN THIS DRAWING TO THE ARCHITECT. THE ARCHITECT HAS CONDUCTED VISUAL VERIFICATION OF THE INFORMATION PROVIDED AND HAS FOUND IT TO BE SUFFICIENT FOR THE PURPOSES OF THE DRAWING. THE ARCHITECT HAS NOT CONDUCTED A VISUAL VERIFICATION OF THE INFORMATION PROVIDED FOR THE PURPOSES OF THE DRAWING. THE ARCHITECT HAS NOT CONDUCTED A VISUAL VERIFICATION OF THE INFORMATION PROVIDED FOR THE PURPOSES OF THE DRAWING. THE ARCHITECT HAS NOT CONDUCTED A VISUAL VERIFICATION OF THE INFORMATION PROVIDED FOR THE PURPOSES OF THE DRAWING.



Existing View in direction arrow B (see drawing 1186-3-4)



Existing View in direction arrow C (see drawing 1186-3-4)



View in direction arrow B (see drawing 1186-3-4)

New gas-fired plantroom behind trellis fence



View in direction arrow C (see drawing 1186-3-4)

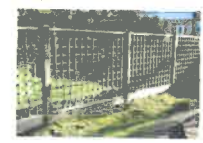
Page 69



View in direction arrow A (see drawing 1186-3-4)

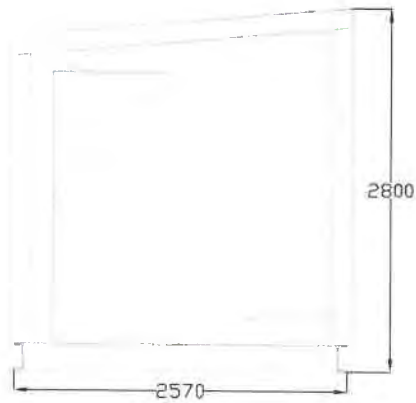
Services run around wall to existing plantroom on 1st floor

Plantroom finish - Moss Green

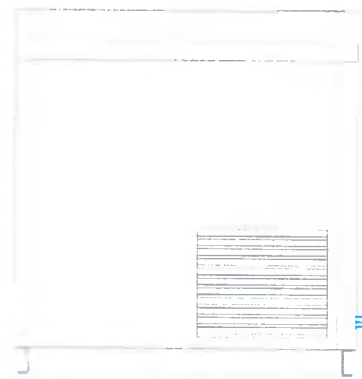


Unit 8 Thetford Chase Lindford Wood Eaton Keynes MK14 5EQ Tel: 01908 711371 Fax: 01908 312234 www.packagedplant.com	
Packaged Plant Solutions Ltd	
Project Name Ashton Lodge Ramsbottom	
Drawing Title Elevations	
Job No. 1186-3	Scale 1:100 @ A1
Drawing No. 1186-3-5	Date Mar '15
Drawn By DM	
Checked By -	
Project Manager -	

"ALL RIGHTS RESERVED. THE COPYRIGHT IN THIS DRAWING IS RESERVED IN PACKAGED PLANT SOLUTIONS LTD. AND NO PART THEREOF MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, INCLUDING PHOTOCOPYING AND RECORDING, AND NO PART THEREOF MAY BE STORED IN A RETRIEVAL SYSTEM OF ANY NATURE WITHOUT THE PREVIOUS WRITTEN CONSENT OF PACKAGED PLANT SOLUTIONS LTD. THIS DRAWING SHALL NOT BE USED IN CONNECTION WITH THE ABOVE OR REPRODUCTION OF ANY WORKS OTHER THAN THOSE FOR WHICH THEY WERE SPECIFICALLY PREPARED. ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE. UNSPECIFIED DIMENSIONS ARE NOT TO BE SCALED FROM THIS DRAWING. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE SPECIFIED. IF ANY DIMENSIONS DO NOT COMPLY, PLEASE NOTIFY PACKAGED PLANT SOLUTIONS LTD IMMEDIATELY."



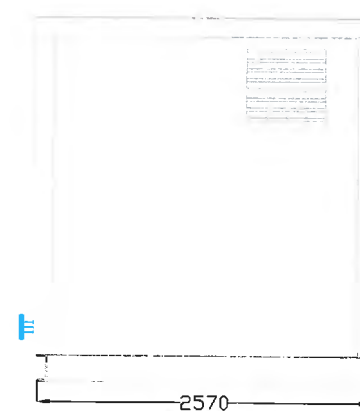
VIEW A



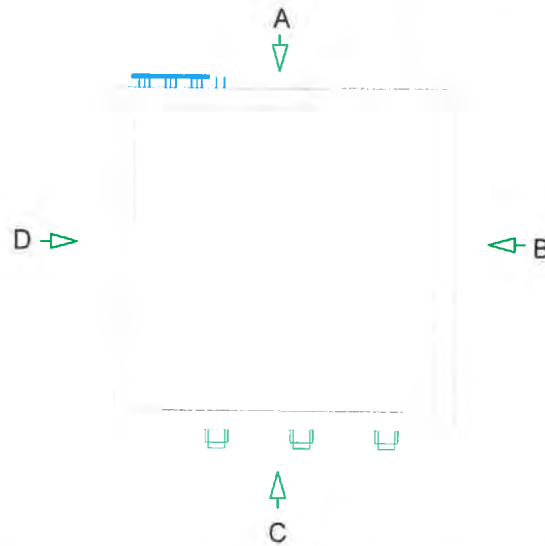
VIEW B



VIEW C



VIEW D



Rev	Description	Iss	Date
<p>Unit 8 Thornton Chase Linford Wood Milton Keynes MK14 6FD Tel: 01908 711371 Fax: 01908 312234 www.packagedplant.com</p> <p>PPS THINKING INSIDE THE BOX</p> <p>Packaged Plant Solutions Ltd</p>			
<p>Client Name Ashton Lodge Ramsbottom</p>			
<p>Drawing Title Plantroom Elevations</p>			
Job No	Scale	Dwg Prepared By	
1186-3	1:40 @ A3	DM	
Drawing To	Date	Dwg Checked By	
1186-3-6	May '15		
<p>Revision: C D E F</p>			

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 05

Applicant: maddogguitars

Location: Units 5 & 5a, Kay Brow Yard, Kay Brow, Ramsbottom, Bury, BL0 9AY

Proposal: A. Retrospective change of use of industrial units (5 and 5A)(Class B1) to shop (Class A1) and music rehearsal venue (Class D2)
B. Change of Use of industrial unit 5A to Music Bar (Class A4)

Application Ref: 58702/Full

Target Date: 06/07/2015

Recommendation: Split Decision

Description

The application is part retrospective and relates to units 5 and 5A of a complex of industrial/commercial units situated around a central courtyard that is accessed onto Kay Brow, immediately to the south of Ramsbottom Town Centre.

The site is located in the north west corner of the building and comprises a ground floor unit (approx 100sqm), formerly an office and a basement room below (approx 40sqm) that was previously used for storage. Both units are accessed from the central courtyard which in turn is accessed onto Kay Brow via a covered entrance. Only the north side of Kay Brow has a public footway and there are parking restrictions in the form of double yellow lines along this part of the road.

The industrial/commercial complex of buildings are situated within an existing Employment Generating Area (EGA) and is made up of a variety of commercial operations, including an estate agent's office adjoining Unit 5. To the east is industrial land comprising the rest of the EGA. To the west and south-west are residential properties fronting Kay Brow and Grants Lane. Across Kay Brow to the north, there are new apartments being built. The edge of Ramsbottom Town Centre is approximately 160m to the north.

The application comprises three main elements.

- The retention of the guitar shop (Use Class A1) in Unit 5 on the ground floor.
- The change of use of the basement unit 5A to a music rehearsal venue (Class D2)
- The change of use of the same basement unit 5A to music bar (Class A4) with opening hours to 11pm.

Relevant Planning History

Enf 15/0121 - Unauthorised retail use and rehearsal room - application received 06/05/15.

Publicity

The following 89 properties were notified by letter dated 11/05/15. Site and press notices posted.

Nos.30 -40 (even), 143 -193 (odd) Kay Brow, Commercial units in Kay Brow Yard/Complex, Flats 1 - 6 The Old Engine House, 1 - 6 The Cornerhouse, Cobden Mill and No.100 Square Street, 1 - 33 Grants Lane.

Objections, received from 5, 9, 21 and 23 Grants Lane, are summarised below:

- The units are meant for industrial use only.
- Impact from excessive noise from the bar/music venue, particularly in the evening,

people entering and exiting the site, smoking and drinking and the closure of the roller shutter at the entrance to the courtyard.

- Numbers attending the bar can't be controlled.
- Detrimental impact of customer parking on residents along Grants Lane. Customers would park on the road, taking resident's spaces and cause disturbance also.
- It would compromise highway safety as Kay Brow is busy and the access to the site is limited.
- With only one entrance into the unit, there is a safety concern.
- Food refuse at the premises may cause rats.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Management - No objection.

Environmental Health - Recommends refusal as no noise assessment has been undertaken.

Waste Management - No objection.

Greater Manchester Police - No objection subject to conditions of the premises licence.

Unitary Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EC2/1	Employment Generating Areas
EC2/1	Employment Generating Areas
EC4/1	Small Businesses
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN7/2	Noise Pollution
H3/1	Assessing Non-Conforming Uses
S2/1	All New Retail Proposals: Assessment Criteria
S2/6	Food and Drink
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury

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.

Main Policies - The National Planning Policy Framework (NPPF) indicates that Local Planning Authorities should promote economic growth and town centres. In assessing town centre uses, they should apply a sequential test - requiring uses in the first instance to be in the town centre, then in edge-of-centre locations and only if suitable sites are not available, should out-of-centre sites be considered.

EC2/1 - Employment Generating Areas: In the defined Employment Generating Areas, as identified on the Proposals Map, the Council will only allow development for the uses specified. Other uses will only be permitted where they constitute limited development or do not substantially detract from an area's value as an Employment Generating Area. The following areas have been identified for the uses specified: Business (B1), General Industrial (B2), Warehousing (B8) and Leisure and Tourism Uses:

EC3/1 - Measures to Improve Industrial Areas: The Council will be especially concerned with improving older industrial areas and premises, and will encourage and, where appropriate, implement measures including the improvement in the condition of buildings and facilitating the re-use of vacant buildings and floorspace;

EC4/1- Small Businesses: Proposals for small businesses will be acceptable when the scale of development is appropriate to, and the use is environmentally compatible with, the surrounding area in which it is to be located, and where they do not conflict with other policies and proposals of the Plan.

EC6/1- Assessing New Business, Industrial and Commercial Development: All new business, industrial and commercial development will be expected to be of a high standard of design and appearance and to take account of the surrounding environment, amenity and the safety of employees, visitors and adjacent occupiers.

H3/1 - Assessing Non-Conforming Uses: The Council will assess proposals for the development of non-conforming uses in primarily residential areas and will not permit proposals considered to be incompatible. Factors which will be taken into account when assessing such proposals include noise, vibration, traffic generation and parking arrangements, and hours of operation.

EN7/2 - Noise Pollution: In seeking to limit noise pollution the Council will not permit development which could lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users.

S2/1 - All New Retail Proposals: The Council will support new retail development proposals which are within or immediately adjoining the main shopping area of existing centres.

S4 - New Retail Development Outside Town and District Centres: The Council will not permit new retail development to be located outside the main shopping area of the Borough's town and district centres, unless it is to meet purely local needs or satisfies the criteria set out in Policies S4/1 or S4/2.

S4/1 and S4/2 - Retail Development Outside Town and District Centres indicates that the impact of any proposed out-of-centre retail development should be assessed on a number of factors including the impact it would have on the existing town centre.

S2/6 - Food and Drink: The Council in considering all proposals which involve restaurants, hot food takeaways, cafes, snack bars, wine bars and public houses, together with any other uses contained within Class A3, will have regard to factors including:

- the amenity of nearby residents by reason of noise, smell, litter and opening hours;
- parking and servicing provision associated with the proposed development and its effects in terms of road safety, traffic generation and movement;
- provision for the storage and disposal of refuse and customer litter;

Visual amenity and impact on conservation area - There are no proposed changes to the north or west elevations facing out onto Kay Brow and houses to the west. As the frontage to both units face into the enclosed courtyard, there would be no serious adverse impact on the visual amenity of the locality and wider conservation area. The scheme therefore would comply with UDP Policies EN1/2 Visual amenity and EN2/1 and EN2/2 relating to conservation areas.

Retail Use (A1) - The applicant has stated that the guitar sales business started off as a home based, on-line business with guitars being stored in his garage. As the business grew, there became a need to find more suitable premises. The initial storage use developed into a shop but a significant part of the business is still on-line sales. It is argued that other town centre premises are unsuitable due to cost and the lack of space and conditions for the related rehearsal room/bar. Although Policy EC2/1 Employment Generating Areas, promotes the B1, B2 and B8 uses within EGA's, it does state that other

uses will be allowed where they constitute limited development or do not detract from the areas value as an Employment Generating Area. The total sales area is not particularly large at less than 100sqm and would not have a seriously adverse impact on the wider EGA or the viability of the adjacent Town Centre. Located adjacent to the rehearsal room, it would be considered a suitable associated use. Given the scale, specialist nature of the shop and that it would be located within the existing complex of commercial outlets, it is, on balance, considered acceptable.

Rehearsal Room Use (D2) - As set out above, Policy EC2/1 promotes the B1, B2 and B8 uses but does state that other uses will be allowed where they constitute limited development or do not detract from the areas value as an Employment Generating Area. Given the limited size of the unit, its basement area location, it has limited potential as an industrial unit and this was reflected in its rather run down condition. As such its conversion to a music rehearsal room would be considered an acceptable alternative use that would not have a significantly detrimental impact on the wider EGA.

Bar Use (A4) - The impact of the bar, located within the same basement space as the rehearsal room, would not have an adverse impact on the wider EGA, however there are other issues that need to be considered - see below.

A bar is generally a town centre use and as such, sites within more central areas should be looked at as part of a 'sequential assessment'. Only where town centre sites have been looked at and found unsuitable or not available should other sites be considered. A thorough sequential test has not been carried out in this case. It appears that the applicant's proposal to set up this bar in this location stemmed from its proximity to his guitar business and its evident physical characteristics that lend itself to a small music bar. No doubt the music bar could work well within the space but it is not considered that it is the appropriate location. The proposed bar use would be contrary

Residential amenity - The guitar shop and rehearsal room, given the limited number of visitors/customers, the availability of parking within the courtyard, hours of working and the soundproofing that could be introduced to the basement unit, in the case of the latter, should not cause serious problems to local residents in terms of noise and disturbance. The retail and rehearsal room uses would comply with UDP Policies relating to new businesses and residential amenity.

The proposed jazz bar in the basement raises more serious issues with regard to residential amenity. In assessing the impact of the bar, one would need to consider the numbers of people attending, the traffic generation, parking, hours of opening and noise and disturbance arising.

It is noted that the licensing authority has granted the applicant a licence on the following conditions (summarised), imposed by the Police -

- An effective CCTV system operating.
- Suitable staff training.
- No customers leaving with glasses or bottles.
- Clear notices being displayed requesting customers leave the area quietly.
- Music not being audible inside noise sensitive property at any time.
- All external doors and windows to be kept closed when live music is in progress.
- The premises to be closed to customers 30min after the licensing activity has ceased.
- A strenuous ID system is in operation with documentation of any incidents.

The bar which can accommodate up to a maximum of 60 people, including staff and performers, would be open until 11pm. Notwithstanding the provisions of the licence agreement, there remain concerns that within what is a quiet area of Ramsbottom, the proposed bar use may cause undue noise and disturbance to nearby residents from customers leaving the premises, particularly later on in the evening.

In addition to the conditions required by the license, the Local Planning Authority could, with

the agreement of the applicant, allow the bar use to operate for a temporary period in order to assess the impact of the bar on surrounding properties. It could also grant a personal consent to the applicant to prevent the business being passed on to another operator.

On balance, it is considered that the shop and rehearsal room uses would not cause undue noise and disturbance and are acceptable. However, the proposed bar use would, by reason of the potential noise and disturbance caused by customers leaving the premises at or towards closing time, would be considered detrimental to residential amenity and be unacceptable and conflict with UDP Policy EC4/1 Small Businesses, H3/1 Assessing Non-Conforming Uses and S2/6 Food and Drink.

Traffic, parking and access - The internal courtyard has not been marked out into numbered parking bays but has a capacity for about 20 vehicles and appears to be shared by the businesses within the complex. It is considered that for the daytime operations of the shop and rehearsal room, the parking provision is considered to be acceptable. During the evening, when the shop would be closed but rehearsal room may be operating, there would be more parking spaces available when the other businesses in the complex have closed. The same would be true for the customers of the proposed bar. Access to and from the site, via the covered entrance onto Kay Brow is considered acceptable by the Traffic Engineer.

The Traffic Engineer has no objections to any of the proposed uses with regard to parking and access.

Objections - Most of the objections raised by the objectors have either been addressed above or are reflected in the reasons for refusal. The issues about there being only one entrance and therefore would be a safety risk is not a planning matter but controlled by other legislation/building regulations. Issues regarding refuse and vermin are also not planning matters and are covered by Environmental Health legislation.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

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: Split Decision

Conditions/ Reasons

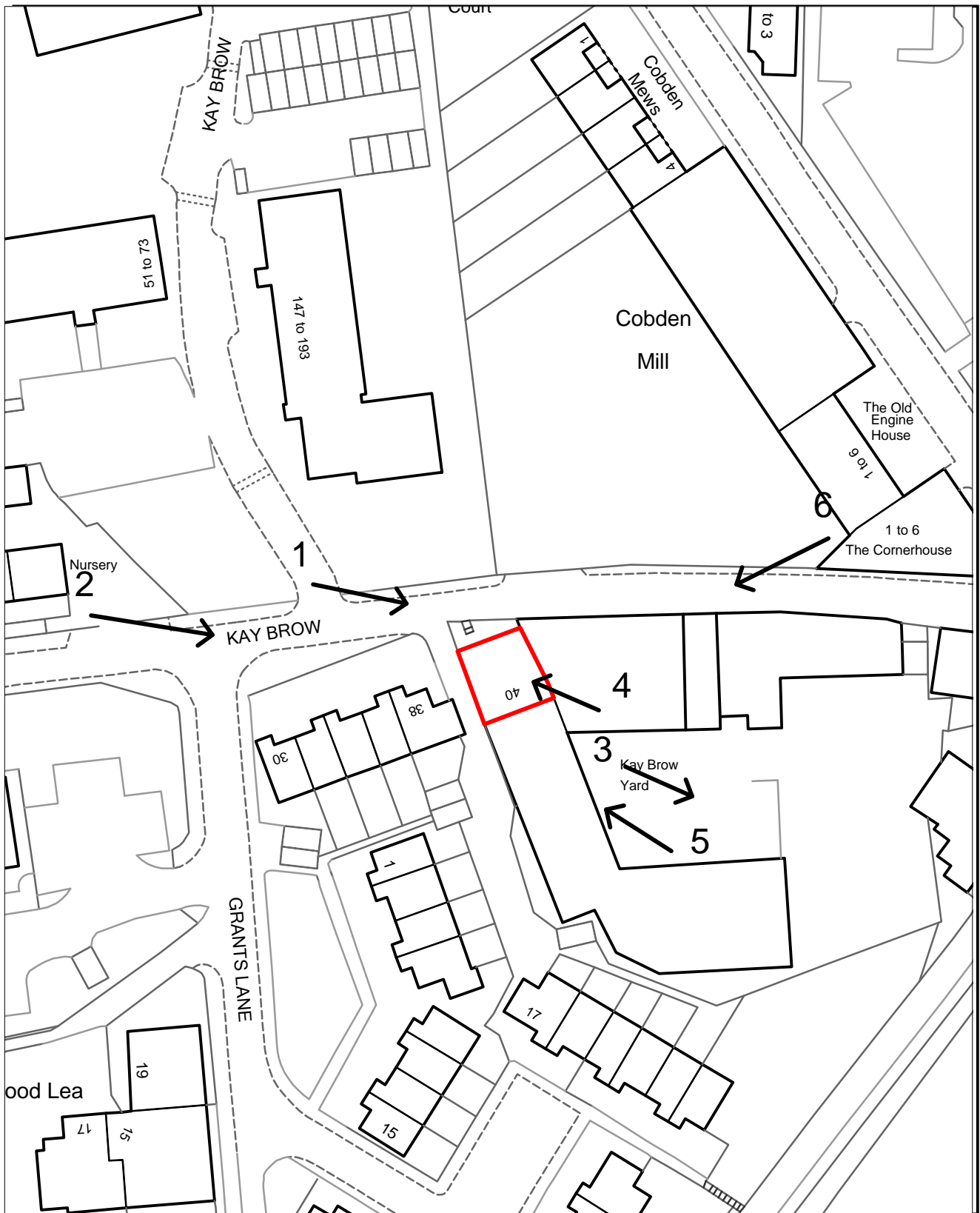
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
1. The proposed bar use (A4) within unit 5A would be seriously detrimental to the residential amenities of nearby occupiers, by reason of the noise, disturbance and general activity associated with customers leaving the premises late in the evening. The proposed bar use therefore conflicts with the following policies of the Bury Unitary Development Plan:
H3/1 Assessing Non-Conforming Uses
EC4/1 Small Businesses
S2/6 Food and Drink

EN7/2 Noise Pollution

2. This decision relates to the drawings received on 07/05/15 and 30/06/15(revised) 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. Before the use of the rehearsal room (Unit5A) commences, an acoustic report, including an assessment of the potential noise outbreak from the building and recommendations for any noise insulation if required, shall be submitted to and approved in writing by the Local Planning Authority. Following approval of the report, any recommendations required shall be implemented in full before the use commences.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation and to secure a reduction in the level of noise emanating from the property pursuant to UDP Policies EN7/2 Noise Pollution, EC4/1 Small Businesses and H3/1 Assessing Non-Conforming uses.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58702

**ADDRESS: Unit 5a Kay Brow Yard
Kay Brow, Ramsbottom**

Planning, Environmental and Regulatory Services 1:1250

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.



Bury
COUNCIL

58702

Photo 1



Photo 2



58702

Photo 3



Photo 4



58702

Photo 5

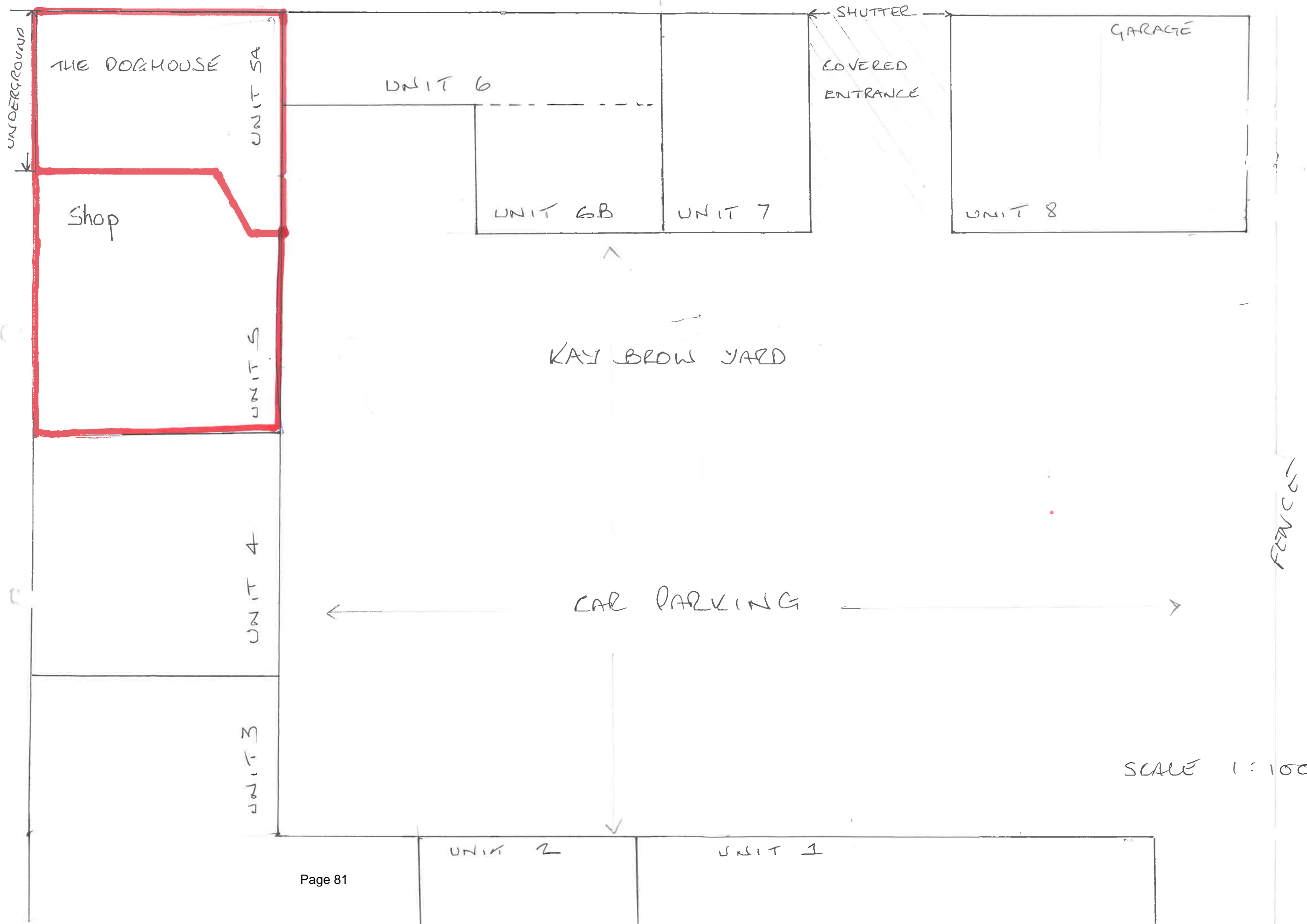


Photo 6



exterior wall is underground (hillside)

KAY BROW



DOGHOUSE PLAN

UNIT 5A

SCALE 1:100

⊗ CCTV CAMERAS

☐ FIRE EXTINGUISHER

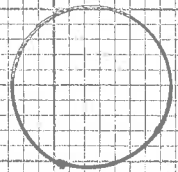


TABLE + CHAIRS

CURBOARD

STAGE

BAR

UNDERGROUND WALLS

KT

DOUBLE GLAZED DOORS

CURBOARD

STORAGE

ENTRANCE

5 METRES

EXTERIOR WALL.

CURBOARD

8 METRES

KAY BLOW

Ward: Bury East - Redvales

Item 06

Applicant: Bury MBC

Location: Park Lodge, Manchester Road Park, Manchester Road, Bury, BL9 9BB

Proposal: Change of use from dwelling (Class C3) to training facilities at ground floor (Class D1) with ancillary first floor offices; New door, level access, external step lift and security gate at rear; Mesh covering to windows and doors

Application Ref: 58729/Reg 3 Council's Own Development **Target Date:** 15/07/2015

Recommendation: Approve with Conditions

Description

The application relates to a former two storey detached house/park keepers base situated on the Manchester Road side of Manchester Road Recreation Ground, opposite the junction with Olivant Street. The property is a mix of red brick with mock Tudor timber panelling above and a red pantile roof. There is a small walled yard on the north side. The property has been vacant and boarded up for over 5 years. The property is Council owned.

The Recreation Ground is situated to the south and east. To the north, across an access road are commercial properties and to the west, across Manchester Road are terraced houses.

It is proposed to convert the property into a new educational facility to allow people with learning disabilities to obtain the necessary domestic and wider life skills needed to manage a property. The scheme includes the refurbishment of the internal areas, the creation of a new accessible rear entrance by way of a step lift. The ground floor windows would be protected by a semi-transparent metal mesh. A new powder coated steel rail gate would be fitted to the porch which would have panels fitted to the side to match the upper panelling and a new timber gate would for the entrance to the rear yard.

Relevant Planning History

None relevant.

Publicity

The following 14 neighbours were notified by letter dated 20/05/15 and a site notice posted. 124-130, 138-144 (even) Manchester Road, 40-42 Westgate Avenue and 2 Olivant Street.

Two objections received from a resident at 142 Manchester Road and another who states he is a 'neighbour of Park Lodge'. Objections are summarised below:

- Park Lodge should be protected and restored to its former glory.
- It should remain in residential use.
- The lift on the outside will be an eyesore and will need an upstairs entrance which will damage the building.
- The original entrances should be maintained and restored.
- The property is too small for a training centre with no room for expansion.
- The mesh on the windows will damage the appearance of the building.
- Parking is a problem. There is not enough parking spaces in the area and parking inside the park would have a negative impact.
- Increase traffic on surrounding streets.
- More usage of the oversubscribed bus stop.

The objectors have been notified of the Planning Control Committee.

Consultations

Greater Manchester Police - designforsecurity - No objection.

Traffic - No objection.

Unitary Development Plan and Policies

RT1/1	Protection of Recreation Provision in the Urban Area
EN1/2	Townscape and Built Design
EN1/4	Street Furniture
EN1/7	Throughroutes and Gateways
HT5/1	Access For Those with Special Needs
CF2	Education Land and Buildings
CF3	Social Services
CF4	Healthcare Facilities
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
SPD3	DC Policy Guidance Note 3: Planning Out Crime

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.

