

AGENDA FOR

PLANNING CONTROL COMMITTEE

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To: All Members of Planning Control Committee

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

Dear Member/Colleague

Planning Control Committee

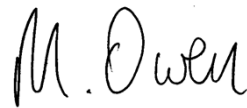
You are invited to attend a meeting of the Planning Control Committee which will be held as follows:-

Date:	Tuesday, 1 September 2015
Place:	Peel Room, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	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. 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.
Notes:	Food will be available from 5.00 pm (Balcony Bar) Pre-meeting Briefing at 5.45 pm (Lancaster Room) Details of Site Visits/Member Training will be circulated separately, for the information of Members and Officers.

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 THE MEETING HELD ON 28 JULY, 2015 *(Pages 1 - 6)*

4 PLANNING APPLICATIONS *(Pages 7 - 264)*

5 DELEGATED DECISIONS *(Pages 265 - 280)*

A report from the Head of Development Management on recent Planning decisions since the last meeting of the Planning Control Committee held on 28 July, 2015.

6 PLANNING APPEALS *(Pages 281 - 290)*

A report from the Head of Development Management on recent Planning Appeal decisions since the last meeting of the Planning Control Committee held on 28 July, 2015.

7 URGENT BUSINESS

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

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Minutes of: PLANNING CONTROL COMMITTEE

Date of Meeting: 28 July, 2015

Present: Councillor S Southworth (In the Chair)
Councillors J Black, S Briggs, M D'Albert, J Harris, R
Hodkinson, D Jones, A Matthews, E O'Brien, A Quinn, R
Skillen and Y Wright

Public attendance: 16 members of the public were in attendance

Apologies for absence: Councillor C Preston

PCC.227 DECLARATIONS OF INTEREST

Councillor Southworth declared a personal interest in respect of planning application 58732 as Chair of Governors of The Ark school. Councillor Hodkinson declared a personal interest in respect of planning application 58702 as an owner of a business within the locality and as a member of Ramsbottom Business Group. Cllr Jones declared a personal and prejudicial interest in respect of planning application 58732 as he had chaired the Licensing and Safety Panel which determined the Premises License application for the site. Cllr Jones left the room whilst this application was being considered.

PCC. 228 MINUTES

Delegated decision:

That the Minutes of the meeting held on 23 June, 2015 be approved as a correct record and signed by the Chair.

PCC.229 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: 58587; 58702; 58732; 58767 and 58801.

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

Prior to the Committee meeting, Site Visits had taken place in relation to Planning Applications 58499, 58587 and 58702.

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:

58499 Irwell Bridge Works, Kenyon Street, Ramsbottom - Ramsbottom & Tottington - Ramsbottom Ward

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

58615. Burrswood House, Newton Street, Bury - Bury East - Moorside Ward

Proposed extension to enclose lift

58662 Ashton Lodge, Great Eaves Road, Ramsbottom, Bury - Ramsbottom & Tottington - Ramsbottom Ward

Erection of single storey building to house boilers

58702 Units 5 & 5a, Kay Brow Yard, Kay Brow, Ramsbottom, Bury - Ramsbottom & Tottington - Ramsbottom Ward

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)

(Note: The Officer Recommendation was a Split Decision - to Approve with Conditions Part A: Retrospective change of use of industrial units (5 and 5A)(Class B1) to shop (Class A1) and music rehearsal venue (Class D2) and to Refuse Part B: Change of Use of industrial unit 5A to Music Bar (Class A4). The Committee debated a proposal to approve both Part A and Part B subject to additional conditions. The recommendation to Approve both Part A and B with additional conditions was proposed by Councillor Harris, seconded by Councillor Hodgkinson and agreed unanimously by the Committee).

The decision to **Approve with Conditions Part A and Part B** of the application is subject to the following Conditions:

1) The A4 bar use relating to Unit 5A hereby granted is for a limited period only, namely for a period expiring 12 months from the date of this decision notice. At the end this period, the use is required to be immediately discontinued to the satisfaction of the Local Planning Authority unless a further planning application for its continuance has been submitted (prior to the end date).

Reason. In order to retain control of the use of the premises in the interests of residential amenity pursuant to UDP Policy EC4/1 Small Businesses, S2/6 Food and Drink and 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) The A4 bar use hereby permitted in Unit 5A shall be operated by the applicant, Mr Patrick Duggan only and by no other person.

Reason. The permission has only been granted given the particular circumstances of the applicant and to protect the residential amenities of nearby residents pursuant to UDP Policies EC4/1 Small Businesses, S2/6 Food and Drink and EN7/2 Noise Pollution.

4) Before the use of the rehearsal room (Unit 5A) 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.

5) Unit 5 shall be used for guitar sales only and for no other purposes, including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or as subsequently amended.

Reason. In order to retain control of the use of the premises in the interests of residential amenity pursuant to UDP Policy EC4/1 Small Businesses and S4/1 Retail Development Outside Town and District Centres.

6) The bar (A4) and rehearsal room (D2) uses hereby permitted in Unit 5A shall not be open to customers outside the following times: 09.00 to 23.00hrs.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policies S2/6 Food and Drink and EN7/2 Noise Pollution.

58729 Park Lodge, Manchester Road Park, Manchester Road, Bury - Bury East - Redvales Ward

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

58732 Land Adjacent To The Ark, Albert Road, Whitefield, Manchester - Whitefield & Unsworth - Besses Ward

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

58754 Land at rear of 131-133 Holcombe Road, Tottington, Bury - Ramsbottom & Tottington - Tottington Ward

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

58767 Land at side of 25 Booth Way, Tottington, Bury - Ramsbottom & Tottington - Tottington Ward

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

58801 8 Glebelands Road, Prestwich, Manchester - Prestwich - Holyrood Ward

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

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:

58587 Land off Lowes Road, Bury - Bury East - Moorside Ward

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

The decision to be **Minded to Approve** the application is subject to an additional Condition 24, to read as follows:

Condition (24): Deliveries to and from the site shall be restricted between the hours of 8am and 6pm Mondays to Fridays.

Reason. In the interests of residential amenity pursuant to Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

PCC.230 DELEGATED DECISIONS

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

Delegated decision:

That the report be noted.

PCC.231 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. The report included copies of the Planning Inspectorate's decisions in respect of Planning Applications 57676, 57678, 58134, 58291 and 58340. Councillor Black expressed concerns at the Planning Inspectorate's decision in respect of Planning Application 57676 commenting on the number of taxis which park for a substantial period of time outside the shop. Ian Lord, Highways Officer gave an assurance that the issues raised would be passed on to the Highways Enforcement Team for further investigation.

Delegated decision:

That the report be noted.

PCC.232 DEVELOPMENT MANAGEMENT PERFORMANCE

The Head of Development Management submitted an annual update report detailing the key matters and changes that affect the Development Management team and processes and by default, the Planning Control Committee. It was reported that most of the changes were as a result of new legislation being introduced nationally by Government. The Chair, Councillor Southworth invited questions and comments from Members of the Committee. Councillor Jones noted from the report that fees are down

and enquired if these could be amended or if they were set nationally. It was reported that fees are set nationally as there had been a variance in fees set by local authorities. A reduction in fees often reflected a decrease in the number of major applications being submitted. Members were informed that some fees are being lost through changes to legislation. Bury had seen an increase in the number of major applications recently. A further update would be provided to the Committee in December 2015. Councillor Harris asked if a change of use from retail to take away use could be made to premises without the need to apply for planning permission. The Head of Development Management confirmed that this could be the case but only for a temporary period of 2 years.

Delegated decision:

That the report be noted.

**CHAIR
COUNCILLOR SUSAN SOUTHWORTH**

(Note: The meeting started at 7.00 pm and ended at 8.20 pm)

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Title	Planning Applications
To:	Planning Control Committee
On:	01 September 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. 57810
Location:	Ramsons Restaurant, 16 Market Place, Ramsbottom, Bury, BL0 9HT	
Proposal:	Removal of existing conservatory and erection of new conservatory at first floor including removal of window at first floor at rear; Change of use of first floor flat to bar; Provision of new staircase between ground and first floor level	
Recommendation:	Approve with Conditions	Site Visit: Y
02	Township Forum - Ward: Ramsbottom and Tottington - Ramsbottom	App No. 58025
Location:	Ramsons Restaurant, 16 Market Place, Ramsbottom, Bury, BL0 9HT	
Proposal:	Listed Building Consent for removal of existing conservatory and erection of new conservatory at first floor including removal of window at first floor at rear; Change of use of first floor flat to bar; Provision of new staircase between ground and first floor level	
Recommendation:	Approve with Conditions	Site Visit: Y
03	Township Forum - Ward: North Manor	App No. 58230
Location:	The Island, Railway Street, Summerseat, Bury, BL9 5QJ	
Proposal:	Erection of four new houses, change of house types for two existing detached properties on site and amended house types for four properties in mill with amended curtilage	
Recommendation:	Approve with Conditions	Site Visit: N
04	Township Forum - Ward: Bury West - Elton	App No. 58413
Location:	Land to the West of 149 Brandlesholme Road, Bury, BL8 1BA	
Proposal:	Reserved Matters application following Outline planning approval 54738 for construction of 39 houses and 18 flats, junction improvements, new access road and associated landscaping	
Recommendation:	Minded to Approve	Site Visit: N
05	Township Forum - Ward: Prestwich - St Mary's	App No. 58655
Location:	Land at Valley Park Road/Clifton Road Prestwich, Manchester, M25 3TG	
Proposal:	Erection of 97 no. residential units (Class C3) comprising 67 no. dwellings and 30 no. apartments with associated landscaping, access arrangements and car parking and substation and creation of pond and woodland walk and seating area	
Recommendation:	Minded to Approve	Site Visit: Y