Main Policies - EN1/2 - Townscape and Built Design states that Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. Factors to be considered when assessing proposals include the external appearance and design of the proposal, the relationship to the surrounding area; materials and access and other design features for the mobility impaired.

Policy CF2 - Education Land and Buildings promotes proposals for the provision and improvement of educational facilities.

Policy CF3 - Social Services indicates that the Council should consider favourably proposals for the provision of new, and the improvement of existing social services facilities for children, young people, elderly people, people with mental and/or physical handicaps and illnesses, and other groups with special needs.

Policy HT2/4 - Car Parking and New Development requires all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards which are set out in SPD8 Parking Standards in Bury.

Use - With regard to the existing use, It is noted that the property has been marketed for sale as a house on two separate occasions in the past without success.

The proposed use as a training facility for people with special needs, allowing them to live a more independent life, is to be welcomed and would allow the vacant property to be brought back into active use. The proposal would comply with Policies CF2 and CF3 in this respect.

Visual amenity and character of the area - The amenity value of the property in its current condition, having been subject to break- in's and vandalism, is very poor.

Whilst the original doors would be replaced at the front and rear, the new doors would be more secure and conditions attached to any approval would ensure they are of an appropriate design and appearance and not out of keeping with the existing property. The property needs to be protected and made secure in what is a relatively vulnerable location. The proposed security mesh over the windows on the ground floor, whilst not ideal, would provide greater security for the building and in covering the window panes only and fixed to the reveals, would allow the articulation and general appearance of the existing windows to be maintained. With the exception of a small rear window to the stairwell, all the upper windows would be glazed and free of the security mesh.

The new step lift at the rear would be within the walled yard and not readily viewed from the public realm. Notwithstanding this, the lift itself is modest in scale and would, on the rear elevation, not have a seriously detrimental impact on the character and appearance of the building.

On balance, the scheme would allow the attractive property to be brought back into use without serious detriment to its general appearance and character. The proposal is acceptable and complies with UDP Policy EN1/2 Townscape and Built Design.

Residential amenity - Given the nature of the proposed new use and the proximity of surrounding residential properties, there are no serious residential amenity issues arising from the proposal.

Parking and access - The site is particularly sustainable, located on a main throughroute into Bury and is within a relatively short walk of the town centre. Clients attending the training centre are not expected to own a car, arriving instead by public transport, taxi or Council organised transportation. Exact staff numbers are not known but it is likely that there will be about 6-8 staff. Given the location of the centre, staff could park in the existing town centre car parks, utilise the good public transport links or park within the Recreation Ground itself, near the main entrance in the same way as the Park Cafe staff. The proposal is considered to be acceptable in relation to parking and complies with UDP policy HT2/4 Parking Standards in Bury and associated guidance in SPD8.

Objections - The various issues raised by the objectors have been addressed in the above report. Given the practical difficulties that have arisen in terms of reverting the property back into residential usage and thereby facilitating its full restoration, this alternative scheme offers a very acceptable route to reviving the building.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

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.

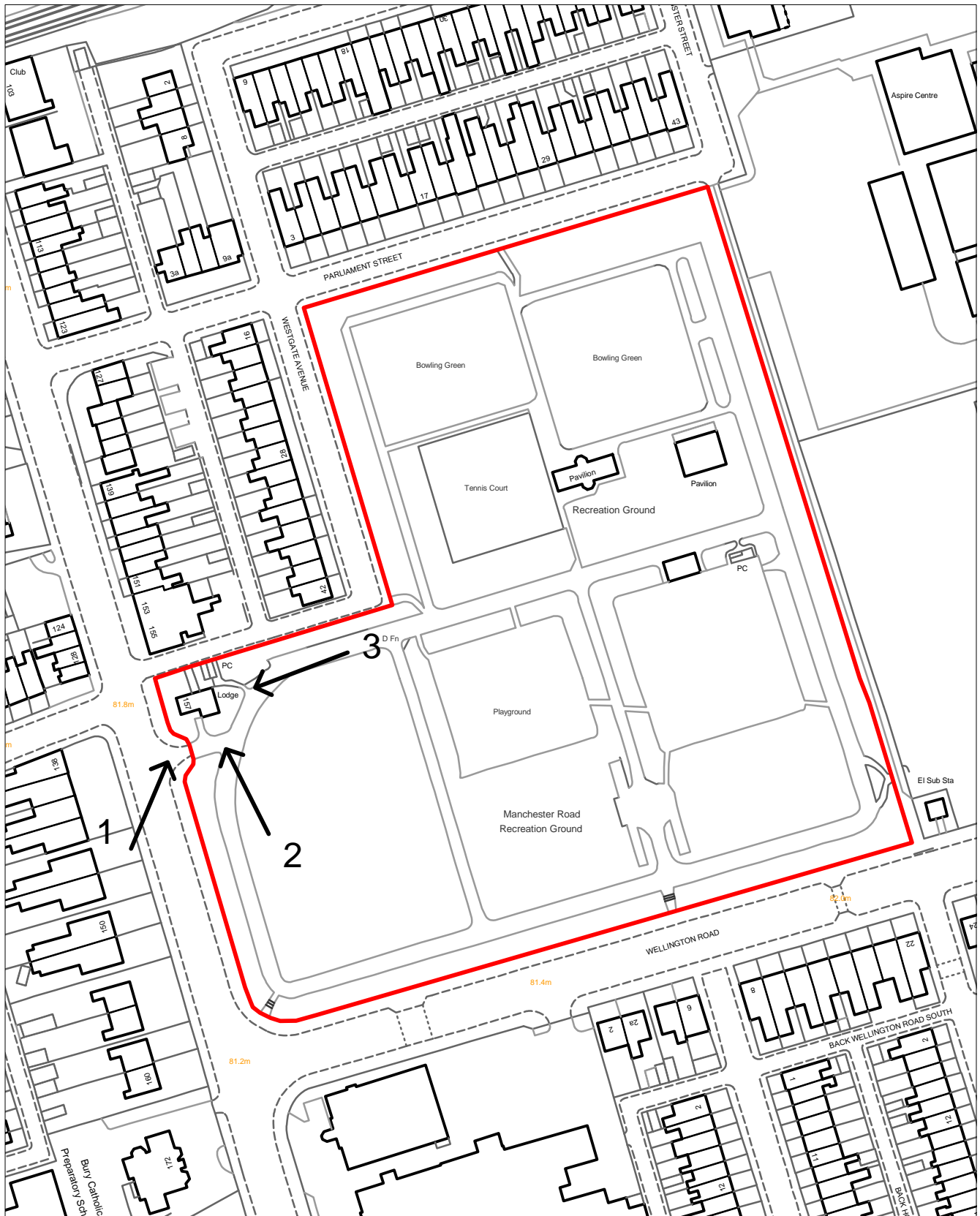
Recommendation: Approve with Conditions

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 1325/02/D and 03/B, Design and Access Statement (revised) and supporting information on Steplift and Security mesh 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. No works shall be carried out on the site until full details of the new external doors have been supplied to and approved in writing by the Local Planning Authority and the works shall then be carried out in complete accordance with those details.
Reason. Details of the external doors have not been supplied and in the interests of visual amenity pursuant to UDP Policy EN1/2 Townscape and Built Design.
4. Prior to the fitting of the security mesh to any of the windows, a 'test mesh' shall be fitted to a single window on the property for inspection by the Local Planning Authority. Only on written authorisation by the Local Planning Authority shall the remaining windows be fitted with the security mesh.
Reason. In the interests of visual amenity and to ensure the security mesh is appropriately fitted to the windows pursuant to UDP Policy EN1/2 Townscape and Built Design.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58729

**ADDRESS: Park Lodge, Manchester Road
Bury**



Bury
COUNCIL

Planning, Environmental and Regulatory Services 1:1250

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.

58729

Photo 1



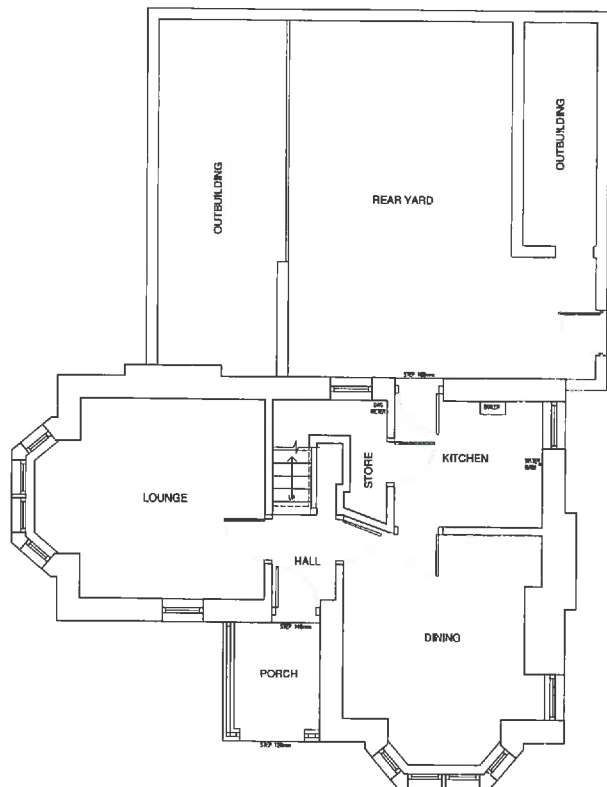
Photo 2



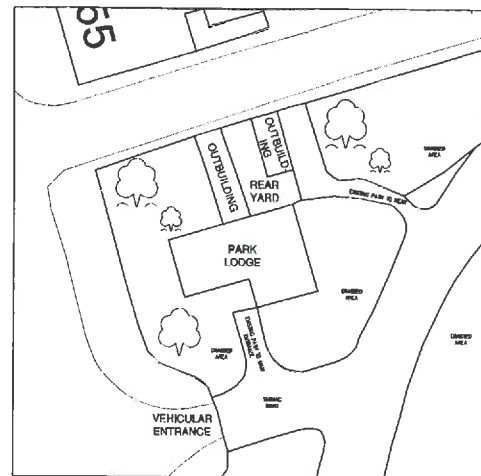
58729

Photo 3





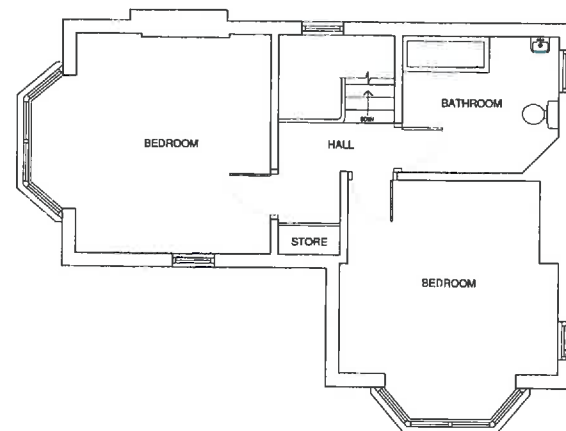
EXISTING GROUND FLOOR PLAN @ 1:50



SITE LAYOUT PLAN @ 1:200

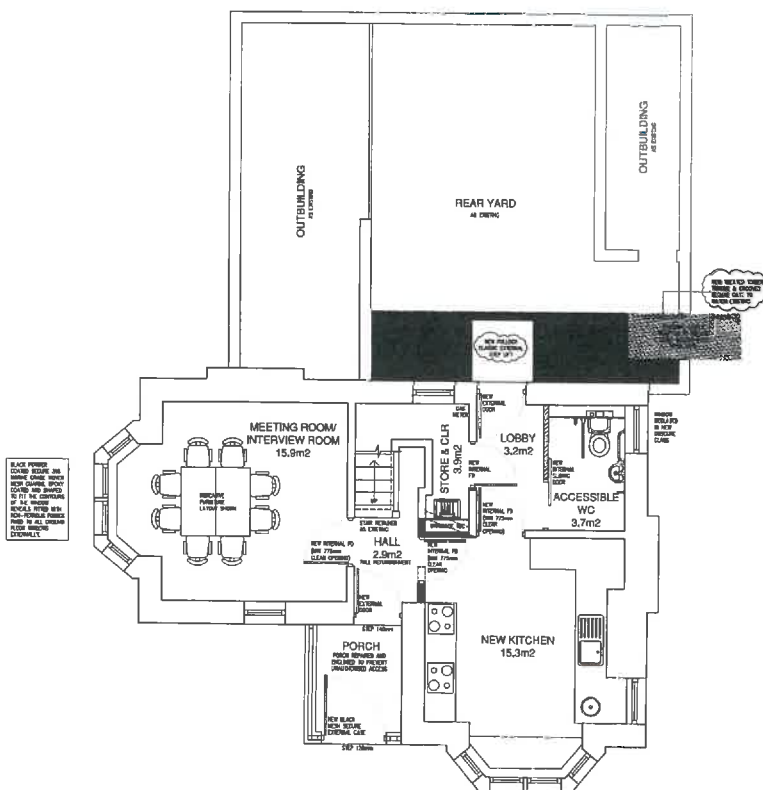


LOCATION PLAN @ 1:1250



EXISTING FIRST FLOOR PLAN @ 1:50

A	SITE LAYOUT PLAN ADDED	18.05.15
REVISION		DATE
dsp CHARTERED SURVEYORS		
CLIENT: BURY MBC		
PROJECT TITLE: PARK LODGE		
DRAWING TITLE: EXISTING PLANS		
DRAWN BY:	AU	18.05.15
APPROVED BY:	SF	12.05.15
SCALE:	AS SHOWN	A1
DRAWING NUMBER:	1325/01	REV: A
NOTES: 1. The drawing is subject to copyright and shall not be reproduced in part or whole without permission. 2. Do not scale this drawing. All dimensions to be checked on site.		

[illegible][illegible]

EXISTING GROUND FLOOR WINDOWS
PROTECTED EXTERNALLY WITH NEW
BLACK POWDER COATED SECURE 316
MARINE GRADE WOVEN MESH GUARDS,
EPOXY COATED AND SHAPED TO FIT
THE CONTOURS OF THE WINDOW
REVEALS FITTED WITH NON-FERROUS
FIXINGS



EXISTING FRONT ELEVATION

EXISTING GROUND FLOOR WINDOWS
PROTECTED EXTERNALLY WITH NEW
BLACK POWDER COATED SECURE 316
MARINE GRADE WOVEN MESH GUARDS,
EPOXY COATED AND SHAPED TO FIT
THE CONTOURS OF THE WINDOW
REVEALS FITTED WITH NON-FERROUS
FIXINGS



EXISTING PART
FRONT ELEVATION

EXISTING GROUND FLOOR WINDOWS
PROTECTED EXTERNALLY WITH NEW
BLACK POWDER COATED SECURE 316
MARINE GRADE WOVEN MESH GUARDS,
EPOXY COATED AND SHAPED TO FIT
THE CONTOURS OF THE WINDOW
REVEALS FITTED WITH NON-FERROUS
FIXINGS




EXISTING RHS ELEVATION

EXISTING GROUND FLOOR WINDOWS
PROTECTED EXTERNALLY WITH NEW
BLACK POWDER COATED SECURE 316
MARINE GRADE WOVEN MESH GUARDS,
EPOXY COATED AND SHAPED TO FIT
THE CONTOURS OF THE WINDOW
REVEALS FITTED WITH NON-FERROUS
FIXINGS



EXISTING LHS ELEVATION

	REVISION	DATE
 <p>Design Surveying Partnership Ltd Bolton Business Centre 44-46 Lower Bridgeman Street Bolton BL2 1DG T: 01204 237025 F: 01204 237501 E: info@dspartnership.com W: www.dspartnership.com</p>		
CLIENT: BURY MBC		
PROJECT TITLE: PARK LODGE		
DRAWING TITLE: ELEVATIONS		
DRAWN BY:	AU	DATE: 20.05.15
APPROVED BY:	SF	DATE: 20.05.15
SCALE:	NTS	A3
DRAWING NUMBER:	1325/03	REV:
NOTES: 1. This drawing is subject to copyright and is not to be reproduced in part or whole without approval 2. Do not scale this drawings. All dimensions to be checked on site.		



Classic 1m Steplift

Reliable and cost
effective lift for up to
one metre of travel



A functional and robust design for domestic and public access



- 280kg capacity *
- up to 1m travel
- access between 2 levels
- user plus attendant
- wheelchair or ambulant
- internal & external
- domestic & public access

The Classic 1m Steplift boasts a small footprint along with an increased load capacity - now capable of lifting 280kg to a maximum of 1m between two floors.

With increased clear access, the hydraulically driven, scissor based platform is suitable for both internal and external environments.

Functional yet stylish the Classic 1m Steplift moves quietly between levels to provide safe and reliable access in public buildings and for the home. Further key features include an on-board drive and mechanical on-board ramp.

As with all Pollock Lifts, the Classic has exceptional safety standards, exceeding requirements in many areas.

12 Months Warranty

Our Classic 1m Steplift comes with 12 months Parts and Labour as standard. We also offer Extended Warranties up to 5 years covering you for all service and maintenance costs.


**features
unique
to**

raising expectations with the most advanced technology



Above from left to right:

Through Entry configuration with
fixed ramp at lower level

Bridging Steps configuration
with on-board ramp

Pit Mounted configuration

Designed to last

The Classic is designed to be robust and hard wearing and is therefore an ideal option for external public use. With the pump unit integrated within the lift it offers **reduced vandalism risk** and no need for a separate control unit location.

Taking only **one day to install** with **minimal builders work**, the lift can also be **relocated** offering great flexibility for the future.

Low maintenance requirements and **easy access to the pump** for servicing means your Classic 1m Steplift will provide reliable and efficient access for many years to come.

Why choose Pollock Lifts?

“ The service we received
from Pollock Lifts was

~~second-to-none.~~

We would highly
recommend their range
of access lifts and their
experienced team to offer
the best advice. ”

We have been specialising in lift access since 1983 and really understand our customers' needs and concerns.

When mobility access is required it raises many important questions and practical issues that our team are experts at solving. And our highly trained support team are here 24 hours a day to respond to your needs, wherever you are located.

As leaders in state-of-the-art lift technology, our versatile range of access solutions are designed to be elegant and fit easily into your environment, freeing up space and ensuring the ultimate in comfort and safety for its users.



Standard Features

Compact design

- Stylish protective bellows - rigid and durable
- Aluminium checker plate flooring
- Simple to use - single rocker switch control
- Lower onboard ramp
- Easy to use emergency lowering system
- Improved IP 67 rated switching (waterproof)

Integrated pump unit

- Reduced vandalism risk
- No separate control or pump location

Easy installation and service access

- 1 day installation - minimal builders work
- Low maintenance
- Can be relocated

Optional Features

Gate

- Manual lower gate
- Lower fixed ramp

Controls

- Autodialler
- Alarm
- Keyswitch
- Isolation switch
- Remote controls
- Full controls on board and at serviced floors
- Remote painted aluminium call posts

Choose from:

2 Models

- Domestic
- Public Access (on-board gate)

3 Configurations

- Through Entry
- Bridging Steps (800 x 1400mm only)
- Pit Mounted (no ramp)

3 Platform Sizes

- 800 x 1400mm
- 900 x 1400mm
- 1100 x 1400mm

3 Finish Options

- Handrails
- Silicon acrylic clear infill panels †
- Aluminium infill panels †
- Custom colour

† Image, above centre, shows a split view of the two infill options.

Exceptional
safety and
load capacity
unique* to
Pollock Lifts



Technical Specification

Design & Manufacturing Standard

BS 6440:2011; EN 81-41 (Ref. only) Machine Directive 2006/42/EC

Through Entry Configuration

Platform Size	External Lift Dimensions
800 x 1400 - Standard	980 x 1810
900 x 1400	1080 x 1810
1100 x 1400	1280 x 1810

Bridging Steps Configuration

Platform Size	
800 x 1400 + 1 Step	980 x 1990
800 x 1400 + 2 Steps	980 x 2240
800 x 1400 + 3 Steps	980 x 2490

Pit Mounted Configuration




Platform Size	
800 x 1400 - Standard	980 x 1555
900 x 1400	1080 x 1555
1100 x 1400	1280 x 1555

All measurements in millimetres (mm) and provided width by length.

External dimensions incorporate an on-board ramp. Footprint length is 80mm longer for the standard fixed ramp at lower level.

There is no ramp requirement with the Pit Mounted Configuration.

The comprehensive ranges from Pollock Lifts

	 Public Access	 At Home	 Service & Goods
Classic 1m Steplift	✓	✓	
Executive 1m Steplift	✓	✓	
Independence 2m / 3m Steplift	✓	✓	
Incline Platform Lift	✓	✓	
Vertical Platform Lift	✓		
Eco Through Floor Lift		✓	
Residential Elevator		✓	
Residential Stair Lift		✓	
Service Lift			✓
Goods Lift			✓
Dumb Waiter			✓

Find out more at pollocklifts.co.uk

➤ Get in touch for more information

1 Sloefield Drive | Trooperslane Industrial Estate | Carrickfergus | Co. Antrim | BT38 8GX | UK
 T 028 9336 8167 | E info@pollocklifts.co.uk | www.pollocklifts.co.uk

Design by The Design Factor, Belfast

Ward: Whitefield + Unsworth - Besses

Item 07

Applicant: Bury Council

Location: Land Adjacent To The Ark, Albert Road, Whitefield, Manchester, M45 8NN

Proposal: Creation of 8 no. new car parking spaces and ramped access from the disabled car parking bay

Application Ref: 58732/Reg 3 Council's Own Development **Target Date:** 16/07/2015

Recommendation: Approve with Conditions

Description

The site is located at the corner of Albert Road and Hazel Road and contains a building, which is currently in use as an education centre. The building is located in the western half of the site and there is a car park on the eastern part. The site is accessed from Albert Road.

There are residential properties to the east, south and west of the site and there are school playing fields to the north.

The proposed development involves the creation of 8 parking spaces and the provision of a ramped access to the building. The proposed car parking spaces would be adjacent to the eastern boundary and would be accessed from the existing access. The proposed ramp would be located adjacent to the existing disabled parking space. The existing planting on the boundary with No. 2 Bilberry Close would be retained.

Relevant Planning History

54491 - Change of use from local community/youth centre to educational centre (Class D1); provision of 3 metre mesh fence and gate around playground at Shuttle Centre, Albert Road, Whitefield. Approved with conditions - 20 December 2011.

Publicity

18 neighbouring properties were notified by means of a letter on 26 May 2015.

2 letters have been received from the occupiers of 4 Edwards Drive and 2 Bilberry Close, which have raised the following issues:

- Would like to know what access will be given to maintain the fence, which borders the Ark. There are thorn bushes planted there, which makes it difficult to maintain.
- When maintenance is carried out, the thorns fall on our side of the fence, causing a hazard to children and pets.
- How is the bin lorry going to reverse into the car park? Surely this will block the pavement?
- Not happy about having rubbish being housed on the other side of the fence due to rodent and insect issues from the three weekly collections.
- No objections to the proposal, but would like works to be carried out to trees, which block light to the property and hit the property in strong winds.

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

Consultations

Traffic Section - No objections, subject to the inclusion of a condition relating to car parking.

Drainage Section - No response to date.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN7	Pollution Control
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
CF1/1	Location of New Community Facilities
CF2	Education Land and Buildings
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

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 - Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the impact upon residential amenity and the local environment; traffic generation and car parking; the scale and size of the development; accessibility by public and private transport; the needs and requirements of the disabled.

Policy CF2 states that the Council will consider favourably proposals for the provision, improvement and dual use of educational facilities.

The proposed development involves the provision of additional parking and an access ramp. As such, the proposed development would improve the facilities at the educational centre. The proposed development would be appropriate in size and scale to the educational centre. Therefore, the proposed development would be in accordance with Policies CF1/1 and CF2 of the Bury Unitary Development Plan.

Design and layout - The proposed parking spaces would be accessed off the access road, thereby minimising the amount of tarmac required. The existing planting along the frontage with Albert Road would be retained along with the planting and timber fencing along the boundary with Bilberry Close. As such, the proposed parking would not be a prominent feature within the streetscene.

The existing bins would be relocated to an area next to the entrance on Albert Road. The proposed bins would be screened by the existing planting and the garage (which belongs to No. 2 Billberry Close. The proposed bins would be 10 metres from the nearest dwelling and given the distance, it is considered that the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties. Therefore, the proposal would be in accordance with Policy CF1/1 and EN1/2 of the Bury Unitary Development Plan.

The proposed access ramp would be located next to the disabled parking bay and would connect to the footpath to the building entrance. Raised planting beds would be provided in the middle of the ramp, which would partly screen the proposed development. The proposed development would make the building more accessible for the users of the disabled parking bay and is welcomed. Therefore, the proposed development would not be unduly prominent within the streetscene and would be accessible. The proposal would be in accordance with Policies CF1/1, HT5/1 and EN1/2 of the Bury Unitary Development Plan.

Highways issues and parking - SPD11 states that the maximum parking standards for a D1 use is 1.5 spaces per classroom, which would equate to 10 spaces. The proposed development would provide an additional 10 spaces and 14 in total. While the proposed development would provide more than the maximum, the additional parking is welcome as the existing building is located close to a mini-roundabout and on-street parking would be difficult. The Traffic Section has no objections to the proposed development, subject to the inclusion of a condition relating to parking. Therefore, the proposed development would be in accordance with Policies CF1/1 and HT2/4 of the Bury Unitary Development Plan.

Response to objectors

The issues relating to bin storage and access have been addressed in the above report. The issues relating to the existing planting and maintenance of the existing fence are not material planning considerations. The issue relating to works to the tree have been passed to the applicant to deal with.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

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.

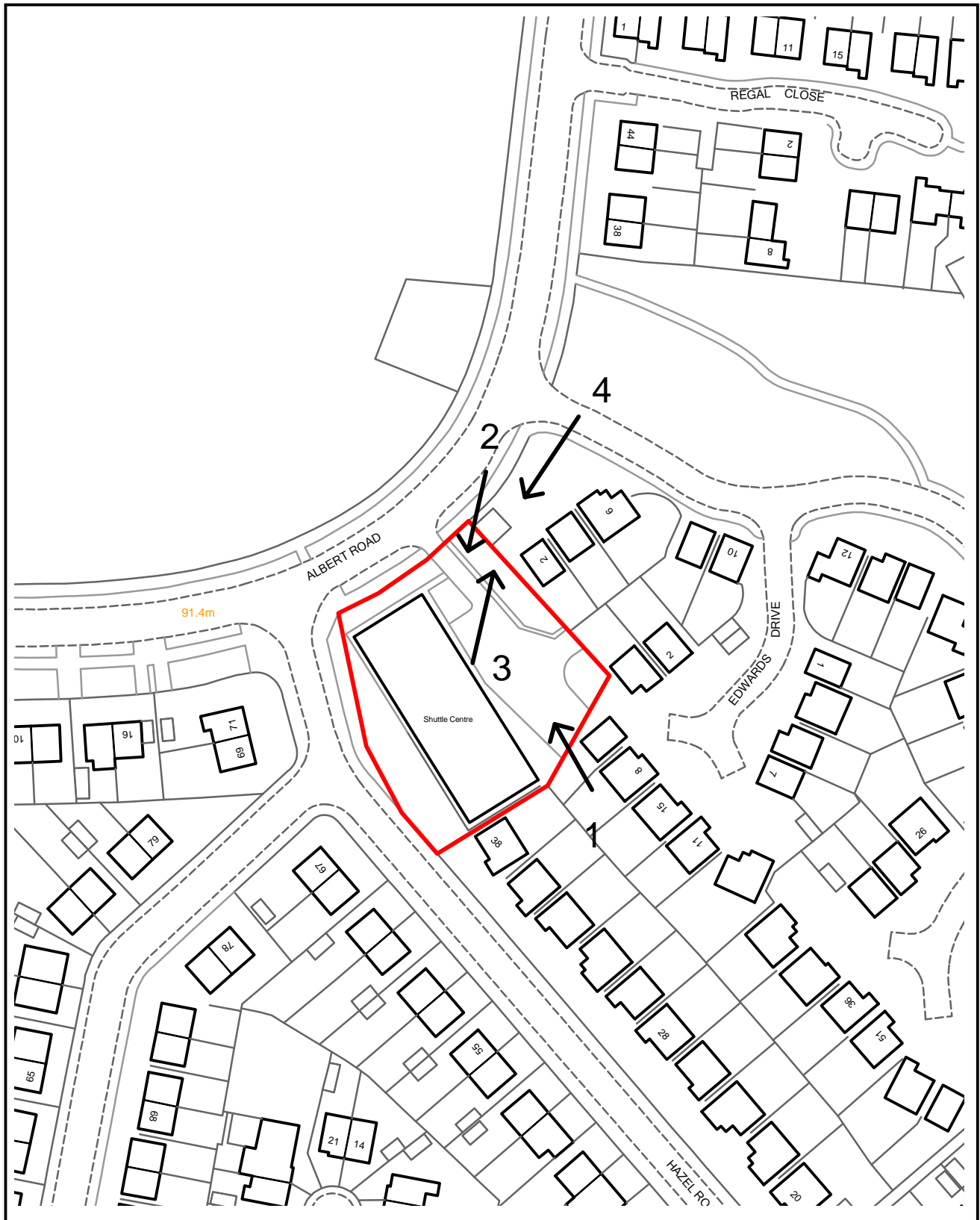
Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location plan, Existing site plan, 15305/01 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. The car parking indicated on approved plan reference 15305/01 shall be surfaced, demarcated and made available for use and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58732

ADDRESS: Land Adjacent To the Ark
Albert Road
Whitefield

Planning, Environmental and Regulatory Services 1:1250



Bury
COUNCIL

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.

58732

Photo 1



Photo 2



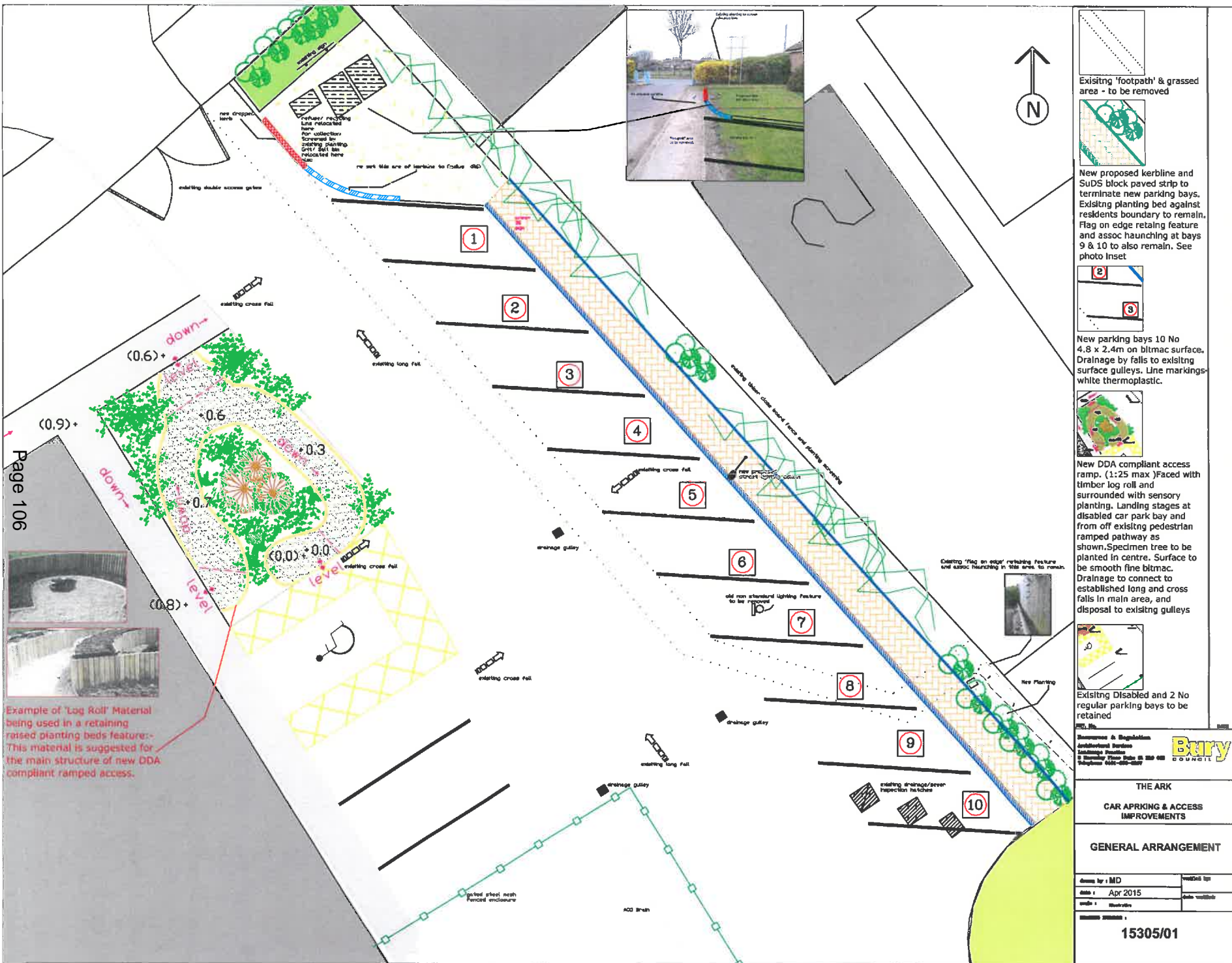
58732

Photo 3



Photo 4





Ward: Ramsbottom + Tottington - Tottington

Item 08

Applicant: Miss Sorrell Holland

Location: Land at rear of 131-133 Holcombe Road, Tottington, Bury, BL8 4AY

Proposal: Change of use from open land to form extension to residential curtilage

Application Ref: 58754/Full

Target Date: 31/07/2015

Recommendation: Approve with Conditions

Description

The application site contains an existing dwelling (No. 131 - 133 Holcombe Road) and the associated residential curtilage. The residential curtilage is triangular in shape around the dwelling. There is an area of open land to the south west of the dwelling, which has no specific use in the Unitary Development Plan and is steeply sloping.

The site is bounded by mature woodland to the west and there is a brook to the north with a hardstanding and residential properties beyond. There are residential properties to the east and south of the site.

The proposed development involves the change of use from open land to residential curtilage on land to the southwest of No. 131 - 133 Holcombe Road. The boundary would be marked by a beech hedge with a post and wire fencing until the hedge is mature.

Relevant Planning History

None relevant.

Publicity

The neighbouring properties were notified by means of a letter on 5 June 2015 and site notices were posted on 17 June 2015.

1 letter has been received from Tottington District Civic Society, which has raised the following issues:

- Originally this property entailed gardens on the opposite side of Holcombe Road. This land was sold on and the planning department allowed houses to be built on it.
- The property was purchased by the present owners with full knowledge of the boundary of the land.
- The land behind the property is Green Belt and is part of Old Kays Park, which is for the benefit of the wider public and continues to be used as such.
- To allow this proposal would create a precedent for every other home owner, with a boundary to Old Kays Park.
- If the applicants are allowed this land, who is to say that in a few years time they won't be applying to build on it.

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

Consultations

None required.

Unitary Development Plan and Policies

EN1/1 Visual Amenity
EN1/2 Townscape and Built Design
EN8 Woodland and Trees

EN8/2	Woodland and Tree Planting
OL1/2	New Buildings in the Green Belt
OL1/5	Mineral Extraction and Other Development in the Green Belt
NPPF	National Planning Policy Framework

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 - The NPPF states that certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- mineral extraction;
- engineering operations;
- local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- the re-use of buildings provided that the buildings are of permanent and substantial construction; and
- development brought forward under a Community Right to Build Order.

Policy OL1/5 states that within the Green Belt, other development will be inappropriate unless it maintains openness and would not conflict with the purposes of including land within the Green Belt.

The application site is located within the Green Belt and the extension of the residential garden on to the adjacent land would be considered inappropriate development. Inappropriate development is by definition, harmful to the openness of the Green Belt and should not be approved except in very special circumstances. The agent has put forward the following case for very special circumstances:

- Visual impact of the proposal;
- Topography of the site;
- Impact on security for the existing occupiers;
- the extent of the residential curtilage to neighbouring properties;

The existing residential curtilage is narrow at the rear and currently there is public access through Old Kays Park. As such, the lack of any boundary treatment at the rear of the property leaves the occupiers vulnerable from a security aspect and there is potential for a loss of privacy. The applicant could erect 2 metre high domestic fencing without requiring planning permission, which would be a prominent feature in this Green Belt location. The proposed development would mark the boundary of the residential curtilage with a beech hedge, which would be appropriate within the Green Belt.

The steep topography of the site would make it extremely difficult for further development of the site in terms of buildings and as such, the proposal would have a minimal impact upon the openness of the Green Belt (subject to conditional control by the removal of the relevant permitted development rights for residential properties and associated curtilage). The residential curtilage to the adjacent property (No. 129) extends up to the existing woodland and the proposed development would 'match' this existing boundary. The existing woodland would form a clear edge and the provision of the beech hedge would prevent any further encroachment into the Green Belt. Similarly, the existing woodland would screen the proposed development from view.

Given the fallback position, where the site could be fenced off in an unsympathetic way

without requiring planning permission and kept as open land, albeit not residential curtilage and given that the adjacent property has a similar residential curtilage; the lack of visibility due to the mature trees along Holcombe Road and the sensitive boundary treatment proposed, it is considered that on balance, the case for very special circumstances would outweigh the in-principle harm of inappropriateness in this case.

Impact upon surrounding area - The proposed boundary would be marked by a beech hedge with a post and wire fence until the hedge becomes established. The proposed hedge would be appropriate in terms of its visual impact within the locality. Therefore, the proposed development would not be a prominent feature within the streetscene and would be in accordance with Policies OL1/5 and EN1/2 of the Bury Unitary Development Plan.

Response to objectors

The issues raised have been addressed in the report above

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

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.

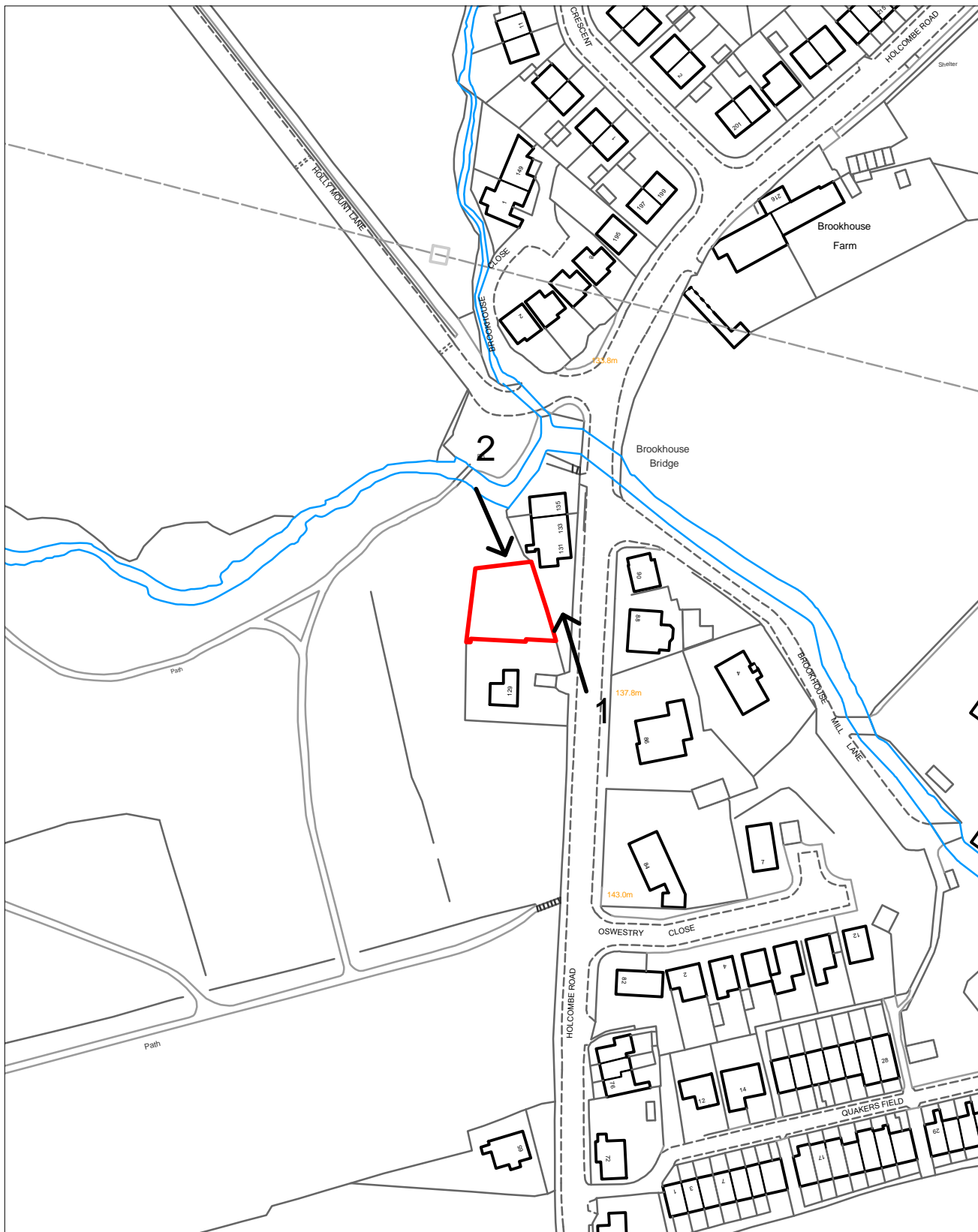
Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location plan, 2015/37-01 B, 2015/37-02 C, TRI-1433-01, TRI-1433-02 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. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A, E and H of Part 1 of Schedule 2 of the Order.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
4. The beech hedge shall be planted not later than 12 months from the date the residential curtilage is first brought into use. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58754

ADDRESS: Land at rear of 131-133 Holcombe Road
Tottington



Bury
COUNCIL

Planning, Environmental and Regulatory Services 1:1250

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.

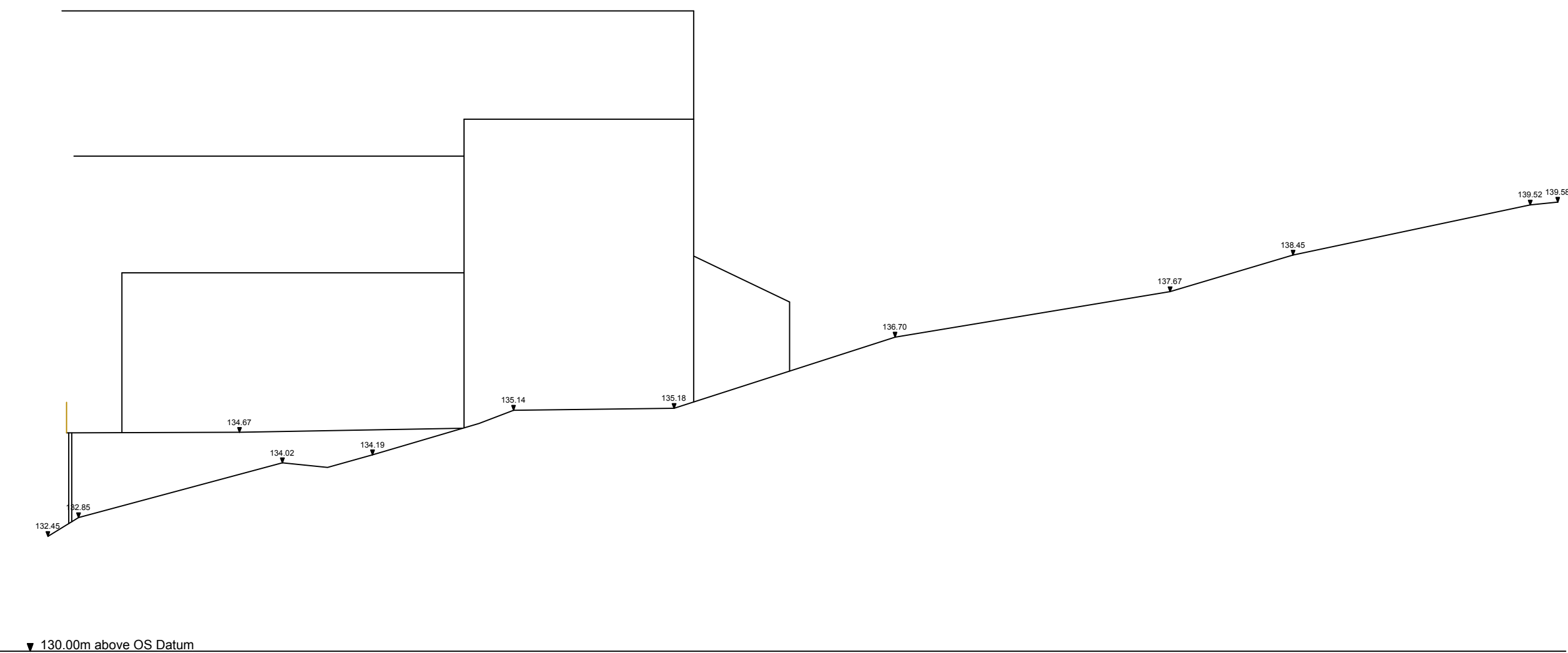
58754

Photo 1

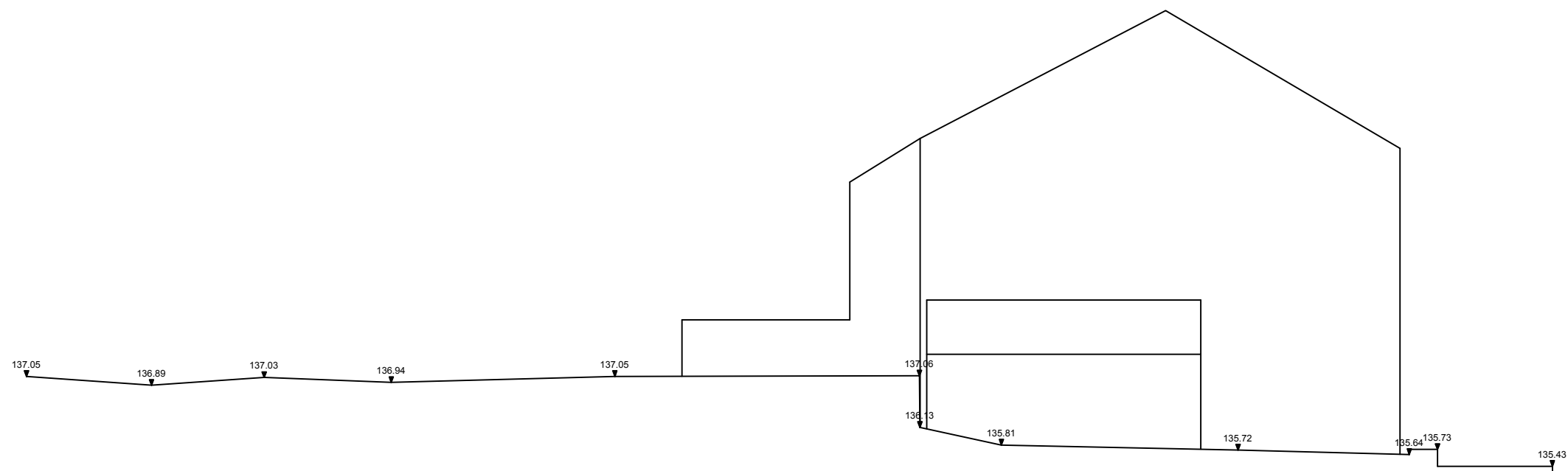


Photo 2

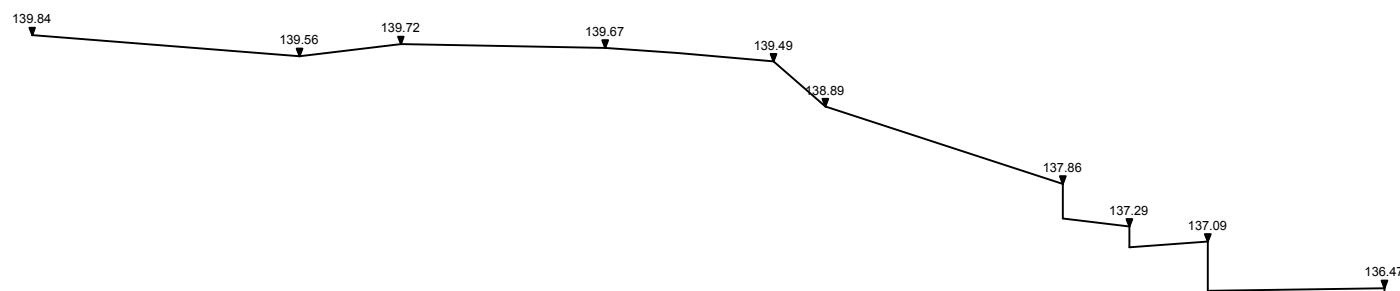




Section A-A



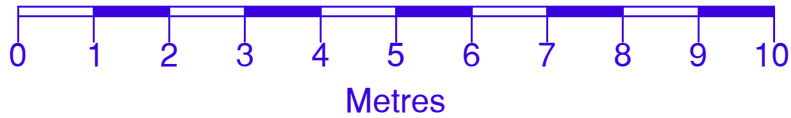
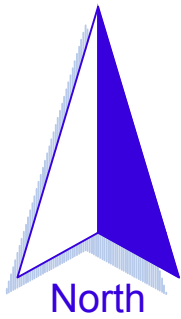
Section B-B



Section C-C

Notes

All Dimensions to be checked on site. Walls shown on plans are not to be assumed to be solid & should be checked for thickness, construction, load bearing capacity & stability.



ABBREVIATIONS

- BT BT Cover
- CH Cable Height
- CL Cover Level
- DK Drop Kerb
- EH Eaves Height
- FFL Finished Floor Level
- GI Gas Inlet
- GU Gully
- IC Inspection Cover
- LP Lamp Post
- MH Man Hole
- RH Ridge/Roof Height
- RWP Rain Water Pipe
- SP Sign Post
- SVP Soil Vent Pipe
- TF Top of Fence
- TL Threshold Level
- TP Telegraph Pole
- TW Top of Wall
- WV Water Valve

NOTE
All levels and coordinates relate to OSGB36 using GNES data.
Levels defining edge of carriageway are observed at channel (bottom of kerb).

Rev.0 Description. Issued



2 Berkshire Close | Wilpshire | Blackburn | Lancashire | BB1 9NG
tel 01254 614055 fax 01254 209754 e-mail sales@tricadsolutions.co.uk

Site Address
131-133 Holcombe Road
Bury

Project Description
Existing Site Survey

Drawing Title
Site Sections

Scale	Date	Drawn By
1:100@A1	27/04/2015	AD

Drawing Number
TRI-1433-02

Boundary Treatment

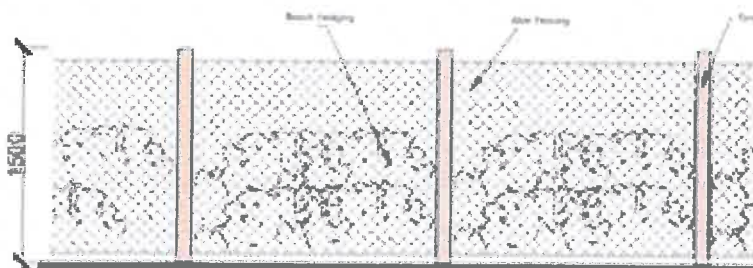
A key objective of the applicant's proposal to extend the curtilage area is that there will be no visual harm to the amenity of the wider area with a view to keeping it simple and appropriate to the surroundings.

The proposal is to create a natural beech hedge which will be planted towards the end of the summer. The beech trees would be planted as saplings of approx. 60cm and the average growth once established would be 60cm per year. To keep the site secure whilst the beech hedge develops, a wooden post and wire fence will be erected to the outer edge of the proposed boundary.

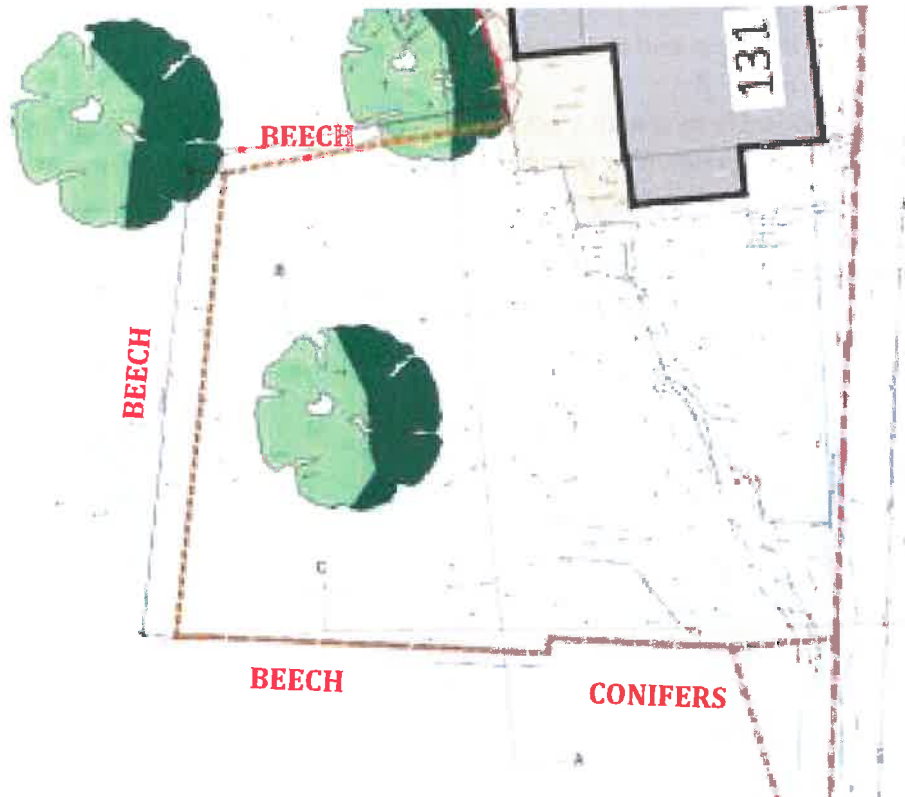


Image to show a similar hedge insitu. Source www.rhs.co.uk

Drawing showing a typical section of the fencing



Location of boundary treatment



3. Planning Policy

The following Bury UDP policies are applicable to the site:

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN8	Woodland and Trees
EN8/2	Woodland and Tree planting
OL1/5	Mineral extraction and other development in the Green Belt
OL7/2	West Pennine Moors

Interms of the Core Strategy – Publication July 2013 to following policies are relevant to the site:

- EN1 – Green belt
- EN2 – Development in Green Belt

Ward: Ramsbottom + Tottington - Tottington

Item 09

Applicant: Mrs Tracey Smith

Location: Land at side of 25 Booth Way, Tottington, Bury, BL8 3JW

Proposal: Erection of 1 no. attached dwelling; New vehicular access for both properties and new porch to the existing property

Application Ref: 58767/Full

Target Date: 05/08/2015

Recommendation: Approve with Conditions

Description

The site relates to a corner plot and the garden of No 25 Booth Way, an end property on a row of 7 mews style houses set within an established residential estate. The houses to the east and west are laid out in a linear type arrangement of the same design and size with vehicular access and garages to the rear of the properties and pedestrian walkways to each of the frontages. Opposite the site to the north are semi-detached dormer bungalows fronting Booth Way and to the south are the rear of houses on Acresbrook Walk.

The site and surrounding area gradually rises heading up Booth Way from the east to west. Currently, No 25 is accessed by foot via a footpath which leads directly off Booth Way and to the main entrance which is positioned on the side gable. The front and side/rear gardens are separated by a waneylap fence and there is a dwarf wall and trellis and tree/hedge planting along the side boundary. At the rear, there is a vehicular access on the corner of Booth Way and the unnamed road which leads directly to a hard standing area, garden and single garage, which is positioned directly adjacent to the boundary with No 2 Gorsey Clough Walk.

The application seeks the erection of a single dwelling (annotated on plan as No 25a and hereafter referred to) which would be attached to No 25. It would be orientated such that the front would face northwards facing the row of houses on Gorsey Clough and would be accessed via a footpath from the shared walkway. The existing front garden to No 25 would be split, with the new property allocated the larger area. The garden to 25a would continue along the side elevation of the house and lead to the rear where 2 parking spaces and bin store area would also be provided. The vehicular access into the site would be similar to the existing arrangement for No 25, off Booth Way. The proposal includes the extension of the existing pedestrian footpath on Booth Way which would run along the back of both Nos 25 and 25a to facilitate pedestrian access.

In terms of the existing dwelling, the entrance to No 25 would be re-located to the north elevation, the same as the proposed dwelling and the other properties on this row, and likewise a path to this entrance would be provided from Gorsey Clough. It is proposed to provide 2 parking spaces to the rear which would be accessed off the unmade road. A small front and rear garden would be retained.

Relevant Planning History

46207 - 1 No detached dwelling (No 23 Booth Way)- Refused 2006. Dismissed on appeal

Publicity

12 letters sent on 10/6/2015 to properties at Nos 21,23,27,46,48,50,52,54,56,58, Booth Way and 1,2 Gorsey Clough Walk.

6 letters of objection from Nos 2 Gorsey Clough, 23, 27, 40, 44, 50 Booth Way, which raise

the following issues:

- Invasion of privacy and severely overlooked;
- Parking issue as plans show only parking for one car per house;
- Make a bad corner worse for access/egress for vehicular traffic;
- The front doors of 25/25a Booth Way will not be on Booth Way which I was refused when requested move my own porch (No 27 Booth Way);
- Previous refusal of a dwelling in the garden of a dwelling at No 23 Booth Way;
- Not in keeping with the area;
- Originally, lease states that no dwelling should be built on the land;
- Council policy states that buildings - on corner plots - will be numbered according to the street in which the main entrance is found. The application shows pedestrian access from Gorsey Cough Walk for both houses - the road sign would have to change;
- There is no evidence the property would be for affordable housing - rather profit at the expense of the local residents;
- The strategy of UDP Policy H1 would be undermined. The application would conflict with UDP Policies H1/2, H2/1, H2/2, H2/6 and EN1/2;
- The development of the site close to the highway would remove the characteristic element of openness and be totally out of place in the general street scene;
- the plans appear inappropriate;
- Distance of end wall to highway is a concern.