06	Township Forum - Ward:	Bury East - Redvales	App No.	58708
	Location:	192 Manchester Road, Bury, BL9 9BD		
	Proposal:	Change of use of ground floor from residential dwelling (Class C3) to nursery (Class D1); Stepped access at rear		
	Recommendation:	Approve with Conditions	Site Visit:	N
07	Township Forum - Ward:	Bury East - Redvales	App No.	58709
	Location:	192 Manchester Road, Bury, BL9 9BD		
	Proposal:	1 No. stainless steel sign		
	Recommendation:	Approve with Conditions	Site Visit:	N
08	Township Forum - Ward:	Whitefield + Unsworth - Besses	App No.	58786
	Location:	Moss Lane Industrial Estate, Egremont Close, Whitefield, Manchester, M45 8FH		
	Proposal:	Change of use from warehouse and distribution unit (Class B8) to dog day care and grooming (Sui Generis) (retrospective)		
	Recommendation:	Approve with Conditions	Site Visit:	N
09	Township Forum - Ward:	Ramsbottom and Tottington - Ramsbottom	App No.	58807
	Location:	Land to rear of Grants Arms Hotel, Market Place, Ramsbottom, Bury, BL0 9AJ		
	Proposal:	Erection of 24 (Cat C) flats for retirement housing for the elderly, communal facilities, landscaping and car parking		
	Recommendation:	Minded to Approve	Site Visit:	N
10	Township Forum - Ward:	Radcliffe - East	App No.	58810
	Location:	Land at Spen Moor, Bury and Bolton Road, Radcliffe, Manchester, M26 4JY		
	Proposal:	Reserved Matters for appearance, landscaping, layout and scale following grant of Outline planning permission 55003 for residential development of 191 dwellings, creation of ecological enhancement ponds and access off Bury and Bolton Road		
	Recommendation:	Minded to Approve	Site Visit:	N
11	Township Forum - Ward:	Ramsbottom + Tottington - Tottington	App No.	58820
	Location:	Green Bank, Green Street, Walshaw, Bury, BL8 3BJ		
	Proposal:	Erection of 1 no. new dwelling with driveway within the garden area of		

Green Bank with an additional communal car parking space to Green Street and new driveway adjacent Greenbank Cottage

Recommendation: Approve with Conditions **Site Visit:** N

12 Township Forum - Ward: Radcliffe - North **App No.** 58846

Location: 87 Church Street, Ainsworth, Bolton, BL2 5RD
Proposal: Variation of condition no.2 (approved plans) of planning permission 57571 and removal of conditions 4 (materials), 8 (drainage) and 9 (boundary planting)
Recommendation: Approve with Conditions **Site Visit:** N

13 Township Forum - Ward: Ramsbottom + Tottington - Tottington **App No.** 58860

Location: Land Between Lynton & 88 Watling Street, Affetside, Bury, BL8 3QW
Proposal: Erection of 1 no. dwelling
Recommendation: Approve with Conditions **Site Visit:** N

14 Township Forum - Ward: Radcliffe - North **App No.** 58882

Location: Wesley Methodist Primary School, Forth Road, Radcliffe, Manchester, M26 4PX
Proposal: Creation of all weather synthetic sports pitch (resubmission)
Recommendation: Approve with Conditions **Site Visit:** N

15 Township Forum - Ward: Whitefield + Unsworth - Pilkington Park **App No.** 58890

Location: Aldi Foodstore Ltd, Higher Lane, Whitefield, Manchester, M45 7EA
Proposal: Demolition of store at rear; erection of single storey extension at front & rear; provision of new entrance portico & trolley store; amendments to car park layout and new LED lighting to existing lighting columns
Recommendation: Approve with Conditions **Site Visit:** Y

16 Township Forum - Ward: Whitefield + Unsworth - Pilkington Park **App No.** 58947

Location: 3 The Meadows, Old Hall Lane, Whitefield, Manchester, M45 7RZ
Proposal: Retention of amateur radio mast (max 12.2m) and associated antenna
Recommendation: Approve with Conditions **Site Visit:** Y

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 01

Applicant: Venetian Hideaway

Location: Ramsons Restaurant, 16 Market Place, Ramsbottom, Bury, BL0 9HT

Proposal: Removal of existing conservatory and erection of new conservatory at first floor including removal of window at first floor at rear; Change of use of first floor flat to bar; Provision of new staircase between ground and first floor level

Application Ref: 57810/Full

Target Date: 24/11/2014

Recommendation: Approve with Conditions

Description

The building is located at the end of a terraced row of commercial properties. The building is constructed from stone and slate and is a Grade II listed building and is in the Conservation Area. The building is in use as a restaurant with retail units and accountants in the row.

There is a block of apartments to the east and commercial properties to all other boundaries. The block of apartments to the east and Market Chambers to the north west are both Grade II listed buildings.

The proposed development involves the demolition of an existing conservatory at first floor level and the erection of an extension at first floor including the removal of the window in the rear elevation; the change of use of the first floor flat to bar and the provision of a new staircase between the ground and first floor level.

The proposed extension would measure 4.5 metres by 8.3 metres and would be constructed from stone and slate with conservation rooflights. The existing window in the rear elevation of the building would be removed to facilitate access into the proposed extension. There would be a balcony area, which would measure 3.8 metres by 1 metre and a glazed screen would be located on the northeastern boundary.

The first floor would be used as a bar in conjunction with the restaurant use below. A new staircase would be provided to connect the ground floor and the first floor.

Relevant Planning History

49352 - New lighting to existing restaurant signage at 16 - 18 Market Place, Ramsbottom. Approved with conditions - 16 April 2008.

49353 - Listed building consent for relocation of existing kitchen extract fan, proposed illumination of existing restaurant signage at 16 - 18 Market Place, Ramsbottom. Withdrawn - 3 April 2008.

49478 - Relocation of extractor fan and new lighting for restaurant signage at 16 - 18 Market Place, Ramsbottom. Withdrawn - 3 April 2008.

49791 - Relocation and retention of extractor fans; retention of air conditioning unit; new lighting to restaurant signage (resubmission) at 16 - 18 Market Place, Ramsbottom. Approved with conditions - 22 May 2008.

49792 - Listed building consent for relocation and retention of extractor fans; retention of air conditioning unit; new lighting to restaurant signage (resubmission) at 16 - 18 Market Place, Ramsbottom. Approved with conditions - 22 May 2008.

57527 - Installation of flue at rear (Retrospective) at 16 - 18 Market Place, Ramsbottom. Withdrawn - 24 June 2014.

57528 - Listed building consent for installation of flue at rear at 16 - 18 Market Place, Ramsbottom. Withdrawn - 24 June 2014.

57545 - Listed building consent for the removal of existing fabric to expose the existing original stone flagged floor to "Gardino" dining room and the original stone walls; cleaning and making good of the stone walls; Move the internal entrance door to main eating area; Creation of a 800mm x 1200mm borrowed light to rear dining area at 16 - 18 Market Place, Ramsbottom. Approved with conditions - 20 June 2014.

58025 - Listed Building Consent for removal of existing conservatory and erection of new conservatory at first floor including removal of window at first floor at rear; Change of use of first floor flat to bar; Provision of new staircase between ground and first floor level at 16 - 18 Market Place, Ramsbottom. Received - 29/09/2014.

Publicity

45 neighbouring properties were notified by means of a letter on 1 October 2014 and a press notice was published in the Bury Times on 9 October 2014. Site notices were posted on 14 October 2014.

2 letters were received from the occupiers of 14 Market Place and Adderstone Mansions, which have raised the following issues:

- Concerns about the effect of the proposed development upon natural light to the windows at the rear of No. 14.
- Concerns about the noise levels of a bar.
- Concerns about privacy as the conservatory will directly overlook No. 14.
- Concerned about the impact upon a listed building
- No objections to the proposal in principle.
- Concerns about the noise levels and the impact upon neighbouring properties. This could be dealt with by limiting the opening hours.
- Consideration needs to be given to parking as the street behind is narrow and normally fully parked by residents.

46 neighbouring properties were notified of the revised plans on 22 July 2015.

10 letters were received from the occupiers of 14, 24, 36, 40 Market Place, 44 Adderstone Mansions and 5 Evington House, which have raised the following issues:

- The proposal would only be a few yards from a residential apartment building and would cause a nuisance.
- Permit holders could be inconvenienced by patrons parking in their spaces in a private car park.
- The previous use of the conservatory was residential, which is a different proposition for a bar.
- The revised plan has mitigated one concern by changing the side wall to a solid construction.
- However, the external area and glazing results in the same issues - loss of privacy, overlooking onto the terrace, noise issues from terrace being used by smokers throughout the evening.
- Visual impact of the extension as this is a conservation area.
- Accept the need for adding an area for customers to drink to facilitate multiple sittings. However the view is one of a car park, the back of a pub and a few lockups.
- Object to the external terrace being used as a smoking area.
- If this area is to be a waiting area, how long would patrons be expected to wait for the table to be free - 10, 20 or even 30 minutes?
- How many would this area cater for?
- What would be a reasonable time for the last person to be waiting for their table?

- Again, for pre-dinner, short wait patrons, why is there a need for new toilets and a full sized bar?
- The financial investment in this extension appears to be questionable.
- The unauthorised stainless steel flues are not on the revised drawing.
- The proposals are suspiciously extravagant for the use of an area that is supposedly a waiting area.
- The real intended use of the extension is that of a bar with possible late night alcohol consumption, which would affect those within Adderstone Mansions.
- The value and desirability of the investment at Adderstone Mansions would be affected in a negative way.
- Should the application be approved, we would expect appropriate conditions to cover:
 - The use of this area should be limited to diners awaiting seating in the main restaurant and not for drinking after they have finished their meal.
 - There should be a time limit for the consumption of alcohol in this area of 10pm.
 - No external areas should be provided on the first floor.
- Object as the proposed development would generate noise, which would affect other businesses.

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

Consultations

Drainage Section - Comments awaited. Any response will be reported in the Supplementary Report.

Environmental Health - Contaminated Land - No comments.

Environmental Health - Pollution Control - Comments awaited. Any response will be reported in the Supplementary Report.

Unitary Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
EN7/2	Noise Pollution
S2/6	Food and Drink
HT2/4	Car Parking and New Development
TC2/1	Upper Floors
Area	Bolton Street/Bridge Street
RM3	
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 - Policy S2/6 states that the Council in considering all proposals which involve restaurants and bars, will have regard to the following factors:

- the amenity of nearby residents by reason of noise, smell, litter and opening hours;
- whether or not the proposal would result in an overconcentration of Class A3 uses, which could adversely change the nature of a centre as a whole;

- 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;
- the environmental impact of any ventilation flues and/or ducting.

Policy TC2/1 states that within town centres, the Council will support proposals which bring underused and vacant space on upper floors of premises into beneficial use.

The lower ground floor and ground floor of the building are currently in use as a restaurant and the proposed development relates to the provision of a bar at the first floor level. The proposed bar would be ancillary to the restaurant use in that it would provide a seating area for customers who are waiting for a table in the restaurant and would bring the upper floor into use. As such, the proposed development would not result in an overconcentration of restaurant uses within the locality. No additional flues or ducting would be required for the proposed development and the existing bin storage would be utilised. The issues of the amenity of nearby residents and parking will be assessed later in the report. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policies S2/6 and TC2/1 of the Bury Unitary Development Plan.

Design and layout - The NPPF sets out the Government's planning policies and one of the core planning principles states that planning should 'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.'