Petition received with 10 signatures from residents on Booth way and Gorsey Clough Walk with the following objections:

- Invasion of privacy for the properties at the front and rear of 25A Booth Way;
- Already a parking problem, parking for a single car on each property is inadequate.

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

Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - No objection subject to condition.

Environmental Health Contaminated Land - No objection subject to conditions.

Waste Management - No issues

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

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 - Following revocation of the North West Regional Strategy on 20th May 2013, there is no statutory housing target for Bury. Work has commenced on the Greater

Manchester Spatial Framework and this will bring forward a new statutory housing target for the Borough. This will subsequently be incorporated into Bury's future Local Plan.

In the meantime, the National Planning Policy Framework should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. There is a particular emphasis, as in previous national planning guidance, to identify a rolling five year supply of deliverable land.

UDP Policy H1/2 states that the council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development takes into consideration factors relating to the height and roof type of adjacent buildings, the impact of developments on residential amenity, the density and character of the surrounding area and the position and proximity of neighbouring properties. Regard is also given to parking provision and access, landscaping and protection of trees/hedgerows and external areas.

Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties provides useful guidance in terms of acceptable aspect standards between dwellings and design criteria.

The proposed development would be located within an established residential estate in the urban area and would therefore not conflict with the local environment in terms of the character and surrounding land uses. There is existing infrastructure in place to facilitate the development and the scale of the proposal would not result in over development of the site. As such, the principle is considered to be acceptable and would be in compliance with the NPPF and UDP Policies H1/2, H2/1, H2/2 and H2/6.

Details of the layout, design, proximity to residential properties and access and parking are discussed below.

Layout and siting - The dwelling would be sited in the side garden of No 25. It would continue the same building line at front and rear as the existing row of properties, at the same level and height and constructed on the same footprint area. It would be separated from No 25 by a boundary fence which would delineate gardens for each house.

The property would provide modest family accommodation comprising living areas at ground floor and 3 bedrooms at first floor. It would have a front garden 7.3m in length, side garden of 3m and 4.2m at the rear. The remaining area at the rear would provide curtilage parking for 2 cars.

The existing boundary treatment to the front and side of the site would be retained.

The layout and scale of the development would be reflective of the existing row of houses as well as those directly to the east and could be comfortably accommodated within the site area, providing adequate external amenity space without compromise to either future occupiers or surrounding residential properties.

As such, the layout is considered to be acceptable and would comply with H2/1 - The Form of Residential Development, H2/2 - The Layout of Residential Development and H2/6 - Garden and Backland Development.

In terms of No 25, whilst the development would result in a loss of some garden area and the existing parking space, the proposal demonstrate that a front garden length of 7.3m x 4.8m and rear garden of 4.9m x 4.1m would be retained together with a bin store area and

curtilage parking for 2 cars.

As such, it is considered the amenity of the current and future occupiers would not be compromised by the development and the proposal would comply with H2/1 - The Form of New Residential Development.

Impact on residential amenity - SPD6 advises that a distance of 20m should be maintained between habitable room windows in 2 properties and 13m between ground floor habitable room windows and a 2 storey blank wall. Whilst the guidance relates to extensions, it also advises that there be a minimum distance of 7m between first floor habitable rooms and a directly facing boundary with a neighbouring property, and 3m from a 2 storey side elevation to the public highway on a corner plot.

There would be no direct interface between the proposed dwelling and the principle elevations of Nos 23 and 27 Booth Way, and a distance of 11m and 9m respectively from the proposed elevations to garden boundaries. As such, aspect standards would be satisfied and comply with SPD6.

There would be a distance of 19m from the blank side gable of the new property and the house directly facing the site to the north, No 52 Booth Way. As such aspect standards would be satisfied.

In terms of the relationship to the surrounding dwellings, the proposal would comply with H2/3 and SPD6.

Design and appearance - The proposed dwelling would reflect the scale and massing of the existing row of houses as well as the dwellings to the east and west of the site, in terms of height, footprint and layout.

In terms of appearance, the scheme has been designed to also mirror these dwellings, with the same fenestration treatment, position and size of windows and doors and brick and tile materials. To ensure the materials are in keeping with the surrounding area, and as the detail has not been provided in the application as to particular make and type, a condition that a sample be submitted for approval would be included.

As such, the addition and the position of the new dwelling would be a natural continuation of the row in terms of its appropriateness to the character of the area and as such is considered to be acceptable and in compliance with UDP Policies H2/1 - The Form of New Residential Development and EN1/2 - Townscape and Built Design.

Parking and access - SPD 11 - Parking Standards in Bury seeks a maximum provision of 2 spaces for 3 bed properties in high access areas.

The majority of the houses in the area only provide 1 space per property, and that is the current situation at No 25. However, the applicant has sought to improve the situation and proposes to provide 2 curtilage spaces for both Nos 25 and the proposed No 25a. This would satisfy the maximum requirements of SPD11.

In terms of highway safety, the proposal includes provision of an extended pedestrian footpath which would continue round the back of the 2 dwellings and enable pedestrians to safely access the rear of the properties without stepping onto the highway.

The Traffic Section are satisfied with the proposal subject to conditions, and as such the development would be in accordance with H2/2 - The Layout of New Residential Development.

Response to objectors -

- House numbering and street naming are not material planning matters and would be a matter dealt with by the Building Control Section.

- Title deeds and property deeds are private considerations and not material considerations to the planning application.
- There is no policy requirement to provide the dwelling as affordable housing.
- The issues raised with regard to impact on residential amenity, character and appearance of the development and parking have been covered in the above report.
- The application reused at N0 23 Booth Way was assessed under now superseded planning policy, and related to a different scheme and proposal.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

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

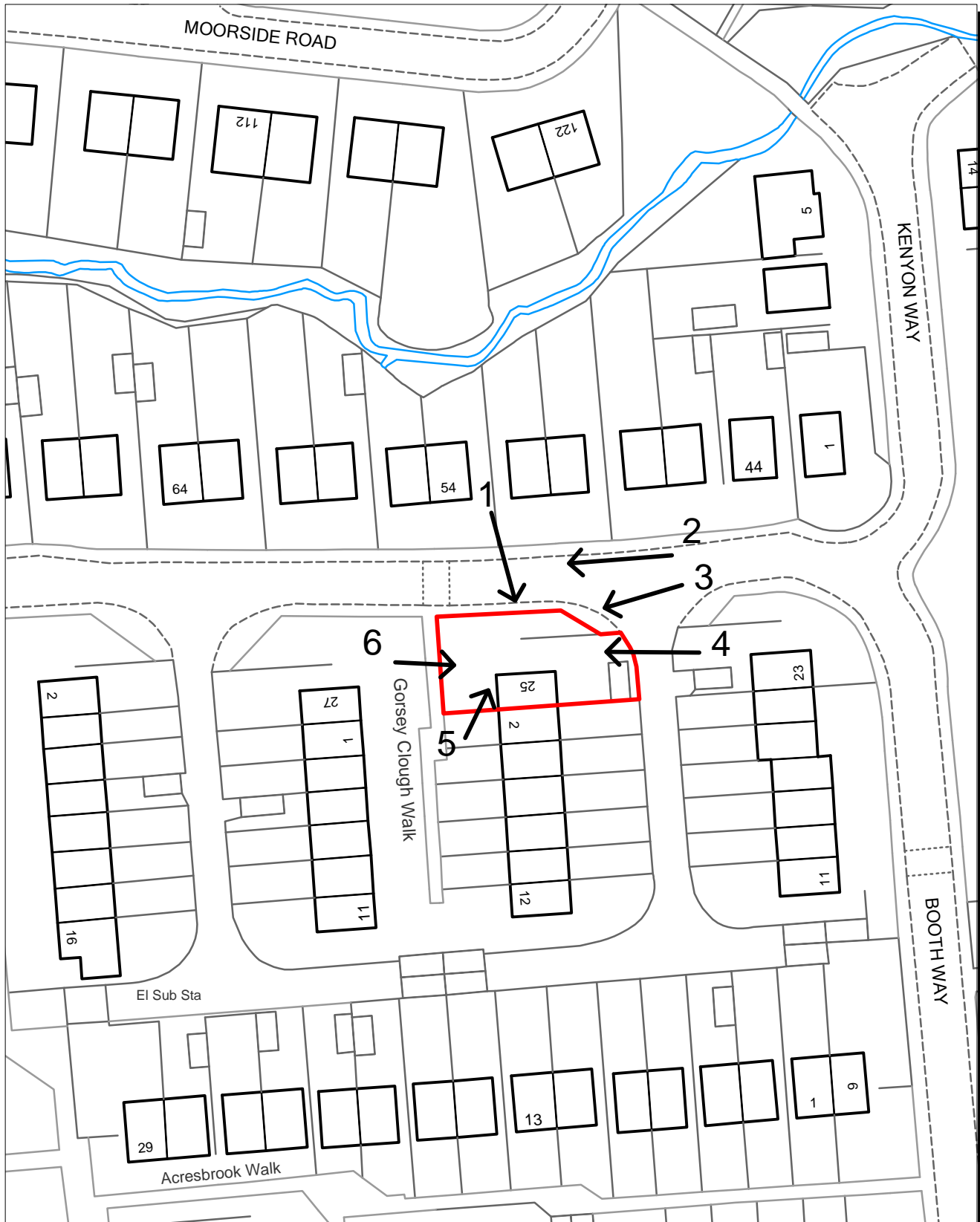
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location plan 16/04; Existing plans, elevations and site plan 16/01; Proposed site plan 16/03 Rev A dated 7/7.15; Proposed plans and elevations 16/02 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. 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. Insufficient information was submitted at application stage. 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.
4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human

health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

5. Details/Samples of the materials (brick, tiles, vertical panel tiling) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved by the Local Planning Authority before the development is commenced. Only the approved materials 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.
6. No development shall commence unless and 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 approved scheme only shall be implemented and thereafter maintained.
Reason. The information has not been provided and is required. The application contains no consideration as to how surface water run off and the potential to use SuDS prevents risk from surface water run-off and the potential flooding pursuant to Chapter 10 - Meeting the Challenge of Climate Change of the NPPF.
7. No development shall commence unless and until the new pedestrian access onto Gorsey Clough Walk and replacement parking facilities for No 25 Booth Way, incorporating the construction of new vehicular crossings and section of connecting footway, indicated on approved plan reference 16/03 Revision A have been implemented in full.
Reason. The application does not detail when the works would be delivered, and the works are required to ensure good highway design and adequate off-street car parking provision for the existing dwelling, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - The layout of New Residential Development and HT2/4 - Car Parking and New Development.
8. The car parking for the new dwelling indicated on the approved plan reference 16/03 revision A shall be surfaced and made available for use prior to the dwelling hereby approved first being occupied and thereafter maintained available for use at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 - The layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58767

**ADDRESS: Land adj to 25 Booth Way
Tottington**



Bury
COUNCIL

Planning, Environmental and Regulatory Services 1:1250

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.

58767

Photo 1



Photo 2



58767

Photo 3



Photo 4



58767

Photo 5



Photo 6

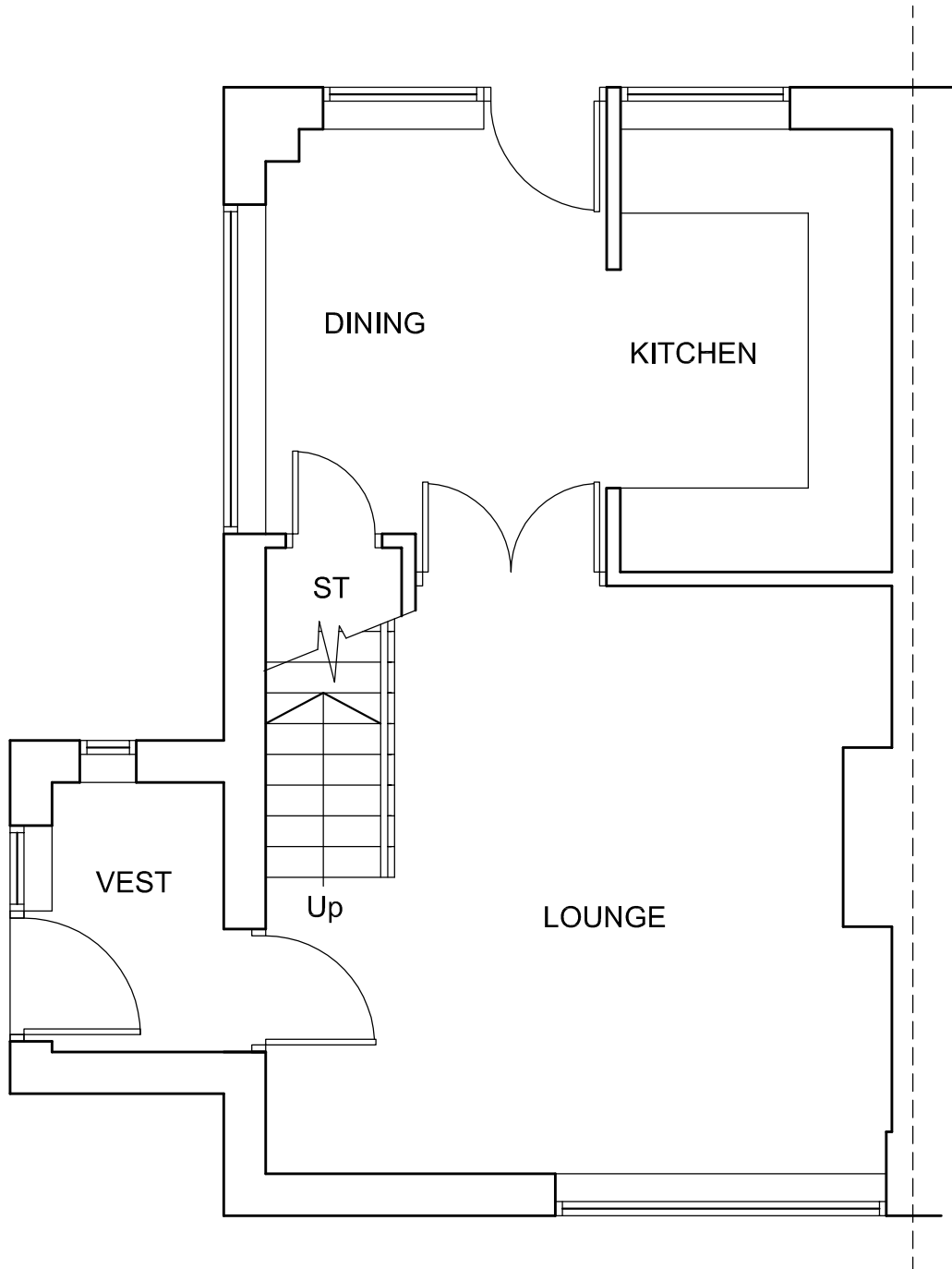




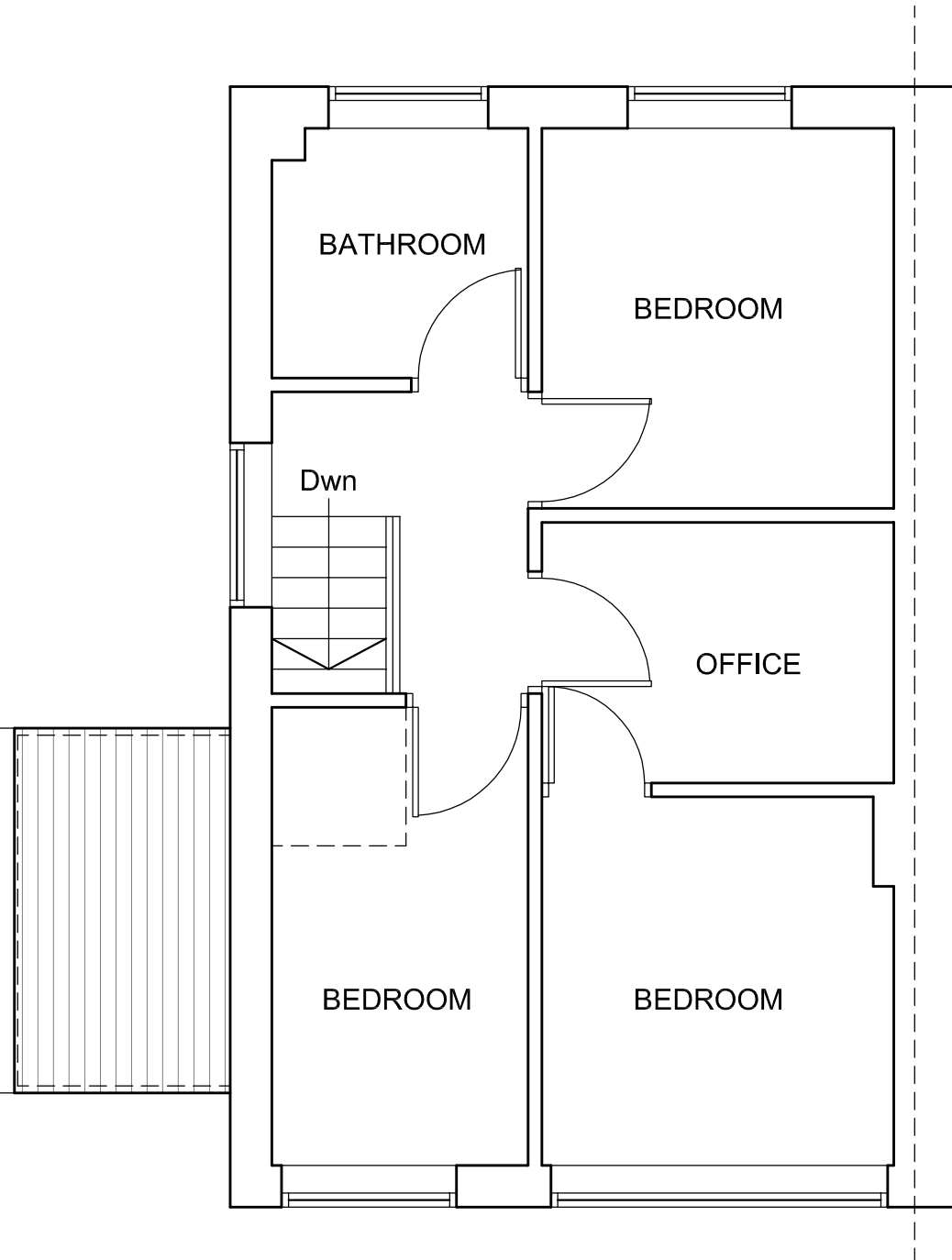
EXISTING FRONT ELEVATION

EXISTING SIDE ELEVATION

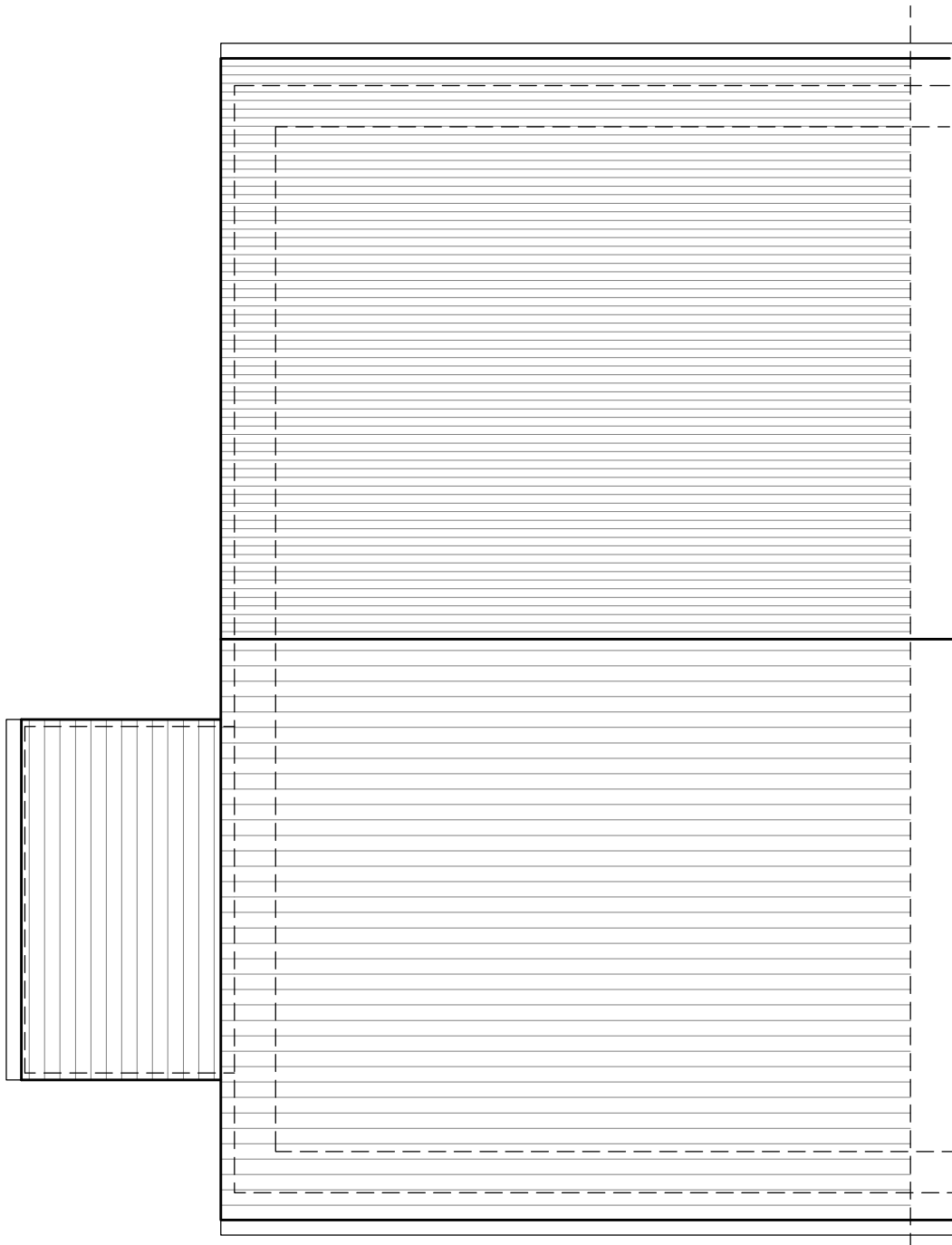
EXISTING REAR ELEVATION



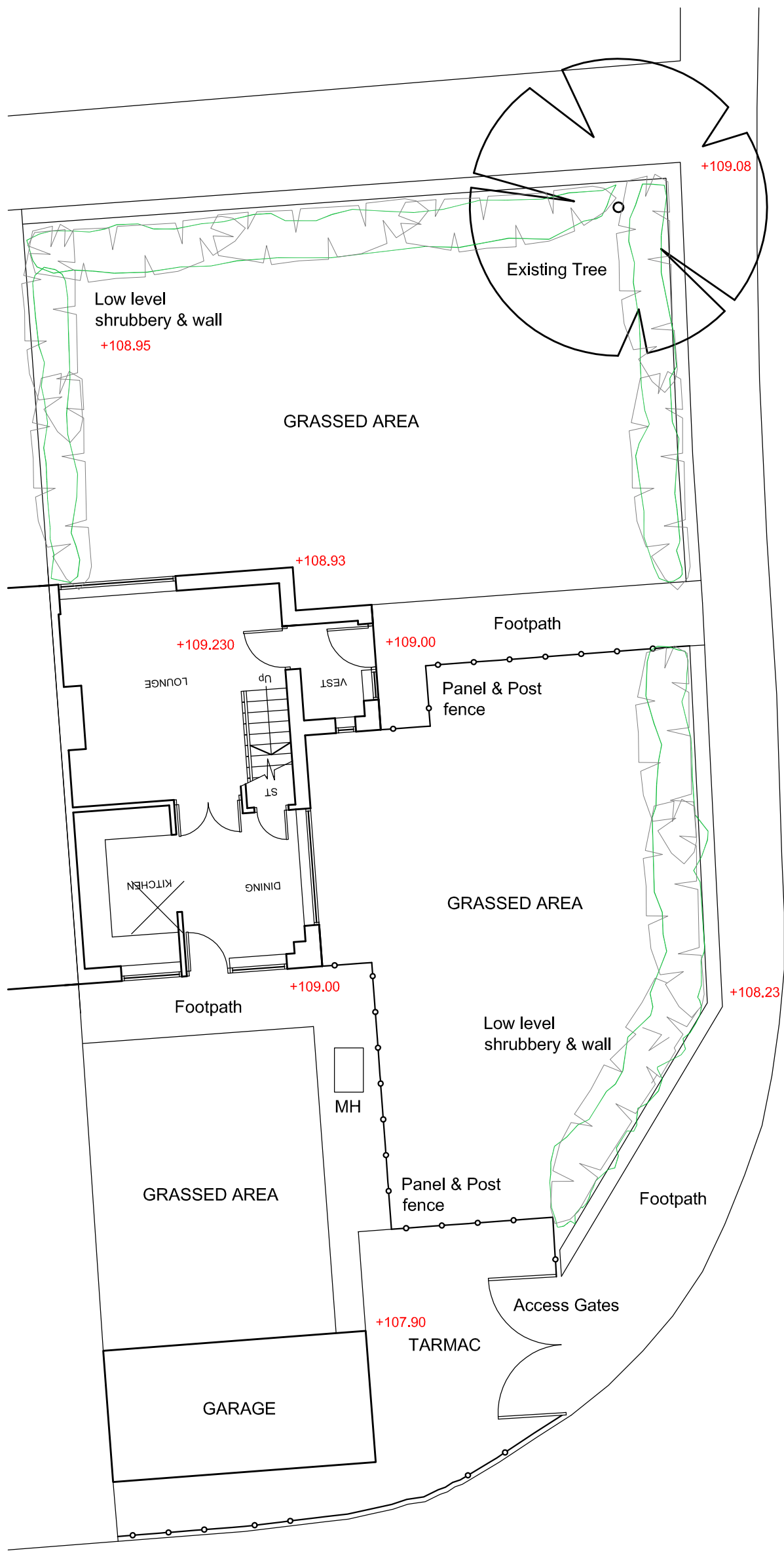
EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN

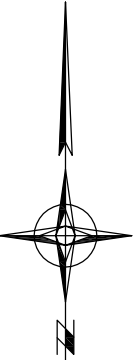
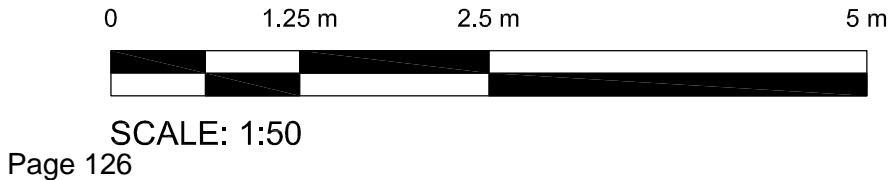


EXISTING ROOF PLAN



EXISTING SITE PLAN
1:100

Note: Plans and Elevations show existing property at No. 25 Booth Way



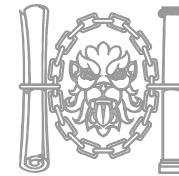
REV A -

Date:

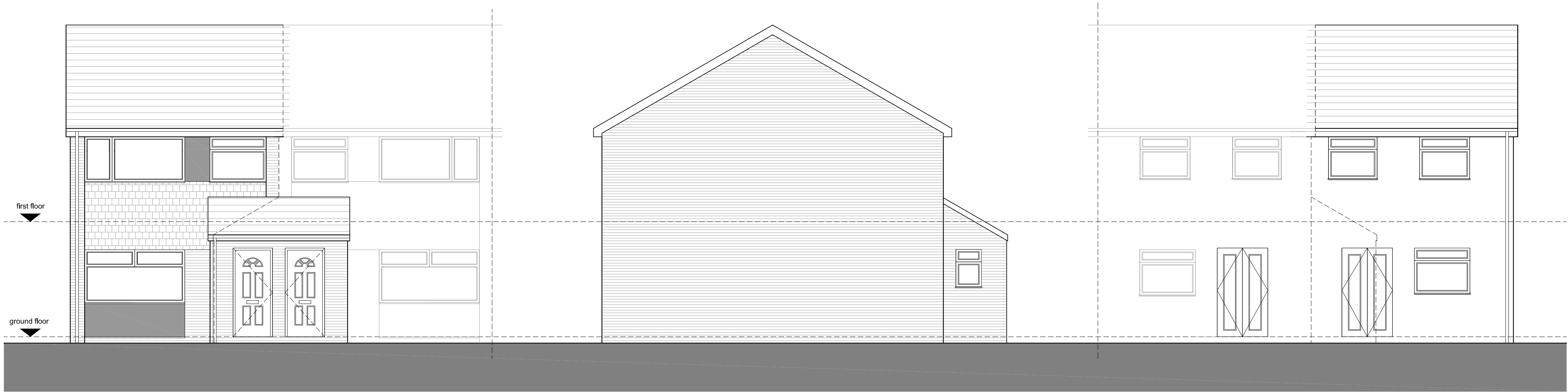
Drawn by:

RPC Architectural Design Ltd.

Mobile: 07909119580 - Tel: 01204 4311987 - www.rpcad.co.uk - contact@rpcad.co.uk


Chartered Institute of
Architectural Technicians
Registered Practice

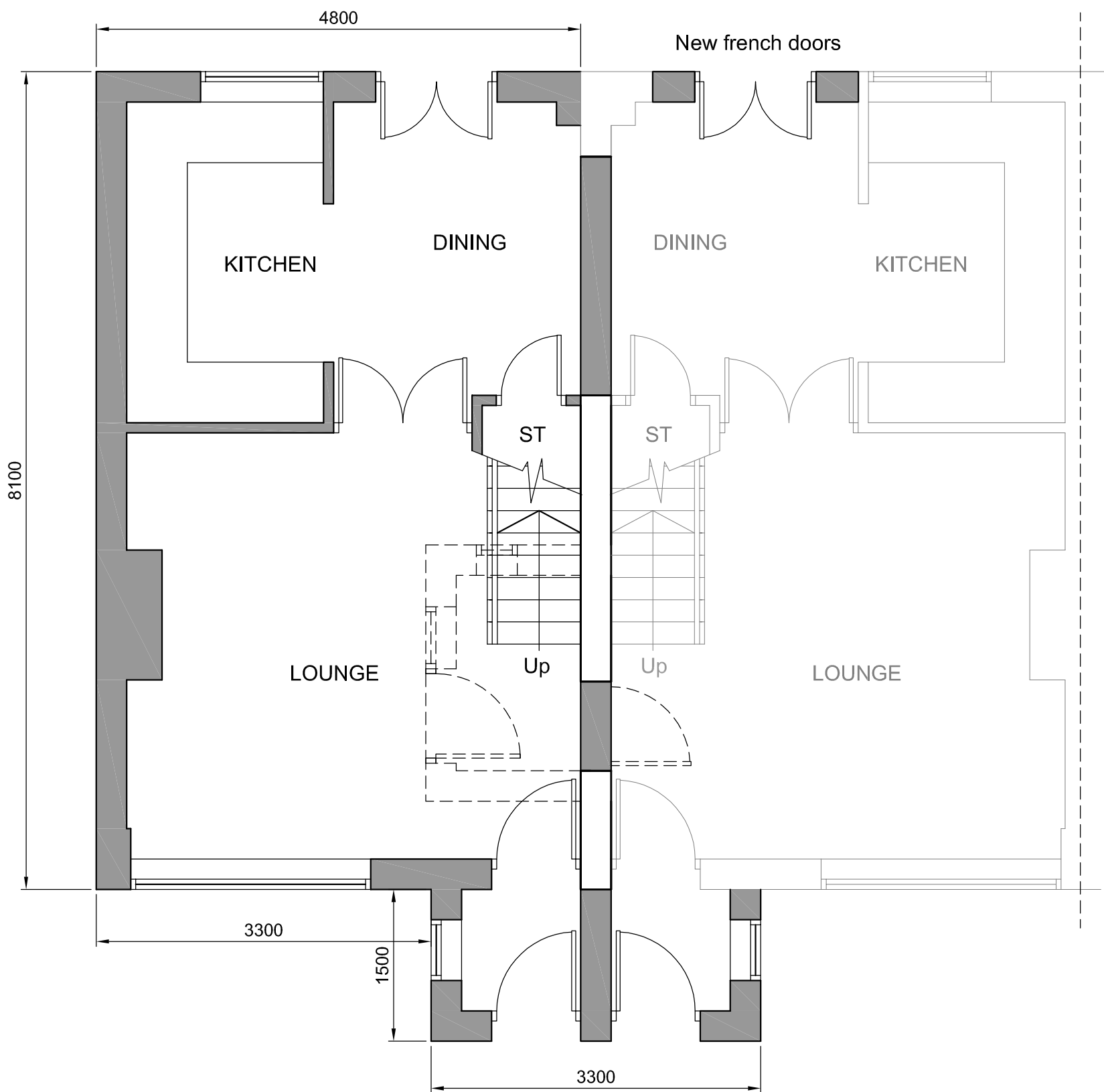
Client:	Mr & Mrs Smith	Stage:	Planning	Dwg ref:	16/01
Project:	25 Booth Way Tottington, Bury BL8 3JW	Purpose of issue:	Planning	Drawn by:	RC
Title:	Existing Plans, Elevations & Site Plan			Scale/Sheet:	1:50@A1
© The Copyright of this drawing is vested with RPC Architectural Design Ltd. All use is subject to the company granting a license to the Client for use during their project only. Do not scale from the drawing, use only figured dimensions. All dimensions to be checked on site. All discrepancies are to be reported immediately to RPC Architectural Design Ltd.				Date:	18.05.15
				Revision:	



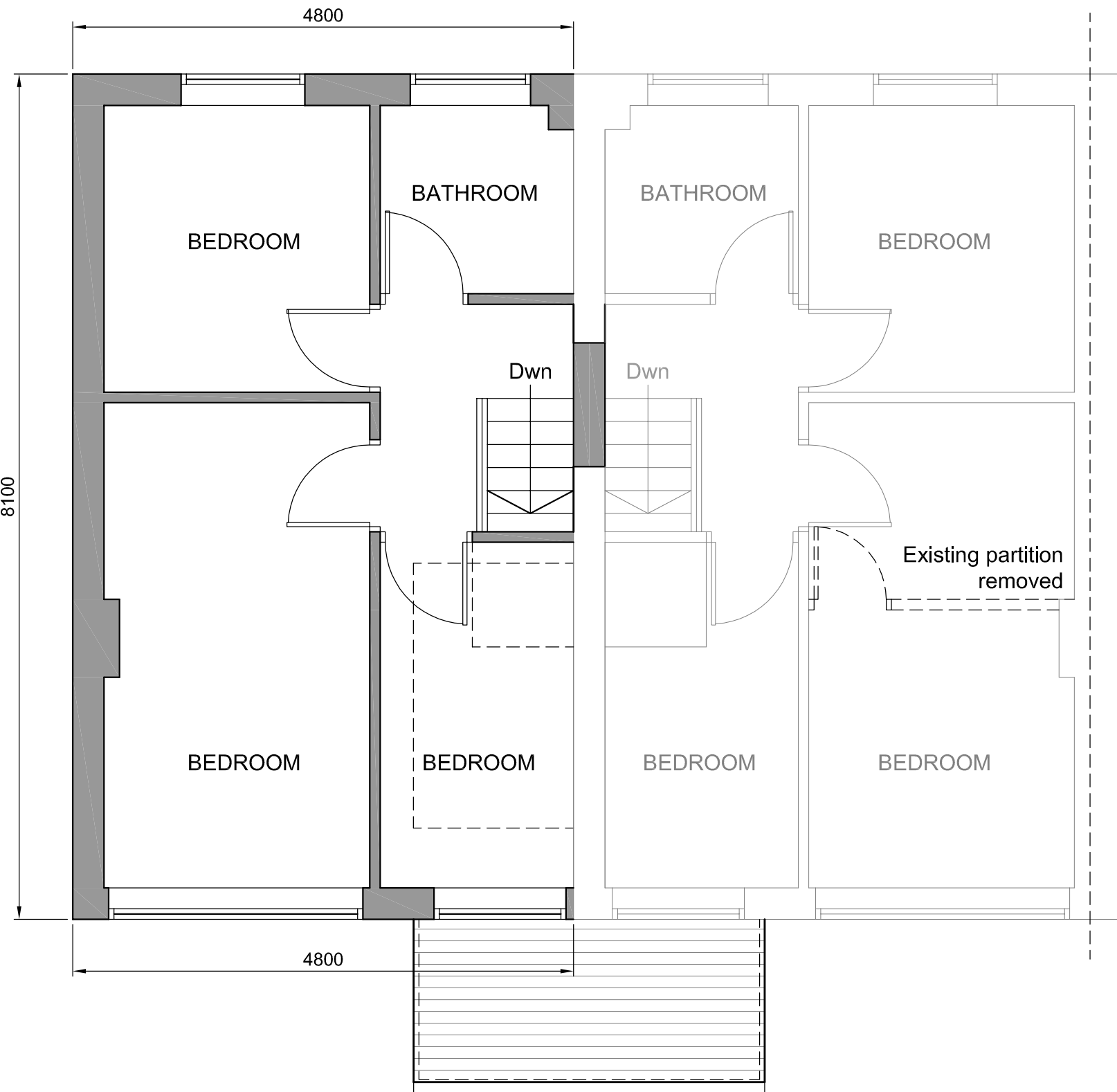
PROPOSED FRONT ELEVATION

PROPOSED SIDE ELEVATION

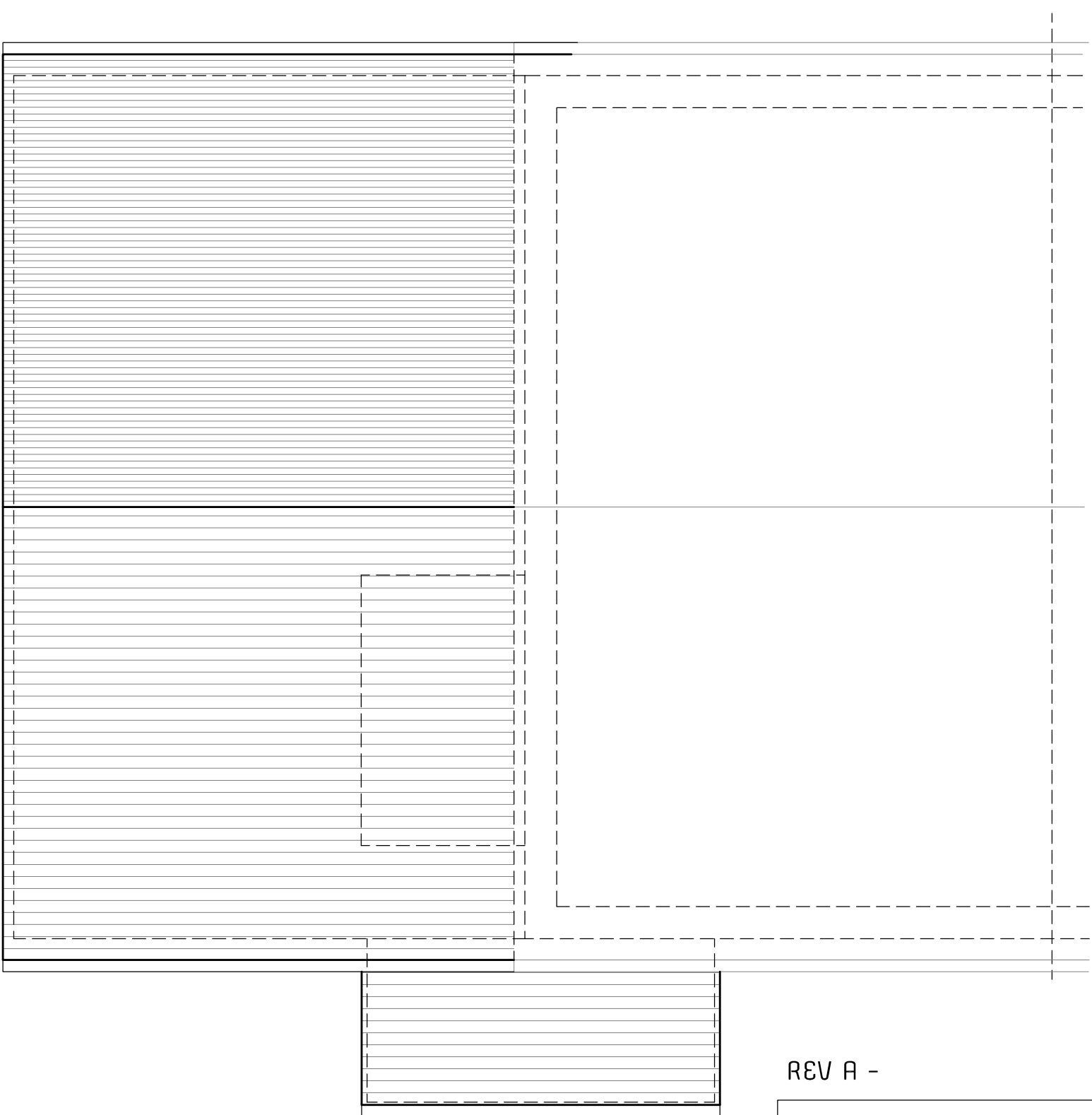
PROPOSED REAR ELEVATION



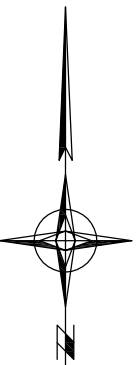
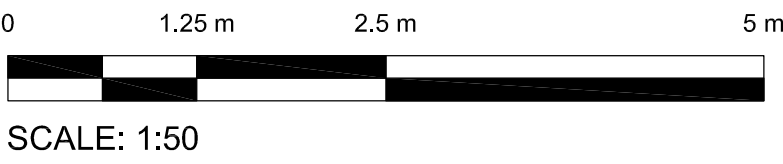
PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED ROOF PLAN



R&V A - Date: Drawn by:

RPC Architectural Design Ltd.

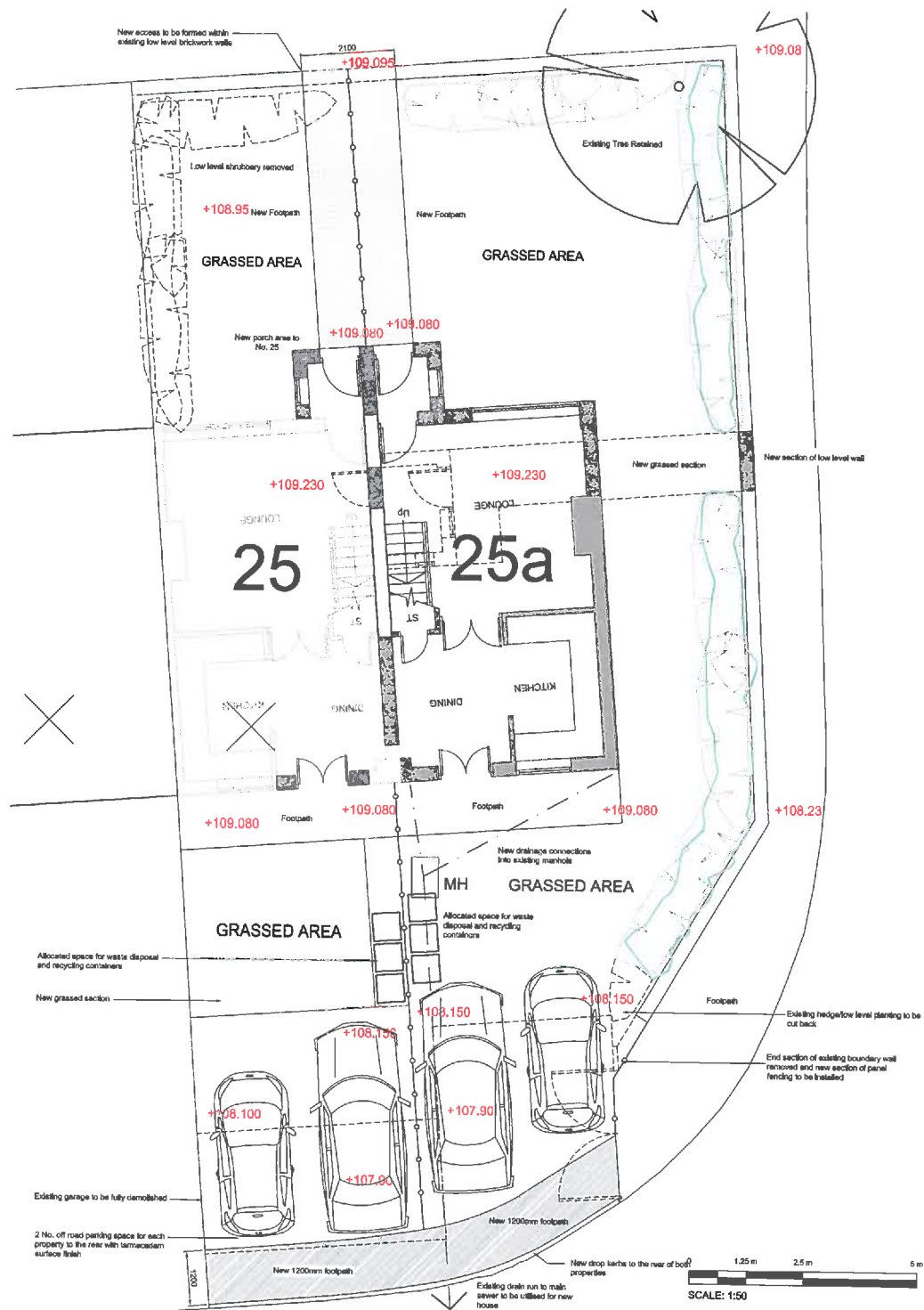
Mobile: 07909119580 - Tel: 01204 4311987 - www.rpcad.co.uk - contact@rpcad.co.uk



Client:	Mr & Mrs Smith	Stage:	Planning	Dwg ref:	16/02
Project:	25 Booth Way Tottington, Bury BL8 3JW	Purpose of issue:	Planning	Drawn by:	RC
Title:	Proposed Plans & Elevations			Scale/Sheet:	1:50@A1
				Date:	18.05.15
				Revision:	

© The Copyright of this drawing is vested with RPC Architectural Design Ltd. All use is subject to the company granting a license to the Client for use during their project only. Do not scale from the drawing, use only figured dimensions. All dimensions to be checked on site. All discrepancies are to be reported immediately to RPC Architectural Design Ltd.

PROPOSED SITE PLAN
1:50



REV A - UPDATED IN ACCORDANCE WITH LOCAL AUTHORITY COMMENTS
Date: 07.07.15 Drawn by: RC

RPC Architectural Design Ltd.

Mr & Mrs Smith	Planning	16/03
25 Booth Way Tottington, Bury BL6 3JW	Planning	RC
Proposed Site Plan		1:50@A1
		18.05.15
		07.07.15

Ward: Prestwich - Holyrood

Item 10

Applicant: Mrs Jennie Platt

Location: 8 Glebelands Road, Prestwich, Manchester, M25 1NE

Proposal: Change of use from 2 no. flats to 1 no. dwelling; Single storey extension at side/rear with first floor balcony; New first floor window at front, first floor french doors, juliet balcony and second floor window at rear; Render to front/side elevations

Application Ref: 58801/Full

Target Date: 04/08/2015

Recommendation: Approve with Conditions

Description

The site relates to a residential property which is located within the Poppythorn Conservation Area. Adjacent to the east is a detached dwelling which is separated by a timber boundary fence and mature tree planting. The attached dwelling has a similar layout with an outbuilding also located along the rear boundary with the site.

The dwelling is a late 1800's 3 storey semi detached, which has been previously extended at the side by a 2 storey flat roof extension to enable it's use as 2 flats. The extension incorporates an external stairwell to facilitate access to the 1st floor flat. The ground floor is accessed via the entrance on the front elevation. There is a detached garage at the side and 2 detached outhouse buildings at the rear.

The dwelling has retained most of the original bay window features and architectural detail and has had little or no maintenance carried out in recent years.

The application seeks the change of use from 2 No. flats to 1 dwelling and comprises:

- a single storey extension at the side/rear with 1st floor balcony;
- 2 new front windows;
- 1st juliet balcony and french window;
- new 2nd floor rear sash window;
- bi-folding rear patio doors;
- part render/part cladding of the existing front and side elevations.

Relevant Planning History

None

Publicity

10 letters sent on 9/6/2015 to properties at Nos 4,5,6,7,8A,9,10,11 Glebelands, 1A,3 Newlands Drive.

Site notice posted 26/6/2015.

Press advert in the Prestwich and Whitefield Guide 18/6/2015.

One letter of objection received from a nearby resident (e mail address only supplied) who raises the following issues:

- The extensive use of render on the existing front and side elevations;
- The Poppythorn conservation area appraisal plan states that extensions should be designed to compliment the design of the house and changing a third of the house frontage from brick to white render and the whole of the side elevation can hardly be considered complimentary and give an impression of around 7500 cubic feet of white block to the side of a Victorian property;

- The appraisal states that brickwork should not be painted;
- Out of character with the properties in the area, particularly from the public view.

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

Consultations

None applicable.

Unitary Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions

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 - The property is already in residential use as two flats, and its conversion to a single house would not result in amenity or highways issues, and would be acceptable in principle. The proposals to extend and make changes to the external appearance of the building would be acceptable in principle subject to the design detail and materials, which are discussed below.

Impact on the Conservation Area - Chapter 12 of the NPPF provides the Government's position on conserving and enhancing the historic environment.

Paragraph 128 states that in determining planning applications, applicants should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 129 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.

UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control takes into account the special character of conservation areas and only seeks to support development which would preserve or enhance their appearance. Regard will be had to the scale, design, and materials, relationship between the proposed development and the architectural and visual qualities of the surrounding area, and the contribution of new buildings to the character of the area.

The application proposes new additions to the property and works to the existing elevations and fenestrations.

A contemporary approach is often regarded as a more suitable solution when looking to make alterations to older properties, which enables a building to retain its historic character

and also preserves the character of the conservation area.

The single storey extension would incorporate a flat roof and bi-folding glazed patio doors, offering a modern addition. It is proposed to render this element and this would acknowledge the division between the old and the new. At first floor, a balcony with fully glazed balustrade and insertion of glazed patio doors would add a further dimension to the building by the use of lightweight and glazed materials. The additions would not interfere with the architectural merits of the dwelling and are considered to preserve the conservation area.

The proposed Juliette balcony and French windows would be located at the 1st floor rear elevation and a new timber sash window inserted above. The insertion of the slim-line front windows to the existing extension would reflect the verticality of this part of the building. The design and style of these elements are considered to be in keeping with the existing building and would enhance the special character of the area.

In terms of materials, the brickwork of the original house would be retained. It is proposed to part render/part clad the 1970's extension. This element of the dwelling is not particularly appealing, and appears at odds in comparison to the main dwelling which has retained much of its architectural character. The use of render would hide the poor and mis-matched brickwork, whilst the cladding would soften the corner build and provide a relief between the 2 rendered areas.

As such, it is considered that the proposed additions and alterations would both preserve and enhance the special character of the Poppythorn Conservation Area and comply with the NPPF and UDP Policies EN2/1 and EN2/2.

Residential amenity - The element most likely to impact on residential amenity would be the 1st floor balcony, located on the side/rear elevation. It would be 5.6m from the boundary and 10.8m from the side elevation of No 10. It is proposed to incorporate an obscure glazed balustrade and screen along the side elevation, and a condition would be included that a detail be submitted for approval to show the balustrade at 1.8m high to restrict overlooking to the adjacent property and their garden. There is also substantial tree planting along the shared balcony which would also mitigate any overlooking. Given the separation distance between the 2 properties, and the proposed screening, it is considered that impact on the privacy of the neighbour would not be significant.

The extension would be 17m from the rear boundary and far enough away not to result in overlooking to the neighbour's garden.

The proposed balcony which would be closest to No 6 would project 0.5m, the extent of which would not be significantly different to a normal opening window and as such considered not to present any overlooking issues to this property.

All the other proposed external alterations would not impact on neighbours.

As such, it is considered that the size, position and design of the extension would not have a detrimental impact on residential amenity and would comply with H2/3 and SPD6.

Trees - The proposal includes the removal of a conifer tree at the front, which requires permission given the site is located in a conservation area. The tree does not offer any particular amenity value and its removal is considered not to have a negative impact on the visual amenity of the street scene.

All other trees would be retained on the site.

Parking - The proposed use as a single dwelling would not require any additional parking.

Response to objector - The applicant has amended the scheme to reduce the amount of render which was originally proposed. It is considered the palette of materials now

propsoed would successfully treat the exterior appearance of the 1970's addition and create a balanced and harmonious appearance in the conservation area.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

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.

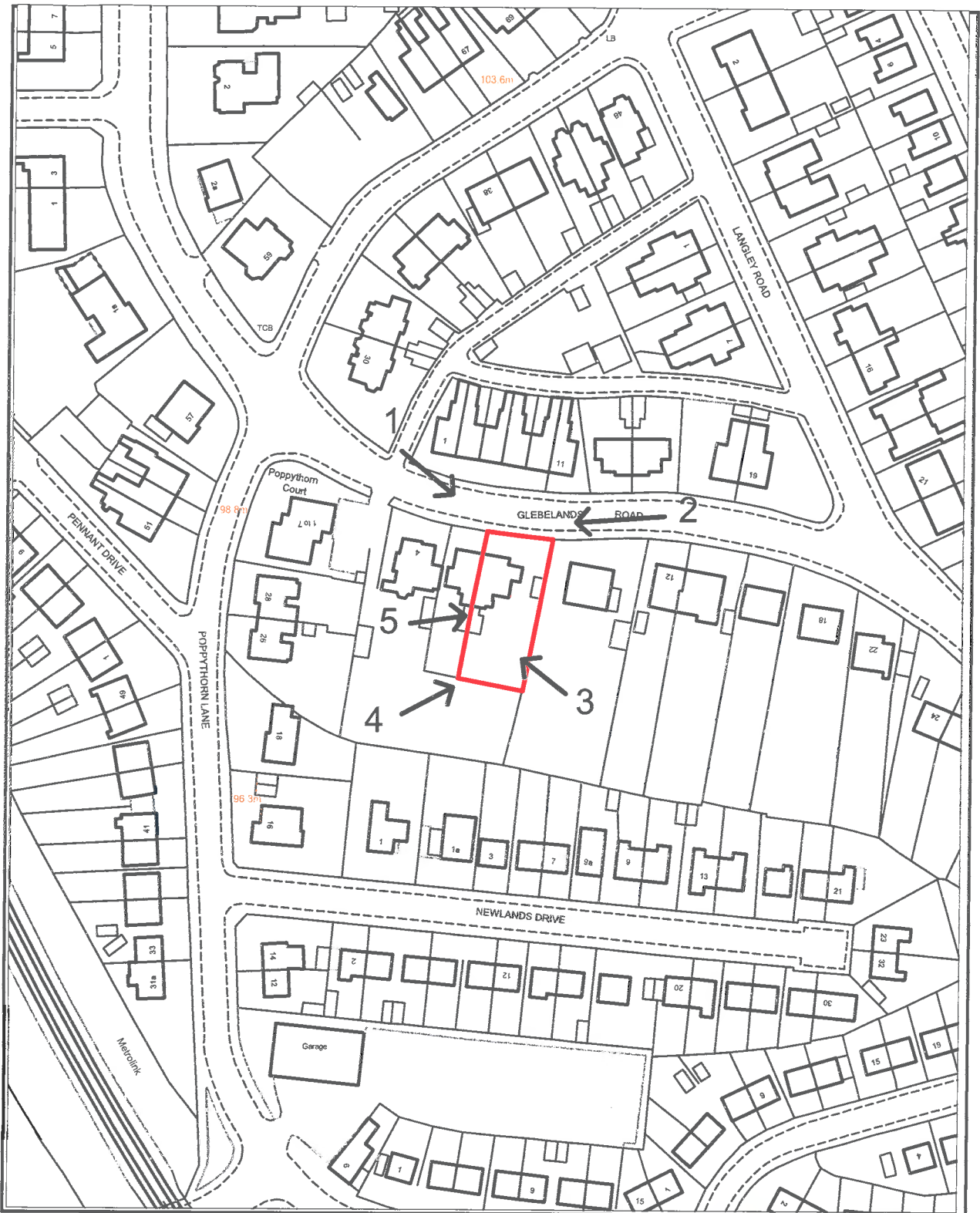
Recommendation: Approve with Conditions

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 0047/004 - P01; P02; P03; P04; P05 Revision A dated 16/7/2015 and received 17/7/2015; P06; P07; P08; P09 Revision A dated 16/7/2015 and received 17/7/2015' P10 Revision A dated 16/7/2015 received 16/7/2015 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. Notwithstanding the approved plan reference P10 Revision A dated 16/7/15 and received 17/7/15, the balustrade to the eastern elevation hereby approved shall be obscure glazed and fixed at a height of no less than 1.8m high. The 1.8m high obscure glazed balustrade shall thereafter be maintained.
Reason. In the interests of residential amenity pursuant to Bury Unitary Development Plan Policy H2/3 - Extensions and Alterations and SPD6 - Extensions and Alterations to Residential Properties.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58801

**ADDRESS: 8 Glebelands Road
Prestwich**



Bury
COUNCIL

Planning, Environmental and Regulatory Services 1:1250

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.