The NPPF makes clear that when determining planning applications, Local Planning Authorities should take account of:

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

Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Substantial harm to or loss of Grade II listed building, park or garden should be exceptional.

In order to assess whether the proposed development would make a positive contribution to the character of the conservation area and the listed building, the character of the building and the conservation area must be determined.

The building is a grade II listed building and dates from the early nineteenth century. The listing relates to a terrace of 2 storey houses of dressed coursed masonry with a sash window at first floor and a bowed show window in the front elevation of No. 16, which dates from twentieth century.

The proposed development involves the demolition of the existing conservatory, which is located at the first floor on top of an existing two storey extension. Whilst there has not been a planning application for the conservatory, it is clearly visible on the 2000 aerial photograph. As the conservatory has been in situ for more than 4 years, it is immune from enforcement action. The existing conservatory is sub-urban in character and harms the character of the Grade II listed building along with the flat roof to the existing extension.

The proposed extension would be subservient to the existing building and would incorporate a pitched roof with two conservation style rooflights. The proposed extension would be constructed from stone with a slate roof, which would be acceptable materials within the

conservation area. The south east elevation of the proposed extension would be glazed from the floor to the ceiling, which would identify it as a modern addition to the property.

Given that the current conservatory causes harm to the character and appearance of the listed building by its insensitive design, the proposed extension would represent an improvement as it would be constructed from appropriate materials and would be of a design that would be suitable for and in keeping with the listed building.

Currently, there is a bathroom window and a door within the original rear elevation of the building. The proposed development would involve the removal of the stonework from the window to the door along with the internal stud walls to allow access into the proposed extension. The proposed development would not be visible externally and would ensure that the building is retained in use. As such, the proposed development would preserve the character of the building.

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

Impact upon residential amenity - The gable elevations of the proposed extension would not contain any openings and a glazed screen (up to the eaves) would be constructed on the north eastern elevation. This would prevent overlooking into the windows of the apartments, while allowing light to pass through the glazed screen.

The proposed bar would be ancillary to the existing restaurant use and would be used as a waiting area for customers waiting for their table below. The proposed development is located within the town centre and as such, it is considered that the proposed use would generate the same level of noise as the existing business, subject to the inclusion of a condition relating to soundproofing. However, the residents have raised concerns with regard to noise from the balcony area and as such, it is considered appropriate to restrict the use of the balcony area after 22.00 in an evening. Therefore, the proposed development, subject to conditional control, would not have a significant adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policies EN1/2 and EN7/2 of the Bury Unitary Development Plan.

Response to objectors

The issues relating to privacy, design, impact upon the listed building and noise have been addressed within the main report above.

The issues relating to the running of the restaurant/bar, the level of financial investment, the impact upon property prices are not material planning considerations.

The flues are not on the approved plans as these are not authorised and will be the subject of a future application and/or enforcement action.

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.

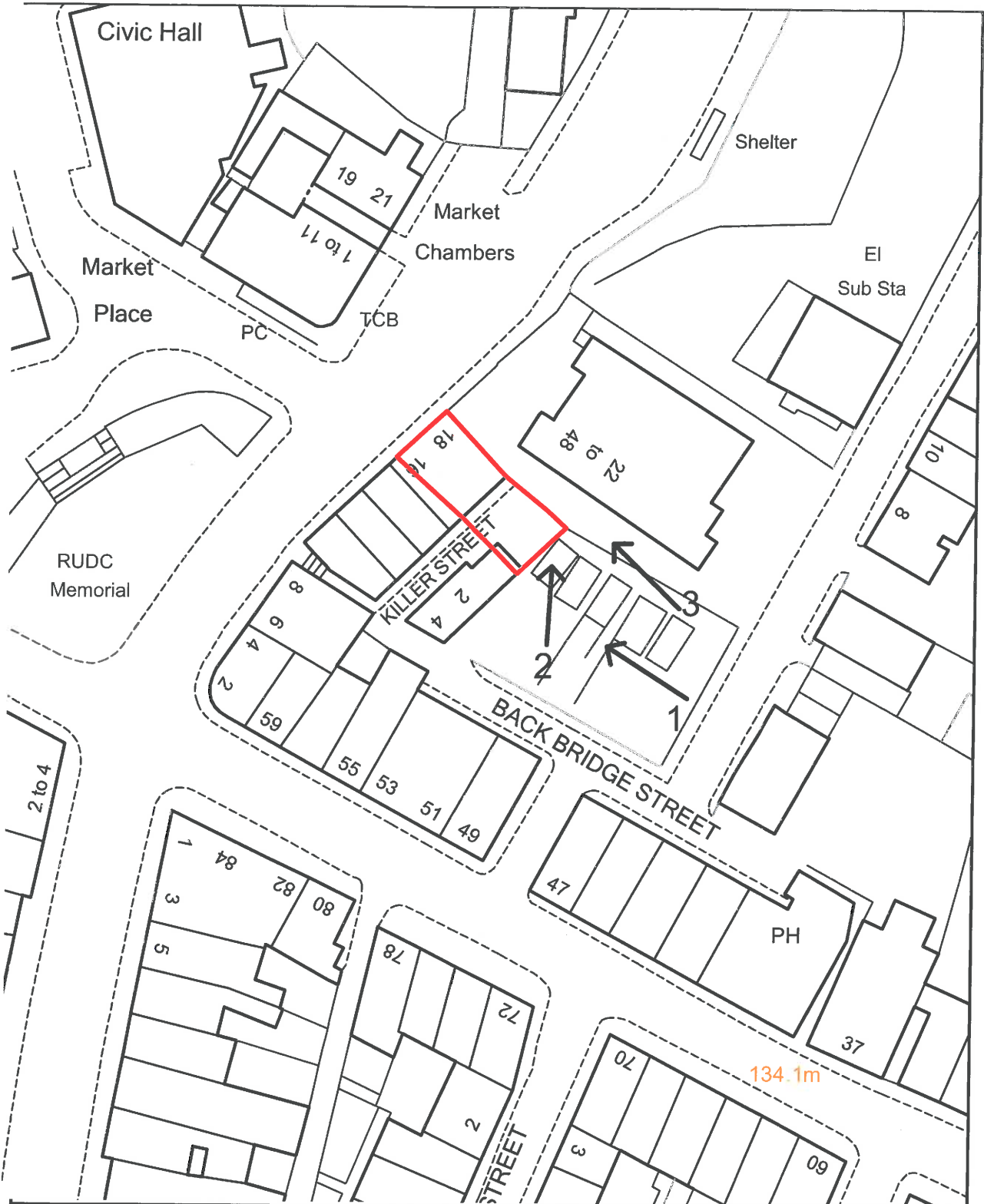
Recommendation: Approve with Conditions

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 - 04, Existing rear elevation - 01 A, Existing side elevation - 02 A, Existing lower ground and ground floor plan - 02 A, Existing first floor plan - 02 A, Proposed floor plan and elevations - A1.02 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. Details/Samples of the (materials/stone) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
4. The use of the balcony area hereby approved shall be confined to the following hours:
12.00 to 22.00
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/6 – Food and Drink of the Bury Unitary Development Plan.
5. Prior to the first use of the bar area hereby approved, the premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full before the use commences.
Reason. Because no detail have been provided and to safeguard the amenities of the occupiers of the building and occupiers of nearby properties pursuant to Policy EN1/2 - Townscape and Built Design 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 57810