58801

Photo 1



Photo 2



58801

Photo 3



Photo 4

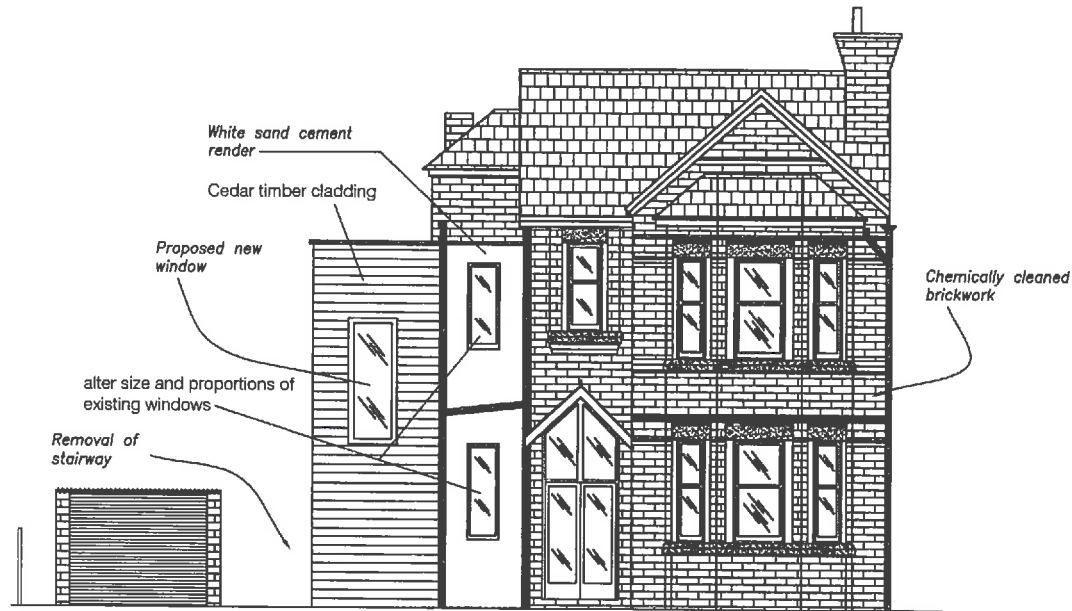


58801

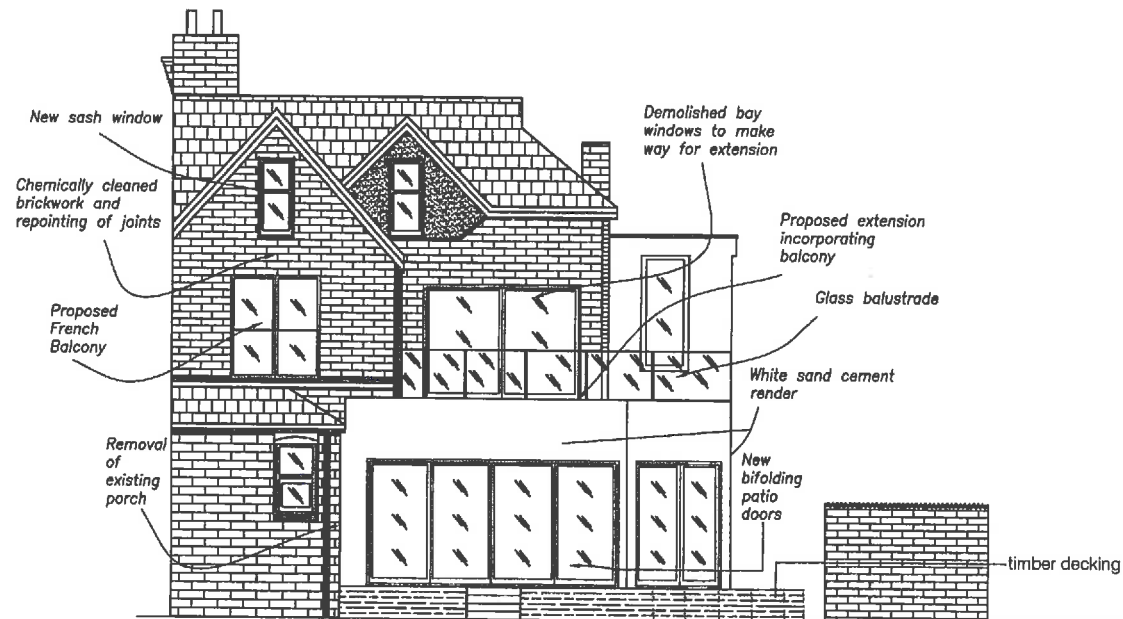
Photo 5



A. PROPOSED FRONT ELEVATION 1:100



B. PROPOSED REAR ELEVATION 1:100



REV	DESCRIPTION	BY	DATE
A	Timber cladding added		15/07/15

STATUS: PLANNING PERMISSION



IQS Limited
The Old Red King
158-162 Bury New Road
Whitefield M45 6AD
0161-767-9862
www.iqsltd.co.uk

CLIENT: JENNIE PLATT
8 GLEBELANDS ROAD
PRESTICH
MANCHESTER, M25 1NE

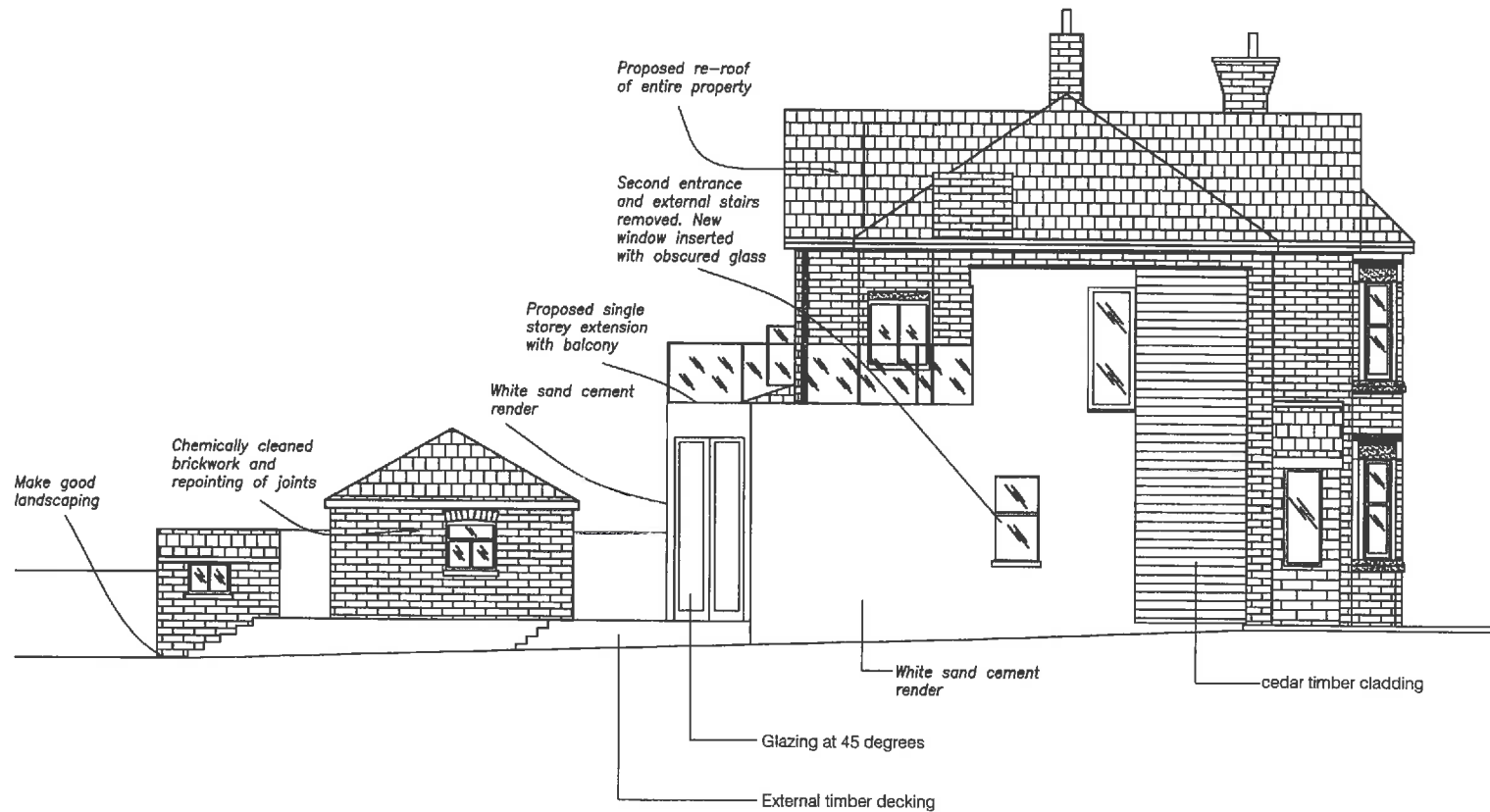
ARCHITECT: IQS LTD
The Old Red King
158-162 Bury New Road
Whitefield M45 6AD

SITE: 8 GLEBELAND ROAD

TITLE: PROPOSED ELEVATIONS

SCALE AT A3	DATE	DRAWN	CHECKED
1:100	28/05/2015	LTW	GC
PROJECT NO:	DRAWING NO:	REVISION	
0047/004	P09		

A. PROPOSED SIDE ELEVATION 1:100



REV.	DESCRIPTION	BY:	DATE:
A	Cedar cladding added		16/07/15

STATUS: PLANNING PERMISSION

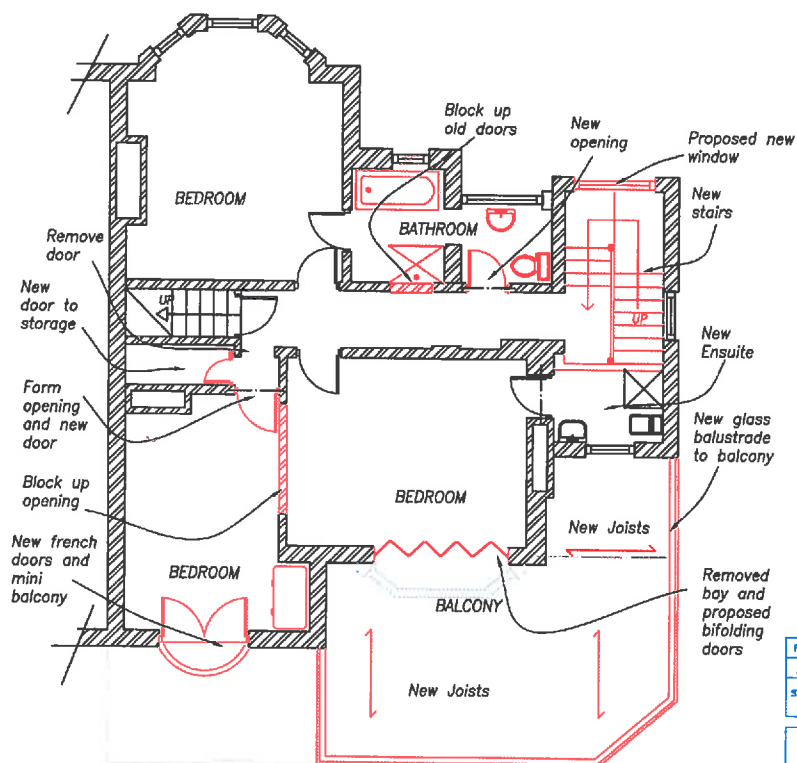


IQS Limited
The Old Red King
158-162 Bury New Road
Whitefield M45 6AD
0161-767-9862
www.iqsltd.co.uk

CLIENT:	JENNIE PLATT 8 GLEBELANDS ROAD PRESTICH MANCHESTER, M25 1NE
ARCHITECT:	IQS LTD The Old Red King 158-162 Bury New Road Whitefield M45 6AD

SITE:				8 GLEBELAND ROAD							
TITLE:								PROPOSED ELEVATIONS			
SCALE AT A3:				DATE:		DRAWING:		CHECKED:			
1:100				09/06/215		LTW		GC			
PROJECT NO:				DRAWING NO:				REVISION:			
0047/004				P10				A			

B. PROPOSED FIRST FLOOR PLAN 1:100



Demolished

Proposed

SCALE AT AS: 1:100	DATE: 09/06/2015	DRAWN: LTW	CHECKED: GC
PROJECT NO: 0047/004	DRAWING NO: P05	REVISION: A	

This page is intentionally left blank

REPORT FOR DECISION

Agenda Item 5



Agenda
Item

5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	28 July 2015
SUBJECT:	DELEGATED DECISIONS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
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:-**

David Marno, Head of Development Management
Planning Services, Department for Resources and Regulation
3 Knowsley Place
Bury BL9 0EJ

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

Planning applications decided using Delegated Powers
Between 15/06/2015 and 19/07/2015



Ward: Bury East

Application No.: 58698 **App. Type:** FUL 01/07/2015 Approve with Conditions
Location: 15-17 St Marys Place, Bury, BL9 0DZ
Proposal: Replacement of 2no. front doors and frames; Replacement of 20no.windows

Application No.: 58736 **App. Type:** LDCP 16/07/2015 Split Decision
Location: 286 Rochdale Old Road, Bury, BL9 7RY
Proposal: Lawful Development Certificate for Proposed

A: Demolition of existing lean-to side kitchen extension and erection of single storey side extension and

B: Front entrance porch

Application No.: 58781 **App. Type:** FUL 02/07/2015 Approve with Conditions
Location: St Maries RC Primary School, Edward Street, Bury, BL9 0RZ
Proposal: 2 No. replacement canopies to infant block

Ward: Bury East - Moorside

Application No.: 58790 **App. Type:** FUL 14/07/2015 Approve with Conditions
Location: 217 Walmersley Road, Bury, BL9 5DF
Proposal: Single storey extension at side

Ward: Bury East - Redvales

Application No.: 58578 **App. Type:** FUL 07/07/2015 Approve with Conditions
Location: Bury College, Millenium Campus, Market Street, Bury, BL9 0BG
Proposal: Erection of a new 3 storey Creative & Digital Arts Centre building

Application No.: 58707 **App. Type:** FUL 25/06/2015 Approve with Conditions
Location: 1 Vale Avenue, Bury, BL9 9LW
Proposal: Two storey extension at side/rear and single storey/first floor extension at rear

Application No.: 58727 **App. Type:** FUL 26/06/2015 Approve with Conditions
Location: 471 Manchester Road, Bury, BL9 9SH
Proposal: Two storey extension at side/rear and single storey extension at rear; Porch and canopy at front; Detached store building at rear

Application No.: 58772 **App. Type:** FUL 14/07/2015 Approve with Conditions
Location: 163 Gigg Lane, Bury, BL9 9EN
Proposal: Two storey/single storey extension at side and rear with front porch

Application No.: 58818 **App. Type:** GPDE 18/06/2015 Prior Approval Required and Refused
Location: 619 Whitefield Road, Bury, BL9 9LJ
Proposal: Prior Notification for a single storey extension at rear

Ward: Bury West - Church

Application No.: 58715 **App. Type:** FUL 22/06/2015 Approve with Conditions
Location: 49 Newington Drive, Bury, BL8 2NE
Proposal: Two storey extension at side with front/rear dormers

Application No.: 58785 **App. Type:** FUL 14/07/2015 Approve with Conditions
Location: 12 Wingate Avenue, Bury, BL8 2LQ
Proposal: Single storey extension at rear

Ward: Bury West - Elton

Application No.: 58717 **App. Type:** FUL 25/06/2015 Approve with Conditions
Location: 99 Bankhouse Road, Bury, BL8 1DY
Proposal: Retrospective application for 1.9 metre high garden fence

Application No.: 58739 **App. Type:** REG3 10/07/2015 Approve with Conditions
Location: Our Lady Of Lourdes Roman Catholic County Primary School, Rudgwick Drive, Bury, BL8 1YA
Proposal: Resurface existing hard surfaced playground and extend into existing grassed areas with relocation of existing play equipment and pedestrian gate

Application No.: 58741 **App. Type:** FUL 14/07/2015 Approve with Conditions
Location: 5 Valley Avenue, Bury, BL8 1FA
Proposal: Single storey extension at rear

Application No.: 58771 **App. Type:** FUL 16/07/2015 Approve with Conditions
Location: Land adjacent to 2 Bowes Close, Bury, BL8 1UA
Proposal: Erection of 1 no. detached dwelling with access on to Bowes Close and boundary treatment and landscaping

Application No.: 58773 **App. Type:** FUL 14/07/2015 Refused
Location: 16 Wash Terrace, Bury, BL8 1TY
Proposal: Two storey extension at side

Application No.: 58784 **App. Type:** FUL 14/07/2015 Approve with Conditions
Location: 185 Tottington Road, Bury, BL8 1RX
Proposal: Two/single storey extension at side and rear; First floor window to side elevation

Application No.: 58876 **App. Type:** GPDE 15/07/2015 Prior Approval Not required
Location: 17 Elson Street, Bury, BL8 1TT
Proposal: Prior notification for single storey rear extension

Ward: North Manor

Application No.: 58664 **App. Type:** FUL 22/06/2015 Approve with Conditions
Location: 517 Holcombe Road, Greenmount, Bury, BL8 4EL
Proposal: First floor extension at front; Single storey extension at side; First floor extension at side; Single storey extension at side

Application No.: 58674 **App. Type:** LDCE 09/07/2015 Refused
Location: 1 The Loelands, Redisher Lane, Ramsbottom, Bury, BL8 4HX
Proposal: Certificate of lawfulness for use as existing dwelling house

Application No.: 58697 **App. Type:** FUL 29/06/2015 Approve with Conditions
Location: 415 Holcombe Road, Greenmount, Bury, BL8 4HB
Proposal: Two storey extension at side

Application No.: 58705 **App. Type:** FUL 22/06/2015 Approve with Conditions
Location: 11 Rowlands Road, Summerseat, Bury, BL9 5NF
Proposal: Loft conversion with dormer at rear

Application No.: 58713 **App. Type:** FUL 15/06/2015 Approve with Conditions
Location: 508 Holcombe Road, Greenmount, Bury, BL8 4EJ
Proposal: Pitched roof extension to existing flat roof at side

Application No.: 58734 **App. Type:** GPDE 25/06/2015 Prior Approval Not required
Location: 11 Hawthorn Avenue, Ramsbottom, Bury, BL0 9UZ
Proposal: Prior notification for proposed single storey extension at rear

Application No.: 58747 **App. Type:** FUL 15/07/2015 Approve with Conditions
Location: 19 Station Road, Tottington, Bury, BL8 4BJ
Proposal: Single storey extension at rear; Garage conversion with bay window at front

Application No.: 58760 **App. Type:** FUL 13/07/2015 Approve with Conditions
Location: Unit 6, Holcombe Brook Precinct, Longsight Road, Ramsbottom, Bury, BL0 9SH
Proposal: Change of use from retail (Class A1) to tanning and beauty salon (Sui Generis)

Application No.: 58765 **App. Type:** FUL 14/07/2015 Approve with Conditions
Location: Higher Hilltop Barn, Hollymount Lane, Tottington, Bury, BL8 4HP
Proposal: Two storey extension to converted barn; single storey link building to existing garage and single storey porch extension

Application No.: 58792 **App. Type:** FUL 10/07/2015 Approve with Conditions
Location: 14 Mayfield Road, Ramsbottom, Bury, BL0 9TB
Proposal: Two storey extension at front/side; Loft conversion with gable roof extension at side

Application No.: 58843 **App. Type:** GPDE 13/07/2015 Prior Approval Not required
Location: 870 Burnley Road, Bury, BL9 5JY
Proposal: Prior notification for single storey extension at rear

Ward: Prestwich - Holyrood

Application No.: 58637 **App. Type:** FUL 15/06/2015 Approve with Conditions
Location: 215 Heywood Old Road, Middleton, Manchester, M24 4QR
Proposal: Single and two storey extensions to front, side and rear

Application No.: 58657 **App. Type:** FUL 18/06/2015 Approve with Conditions
Location: 235 Heywood Old Road, Middleton, Manchester, M24 4QR
Proposal: Demolition of existing garage and erection of single storey side extension

Application No.: 58666 **App. Type:** FUL 22/06/2015 Approve with Conditions
Location: 239 Heywood Road, Prestwich, Manchester, M25 2QH
Proposal: Single storey extension at side

Application No.: 58719 **App. Type:** FUL 18/06/2015 Approve with Conditions
Location: 2 Oaklands Drive, Prestwich, Manchester, M25 1LJ
Proposal: First floor rear extension (resubmission of 58566)

Application No.: 58757 **App. Type:** FUL 25/06/2015 Approve with Conditions
Location: 355 Bury Old Road, Prestwich, Manchester, M25 1PY
Proposal: Change of Use from Accountants (Class A2) to shop for Painting Pots (Sui Generis)

Application No.: 58774 **App. Type:** FUL 14/07/2015 Approve with Conditions
Location: 4 Willow Road, Prestwich, Manchester, M25 3DZ
Proposal: Two storey extension at side/rear and single storey extension at rear; Porch at front and pitched roof to existing bay window

Application No.: 58862 **App. Type:** GPDE 13/07/2015 Prior Approval Not required
Location: 149 Simister Lane, Prestwich, Manchester, M25 2SF
Proposal: Prior notification for single storey extension at rear

Application No.: 58619 **App. Type:** FUL 29/06/2015 Approve with Conditions
Location: 11 Eastleigh Road, Prestwich, Manchester, M25 0BQ
Proposal: Part single storey, part two storey rear extension

Application No.: 58667 **App. Type:** FUL 15/06/2015 Approve with Conditions
Location: 28 Winchester Avenue, Prestwich, Manchester, M25 0LJ
Proposal: Dormer at front

Application No.: 58670 **App. Type:** FUL 17/06/2015 Refused
Location: 48 Richmond Avenue, Prestwich, Manchester, M25 0LW
Proposal: Two/single storey extension at rear with dormer

Application No.: 58675 **App. Type:** FUL 22/06/2015 Approve with Conditions
Location: 121 Park Road, Prestwich, Manchester, M25 0DU
Proposal: Front porch/extension, two storey side/rear extension with balcony, first floor rear extension with balcony, new roof and dormers at the rear; New boundary and gates(resubmission)

Application No.: 58684 **App. Type:** FUL 14/07/2015 Approve with Conditions
Location: 70 Heywood Road, Prestwich, Manchester, M25 1FN
Proposal: Two/single storey extension at rear and conversion of existing flat roof at rear to pitched

Application No.: 58687 **App. Type:** FUL 15/06/2015 Approve with Conditions
Location: 14 Danesway, Prestwich, Manchester, M25 0FS
Proposal: Loft conversion with roof extension and side dormer

Application No.: 58690 **App. Type:** FUL 25/06/2015 Approve with Conditions
Location: 101A Rectory Lane, Prestwich, Manchester, M25 1EN
Proposal: Single storey extensions at side and rear. Revised scheme

Application No.: 58703 **App. Type:** GPDE 16/06/2015 Prior Approval Required and Refused
Location: 7 Ravensway, Prestwich, Manchester, M25 0EU
Proposal: Prior approval of single storey extension at rear

Application No.: 58710 **App. Type:** FUL 18/06/2015 Approve with Conditions
Location: 51 Bland Road, Prestwich, Manchester, M25 9WG
Proposal: Single storey extension at front (resubmission)

Application No.: 58718 **App. Type:** FUL 26/06/2015 Approve with Conditions
Location: 108 Scholes Lane, Prestwich, Manchester, M25 0AU
Proposal: Two storey extensions to side and rear

Application No.:	58730	App. Type:	ADV	13/07/2015	Approve with Conditions
Location:	53 Bury Old Road, Prestwich, Manchester, M25 0FG				
Proposal:	1 No. internally illuminated fascia sign; 1 No. internally illuminated projecting sign; 1 No. internally illuminated built up logo sign				

Application No.:	58742	App. Type:	GPDE	29/06/2015	Prior Approval Not required
Location:	103 Kings Road, Prestwich, Manchester, M25 0JS				
Proposal:	Prior notification for proposed single storey extension at rear				

Application No.:	58836	App. Type:	TEL	16/07/2015	Prior Approval Not required
Location:	1 Links Crescent, Prestwich, Manchester, M25 0GG				
Proposal:	Prior notification of single storey extension at rear				

Application No.:	58859	App. Type:	GPDE	17/07/2015	Prior Approval Not required
Location:	25 Meade Hill Road, Prestwich, Manchester, M25 0DH				
Proposal:	Prior notification for single storey extension at rear				

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

Application No.:	58676	App. Type:	FUL	15/06/2015	Approve with Conditions
Location:	5 Prestwich Park Road South, Prestwich, Manchester, M25 9PF				
Proposal:	Replacement of flat roof to detached garage with pitched roof				

Application No.:	58692	App. Type:	FUL	15/06/2015	Approve with Conditions
Location:	16 Vernon Drive, Prestwich, Manchester, M25 9RA				
Proposal:	First floor side and two storey rear extension				

Application No.:	58693	App. Type:	FUL	25/06/2015	Approve with Conditions
Location:	15 Butt Hill Avenue, Prestwich, Manchester, M25 9PN				
Proposal:	Single storey extension at side (Resubmission of 51693)				

Application No.:	58712	App. Type:	FUL	01/07/2015	Refused
Location:	Land between 7 & 11 Prestwich Park Road South, Prestwich, Manchester, M25 9PF				
Proposal:	Erection of detached dwelling with new access onto Prestwich Park Road South				

Application No.:	58731	App. Type:	LDCE	10/07/2015	Lawful Development
Location:	R T A House, 1A Rectory Lane, Prestwich, Manchester, M25 1BP				
Proposal:	Lawful development certificate for an existing use for the continuous use of Class (D1)				

Application No.:	58749	App. Type:	FUL	07/07/2015	Approve with Conditions
Location:	33 Beckley Avenue, Prestwich, Manchester, M25 9GY				
Proposal:	Two/single extension at side with rear juliet balcony and single storey extension at rear; Widening of existing driveway at front (resubmission)				

Ward: Radcliffe - East

Application No.: 58737 **App. Type:** FUL 29/06/2015 Approve with Conditions
Location: 17 Blackburn Street, Radcliffe, Manchester, M26 1NN
Proposal: New shop front

Application No.: 58738 **App. Type:** ADV 29/06/2015 Approve with Conditions
Location: 17 Blackburn Street, Radcliffe, Manchester, M26 1NN
Proposal: 1 No. internally illuminated fascia sign and 1 no. internally projecting sign

Application No.: 58745 **App. Type:** FUL 02/07/2015 Approve with Conditions
Location: 30 Hamer Street, Radcliffe, Manchester, M26 2RS
Proposal: Single storey extension at rear

Application No.: 58889 **App. Type:** GPDE 16/07/2015 Prior Approval Not required
Location: 17 Sherwood Avenue, Radcliffe, Manchester, M26 4LE
Proposal: Prior notification of proposed single storey extension at rear

Ward: Radcliffe - North

Application No.: 58661 **App. Type:** FUL 25/06/2015 Approve with Conditions
Location: Radcliffe Borough Associated Football Club, Colshaw Close East, Radcliffe, Manchester, M26 3PE
Proposal: Construction of 2 no. turnstiles and 2 no. ticket offices; Single storey extension to form refreshment bar and single storey extension to form toilet block

Application No.: 58663 **App. Type:** FUL 22/06/2015 Approve with Conditions
Location: 37 Arthur Lane, Ainsworth, Bolton, BL2 5PR
Proposal: Single storey extension at side

Application No.: 58665 **App. Type:** FUL 22/06/2015 Approve with Conditions
Location: 53 Cockey Moor Road, Ainsworth, Bolton, BL2 5RE
Proposal: Conversion of swimming pool building at rear to family annexe

Application No.: 58694 **App. Type:** FUL 15/06/2015 Approve
Location: 7A Plymouth Grove, Radcliffe, Manchester, M26 3WU
Proposal: Conservatory at rear (retrospective)

Application No.: 58777 **App. Type:** FUL 14/07/2015 Approve with Conditions
Location: Kiln Clough, Bradley Fold Road, Radcliffe, Bolton, BL2 5QR
Proposal: Roof extension with roof lights; raised decking and handrail

Ward: Ramsbottom + Tottington - Tottington

Application No.: 58716 **App. Type:** FUL 09/07/2015 Approve with Conditions
Location: 20 First Avenue, Tottington, Bury, BL8 3JA
Proposal: Two storey extension at side and rear (resubmission)

Application No.: 58723 **App. Type:** GPDE 22/06/2015 Prior Approval Required and Granted
Location: 4 Owlerbarrow Road, Bury, BL8 1RD
Proposal: Prior notification for a proposed single storey extension at rear

Application No.: 58751 **App. Type:** FUL 02/07/2015 Refused
Location: 62 Market Street, Tottington, Bury, BL8 3LJ
Proposal: New first floor level door at rear with balcony and accessway/steps (retrospective)

Application No.: 58799 **App. Type:** LDPC 06/07/2015 Lawful Development
Location: 11 Croft Drive, Tottington, Bury, BL8 3HT
Proposal: Lawful development certificate for proposed first floor dormer extension to the rear of the property

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.: 58700 **App. Type:** FUL 29/06/2015 Approve with Conditions
Location: 17 Whittingham Drive, Ramsbottom, Bury, BL0 9LZ
Proposal: Two/single storey extension at rear and garage conversion

Application No.: 58758 **App. Type:** FUL 14/07/2015 Refused
Location: 31 Peel Brow, Ramsbottom, Bury, BL0 0AL
Proposal: Loft conversion with dormer at rear

Application No.: 58783 **App. Type:** FUL 14/07/2015 Refused
Location: 23 Raylees, Ramsbottom, Bury, BL0 9HW
Proposal: Two storey extension at side/rear with juliet balcony at rear

Ward: **Whitefield + Unsworth - Besses**

Application No.: 58701 **App. Type:** GPDE 18/06/2015 Prior Approval Required and Granted
Location: 14 Wavell Drive, Bury, BL9 8PG
Proposal: Prior Notification for a single storey extension at the rear

Application No.: 58746 **App. Type:** LDPC 14/07/2015 Lawful Development
Location: 171 Moss Lane, Whitefield, Manchester, M45 8DZ
Proposal: Certificate of lawfulness for proposed single storey rear extension

Application No.: 58770 **App. Type:** FUL 14/07/2015 Approve with Conditions
Location: 22 Mountbatten Close, Bury, BL9 8PU
Proposal: Single storey extensions at rear and front

Application No.: 58819 **App. Type:** GPDE 07/07/2015 Prior Approval Not required
Location: 63 Balmoral Avenue, Whitefield, Manchester, M45 6BB
Proposal: Prior Notification for a single storey extension at rear

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

Application No.: 58671 **App. Type:** FUL 03/07/2015 Approve with Conditions
Location: 24 Ringley Road, Whitefield, Manchester, M45 7LE
Proposal: Two storey extensions to side, front & rear and single storey rear extension and addition of dormers to roof

Application No.: 58721 **App. Type:** FUL 26/06/2015 Approve with Conditions
Location: 2 Lower Croft, Whitefield, Manchester, M45 7NS
Proposal: Two storey front extension

Application No.: 58722 **App. Type:** FUL 02/07/2015 Approve with Conditions
Location: 15 Oakdale Close, Whitefield, Manchester, M45 7LU
Proposal: Two storey side extension and first floor extension to rear

Application No.: 58764 **App. Type:** FUL 29/06/2015 Approve with Conditions
Location: 15 Wingate Drive, Whitefield, Manchester, M45 7GX
Proposal: Roof extensions with dormers at front and rear to create habitable rooms in loft

Application No.: 58778 **App. Type:** FUL 14/07/2015 Approve with Conditions
Location: 60 Parkstone Avenue, Whitefield, Manchester, M45 7QH
Proposal: Demolition of existing property boundary fencing and walls. Erection of boundary walls including gates.