**ADDRESS: Ramsons Restaurant
16 Market Place, Ramsbottom**



Bury
COUNCIL

Planning, Environmental and Regulatory Services 1:1250

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57810

Photo 1



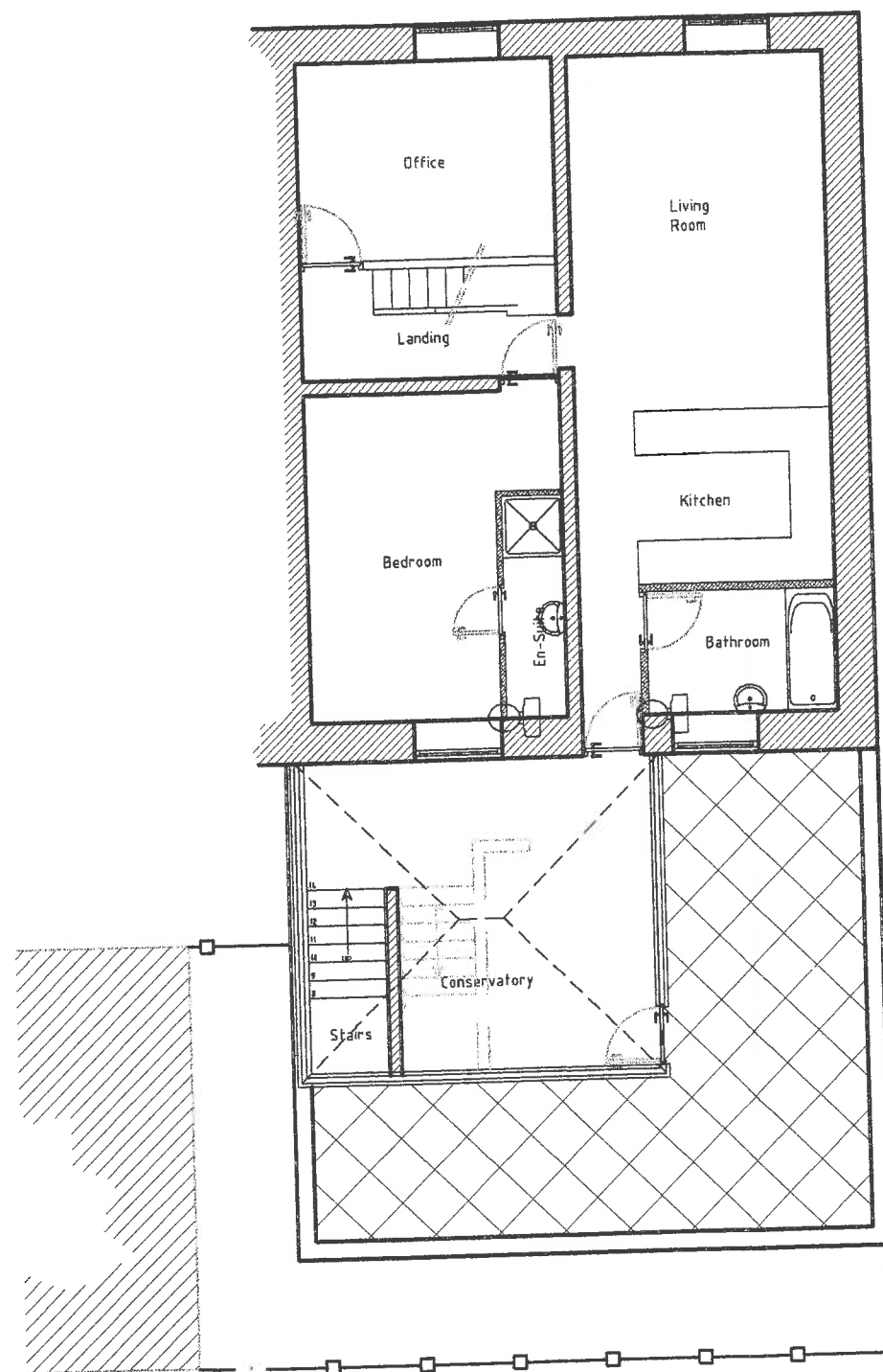
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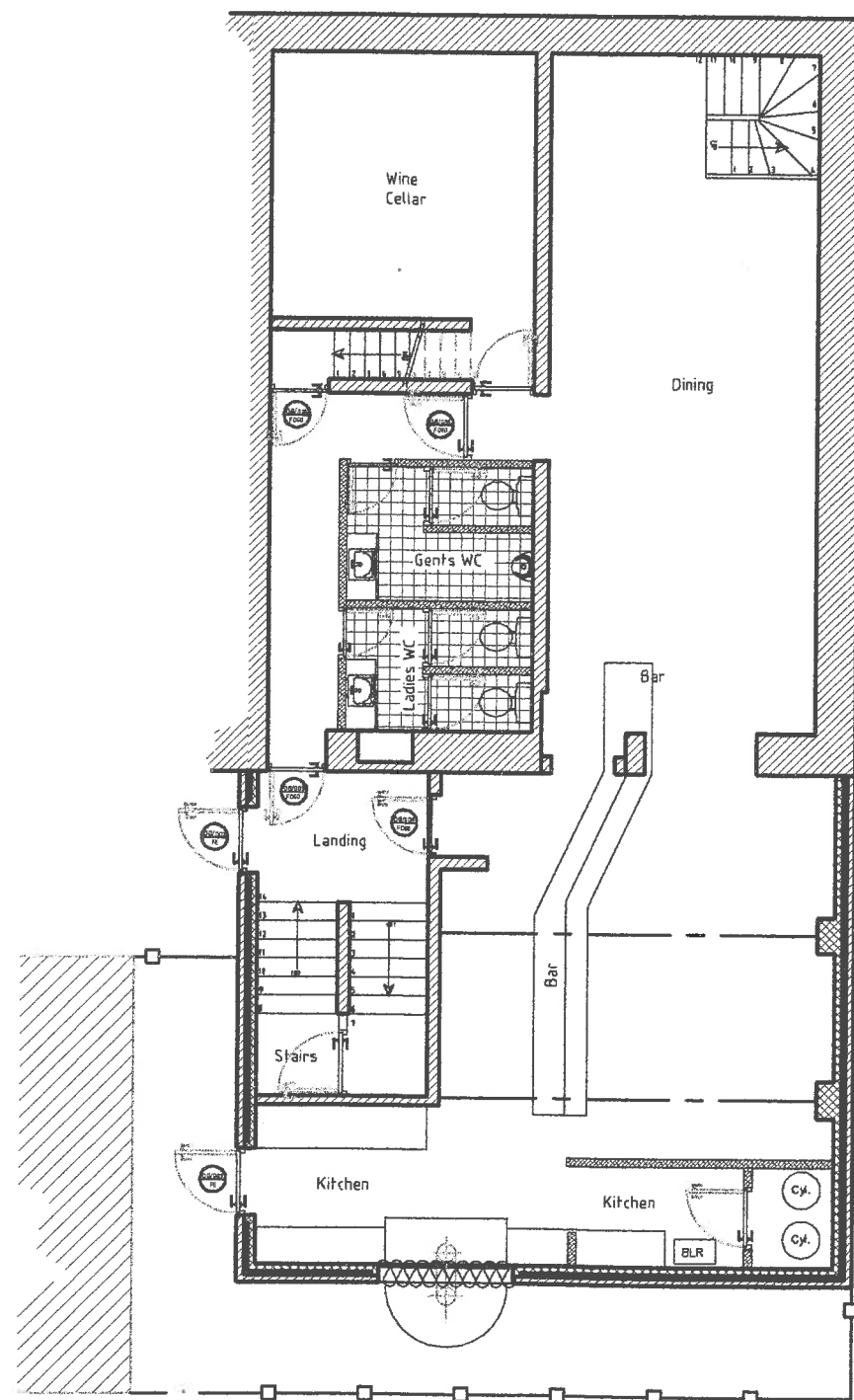
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Photo 3