Application No.: 58779 **App. Type:** FUL 14/07/2015 Approve with Conditions
Location: 34 Ringley Drive, Whitefield, Manchester, M45 7HS
Proposal: New Canopy at front; First floor side/rear extensions with Juliet balconies at rear

Application No.: 58800 **App. Type:** FUL 14/07/2015 Approve with Conditions
Location: 46 Ferndale Avenue, Whitefield, Manchester, M45 7QP
Proposal: Single storey extension at front; Render to front and side elevations

Ward: **Whitefield + Unsworth - Unsworth**

Application No.: 58418 **App. Type:** FUL 07/07/2015 Approve with Conditions
Location: 129 Croft Lane, Bury, BL9 8QH
Proposal: Change of use of existing pub (Class A4) with ancillary residential accommodation to: Plaster training centre (Class D1) and associated showroom (Class A1) on ground floor; Separate dwelling (Class C3) at ground and first floor; Retention of existing residential accommodation at first floor (Class C3); Demolition of existing outbuilding at rear to form yard for separate dwelling (resubmission)

Application No.: 58652 **App. Type:** REG3 29/06/2015 Approve with Conditions
Location: Elmhurst Residential Home, Whalley Road, Whitefield, Manchester, M45 8WZ
Proposal: Change of use of care home to a mixed use care home, hairdressers (A1) and cafe (A3) (to be open to members of the public)

Application No.: 58681 **App. Type:** FUL 01/07/2015 Approve with Conditions
Location: 150 Hollins Lane, Bury, BL9 8AW
Proposal: Erection of detached dwelling (revised house type)

Application No.: 58683 **App. Type:** FUL 22/06/2015 Approve with Conditions
Location: 53 Mather Avenue, Whitefield, Manchester, M45 8WX
Proposal: Single storey extension at side/rear

Application No.: 58696 **App. Type:** FUL 15/06/2015 Approve with Conditions
Location: 28 Sunny Bank Road, Bury, BL9 8HF
Proposal: Single storey extension at rear; First floor extension at side over existing garage

Application No.: 58711 **App. Type:** FUL 02/07/2015 Approve with Conditions
Location: Jackson Fold Farm, Pilsworth Road, Bury, BL9 8QZ
Proposal: Conversion of barn into 6 no. dwellinghouses and single storey rear extension with associated gardens, shared access and car parking

Application No.: 58789 **App. Type:** FUL 13/07/2015 Approve with Conditions
Location: Land adjacent to Whitebrow House, Off Hollins Brow, Bury, BL9 8DD
Proposal: Change of use of land to form extension to domestic garden

Application No.: 58844 **App. Type:** LDCP 16/07/2015 Refused
Location: 10 Plantation Grove, Bury, BL9 8LS
Proposal: Lawful Development Certificate for proposed part demolition of existing conservatory and conversion to solid extension.

Total Number of Applications Decided: 91

REPORT FOR DECISION

Agenda Item 6

Bury
COUNCIL

Agenda
Item

6

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	28 July 2015
SUBJECT:	PLANNING APPEALS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
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 - Determined <p>Enforcement Appeals</p> <ul style="list-style-type: none"> - None to report
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to 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:-

Contact Details:-

David Marno, Head of Development Management
Planning Services, Department for Resources and Regulation,
3 Knowsley Place ,Bury BL9 0EJ

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

**Planning Appeals Decided
between 14/06/2015 and 19/07/2015**



Application No.: 57676/FUL	Appeal Decision: Allowed
Decision level: DEL	Date: 26/06/2015
Recommended Decision: Refuse	Appeal type: Written Representations
Applicant: Mr Kamran Khan	
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.: 57678/FUL	Appeal Decision: Dismissed
Decision level: DEL	Date: 19/06/2015
Recommended Decision: Refuse	Appeal type: Written Representations
Applicant: Miss Anna Livesey	
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.: 58134/FUL	Appeal Decision: Allowed
Decision level: DEL	Date: 06/07/2015
Recommended Decision: Refuse	Appeal type: Written Representations
Applicant: Mrs L Horrocks	
Location: Sunny Bank, Arthur Lane, Ainsworth, Bolton, BL2 5PN	
Proposal: Conversion of detached stable block to a separate dwelling with single storey extension	
Application No.: 58291/FUL	Appeal Decision: Dismissed
Decision level: DEL	Date: 15/07/2015
Recommended Decision: Refuse	Appeal type: Written Representations
Applicant: Mr Manzoor Butt	
Location: 62 Sheepfoot Lane, Prestwich, Manchester, M25 0DN	
Proposal: Single storey extension at front, two storey extension at side and first floor extension at rear with juliet balcony	
Application No.: 58340/FUL	Appeal Decision: Dismissed
Decision level: DEL	Date: 15/06/2015
Recommended Decision: Refuse	Appeal type: Written Representations
Applicant: Mr Iain Smith	
Location: 4 Brookhouse Close, Tottington, Bury, BL8 4QN	
Proposal: Single storey extension with balcony above at the front	

Appeal Decision

Site visit made on 4 June 2015

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 26 June 2015

Appeal Ref: APP/T4210/W/15/3004854

431 Bury New Road, Prestwich, Manchester, M25 1AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Kamran Khan against the decision of Bury Metropolitan Borough Council.
 - The application Ref 57676, dated 18 June 2014, was refused by notice dated 18 August 2014.
 - The development proposed is the change of use from a dog grooming parlour to private hire booking office.
-

Decision

1. The appeal is allowed and planning permission is granted for the change of use from dog grooming parlour to private hire booking office at 431 Bury New Road, Prestwich, Manchester, M25 1AF in accordance with the terms of the application, Ref 57676, dated 18 June 2014, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 431BNR/1.
 - 3) The shop window of the unit to which this permission relates shall always retain clear glazing of which no more than a total of 25% will be opaque, obscured, or obstructed, including covered by stickers, at any time.

Procedural Matter

2. I have used the Council's description of development as it is more concise.

Main Issues

3. The main issues are the effect of the proposed change of use upon (i) the vitality and viability of Prestwich Town Centre and (ii) highway safety.
-

Reasons

Vitality and Viability

4. The site is located within a busy town centre which contains a variety of day and night-time uses such as shops, cafes, restaurants, and pubs. At my visit I saw that the shop-front of the premises clearly advertises the taxi use which appears to be taking place on the first floor. The ground floor appeared to be empty and not in use for the purposes of receiving customers. I noted, however, that clients are invited to ring a buzzer for attention and therefore, it is already possible to make a booking, in person, from the premises. Nevertheless, I note that Condition 3 of the permission (Ref: 57900) for the use of the first floor prohibits this practice. The proposed plans show that bookings would be taken on the ground floor behind a public counter and the appellant confirms in his statement that bookings would be taken from inside the shop.
5. In this respect, given that there is a shop front and that customers would be going into the building to make the bookings, there would be footfall just as there would be for any other public office such as an estate agent or bank, or indeed its previous use as a dog grooming parlour. The use would be complementary to that of the surrounding town centre uses in that it would provide a place for shoppers and evening users to go into to order their transport home. Therefore, I disagree with the Council that the proposal would create a "dead" frontage with minimal footfall. I note that the Council does not claim that there would be a loss of an A1 use.
6. I therefore conclude that the proposal would not have a harmful effect upon the vitality and viability of Prestwich Town Centre and there would be no conflict with Policy S1/2 of the adopted Bury Unitary Development Plan, 1997, (UDP) which seeks to maintain the retail role of the town centre. I also find no conflict with UDP Policy S2/3 which, whilst it seeks to maintain retailing as the predominant land use, says that changes of use will be assessed on their merits and will take into account the provision of a display window.

Highway Safety

7. The proposed development would have no off road vehicle-passenger collection point. Nevertheless, it is usual for taxis to collect passengers on the highway and there are parking bays on both sides of the road very close to the premises. At the mid-morning time of my visit there was plenty of space available to park in both of these bays. During the daytime the bays are subject to parking restrictions which require stays to be no more than one hour and for there to be no return within an hour. These restrictions do not prevent cabs stopping and collecting passengers and I consider it is likely that taxis collecting fares from the premises would make use of these bays. Given that the local highway authority has provided these bays it must have been accepted that it is safe to stop, park and pull off in this location.
8. I note the Council's assertion that taxis would come and go at a significantly greater rate than shoppers' cars. However, if taxis were to park there more than the restrictions allow, this would be a matter for the Council to enforce. Moreover, I cannot make the assumption that drivers will not be law abiding. I also note the Council's comments that the parking bays are intended for the use

of shoppers but it is likely that the customers of the taxi service would also include shoppers, thereby maintaining a shoppers' use. I appreciate that the Council is concerned that cars might reverse from the side road, Albion Place, onto the busy main road. However, given that it would be easier to stop elsewhere, and that reversing onto a busy road is an inconvenient manoeuvre, I have no real reason to believe that this would actually happen.

9. I therefore conclude that the proposed change of use would not have a harmful effect upon highway safety and there would be no conflict with UDP Policy EC4/1 which indicates that small businesses will be acceptable when the scale of the development is appropriate to, and the use is environmentally compatible with, the surrounding area. Neither do I find conflict with HT2/4 and HT2/8 which indicate that development should have adequate provision for car parking. The Council's decision notice also refers to UDP Policies HT2 and HT6/2 but given that these relate to highway and pedestrian improvement schemes they are not directly relevant to the appeal proposal.

Other Matters

10. I have considered the representations from a neighbour in respect of anti-social behaviour but I have no real evidence that this is likely to occur as a result of the change of use in this location, especially as customers would have a facility to wait inside of the building rather than on the street. I have considered all other matters raised but none outweigh the conclusions I have reached.

Conditions

11. I have considered the Council's suggested conditions against the advice in the Planning Practice Guidance. In addition to the standard implementation condition it is necessary, for the avoidance of doubt, to define the plan with which the scheme should accord. I have not imposed a condition requiring bookings to be taken only by telephone or radio because I have considered the appeal on the basis that there is a public booking office as proposed on the submitted plans. I have not imposed a condition preventing drivers entering the premises because it is not necessary or enforceable. For the same reason I have not imposed a condition prohibiting vehicles visiting the site. I impose a condition to ensure that a clear shop window is retained in the interest of maintaining the retail character of the area.

Conclusion

12. For the above reasons, the appeal is allowed subject to the conditions above.

Siobhan Watson

INSPECTOR

Appeal Decision

Site visit made on 15 June 2015

by Mr A Thickett BA(Hons) BTP MRTPI DipRSA

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

Decision date: 19 June 2015

Appeal Ref: APP/T4210/W/14/3001691

201 Booth Street, Tottington, Lancashire, BL8 3JD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Anna Livesey against the decision of Bury Metropolitan Borough Council.
 - The application Ref 57678, dated 14 June 2014, was refused by notice dated 18 August 2014.
 - The development proposed is the change of use of land to residential and the erection of fencing (retrospective).
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the description of development given on the Council's decision notice as it more accurately reflects the development for which planning permission is sought.

Main Issue

3. The main issue is the impact of the proposed development on highway safety.

Reasons

4. The appellant occupies an end of terrace property. Between her house and the next row is a wide gap which provides access to un made tracks which run to the rear of the houses on each row. The gap opens out on to the junction of Booth Street, Rhode Street and another rear access and the movement of traffic at the junction is controlled by a mini roundabout. There is little, if any off street parking in this close knit area of terrace housing and cars are parked on either side of Booth Street.
5. The appellant has enclosed about half of the space between the two terraces. The front section adjoins Booth Street and provides parking. It is fenced off from the rear section which is used a private amenity space.
6. As a result of dividing the space there are now two points of access side by side onto the mini roundabout. This could potentially lead to two vehicles seeking to move out onto the mini roundabout at the same time, each one impeding the visibility of the other driver (as well as being closer to the garden walls on either side with consequent adverse impacts on visibility). It would be possible

in the space enclosed by the appellant to undertake a multi point turn in order to drive out in forward gear. However, it would be such an awkward manoeuvre that drivers are more likely to be tempted to reverse out on to the roundabout which would be extremely hazardous. Further, such a manoeuvre would be impossible with two cars parked in the space at the side of No. 201.

7. The appellant argues that it would be possible to reverse round into the other half of the gap and enter the roundabout in a forward gear. However, a swept path analysis produced by the Council indicates that doing so would result in the back of the car encroaching into the highway. Further, it shows that the gap is too small for the manoeuvre to be carried out in one movement. The appellant contends that the analysis is flawed as it does not specify the size of the vehicle but, from my observations, the dangerous consequences of the manoeuvre for pedestrians and drivers highlighted by the analysis appear highly likely. Further, it is not possible to stipulate that the occupiers of No. 201 may only own a small car.
8. The Council submit a photograph taken before the appellant enclosed the land which shows that it would have been possible to park two or three vehicles in a line alongside Nos. 199 or 201. Enclosing the land has not only reduced the amount of space available but restricted the space to the side of No. 199 such that cars parked there would impede larger vehicles, as evidenced by the representations from the Council's refuse service. The consequence of this is likely to be either large vehicles obstructing the highway as drivers seek to navigate the tight space or additional vehicles parked on a street already suffering from parking stress.

Conclusions

9. The appellant contends that the works have been carried out in part in order to provide her children with a safe place to play. I appreciate her concern but there is a small yard to the rear of No. 201 which is similar in size to other houses in the street.
10. For the reasons given above and having regard to all matters raised, I find that the proposed development has an adverse impact on highway safety. I conclude that the proposal conflicts with Policies H2/3 and HT2/4 of the Bury Unitary Development Plan 1997 and that the appeal should be dismissed.

A Thickett

Inspector

Appeal Decision

Site visit made on 18 May 2015

by Graham M Garnham BA BPhil MRTPI

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

Decision date: 6 July 2015

Appeal Ref: APP/T4210/W/15/3002886

Sunnybank, Arthur Lane, Ainsworth, Bolton, BL2 5PN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs L Horrocks against the decision of Bury Metropolitan Borough Council.
 - The application Ref 58134, dated 2 November 2014, was refused by notice dated 6 January 2015.
 - The development proposed is conversion of detached stable block to a separate dwelling plus extension.
-

Decision

1. The appeal is allowed and planning permission is granted for conversion of detached stable block to a separate dwelling plus extension at Sunnybank, Arthur Lane, Ainsworth, Bolton, BL2 5PN in accordance with the terms of the application Ref 58134, dated 2 November 2014, subject to the conditions in the Schedule at the end of this decision.

Procedural Matter

2. The Council's second reason for refusal is that the red-edged site on the Location Plan (1:1250) conflicts with that on the Site Plan (1:200). The parties agreed at the site visit that the larger scale plan is more accurate and that, if I was minded to give planning permission, this matter could be conditioned in the interests of clarity and for the avoidance of doubt.

Main Issues

3. The parties agree that the proposal would not be inappropriate development in the Green Belt. It would involve the enlargement of a substantially constructed existing building by not more than 25%. The building has not been extended since it was first erected. On this basis I consider that the proposal would involve the extension and alteration of a building in a way that would not result in disproportionate additions over and above the size of the original building. Thus the proposal would satisfy one of the exceptions to inappropriate development as identified in paragraph 89 of the National Planning Policy Framework. However, whether the proposal would also satisfy the exception in paragraph 90 regarding the re-use of a building depends on its effect on the
-

openness of the Green Belt and the purposes of including land in it. Consequently I need to evaluate these matters further before being able to decide whether the proposal would be inappropriate development and, as a result, the existence of very special circumstances would need to be demonstrated before planning permission could be given.

4. I therefore consider that the main issues are:
- (i) whether the proposal would be inappropriate development for the purposes of the National Planning Policy Framework and development plan policy;
 - (ii) whether any harm would arise with respect to the character and appearance of the area; and
 - (iii) if there is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances needed to justify the development.

Reasons

5. The appeal site lies just east of Arthur Lane and would use an existing point of access. The stable block is close to the road and aligned at about 90 degrees to it. The proposed residential curtilage would be mainly to the front (including 2 parking spaces) and to part of the rear of the building. The appellant owns other land around the building, between it and the road and to the south and east, as well as the very large residential grounds of Sunnybank to the north.

First main issue – whether there would be inappropriate development

6. Paragraph 90 of the Framework says that the re-use of buildings of permanent and substantial construction will not be inappropriate development in the Green Belt “provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt”. There is no doubt that the building is of permanent and substantial construction.
7. The enlargement of the existing building, even by an amount that would not be disproportional to its original size, would nonetheless increase the amount of built development in the Green Belt with a commensurate reduction in openness. However, the context of this change is important. Firstly, the building to be extended is not itself large. Secondly, the residential curtilage to be created would be small, and could be in part screened from view from Arthur Lane by planting on adjoining land owned by the appellant. Such an outcome is shown on the 1:200 scale Site Plan, is offered by the appellant, and could be secured by a planning condition. Thirdly, the new residential curtilage would be much smaller than the very large grounds of Sunnybank. Fourthly, Sunnybank itself is a large detached house, at one end of a row of 3 similarly sized houses in the Green Belt. In these circumstances I consider that the proposal would have only a limited effect on openness. In material terms, I consider that the openness of the Green Belt would be preserved.
8. The five purposes served by Green Belt are listed in paragraph 80 of the Framework. I consider that the only purpose with which the proposal might conflict would be safeguarding the countryside from encroachment. However,

the appeal site is small in size and is well separated by intervening open land from the settlement of Ainsworth to the east. I consider that the proposal would have no material effect on encroachment.

9. Policy OL1/4 in the Bury Unitary Development Plan [UDP] (1997) sets out the criteria to be satisfied if buildings are to be converted and re-used in the Green Belt. Although this Policy pre-dates the Framework by many years, I consider that it is consistent with the Framework concerning the matters to which I have had regard in the previous 3 paragraphs. I also agree with the Inspector in an earlier appeal for a similar proposal at the site, that the change to the building would fall within the allowable degree of extension contained in both national and local policy (Ref APP/T4210/A/13/2207501, dated 30 January 2014).
10. I conclude that, in the absence of material harm to either the openness of the Green Belt or the purposes of including land in it (and by virtue of not being a disproportionate addition to the original size of an existing building), the proposal would not be inappropriate development for the purposes of the National Planning Policy Framework and development plan policy.

Second main issue – effect on character and appearance

11. The Council says that the proposal would have a seriously detrimental impact on the character and appearance of the Green Belt, the Special Landscape Area and West Pennine Moors. It has not provided its own character assessment of any of these 3 policy designations, against which I can weigh its criticisms of the proposal. Hence I have to rely on my observations at the site visit.
12. The appeal site is located in an area of open countryside between Ainsworth and the outskirts of Bolton to the west. It is mainly farmland, but with a liberal scattering of buildings and developed curtilages. Some of these are residential, and many of the buildings are larger and more prominent in the landscape than the modest scale of the appeal proposal. The physical changes at the appeal site would be limited and, subject to the landscaping referred to in paragraph 7 above, would be largely hidden within the wider landscape. I agree that, in retaining false stable doors on the front elevation, the building would tend towards a 'mock horsicultural' appearance as alleged by the Council. However, as this part of the building would mainly be seen only in glimpses when passing the site entrance, I consider that it would continue to be perceived as a stable block. It is necessary for details of the finished building to be approved in order to secure a satisfactory appearance. Details of the hardstanding at the front of the building, and of the means of enclosure, also need to be approved, for the same reason.
13. In normal circumstances, a change of use to residential would bring rights to permitted development to enlarge or alter the building, including such matters as changes to its roof, adding a porch, and constructing outbuildings, additional hardstandings or fuel storage containers. Some of these items may be obscured once adjoining landscaping matures. However, to prevent obtrusive or incongruous additions being made that would harm the openness of the Green Belt or the character and appearance of the area, I consider that it is necessary to withdraw permitted development rights to these kinds of changes, thus requiring prior scrutiny by the local planning authority if they are to occur.

14. Local residents have drawn attention to the fact that the site can be seen from within a conservation area in Ainsworth. I viewed the site from the rear of a terrace at the north end of Delph Lane. Although the existing building can clearly be seen, it is a minor feature in the landscape, for example compared to Sunnybank and its neighbours. At a distance I estimate to be about 100 metres from the terrace I consider that no material harm would arise to the setting of the conservation area.
15. Overall, and subject to the conditions I have identified as being necessary, I find that the proposal would be generally in keeping with the character of the local landscape, have no significantly detrimental effects on the surrounding area and not be unduly obtrusive. In these respects it would accord with the provisions of UDP Policies OL7/2, EN1/1 & EN9/1, which respectively concern the West Pennine Moors, visual amenity and Special Landscape Areas.
16. The Council has also referred to its Supplementary Planning Document, *Conversion and Re-use of Buildings in the Green Belt* (2007). Among other things, this SPD says that modern buildings that incorporate materials such as concrete blocks are not usually considered acceptable for conversion. The planning application form indicates that the blockwork would be faced with green oak. I consider that this would make the kind of "positive impact" the SPD seems to seek, and could be ensured through the materials planning condition. Overall, I consider that the proposal would satisfy the criteria listed in paragraph 4.6 of the SPD, including (on the evidence of the appellant's bat report) the lack of harm to protected species. The improved appearance of the building and the landscaping south of it would also enhance the immediate setting of the building, reflecting paragraph 55 of the Framework.
17. I conclude that the proposal would not give rise to any material harm with respect to the character and appearance of the area. It would be consistent with the development plan policies and SPD guidance referred to above.

Third main issue – the need for very special circumstances

18. I have concluded at the first main issue that the proposal would not be inappropriate development in the Green Belt. There is therefore no need to demonstrate the existence of very special circumstances in accordance with paragraph 88 of the Framework.

Overall conclusion

19. I have found that the proposal would not give rise to material harm with respect to the openness of the Green Belt, the purposes of including land in it or the character and appearance of the area.
20. I have referred to the access point onto Arthur Lane. The road is a classified B road with a 60 mph speed limit. High hedges adjoin a narrow footway either side of the access, restricting visibility in both directions. I consider that, in the interests of highway safety, it is necessary to improve visibility in accordance with a condition suggested by the Council and a plan submitted by the appellant. I shall therefore impose a condition referring to this 1:100 scale Access Details Plan (long title "access details related to conversion of former swimming pool to form detached dwelling at Sunnybank, Arthur Lane, Ainsworth"). Also in the interests of highway safety it is necessary for

adequate parking and turning areas to be provided on site, as proposed, before the new dwelling is occupied.

21. The Council has also suggested a condition to require the treatment of contamination, if discovered. I have seen no evidence that such a condition is necessary in order for planning permission to be given, or that any unforeseen contamination could not be dealt with through the Building Regulations.
22. Otherwise than as set out in this decision and conditions, and for the avoidance of doubt and in the interests of proper planning, it is also necessary that the development shall be carried out in accordance with the approved plans. This condition needs to be subject to the proviso given in paragraph 2 above.
23. Local residents have raised a number of other matters not already referred to, including drainage and flood risk, the need for stables and deteriorating public transport. I have had regard to all of these, but they do not materially outweigh my findings on the main issues.
24. Overall and on balance I conclude that the proposal would not harm the Green Belt or the character and appearance of the area, and that any potential harm can be mitigated or avoided by imposing of the conditions that I have identified as being necessary.
25. There is therefore no reason to withhold planning permission and I allow the appeal.

G Garnham

INSPECTOR

Schedule of Planning Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 scale Location Plan & 1:200 scale Site Plan.
- 3) Notwithstanding Condition no.2 above, the boundary of the appeal site shall be as shown by the red line and the boundary of the residential curtilage shall be as shown by the green line, both on the approved 1:200 scale Site Plan.
- 4) No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 5) No development shall take place until details of the materials to be used in the construction of the areas of hardstanding and the means of enclosure for the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before the dwelling hereby approved is first occupied.

/continued

- 6) No development shall take place until details of the turning space and parking arrangements for two vehicles have been submitted to and approved in writing by the local planning authority. The spaces for turning and parking vehicles shall be provided in accordance with the approved details before the dwelling hereby permitted is first occupied and thereafter retained and made available at all times for the approved purposes.
- 7) No development shall take place until details of landscaping have been submitted to and approved in writing by the local planning authority. The details shall include planting adjoining the appeal site to the west and south as indicated on the approved 1:200 scale Site Plan and realigned replacement hedges as shown on the 1:100 Access Details Plan submitted in support of the application. The details shall include details of plant species, the timing of planting and provisions for replacement planing if required. The landscaping shall be carried out in accordance with the approved details.
- 8) Before the dwelling hereby approved is first occupied visibility splays shall be provided as shown on the 1:100 scale Access Details Plan submitted in support of the application. The visibility splays shall be maintained thereafter free of obstruction above a height of 0.6 metres above ground level.
- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order) no development shall be carried out within the terms of Classes A to F of Part 1 of Schedule 2 of the Order.

Appeal Decision

Site visit made on 22 June 2015

by S Ashworth BA (Hons) BPI MRTPI

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

Decision date: 15 July 2015

Appeal Ref: APP/T4210/D/15/3012605

62 Sheepfoot Lane, Prestwich, Manchester M25 0DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Manzoor Butt against the decision of Bury Metropolitan Borough Council.
 - The application Ref 58291, dated 17 December 2014, was refused by notice dated 25 February 2015.
 - The development proposed is part demolition of single storey garage to make way for double storey extension to the side of the existing semi-detached house. The main purpose is to provide improved ground floor accommodation for a disabled child including spacious bedroom, bathroom and medical equipment storage area. First floor accommodation includes additional bedroom and en-suite shower room. There are new 'Velux' rooflights proposed in the existing roof space.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council's report advises that the appellant offered to amend the scheme although I am not aware that revised plans were submitted. Notwithstanding this, it is incumbent on me to determine the appeal on the basis of plans before me.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the host dwelling and on the surrounding area.

Reasons

1. 62 Sheepfoot Lane is a two-storey semi-detached house situated within a row of similar properties in a primarily residential area. The dwellings are characterised by their regular spacing, their hipped roofs and projecting bay windows and gables, which form a rhythm in the street scene.
2. The Council's 'Alterations and Extensions to Residential Properties' Supplementary Planning Document (SPD) provides detailed advice relating to extensions to domestic properties to ensure that the character and appearance of dwellings and that of the surrounding area is retained. The SPD notes that gaps in between buildings and the space that surrounds them make an

important contribution to an area's character. To avoid the appearance of uncharacteristic terracing, the front elevation should be set back by at least 1.5m from the main frontage of the original house. In cases where extensions project up to the side boundary a set back is necessary to provide relief from what could be an otherwise continuous building mass.

3. The proposed two storey side extension would extend up to the side boundary of the site and would result in loss of space between the dwelling and its neighbour. Moreover, the proposed set back of only 0.4m at first floor level, in my judgement, is insufficient to provide any significant relief to the building mass and would result in terracing. Consequently the development would be harmful to the character and appearance of the dwelling and that of the wider area.
4. I noted at my site inspection, and from the appeal particulars, that there is a variety of extensions to the houses in this row, including two storey side extensions. Generally the first floor of those extensions is set back from the frontage although the depth of the set back appears to vary. My attention has been drawn to an extension at No 43, the set back of which, at 1m, is less than that suggested in the SPD but still more than that proposed in the application.
5. I have taken into consideration that the SPD sets out certain criteria where the set back may be relaxed. However, this particular site lies within a long row of similar houses set on a distinct building line and is opposite rather than adjacent to an area of open space. The gradient of the land is gently sloping meaning that there are not significant changes in level between properties and although there are dwellings of different styles in the wider area, the site is bounded on both sides by properties of a similar design and form. As such the site has none of the characteristics noted in the SPD that would alleviate the effect of terracing.
6. I have also taken into consideration the needs of the appellant and the functional requirements for the extension. The SPD allows for exceptions to the above criteria in cases where proposals are for disabled people who require adaptations to their home. I understand that setting the first floor back by 1.5m would mean that the internal arrangement as envisaged may not be possible. However it seems to me that the Council does not object to the principle of what would be a proportionally large extension to the property and I have no reason to disagree with this view. On this basis, I am not convinced on the evidence before me that an alternative scheme could not achieve similar benefits for the appellant and retain the character of the building and wider area.
7. For these reasons, and taking onto account all other matters raised, the appeal is dismissed.