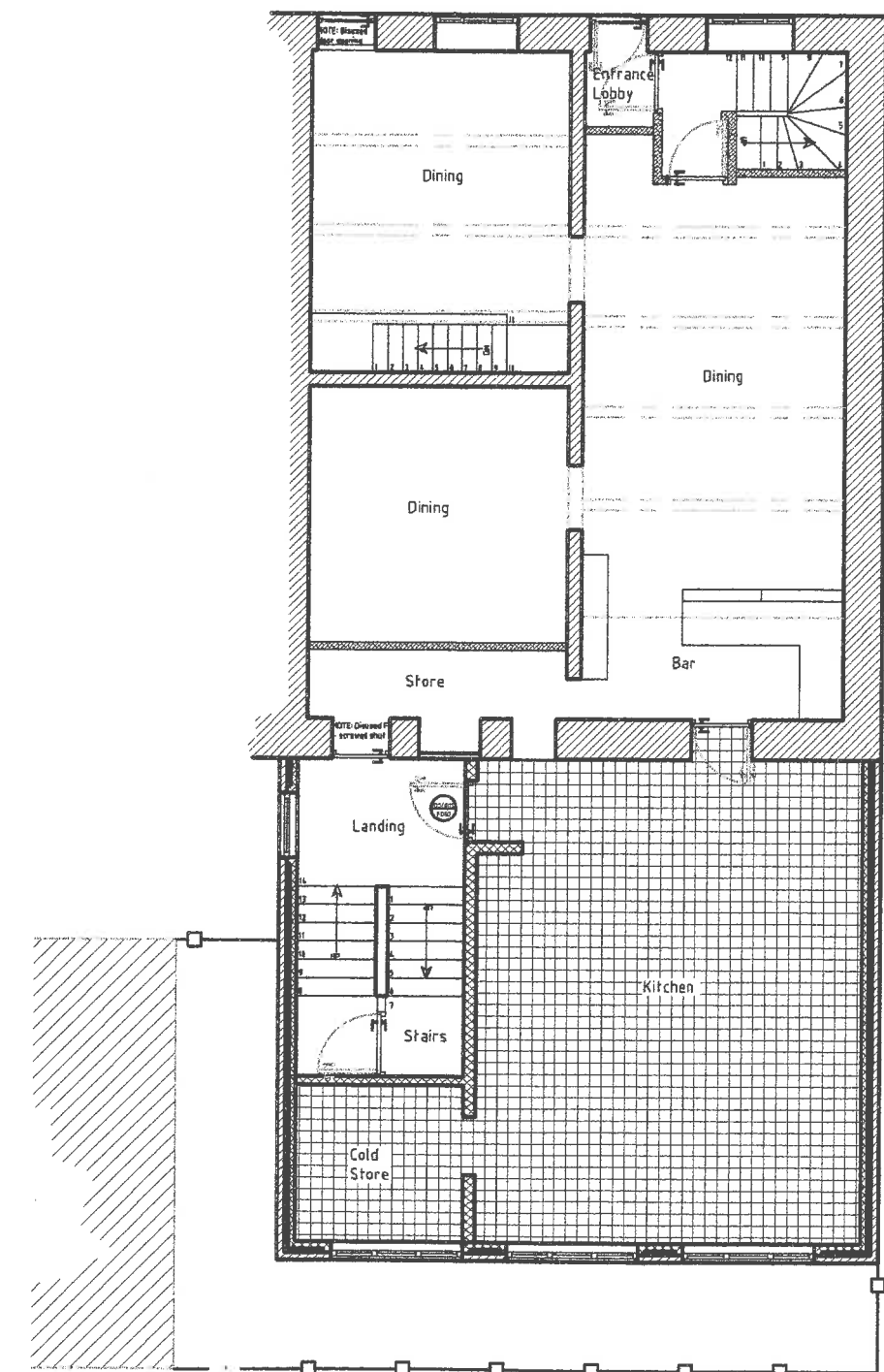




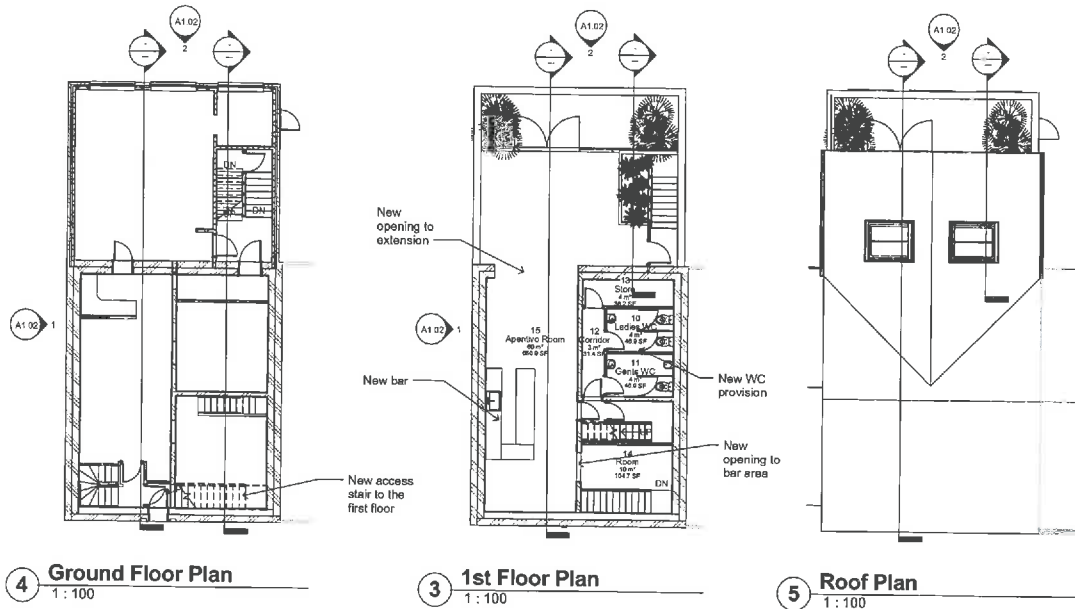
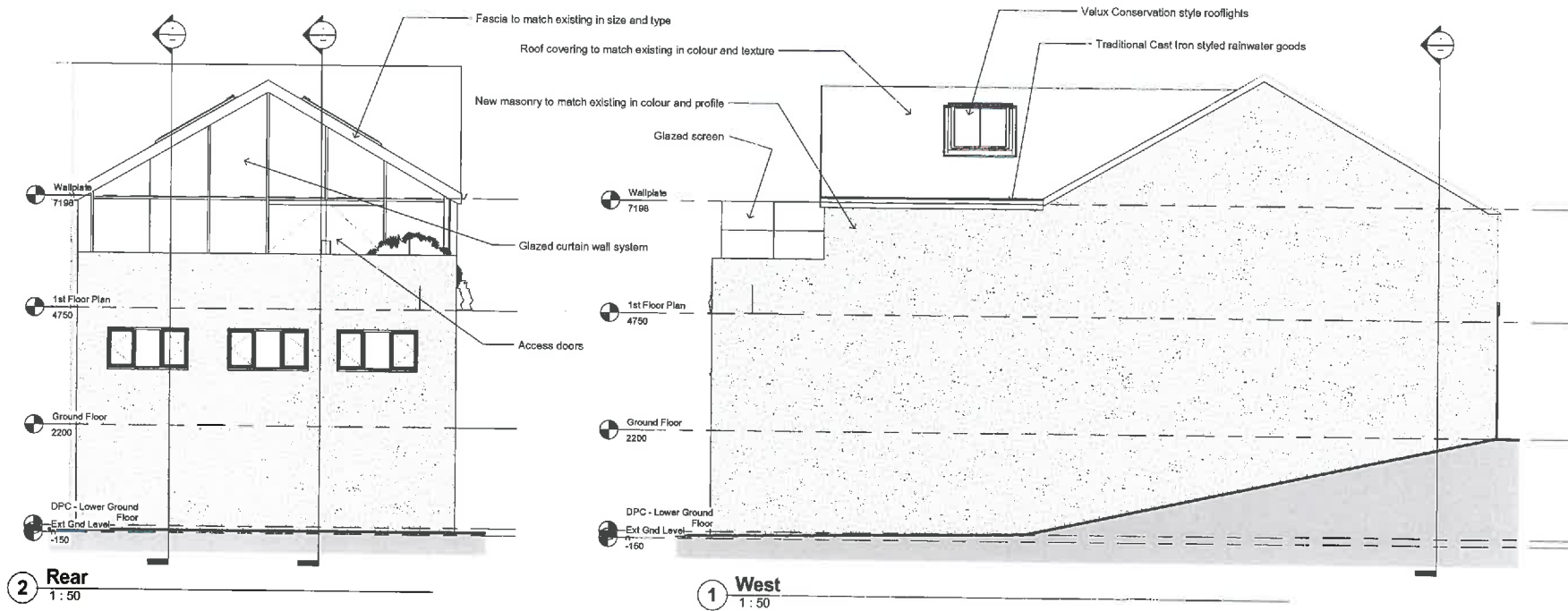
**Existing First Floor
Plan @ 1:100**

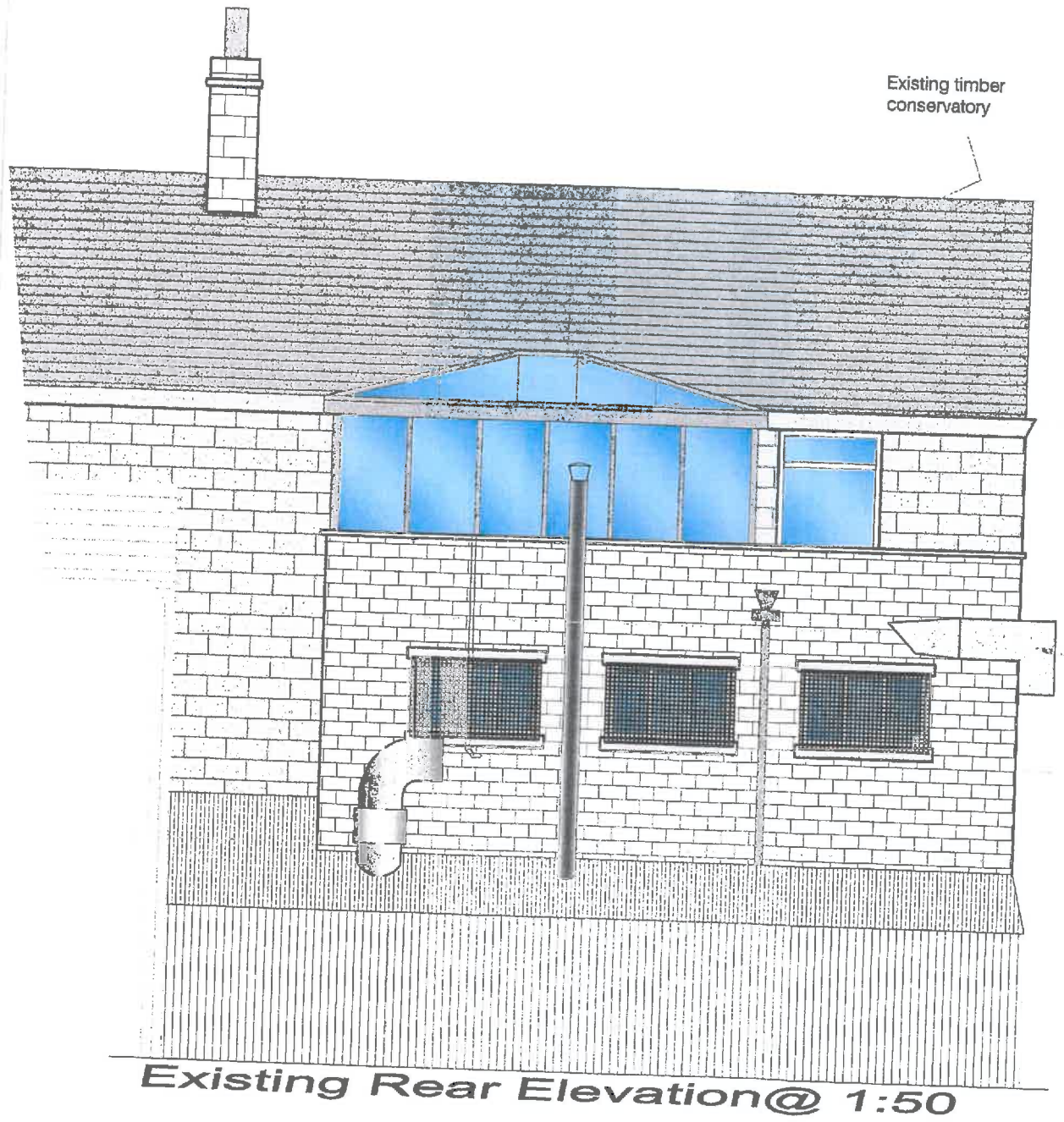


Existing Lower Ground Floor Plan @ 1:100



Existing Ground Floor Plan @ 1:100

[illegible]



Ward: Ramsbottom and Tottington -
Ramsbottom

Item 02

Applicant: Venetian Hideaway

Location: Ramsons Restaurant, 16 Market Place, Ramsbottom, Bury, BL0 9HT

Proposal: Listed Building Consent for removal of existing conservatory and erection of new conservatory at first floor including removal of window at first floor at rear; Change of use of first floor flat to bar; Provision of new staircase between ground and first floor level

Application Ref: 58025/Listed Building
Consent

Target Date: 24/11/2014

Recommendation: Approve with Conditions

Description

The building is located at the end of a terraced row of commercial properties. The building is constructed from stone and slate and is a Grade II listed building and in a Conservation Area. The building is in use as a restaurant with retail units and accountants in the row.

There is a block of apartments to the east and commercial properties to all other boundaries. The block of apartments to the east and Market Chambers to the north west are both Grade II listed buildings.

The applicant seeks listed building consent for demolition of an existing conservatory at first floor level and the erection of an extension at first floor including the removal of the window in the rear elevation; the change of use of the first floor flat to bar and the provision of a new staircase between the ground and first floor level.

The proposed extension would measure 4.5 metres by 8.3 metres and would be constructed from stone and slate with conservation rooflights. The existing window in the rear elevation of the building would be removed to facilitate access into the proposed extension. There would be a balcony area, which would measure 3.8 metres by 1 metre and a glazed screen would be located on the northeastern boundary.

The first floor would be used as a bar in conjunction with the restaurant use below. A new staircase would be provided to connect the ground floor and the first floor.

Relevant Planning History

49352 - New lighting to existing restaurant signage at 16 - 18 Market Place, Ramsbottom. Approved with conditions - 16 April 2008.

49353 - Listed building consent for relocation of existing kitchen extract fan, proposed illumination of existing restaurant signage at 16 - 18 Market Place, Ramsbottom. Withdrawn - 3 April 2008.

49478 - Relocation of extractor fan and new lighting for restaurant signage at 16 - 18 Market Place, Ramsbottom. Withdrawn - 3 April 2008.

49791 - Relocation and retention of extractor fans; retention of air conditioning unit; new lighting to restaurant signage (resubmission) at 16 - 18 Market Place, Ramsbottom. Approved with conditions - 22 May 2008.

49792 - Listed building consent for relocation and retention of extractor fans; retention of air conditioning unit; new lighting to restaurant signage (resubmission) at 16 - 18 Market Place, Ramsbottom. Approved with conditions - 22 May 2008.

57527 - Installation of flue at rear (Retrospective) at 16 - 18 Market Place, Ramsbottom. Withdrawn - 24 June 2014.

57528 - Listed building consent for installation of flue at rear at 16 - 18 Market Place, Ramsbottom. Withdrawn - 24 June 2014.

57545 - Listed building consent for the removal of existing fabric to expose the existing original stone flagged floor to "Gardino" dining room and the original stone walls; cleaning and making good of the stone walls; Move the internal entrance door to main eating area; Creation of a 800mm x 1200mm borrowed light to rear dining area at 16 - 18 Market Place, Ramsbottom. Approved with conditions - 20 June 2014.

58025 - Listed Building Consent for removal of existing conservatory and erection of new conservatory at first floor including removal of window at first floor at rear; Change of use of first floor flat to bar; Provision of new staircase between ground and first floor level at 16 - 18 Market Place, Ramsbottom. Received - 29/09/2014.

Publicity

45 neighbouring properties were notified by means of a letter on 1 October 2014 and a press notice was published in the Bury Times on 9 October 2014. Site notices were posted on 10 October 2014.

14 letters were received from the occupiers of 11, 14, 22, 28, 30, 46 Market Place, 32, 44 Adderstone Mansions, 5 Evington House, 1 Drummers Keep, which have raised the following issues:

- Concerns about the effect of the proposed development upon natural light to the windows at the rear of No. 14.
- Concerns about the noise levels of a bar.
- Concerns about privacy as the conservatory will directly overlook No. 14 and the adjacent apartments.
- Concerned about the impact upon a listed building
- No objections to the proposal in principle.
- Concerns about the noise levels and the impact upon neighbouring properties. This could be dealt with by limiting the opening hours.
- Consideration needs to be given to parking as the street behind is narrow and normally fully parked by residents.
- Ramsbottom has more than enough licensed premises. Have received numerous complaints about drunk customers outside on the street as late as 4am. This is a regular problem.
- The rear of the building is located in a residential area.
- The proposed development would be detrimental to property values.
- The bar would cause a noise nuisance.
- The plan is not in keeping with the conservation area.
- The application seeks to extend a structure, which was built without the correct permissions.
- We must preserve and enhance the conservation area.
- We believe that the patio outside the new conservatory will be used as a dining area and a smoking area.
- The existing flues and ventilation ducts are ugly and out of character.

46 neighbouring properties were notified of the revised plans on 22 July 2015.

9 letters were received from the occupiers of 14, 24, 36, 40, 46 Market Place, 49 Bridge Street, 44 Adderstone Mansions, 1 Drummers Keep and 5 Evington House, which have

raised the following issues:

- Ramsbottom is being spoilt by town planning, which is not creating a good balance of businesses.
- The proposal would only be a few yards from a residential apartment building and would cause a nuisance.
- Permit holders could be inconvenienced by patrons parking in their spaces in a private car park.
- The previous use of the conservatory was residential, which is a different proposition for a bar.
- The revised plan has mitigated one concern by changing the side wall to a solid construction.
- However, the external area and glazing results in the same issues - loss of privacy, overlooking onto the terrace, noise issues from terrace being used by smokers throughout the evening.
- Visual impact of the extension as this is a conservation area.
- Accept the need for adding an area for customers to drink to facilitate multiple sittings. However the view is one of a car park, the back of a pub and a few lockups.
- Object to the external terrace being used as a smoking area.
- If this area is to be a waiting area, how long would patrons be expected to wait for the table to be free - 10, 20 or even 30 minutes?
- How many would this area cater for?
- What would be a reasonable time for the last person to be waiting for their table?
- Again, for pre-dinner, short wait patrons, why is there a need for new toilets and a full sized bar?
- The financial investment in this extension appears to be questionable.
- The unauthorised stainless steel flues are not on the revised drawing.
- The proposals are suspiciously extravagant for the use of an area that is supposedly a waiting area.
- The real intended use of the extension is that of a bar with possible late night alcohol consumption, which would affect those within Adderstone Mansions.
- The value and desirability of the investment at Adderstone Mansions would be affected in an negative way.
- Should the application be approved, we would expect appropriate conditions to cover:
 - The use of this area should be limited to diners awaiting seating in the main restaurant and not for drinking after they have finished their meal.
 - There should be a time limit for the consumption of alcohol in this area of 10pm.
 - No external areas should be provided on the first floor.
- Object as the proposed development would generate noise, which would affect other businesses.
- The conservatory has been accepted as a lawful structure and is to be removed. As such, the application form should state that demolition is taking place.
- The proposed conservatory would be unacceptable from a visual aspect as well as noisy.
- The proposal would result in the loss of a residential unit, which should be avoided.
- The building is listed and this should protect the building from evolving too far in appearance from the original building.

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

Consultations

None required.

Unitary Development Plan and Policies

EN2/2 Conservation Area Control

EN2/1 Character of Conservation Areas

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant

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

Design and layout - The NPPF sets out the Government's planning policies and one of the core planning principles states that planning should 'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.'

The NPPF makes clear that when determining planning applications, Local Planning Authorities should take account of:

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

Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Substantial harm to or loss of Grade II listed building, park or garden should be exceptional.

In order to assess whether the proposed development would make a positive contribution to the character of the conservation area and the listed building, the character of the building and the conservation area must be determined.

The building is a grade II listed building and dates from the early nineteenth century. The listing relates to a terrace of 2 storey houses of dressed coursed masonry with a sash window at first floor and a bowed show window in the front elevation of No. 16, which dates from twentieth century.

The proposed development involves the demolition of the existing conservatory, which is located at the first floor on top of an existing two storey extension. Whilst there has not been a planning application for the conservatory, it is clearly visible on the 2000 aerial photograph. As the conservatory has been in situ for more than 4 years, it is immune from enforcement action. The existing conservatory is sub-urban in character and harms the character of the Grade II listed building along with the flat roof to the existing extension.

The proposed extension would be subservient to the existing building and would incorporate a pitched roof with two conservation style rooflights. The proposed extension would be constructed from stone with a slate roof, which would be acceptable materials within the conservation area. The south east elevation of the proposed extension would be glazed from the floor to the ceiling, which would identify it as a modern addition to the property.

Given that the current conservatory causes harm to the character and appearance of the listed building by its insensitive design, the proposed extension would represent an improvement as it would be constructed from appropriate materials and would be of a design that would be suitable for and in keeping with the listed building.

Currently, there is a bathroom window and a door within the original rear elevation of the building. The proposed development would involve the removal of the stonework from the window to the door along with the internal stud walls to allow access into the proposed

extension. The proposed development would not be visible externally and would ensure that the building is retained in use. As such, the proposed development would preserve the character of the building.

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

Response to objectors

The issues relating to loss of light, loss of privacy, noise, parking, impact upon residential amenity, the use of the proposed extension and the balance of businesses within the town centre are not material to this application, which is for listed building consent. All of these issues have been addressed within the application for planning permission (57810).

The issues relating to the running of the restaurant/bar, the level of financial investment, the impact upon property prices are not material to a listed building consent application and are not material planning considerations.

The flues are not on the approved plans as these are not authorised and will be the subject of a future application and/or enforcement action.

The issues relating to the design of the proposed extension and its impact upon the listed building 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 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 the expiration of three years beginning with the date of this permission.
Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. This decision relates to drawings numbered Location plan - 04, Existing rear elevation - 01 A, Existing side elevation - 02 A, Existing lower ground and ground floor plan - 02 A, Existing first floor plan - 02 A, Proposed floor plan and elevations - A1.02 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. Prior to commencement of works, a notice of intent to start the works hereby approved, including a timetable schedule of the works, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved timetabled schedule.
Reason - To ensure that the development is carried out in accordance with the approved plans, to protect the fabric of a listed structure/building during

implementation and pursuant to Policy EN2/3 – Listed Buildings of the Bury Unitary Development Plan.

4. All fenestration shall be set behind a reveal of 75mm.
Reason: To ensure that the development has regard to the general character and appearance of the immediate locality of the site pursuant to the NPPF and the following Policies of the Bury Unitary Development Plan:
Policy EN2/1 - Character of Conservation Areas
Policy EN2/2 - Conservation Area Control
Policy EN2/3 - Listed Building.
5. A sample panel of brickwork and mortar, demonstrating the colour, texture, face bond and pointing, not less than 1 sq.m in size, shall be erected on site for inspection, and approval in writing, by the Local Planning Authority prior to the commencement of the development. Samples of the roofing materials shall also be made available for inspection on site. Thereafter the development shall be constructed in the approved materials and manner of construction.
Reason: In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
6. Prior to the commencement of any works, a specification for the conservation roof lights shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of visual amenity and to ensure a satisfactory development pursuant to the NPPF and the following Policies of the Bury Unitary Development Plan:
Policy EN2/1 - Character of Conservation Areas
Policy EN2/2 - Conservation Area Control
Policy EN2/3 - Listed Building.

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

Ward: North Manor

Item 03

Applicant: Hillcrest Homes

Location: The Island, Railway Street, Summerseat, Bury, BL9 5QJ

Proposal: Erection of four new houses, change of house types for two existing detached properties on site and amended house types for four properties in mill with amended curtilage

Application Ref: 58230/Full

Target Date: 24/07/2015

Recommendation: Approve with Conditions

Description

The application site comprises a piece of land which has been partly developed out for residential purposes. It is located in the Green Belt and also allocated in the Bury UDP as a River Valley, Special Landscape Area and Wildlife Link and Corridor. Land to rear of the site is designated as Informal Recreation Provision pursuant to policy RT3/2 and is directly adjacent but just outside the Summerseat Conservation Area.

Known as 'The Island' the site is accessed across a Bridge over the River Irwell from Summerseat village. The surrounding land is washed over as Green Belt, with the nearest existing residential properties to the south fronting Railway Street.

Planning history background - The Island previously accommodated a print and dye works and sewerage works. Consent was granted in 2006 to convert the dye works mill to 4 No. residential properties and erect 2 new detached dwellings.

The conversion works have been partly carried out but not completed, and the 2 new build dwellings are fully constructed and occupied, albeit it they have not been built in accordance with the approved plans in terms of siting, orientation and elevations.. A number of industrial buildings and structures were removed at the time of the conversion. The site has since been abandoned by the original developer and the conversion is starting to fall into a state of disrepair.

The site has now been taken on by another developer who is seeking to complete the residential development.

This planning application proposes 3 elements which comprise:

- Mill conversion - Completion and renovation of the dye works conversion, resulting in an amendment to the design and layout of the previously approved 4 housetypes;
- Existing 2 No. dwellings - Retrospective consent to regularise the built out house types, including design and layout. It is also proposed to incorporate a carport to each property;
- Erection of 4 No. new dwellings (2 x pair of semi-detached).

Relevant Planning History

43632 - Part demolition and conversion of existing building into 4 dwellings; detached garages - Refused 30/12/2004.

44192 - Part demolition and conversion of existing building into 4 dwellings (resubmission) - 25/5/2005

46209 - Demolition of 1 detached and 1 pair of semi detached dwellings; erection of 2 No. detached dwellings - Approved 31/10/2006

47871 - Erection of 6 detached garages - Refused 5/6/2007

Publicity

11 letters sent on 26/02/2015 to Nos 102, 110-114,116,118,120, Railway Street; Peel Hall, Peel Hall Road and 2 letters sent on 4/3/2015 to Nos 2,3 The Island, Summerseat.
Site notice posted 30/4/2015.
Press advert in the Bury Times 30/4/2015.