S Ashworth

INSPECTOR

Appeal Decision

Site visit made on 18 May 2015

by Graham M Garnham BA BPhil MRTPI

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

Decision date: 15 June 2015

Appeal Ref: APP/T4210/D/15/3006999

4 Brookhouse Close, Greenmount, Bury, BL8 4QN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Iain Smith against the decision of Bury Metropolitan Borough Council.
 - The application Ref 58340, dated 9 January 2015, was refused by notice dated 24 February 2015.
 - The development proposed is re-submission of approved planning application ref. 55880 for the demolition of existing conservatory and erection of an extension, amended to include a first floor balcony.
-

Decision

1. The appeal is dismissed.

Main Issue

2. I consider that this is the effect of the proposal on the living conditions of the occupiers of no.2 Brookhouse Close.

Reasons

3. The appeal site is in a small cul-de-sac of quite modern, two storey detached houses. It is in a row of four of similar design, no.s 2-8. Planning permission already exists to replace a front conservatory with a brick and glazed ground floor extension, and this could be implemented if the appellant so wishes. The appeal proposal would project 0.2 metres further from the front wall of the house than the approved scheme, to a depth of just over 2.8 metres. The balcony would be on the flat roof of the extension, accessed by converting the bedroom window into sliding glass doors. Two angled brick piers at the front (similar to those that have been approved) would be extended upwards to provide some means of enclosure. Most of the rest of the balcony would be enclosed by glass balustrading not less than 1.1 metres high.
 4. The proposal would be a striking and prominent addition to the local street scene. The Council has not objected on the grounds of character and appearance, and I have no reason to take a different view. The concern arises from the proximity of the proposed balcony to the main front bedroom window
-

- at no.2. Both no.2 & no.4 have a main bedroom window towards one side of the front elevation but, because the designs are “handed”, that at no.2 is close to the common boundary with the appeal site. As the balcony would align with the flank wall of no.4, it would be close to this main upstairs window next door.
5. Two design features seek to avoid loss of privacy in no.2 by reason of overlooking. Firstly, the enclosure of the balcony towards no.2 would take the form of a 1.8 metre high opaque panel. Secondly, beyond this to the front of the balcony, the balustrading would be chamfered at an angle of 45 degrees away from the outer front corner. I consider that these devices would largely prevent direct overlooking from the balcony into the neighbour's bedroom window. Moreover, I consider that the chamfered corner of the balustrading would also largely remove the means of enclosure on the balcony from a reasonable line of sight from within the neighbour's bedroom. There would therefore be little material harm to visual privacy or outlook upstairs.
 6. However, notwithstanding these features, the balcony would still be close to the next door bedroom window. By its very nature, I take it that the balcony is intended to facilitate informal outdoor use when the weather permits. It would be quite a large outdoor space. Its depth would mostly be over 2.5 metres (apart from the chamfer), while I estimate that it would be about 5 metres wide. I consider that even normal conversation from a number of people on the balcony would be clearly audible next door. This would be particularly so if the bedroom window is open, which would be most likely on warm summer evenings – when use of the balcony might also be expected to occur. I have no reason to suppose that the appellant would behave in an unreasonable manner. However, any planning permission goes with the property, and future attitudes may change. Overall, I consider that the close proximity of a large outdoor space to the bedroom window next door would be unneighbourly and unduly intrusive, in terms of likely noise and disturbance outside a window where peace and quiet would be expected.
 7. I consider that this outcome would be contrary to Policy H2/3 in the Bury Unitary Development Plan (1997), which requires house extensions and alterations to have regard to the amenity of adjacent occupiers. The Council's Supplementary Planning Document, *Alterations and Extensions to Residential Properties* (2010), elaborates on this policy. This document appears not to contain guidance regarding front balconies or noise and disturbance from them. However, I consider that this omission does not reduce the weight or consequences of the harm I have identified.
 8. The occupier of no.2 is also concerned that the proposal would harm the relatively open outlook through the existing conservatory from his nearby ground floor window, near the common boundary. Moreover, he considers that this openness contributes to the security of his property by enabling informal surveillance from within the Close. I am not persuaded that the proposal is materially different from the approved scheme in this respect, or that the additional 0.2 metres of projection would add any significant harm. I also consider that the 1.8 metre high opaque panel would be largely outside normal lines of sight from the downstairs window, and add little to the sense of enclosure next door.

9. I observed the appeal site from the fronts of no.s 1 & 6 Brookhouse Close, as requested by the local planning authority. These observations do not cause me to come to any other findings regarding no.2, and neither does the presence of a front balcony at no.8. This latter feature is well clear of any neighbouring bedroom windows, and would not seem to raise the same concerns as this appeal proposal.
10. I acknowledge that planning conditions could secure the means of enclosure on the balcony as described above, to prevent overlooking. However, the determinative harm I have identified is integral to the proposal. No reasonable or enforceable conditions have been put to me that would overcome this intrinsic harm.
11. I conclude on balance that the proposal would materially detract from the living conditions of the occupiers of no.2 Brookhouse Close, by reason of un-neighbourly noise and disturbance, contrary to development plan Policy H2/3 referred to above.
12. Planning permission should therefore be withheld and I dismiss the appeal.

G Garnham

INSPECTOR

This page is intentionally left blank

REPORT FOR INFORMATION

Agenda Item 7



Agenda
Item

7

DECISION OF:	PLANNING CONTROL COMMITTEE	
DATE:	28TH JULY 2015	
SUBJECT:	DEVELOPMENT MANAGEMENT PERFORMANCE	
REPORT FROM:	DEVELOPMENT MANAGER	
CONTACT OFFICER:	DAVID MARNO	
TYPE OF DECISION:	COUNCIL OR EXECUTIVE (NON KEY DECISION)	
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain	
SUMMARY:	ANNUAL SUMMARY OF APPLICATION PERFORMANCE STATISTICS AND PLANNING LEGISLATION CHANGES AND PLANNING QUALITY FRAMEWORK	
OPTIONS & RECOMMENDED OPTION	TO NOTE THE REPORT	
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 N/A	
Statement by Executive Director of Resources:	n/a	
Equality/Diversity implications:	No (see paragraph below)	
Considered by Monitoring Officer:	n/a	
Wards Affected:	All	

Scrutiny Interest:	NO
---------------------------	----

TRACKING/PROCESS

DIRECTOR:

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

1.0 BACKGROUND

- 1.1 This is the annual update report to the Members of the Planning Control Committee, which sets out key matters and changes that affect the Development Management team and processes and by default, the Planning Control Committee.
- 1.2 Permitted Development - The last year has seen a number of changes both locally and nationally that are set out in greater detail and in addition to this, there have been changes in personnel and the way in which the team works, reflecting local conditions and changes in practice across the Council's centrally located staff and accommodation provisions. This report discusses these and sets out the implications on land use and considerations in terms of permitted development.
- 1.3 Performance – The report sets out application performance in terms of numbers and types of applications received and the speed in which decisions were issued, which is a key part of the Government's Planning guarantee.
- 1.4 Planning Quality Framework – Planning performance and speed of issuing decisions is only part of the planning process. The Planning Advisory Service have instigated an initiative to build on performance statistics through questionnaires with applicant's and agents to determine whether the quantitative performance reflects qualitative decision making.

2.0 Legislation changes

- 2.1 Planning remains within a subject of significant change by the Government, with the intention of aiding economic recovery. The general structure of changes are towards the requirement of less intervention by Local Planning authorities through the introduction of many changes of use that do not require public consultation or the consideration of the merits of a proposal, simply an accordance with a series of set criteria.
- 2.2 Permitted development has existed for many years (most commonly, people could build small extensions without the need of planning permission). However, it is the increase in allowances, resulting in for example, much bigger extensions to be built without the need for permission, as well as many different changes of use being allowed without the need for planning permission.
- 2.3 Throughout the term of the previous Government, many changes were introduced including the deletion of the many Planning Policy Statements and replacement by the NPPF; the introduction of the National Planning Policy Guidance (web based guidance allowing its updating to be quickly done), changes of use covering a temporary two year period to residential and offices resulting overall, in greater development freedom.

- 2.4 All of these changes were consolidated in the Town & Country Planning (General Permitted Development)(England) Order 2015 and its accompanying procedure order and this came into force 15 April 2015.

Town & Country Planning (General Permitted Development) (England) Order 2015

EXAMPLES

❖ House Alterations and Extensions

- Extensions can project by 8m on detached dwellings and 6m in any other case up to 2019
- Impact based criteria rather than volumetric tolerances
- Allowance of windows to be inserted (subject to obscure glazing requirements)
- Confirmation of being permitted development by virtue of a prior approval procedure i.e. a check that the proposals comply with the parameters set out

❖ Electrical Upstand for recharging vehicles

❖ Changes of use not requiring planning permission

- 2.5 Planning permission is not needed when the existing and the proposed uses fall within the same “use class”, or if the Town and Country Planning (Use Classes) Order 1987 (as amended) says that a change of class is permitted to another specified class. Appendix 1 contains a guide of the differing use classes and uses.

For example, a greengrocer’s shop could be changed to a shoe shop without the need for planning permission as these uses fall within the same ‘use class’, and a restaurant could be changed to a shop or a estate agency as the Use Classes Order allows this type of change to occur without requiring planning permission.

- 2.6 Whilst a change of use might not need permission, any external building work associated with a change of use may still require planning permission.

The table below summarises the permitted changes of use following the 2015 Use Classes Amendment Order. The table simplifies the complex legislation and should be read as a guide only, and in conjunction with the additional comments and restrictions below.

From	To
A1 (shops)	A2 , or up to 150m ² A3 subject to Prior Approval, or up to 200m ² D2 subject to Prior Approval and only if the premises was in A1 use on 5 th December 2013. A mixed use comprising an A1 or A2 use and up to 2 flats may also be permitted subject to meeting certain conditions. C3 if the cumulative floorspace of the building is under 150m ² and subject to Prior Approval.
A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments), A5 (hot food takeaways), B1 (business), D1 (non-residential institutions) and D2 (assembly and leisure) of the Schedule to the Use Classes Order, or (ii) a use as a betting office or pay day loan shop,	to a flexible use falling within A1 , A2 , A3 or B1 (business) for a single continuous period of up to 2 years beginning on the date the building and any land within its curtilage begins to be used for the flexible use or on the date given in the notice under paragraph D.2(a), whichever is the earlier.
A2 (professional and financial	A1 , or up to 150m ² A3 subject to meeting relevant criteria

services) when premises have a display window at ground level, but excluding betting offices or pay day loan shops	and Prior Approval. A mixed use comprising an A1 or A2 use and up to 2 flats may also be permitted subject to meeting certain conditions. C3 if the cumulative floorspace of the building is under 150m2 and subject to Prior Approval.
A3 (restaurants and cafes)	A1 or A2
A4 (drinking establishments)	A1 or A2 or A3 except buildings that may be defined as "community assets".
A5 (hot food takeaways)	A1 or A2 or A3
B1 (business)	Up to 500m2 B8 .
B1(a) (business)	C3 subject to meeting relevant criteria and Prior Approval.
B2 (general industrial)	B1
B2 (general industrial)	Up to 500m2 B8
B8 (storage and distribution)	Up to 500m2 B1 or C3 all subject to meeting relevant criteria and Prior Approval.
C3 (dwellinghouses)	C4 (houses in multiple occupation)
C4 (houses in multiple occupation)	C3 (dwellinghouses)
B1 (business), C1 (hotels), C2 (residential institutions), C2A (secure residential institutions) or D2 (assembly and leisure);	a state-funded school or registered nursery subject to Prior Approval or any building for a single academic year
Sui Generis (casinos and amusement arcades/centres)	D2 , or only if existing building is under 150m2 A3 or subject to Prior Approval. C3 if the cumulative floorspace of the building is under 150m2 and subject to Prior Approval.
Sui Generis (betting offices and pay day loan shops)	A1 or A2 . C3 if the cumulative floorspace of the building is under 150m2 and subject to Prior Approval. A mixed use comprising a betting office or a pay day loan shop, or an A1 or A2 use and up to 2 flats may also be permitted subject to meeting certain conditions.
Sui Generis (agricultural buildings)	A1, A2, A3, B1, B8, C1, C3, D2 , a state-funded school or registered nursery - all subject to meeting relevant criteria and Prior Approval.

- 2.7 The table provides a summary for the most common changes of use that apply in most circumstances, but there may also be further restrictions that do not allow you to implement the change of use. For example, if the property is within a Conservation Area, National Park, or Area of Outstanding Natural Beauty, or if the building is a Listed Building or Scheduled Monument, within a site of special scientific interest, safety hazard area, or military explosives area.
- 2.8 Local Planning Authorities can also remove permitted development rights in certain areas, meaning that you will require planning permission, so you should always check with your local Council before you consider undertaking any works.
- 2.9 Some changes of use are also permitted, either only on a temporary basis, and/or subject to additional restrictions.
- 2.10 Some changes of use are subject to a Prior Approval procedure with the Local Planning Authority. This seeks approval of various matters, dependent on the nature of the use, but might typically include matters relating to parking and highways, flooding, and contaminated land. In the case of A3 uses, Prior Approval is required in respect of matters relating to noise, odour, waste collection, impact of the hours of opening, transport and highways impact, impact on existing shopping provision and the design of any external changes.

All Prior Approval applications require a fee to be paid to the Local Planning Authority.

- 2.11 There are some restrictions on the change of use of public houses (Class A4) where they have been designated or could be nominated as a “community asset”. If a public house has already been defined by the Council as a community asset then there are no permitted development rights, and a planning application is required for any change of use or demolition. If the building is not a community asset, developers are required to give notice to the Local Planning Authority at least 56 days in advance of the commencement of any works. If community groups are then interested in buying the property to retain it as a community asset, then permitted development rights are temporarily removed, and the community group must be given the opportunity to purchase the property. See [Assets of Community Value \(England\) Regulations 2012](#).
- 2.12 Where a development comprises a “mixed use” in the retail uses classes and betting office / pay day loans shop category then there are also some permitted development rights for changes of use of that mixed use, similar to the presiding use identified in the table above. (See Class M).
- 2.13 Temporary permitted development rights currently apply in respect of the change of use of premises from a B1(a) office use to C3 residential use. This is subject to Prior Approval being sought in respect of flooding, contamination, highways and transport issues. For a property to benefit from C3 use, the use must begin by 30th May 2016 (See Class O).
- 2.14 Temporary permitted development rights also apply in respect of the change of use of premises from B8 storage and distribution use under 500m² to C3 residential use. This is subject to a number of criteria being met and subject to Prior Approval being sought in respect of air quality, transport and highways impacts, contamination risks, flooding risks, noise impact, and impact on the sustainability of adjoining uses. For a property to benefit from C3 use, the use must begin by 15th April 2018 (See Class P).
- 2.15 Buildings with A1, A2, A3, A4, A5, B1, D1 and D2 uses are permitted to change use for a single period of up to two years to A1, A2, A3 and B1 uses.
- 2.16 Agricultural buildings under 450sq m are permitted to change to Class C3 dwellinghouses, together with some building operations necessary to facilitate the conversion. This is subject to meeting certain criteria, including no more than 3 dwellings within an agricultural unit.
- It is also subject to Prior Approval being sought in respect of transport and highways impacts, noise impact, contamination risks, flooding risks, whether the building is suitable for a residential use, and the design or external appearance of the building (See Class Q).
- 2.17 Agricultural buildings under 500sq m are permitted to change to a flexible commercial use, comprising A1, A2, A3, B1, B8, C1 or D2 uses. This is subject to meeting certain criteria, and Prior Approval being sought in relation to uses over 150m² in respect of transport and highways impacts, noise impact, contamination risks and flooding risks (See Class R).
- 2.18 Agricultural buildings within land under 500sq m are permitted to change to a state funded school or a registered nursery. This is subject to meeting certain criteria, and Prior Approval being sought in respect of transport and highways impacts, noise impact, contamination risks, flooding risks and whether the building is suitable for the proposed use (See Class S).
- 2.19 Buildings and land within Class B1, C1, C2, C2A and D2 uses are permitted to change to a state funded school or registered nursery. This is subject to meeting certain criteria, and Prior Approval being sought in respect of transport and highways impacts, noise impact, and contamination risks (See Class T).

2.20 Changes of use requiring a planning application

- Other than for the permitted changes of use listed above and changes where both uses fall within the same use class, planning permission is generally required for a material change of use.
- Most external building work associated with a change of use is also likely to require planning permission, although [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#) does also allow some minor external changes.

Whilst many of the recently introduced classes are permitted development, there are occasions whereby there will be a need to consider some external implications including traffic, noise, flood risk, contaminated Land.

2.21 Other Development

The following is a list of other newer permitted development rights. However note that each class has set criteria and thresholds that apply within which to comply with.

- ❖ Small extensions to shops, industrial and warehouse buildings, schools, colleges universities or hospitals
- ❖ The erection of trolley stores
- ❖ The erection or construction of a click and collect facility
- ❖ The provision of a hard surface within the curtilage of a shop or catering, financial or professional services establishment, schools, colleges, universities or hospitals, office building or the replacement in whole or in part of such a surface.
- ❖ The extension or alteration of an office building.
- ❖ The installation, alteration or replacement of microgeneration solar PV or solar thermal equipment on— (a) a dwellinghouse or a block of flats; or (b) a building situated within the curtilage of a dwellinghouse or a block of flats and non-domestic premises.
- ❖ The installation, alteration or replacement of stand-alone solar for microgeneration within the curtilage of a dwellinghouse or a block of flats and non-domestic premises.
- ❖ The installation, alteration or replacement of a microgeneration ground source heat pump within the curtilage of a dwellinghouse or a block of flats and non-domestic premises.
- ❖ The installation, alteration or replacement of a microgeneration water source heat pump within the curtilage of a dwellinghouse or a block of flats and non-domestic premises.
- ❖ The installation, alteration or replacement of a flue, forming part of a microgeneration biomass heating system, on a dwellinghouse or a block of flats and non-domestic premises.
- ❖ The installation, alteration or replacement of a flue, forming part of a microgeneration combined heat and power system, on a dwellinghouse or a block of flats.
- ❖ The installation, alteration or replacement of a microgeneration air source heat pump— (a) on a dwellinghouse or a block of flats; or (b) within the curtilage of a dwellinghouse or a block of flats, including on a building within that curtilage.
- ❖ The installation, alteration or replacement of a microgeneration wind turbine on— (a) a detached dwellinghouse; or (b) a detached building situated within the curtilage of a dwellinghouse or a block of flat and free standing ones.

2.22 The Town & Country Planning (Development Management Procedure)(England) Order 2015

This document has also consolidated many of the existing and newly introduced rules that have affected the planning system. The document sets out the regulations on the processes that must be undertaken in carrying out the Development Management function.

The following is a list of some of the more recent changes that reflect the growth agenda and planning guarantee.

- ❖ Design and Access statements now are only needed for certain types of development including one or more dwellings or extensions to buildings over 100sqm
- ❖ The introduction of non-material amendment process and 28 days in which to determine them
- ❖ The introduction of a 'Validation dispute' process that where there are disagreements over what is needed to validate an application can be mutually waived and not form part of the consideration of the application
- ❖ Imposing a statutory duty on consultees to respond to consultations within 21 days and must annually report their performance against the target
- ❖ Deemed discharge of a planning condition if not determined within 28 days. Exemptions apply to conditions relating to contaminated land, flood risk, EIA related condition, affecting SSSI's, archaeology, highways accesses, requirement for reserved matters, something that would require a s106, affected by a development order, simplified planning zone, enterprise zone or crown development.
- ❖ The payment of the fee must be made for an application to be valid
- ❖ As well as giving a reason for a planning condition, the LPA must state, where pre-commencement conditions are imposed, why they need to be pre-commencement
- ❖ Regulations in relation to Local Development Orders
- ❖ Registers of local development orders and neighbourhood development orders

3.0 Planning Performance

- 3.1 Each Council is required to provide quarterly returns to DCLG on its performance on the numbers of applications received, determined and the time taken to process. The returns are gathered and published as datasets to enable a detailed picture to be understood as to the main types of work each district receives and how this work is processed.
- 3.2 Bury is a Metropolitan District Authority and as such deals with both district and County matters (the latter covering for example, minerals and waste applications). It's work type therefore is very wide and varied and requires a broad range of professional expertise in order to process the different types of applications and the expertise employed set against other local authorities shows that Bury Council performs extremely well.

District	2014/2015 totals
Bury	990
Bolton	1446
Manchester	2238
Oldham	1050
Rochdale	1028
Salford	948
Stockport	1915
Tameside	902
Trafford	1910
Wigan	1163

Comparison of published statistics ending March 2015 (adjustment is therefore needed to bring into line with the table for Bury as our figures are up to date)

- 3.3 Overleaf are the annual returns for Bury broken down into detailed datasets by application and decision type from July 13/14 and July 14/15.

Application Type	1/7/13 to 1/7/14		1/7/14 to 1/07/15	
Majors	39	100% within 13 weeks (75% nationally)	22	100% within 13 weeks (76% nationally)
Minors	231	74.46% within 8 weeks	182	80.22% within 8 weeks
Advertisements	67	92.09% within 8 weeks	45	92.62% within 8 weeks
Householder	515		503	
Listed Building Consents	14		14	
Certificates of lawful Development	41		26	
Notifications	9		24	
Changes of Use	58		80	
Conservation Area Consents	1		0	
Minerals	3		0	
Others (eg NMA's, tree applications and conditions)	N/A		94	
	978		990	

3.3 Performance across the AGMA districts has improved with other Council's issuing decisions on major applications within time, with the exception of Manchester (70%) and Wigan (72%). Comparison statistics to all authorities within the country Bury remains as a top performing authority across the country in delivering 100% of decisions on major developments within time.

3.4 The staffing and expertise that the Development Management Section has a direct correlation to the quantity and complexity of development applications that the Council receives. This is also reflected in the level of planning fees that the section receives over the year. In addition to straight numbers of applications received, the levels of fees indicate the size and or complexity of the applications that are received, which is particularly demonstrable in major proposals.

3.5 The fees received from July 1st 13/14 were £669,209 and for 1st July 14/15 were £517,950.

Staffing

3.6 The staffing within the section has changed over the last year through two VER approvals having now retired. The response to this has been to create promotion for one officer to principal planner and the introduction of one graduate post and one career grade Technical Support Officer.

3.7 The section now has:
1 x Development Manager
1 x Principal Planner
2 x Senior Planners
2 x Assistant Planners
1 x Senior Technical Support Officer

1.5 x Technical Support Officers
1 x Career Grade Technical Support Officer
1 x Senior Enforcement Officer
1 x Enforcement Officer

The trend in the economy would generally indicate a growth in the numbers of applications and increases in their complication. As is shown in the work output table above, there is always a need to monitor both income and throughput as the Government have introduced 'special measures' whereby Council's must achieve minimum delay in the issuing of decisions.

- 3.8 Currently, the special measures requirements relate only to the issuing of County matters and Majors, with the need to issues in excess of 50% of decisions within time. The trend of Government is to widen special measures to other development types, a measure which was announced within the recent budget. This sits under the initiative of the *Planning Guarantee*. The effects of becoming a special measures authority would mean that applicants have the right to apply to the Planning Inspectorate for planning permission and pay their fees directly to them. However the work is still carried out at a local level. As such, performance is directly related to the ability to deliver in terms of manpower and is keenly monitored.

4.0 Planning Quality Framework

- 4.1 Very closely related to the preceding paragraphs on performance, the Planning Advisory Service (PAS) are a Government initiative whose aim is to assist Local Planning Authorities to deliver greater efficiencies in the light of the *planning guarantee*.
- 4.2 Currently, planning service performance is judged predominantly against targets. National Indicator NI157 is the performance standard requiring councils to issue decisions on most applications within 8 or 13 weeks depending on the type/scale of development. While pursuing speed/time targets, opportunities are often missed to improve the customer experience, create more consistency and certainty, and avoid duplication and waste.
- 4.3 The Planning Quality Framework is a collection of tools and techniques to help councils understand how their Development Management service is performing. This information can be used to benchmark performance against others and/or to plan service improvements. The Framework focuses councils on the things that matter to customers. It uses real-time data about planning applications and survey information provided by people that use the planning process. It allows councils to build a more rounded picture of performance and quality. It is quick and simple, and because it plots things over time is something that councils participate in every three months.
- 4.4 Two years ago, the Government were considering introducing local fee setting regime to enable Councils to charge for planning applications based upon their time recording. However, the variance between Local Councils nationally was so great that one of the key fundamental aims of planning consistency would not have been achievable. This work however, did enable a clear understanding to determine where the 'main efforts' are required in delivering decisions and then when combined with quantitative data of applications received and throughput, performance and handling improvements could be derived instead.
- 4.5 The future for performance - PAS see this as the natural next phase of their benchmarking and improvement work. In the short/medium term PAS will help councils use the results to create more sustainable approaches to continuous improvement, and to positively influence key stakeholders and service providers by presenting a more consistent sector-wide approach to performance measurement.

PAS Benchmark	Quality Framework
You have to do it all	It's built of chunks – the more you do the better the value
All together, once per year, and if you miss the boat – tough.	You just begin. We encourage an annual review – but you have the power to bring it together whenever it suits you.
Based on understanding and improvement	Based on understanding and improvement
Strong emphasis on cost – timesheeting	Emphasis is on low hassle and ease of use. Means to end.
Quality threshold but non-judgemental.	Quality threshold *and* judgemental. We have to believe your stats.
Internal management tool	External badge of quality

- 4.6 The Planning Quality Framework starts by using much of the data that councils already send to government, supplements it with some new approaches to customer and quality feedback, and brings it all together in one, holistic report. The first steps have all been about the creation of tables through the Planning returns that all Councils have to do. These returns are then manipulated to produce clean comparable data, removing the anomalies of differing numbers of applications and types through samples of a fixed number of applications over a period of time and using mean data.
- 4.7 The *qualitative* element is the second phase of the work, whereby those people involved in the planning process such as agents, applicants and other correspondents are asked to complete a questionnaire. This is then to be analysed and would show what the perspective of those people were, who were involved or affected by the planning process. For example, if a Council took a longer than average time to determine an application, was the applicant still happy with that timeframe? Was a speedy decision appreciated? Are these views consistent across different district by the public or agents?
- 4.8 The Planning Quality Framework is well underway and the first part of the work has been completed through the creation of the tables, the insertion of the data and a set of data tables and graphs have been produced.
- 4.9 It is too early yet to set out what has been produced as the tables represent historic data that is not of the most recent returns and has no qualitative evidence built into it. As such, it is hoped that this will have been completed by the end of the year and a full report shall be written to the Committee on this work and outputs.

5.0 CONCLUSION

- 5.1 It is clear that Planning remains a key area of Government objectives in the role of delivering economic recovery and responsiveness to both a local and national level. Council's and planners alike have to adopt and adapt in this changing world of planning and from the recent budget announcement, changes to seek improvement will be ongoing.

List of Background Papers:-

Planning Statistics Returns

<https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics#live-tables>

The following links provide the detailed legislation:

- [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#)
- [The Town and Country Planning \(Compensation\) \(England\) Regulations 2015](#)
- [The Town and Country Planning \(Use Classes\) \(Amendment\) \(England\) Order 2015](#)
- [Explanatory memorandum](#) (PDF)

The Planning Quality Framework

<http://www.pas.gov.uk/planning-quality-framework>

Contact Details:-

David Marno

Development Manager

Dept. of Resource and Regulation

Bury Council

0161 253 5291

d.marno@bury.gov.uk

APPENDIX 1 – Use Classes

The following list gives an indication of the types of use which may fall within each use class. Please note that this is a guide only and it is for local planning authorities to determine, in the first instance, depending on the individual circumstances of each case, which use class a particular use falls into.

- **A1 Shops** - Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.
- **A2 Financial and professional services** - Financial services such as banks and building societies, professional services (other than health and medical services) and including estate and employment agencies. It does not include betting offices or pay day loan shops - these are now classed as “sui generis” uses (see below).
- **A3 Restaurants and cafés** - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.
- **A4 Drinking establishments** - Public houses, wine bars or other drinking establishments (but not night clubs).
- **A5 Hot food takeaways** - For the sale of hot food for consumption off the premises.
- **B1 Business** - Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area.
- **B2 General industrial** - Use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).
- **B8 Storage or distribution** - This class includes open air storage.
-
- **C1 Hotels** - Hotels, boarding and guest houses where no significant element of care is provided (excludes hostels).
- **C2 Residential institutions** - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
- **C2A Secure Residential Institution** - Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.
- **C3 Dwellinghouses** - this class is formed of 3 parts:
 - C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.
 - C3(b): up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.
 - C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.
- **C4 Houses in multiple occupation** - small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.
- **D1 Non-residential institutions** - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non residential education and training centres.
- **D2 Assembly and leisure** - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).

- **Sui Generis** - Certain uses do not fall within any use class and are considered 'sui generis'. Such uses include: betting offices/shops, pay day loan shops, theatres, houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, launderettes, taxi businesses, amusement centres and casinos.

This page is intentionally left blank