One letter of objection received from No 11 North View which raises the following issues:

- Development in a Flood Plain;
- Loss of Flood Plain (houses and landscaping bunds);
- The Flood risk Assessment does not address the requirements of the NPPF Section 10 and must be considered inadequate;
- Development outside the boundary of the former industrial works, presumably into Green Belt;
- Possible contaminated land. Historical unlicensed tipping in the area;
- The effect of the development on local ecology. Removal of trees and the effect on the river corridor including inappropriate lighting scheme;
- Inadequate access - the bridge is insufficient for even fire tenders according to the survey;
- No information with regard to drainage in particular the application of SUDS and disposal of foul sewerage;
- Concern over the phasing terminology used - are there more phases to come.

One letter of support received from Summerseat Village Community which makes the following comments .

- Strongly support the planning application
- The current derelict site is unsightly and has from time to time been subjected to fly tipping;
- The proposed plans are sympathetic to the setting.
- Furthermore, Sunnywood Estates Ltd have agreed to undertake the following works to assist the community of Summerseat:
- Enhance a pathway from the proposed development to the community growing area on the island by laying good quality hard packed stone;
- Undertake white line markings of the basketball court on the island for a 5 a side football pitch and basketball/netball court
- Provide 2 lock up containers.

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 a condition which would require details of a SuDS scheme.

Environmental Health Contaminated Land - No objection subject to conditions.

Environment Agency - No objection subject to conditions.

Greater Manchester Ecology Unit - No objection subject to conditions.

Greater Manchester Fire and Rescue Services - Advisory note to applicant

Unitary Development Plan and Policies

OL1	Green Belt
EN2/2	Conservation Area Control
EN2/1	Character of Conservation Areas
OL5/2	Development in River Valleys
EN6/4	Wildlife Links and Corridors
EN9/1	Special Landscape Areas
RT3/2	Additional Provision for Recreation in the Countryside
OL1/2	New Buildings in the Green Belt

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/1	Visual Amenity
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design

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.

Open land principals - Chapter 9 of the NPPF - Protecting Green Belt - assesses proposals for development in the Green Belt in terms of impact on their openness and appropriateness. Paragraph 89 regards the construction of new buildings in the Green Belt as inappropriate, exceptions to which are:

- buildings for agriculture and forestry;
- appropriate facilities for outdoor recreation and sports and cemeteries;
- extension or alteration of a building provided it would not result in disproportionate additions over and above the size of the original building;
- replacement of a building, provided in the same use and not materially larger than its replacement;
- limited infilling in villages;
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The site is designated as Green Belt and Area of Special Landscape, and the following policies of the Bury UDP - OL1/2, EN9/1 and EN1/1 - are concerned with visual impact, character, appearance and appropriateness of the use/development. The site is also designated as River Valley, OL5/2 and Green Belt policies apply in this respect.

In terms of the continuation of the conversion of the former mill building and the amendments to the house types of the 2 detached dwellings, the proposals are in line with Paragraph 90 of the NPPF. The principle has previously been established in the approval of planning application reference 46209, which has been implemented.

Paragraph 89 of the NPPF finds new buildings to be inappropriate development in the Green Belt, although a number of exceptions are listed. One of these relates to the limited infilling or the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

As part of the application, four new semi-detached dwellings are proposed towards the northern end of the site beyond the building to be converted. The applicant has submitted plans which demonstrate that three of the new dwellings would form part of the original footprint of the factory and would be within the extent of the associated concrete hardstanding. One of the dwellings would be beyond this footprint and hardstanding, comprising an area of 68 square metres.

It is considered that the three new semi detached properties would be situated on land which would meet the definition of previously-developed land as the area in question, including the curtilage and any associated fixed surface infrastructure, was occupied by a permanent structure. This element of the development can therefore be considered under Paragraph 89 of the NPPF provided it meets the tests described above.

The three dwellings would clearly have a greater impact on the openness of the Green Belt when compared with the existing development, by virtue of introducing bulk and volume to what is currently vacant land containing trailer units, evidence of fly tipping and the access road, either contained within the boundary fence or incorporating an area of trees beyond. However, it is important to take account the previous use of this area for a factory and its associated large areas of hardstanding as part of the assessment.

It is considered that the three proposed dwellings which would be situated in the position of the former factory would not cause any further harm to the Green Belt in terms of volume, size or massing when compared with the former factory. The proposal would not have a greater impact on the purpose of including land within it as the proposal would assist greatly with the fifth purpose of encouraging urban regeneration, specifically the recycling of derelict land.

Efforts would also be made to reduce the impact on openness by the proposed demolition of high walls to the front and rear of the mill building. There are a large number of openings on the elevations of the new dwellings but they considered not to be excessive for buildings of this size, and it is viewed that their design would respond well to the character and setting of the current buildings and would not be out of keeping when viewed within the context of the mill building and other buildings on site. It is therefore considered that three of the dwellings would be appropriate development in the Green Belt under paragraph 89.

The fourth dwelling in the east of the site would be beyond the previously developed land footprint, this element of the proposal is considered as inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in Very Special Circumstances. Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

As referred to above, the in-principle harm is caused by virtue of being beyond the previously-developed land, and is therefore not within the scope of Paragraph 89 and 90 of NPPF. Additional harm is caused by the effect on the character and openness of the Green Belt through the size, volume and massing of the dwelling and the encroachment of the domestic curtilage.

The applicant has put forward a case for Very Special Circumstances. It is considered that each of the considerations put forward, whilst they have been submitted in support of the redevelopment of a previously-developed site, are still applicable and when taken together form Very Special Circumstances which clearly outweigh the in-principle harm and any other harm caused to the Green Belt. It is also viewed that the additional harm caused by the dwelling and associated garden is minimised by the belt of trees and raised landform which surrounds the site and which restricts/obscures views into the site.

Part of the new parking area at the end of the access road would also encroach into the Green Belt beyond the previously-developed footprint. However, it is viewed that this can be considered appropriate as an engineering operation. The openness of the Green Belt is preserved and there is no conflict with the purposes of including land within the Green Belt on balance as it is a minimal incursion and there are benefits from other gains in openness on site from the demolition of walls, redevelopment of a derelict site and the recreational gains to the south.

As such, it is considered that the development as a whole and the new build dwellings in particular would not have a detrimental impact on the openness of the Green belt and would

be in compliance with the principle of paragraphs 89 and 90 of the NPPF.

Housing Principles - 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 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 housing land.

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.

The proposed development would be located on the fringe of a village setting and as a previously developed site which has already been granted approval for residential use, the principle for residential development is accepted. There is existing infrastructure in place to support the scale of the proposals.

As such the principle is considered to be acceptable and would be in compliance with the NPPF and UDP Policies H1/2, H2/1 and H2/2.

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

Conversion of mill building - Substantial works to convert the former mill have already been carried out, with the properties split into individual units, windows and doors inserted and balconies erected on the rear elevation. Some garden boundary delineation and treatment has also been carried out. However, the dwellings are by no means complete and there is still a considerable amount of work required to make the dwellings habitable (as detailed in the submitted renovation schedule).

In taking steps to complete the redevelopment of the site, the applicant has identified an opportunity to make some alterations to the mill conversion to improve the quality of the scheme. This would involve changes to the external elevations, fenestration design and materials and layout to comprise:

- windows deleted in the side elevation to form blank walls;
- alteration to the windows front and rear and replacement timber glazed panelled

- windows;
- alterations to the entrance door designs;
- 2 curtilage parking spaces per dwelling.

The size, position and design of the doors, windows, and particularly that upvc would be replaced with timber framed windows, would present a well proportioned and balanced fenestration pattern and the proposals to provide curtilage parking to the front of each property would be appropriately sited and accessible. Rear gardens would be separated by boundary treatment and ample external amenity areas provided to each property.

As such, it is considered that the alterations to the external elevations would continue to be in keeping with the character of the development, both proposed and existing and would offer a quality and noteworthy development, in compliance with UDP Policies OL1/2, OL5/2, EN9/1 and the NPPF, and H2/1 and H2/2.

Existing 2 No. detached dwellings - Whilst the houses have been built in the approved location of the site, there have been some alterations to their orientation and design and amendments have been made to the curtilage of the properties.

House 1 - The front elevation of House 1 faces into the development (westwards) with garden areas to the side and rear. The curtilage and plot layout is not significantly different from the original scheme, albeit the driveway has moved to the west and a double car port proposed. There have been some minor changes to the design and materials, but the property is generally in accordance with the approval.

House 2 - This property has undergone slightly more alterations, with changes to the orientation of the building, access from a drive to the south as opposed to the west and similarly a proposed double garage. What is more noticeably different is the garden layout and curtilage area of the dwelling, which has been extended southwards to the top of the site close to the River Irwell. As changes to the layout of the converted building are also proposed, house 2 would now sit reasonably close to the garden boundary of the adjacent converted property. There are habitable room windows in this elevation at ground and first floor, which is not normally considered good planning, given overlooking and privacy implications. However, the windows are secondary windows, slimline in design and as such there is less opportunity to gain wide views. Additionally, it would be the driveway, front garden and path which would be overlooked, and these areas tend to be less used as private amenity spaces.

As such, it is considered that the retrospective changes which have been made to the 2 dwellings are acceptable. The siting, size and position of the dwellings are fundamentally the same, and although 2 double car ports are now proposed, they would be sited close to the dwellings, and would be open and lightweight structures built of timber. As such, there would not be a detrimental impact on the openness of the Green Belt and would be in compliance with UDP Policies OL1/2, OL5/2, EN9/1 and the NPPF, and H2/1 and H2/2.

Proposed 4 No. new dwellings - This area of land is currently separated from the rest of the site by a solid high brick wall. which is proposed to be demolished to facilitate the development of 4 No. semi detached properties. They would be sited in an 'L' shaped layout, with the front elevation of 2 properties more or less following the building line of the mill conversion and the remaining 2 units parallel to the northern boundary.

Each would have one dedicated curtilage parking space, with 4 additional proposed within the turning area and private amenity garden areas with bin store provision.

The properties would be 2 storey in height, with materials comprising a mix of brick and render and would be similar in design and appearance to the 2 existing detached properties and fenestration alterations proposed for the mill conversion.

As such, it is considered that the new dwellings would be in keeping with the rest of the site development and would comply with UDP Policies OL1/2, OL5/2, EN9/1 and the NPPF,

and H2/1 and H2/2.

Proposed bin store - This would be located near to the site access, close to the bridge on the development side. It would be unobtrusive and modest design, elongated in shape with a pitched roof. Materials would comprise a mix of brickwork, timber and rendered elevations with a tiled roof. It would be set within the site and predominantly screened from public views from Railway Street by the tree planting along the site boundary. As such it is considered that the size, position and design would be appropriate for the scale of the development and would not have an adverse impact on the openness of the Green Belt or character of the development and the area.

Flood risk - The site is wholly within Flood Zone 2 and partly Flood Zone 3. The Environment Agency have been consulted and made comments.

The EA originally objected to the proposals on the lack of information which was provided in the Flood Risk Assessment. The applicant has since carried out further assessment of the site and submitted additional information. The EA have subsequently withdrawn their objection, subject to conditions.

In their response, the EA did however, raise the issue that a significant area of the site at the northern end could be prone to flooding in the event of a climate change or in an extreme event. It is advised that both the sequential test and exception test of paragraphs 100, 101 and 102 of the NPPF be satisfied.

The applicant has submitted a site sequential assessment, which considered alternative locations for the new properties, and which concluded that to be consistent with wider sustainability objectives, it would not be possible for the development to be located in an area with a lower probability of flooding. The LPA is satisfied that the sequential test would be met.

The requirements of the exception test of paragraph 102 of the NPPF states:

- it must be demonstrated that the development provides for the wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- a site specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the test will have to be passed for development to be allocated or permitted.

In terms of point one, the proposed development would offer a number of benefits to the site and the wider area, including sustainable regeneration and environmental improvements. It would also respond to local housing needs and to the wider benefit of the Borough. The proposals would enable the site to be completed and developed out to maximise and improve the area of land available without harm to the wider environment.

In terms of point 2, a site specific FRA has been submitted. The application proposes to raise the levels on site by at least 1m, and measures are to be incorporated in the physical builds to ensure there would be no loss in the active flood plain storage volume and that flood water would not be forced onto adjacent land or other properties. Flood barrier systems would be fitted to the ground floors and the new properties would be registered with the EA under their warning scheme. Access would remain useable for emergency services or evacuation in all but the most serious flood events. Should a major flood event and very rapid rise in levels occur, residents would be able to move to the upper floors, being 4m above site levels.

It is therefore considered that the site could be safely developed out without risk to

occupiers of the dwellings or those in the vicinity of the site, pursuant to the requirements of the NPPF.

The EA also advise that the LPA give consideration to the following:

- Provision of and adequacy of a temporary refuge
- Details and adequacy of flood proofing and other building level resistance and resilience measures
- Details and adequacy of an emergency plan
- Details and calculations relating to the structural stability of buildings during a flood
- Adequacy of rescue or evacuation arrangements
- Whether insurance can be gained or not

The above considerations would either be conditioned as part of an approval, provided to the applicant as advisory notes, or would be covered by Building Regulations.

As such, it is considered that the information submitted in terms of flood risk would be acceptable to enable safe redevelopment of the site and in accordance with the requirements of the NPPF.

Access and parking - Access into the site is from Railway Street via a bridge over the River Irwell. The access road is already substantially built out, serving the 2 existing dwellings and the partly converted building. It is proposed to extend the road further to lead to the proposed semi detached houses and an area of hardstanding for parking.

Two designated parking spaces would be provided per converted property and one curtilage space per semi detached dwelling plus 4 additional spaces within the adjacent hardstanding area.

The highways section have not raised any objection to these proposals and as such would be in compliance with UDP Policy HT2/4 - Car parking and New Development and SPD11.

Bridge capacity - A bridge assessment has been undertaken to establish the maximum weight bearing load capacity for vehicles which would need to access the site. The current capacity is 7.5 tonnes and this would be acceptable in terms of average daily domestic vehicles which would access the site. A weight restriction regulatory sign located at the entrance to the site would be required as a condition of the grant of an approval stating the bridge's maximum capacity.

From a fire safety perspective, the bridge would not be strong enough to carry the weight of a fire engine vehicle. It is proposed to increase the load carrying capacity of a bridge to a minimum of 12.5 tonnes, including associated repairs and improvements, to ensure there are adequate, safe access arrangements for the future residents, visitors and GMF&RS vehicles, in compliance with the fire services Approved Documents. Details of this would be sought by condition. A condition would also be imposed to provide an appropriately positioned fire hydrant within the site.

The Local Planning Authority are satisfied that subject to conditions, the bridge would be capable of serving the residential development. Vehicles wanting to, or accessing the site with a weight of over 7.5 tonnes (or 12.5 tonnes following strengthening works) would do so at their own risk, or alternatively, responsibility would be borne by the applicant/landowner, as this would be a private matter and outside the planning application remit.

In terms of waste collection, the bridge would not have the capacity to bear the weight of the Council's refuse vehicle, even with the proposed strengthening works. It is the applicant's intention to make alternative private arrangements for the collection of household waste, and this would be a private matter for them to address.

Notwithstanding this, in terms of layout and good design of the site itself, it is considered reasonable to expect that bin storage facilities are made available prior to the first occupation of the conversion and new dwellings and this would be included as a condition.

Ecology - An ecological assessment has been submitted as part of the application, which has identified a number of ecological constraints. GMEU are satisfied these can be resolved by conditions or informatives to the applicant:

Bats - A bat roost was identified within the partially converted mill and commuting/foraging along the river corridor. As no works are planned within this part of the former mill, it would be possible to avoid a breach of the habitats directive as long as the recommendation of the bat report is applied. A condition would require the precautionary measures stated in the Ecological Survey to be carried out.

Invasive Species - Himalayan balsam and a small infestation of Japanese knotweed were identified on site. A method statement detailing its eradication/control/avoidance methods would be included as a condition.

Otter - A survey for otter found no evidence adjacent to the development site although their presence has been recorded up and down stream in recent years. The risk however has been concluded as low. There was evidence of Mink along the river bank. GMEU recommend an informative advising the applicant of the Habitat Regulations.

Other Protected Species - The Ecological Assessment found no evidence of any other protected species or suggestion that any other species are likely to be present. No further information, conditions or informatives are required in this regard.

Nesting Birds - The site was assessed as having little in the way of potential bird nesting habitat except around the boundaries of the site, which are to be retained. An informative would advise the applicant of the necessary steps to take should a nest be found.

Lighting - The lighting proposals would avoid impacts on the River Irwell and GMEU recommend the details of the lighting report be included as a condition. CONDITION

Habitat Mitigation and Enhancement - A number of recommendations for potential enhancement measures have been made in the Ecological Report, but no detail has been provided. The landscape plan does, however, include a planting plan to which GMEU are satisfied would provide sufficient mitigation and enhancement.

Response to objectors - The objections raised have been covered in the above report.

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 699 L (-) 000A/001A/002A/003A; 699 L (00) 000H/ 001A/ 002A/ 003A/ 004D/ 005/008/009/100/011/012/013/014/015; 699 SK 002/ 003/ 004/ 005; M2417.01/ .02/ .03; SSL:15333:200:1:1:TOPO; Planning Justification Statement Rural Solutions; Revised Flood Risk Assessment dated 31st July 2015 Issue 2; Phase 1 Land Quality Assessment 21st August 2014 G1977-GR-01; Ecological Appraisal by Envirotech ref 2306 report version 1 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. Details not 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. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
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 in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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

7. The development hereby approved shall be carried out in accordance with the precautionary measures contained in the Envirotech Bat Survey, report ref 2306, and in accordance with Section 9 - Recommendations and Mitigation - and the details of Section 9.2.1 and 9.2.2 as submitted and approved in principle by the Local Planning Authority. The precautionary measures shall be implemented
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.
8. Prior to the commencement of any earthworks, a method statement detailing the eradication and/or control and/or avoidance measures for Himalayan balsam, and Japanese knotweed, shall be submitted to and agreed in writing by the Local Planning Authority. The approved method statement only shall be carried out and implemented in full. The approved method statement shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the method statement and either the date of implementation of the approved measures or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.
Reason. To ensure that the site is free from Japanese Knotweed and Himalayan Balsam in the interest of chapter 11 of the NPPF - Conserving and enhancing the natural environment and Bury Unitary Development Plan Policy EN9 - Landscape.
9. The development hereby approved shall be carried out in accordance with the proposed street lighting strategy detailed on plan ref 699 SK 002 and report ref 294722/1 dated 9/1/2015.
Reason. To avoid impacts on Protected Species in the area pursuant to Chapter 11 of the NPPF - Conserving and enhancing the natural environment.
10. The landscaping scheme hereby approved, detailed on plan drawing M2417.03 and Landscape Design Statement M2417 November 2014 shall be implemented not later than 12 months from the date the development hereby approved is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
11. All trees to be retained on site, as detailed in the Tree Survey and Protection plan M2417.01 shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until 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.

12. No development shall commence unless and until details of foul and surface water drainage aspects have been submitted to and approved by the Local Planning Authority. This must include an assessment of potential SuDS options for surface water drainage with appropriate calculations to support the chosen solution. Options considered shall be in accordance with the submitted Flood Risk assessment and Drainage Strategy and the 'Draft National Standards and Specified Criteria for Sustainable Drainage' including assessment of 1/100 year storm event with climate change allowance.

Reason. There is insufficient information regarding the proposed drainage scheme to fully assess the impact, and which would be required 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 Flood Risk.

13. No development shall commence unless and until full details of the following have been submitted to and approved by the Local Planning Authority:
- Updated Bridge Assessment Report and subsequent proposals to increase the load carrying capacity of the existing Railway Street Bridge to a minimum of 12.5 tonnes, including all associated repairs and improvements, to ensure adequate, safe access arrangements for future residents, their visitors, Greater Manchester Fire and Rescue Service vehicles and personnel and in order to comply with the requirements set out in Approved Document B Volume 1 for width and loadbearing capacity (3.7m and 12.5 tonnes respectively);
 - Weight restriction regulatory signage scheme in accordance with Traffic Signs Regulations and General Directions 2002 confirming the resultant load carrying capacity of the bridge;
 - Confirmation that vehicle access for a Fire Appliance to within 45m of all points within all dwelling houses (Approved Document B Volume 1) can be achieved;
 - Swept path analysis of the proposed internal road layout (a minimum clear road width of 3.7m is required) to demonstrate either that a fire appliance can be accommodated within the limits of the site access roads without having to override onto soft grass verges, or the provision of a 'Grasscete' type product, or the widening of the access road at identified points;
 - Provision of adequate car parking restrictions, markings and/or signage to ensure that the areas used to manoeuvre a Fire Appliance within the two turning heads proposed are maintained free of obstruction from parked vehicles (designed in accordance with the specifications in Approved Document B Volume 1);
 - An appropriately positioned fire hydrant constructed and installed to BS750:2012 on a water main of not less than 63mm internal diameter.

The details subsequently approved shall be implemented to an agreed programme to be approved by the Local planning Authority.

Reason. Details have not been provided within the application to ensure good highway design and provide adequate access arrangements for the Fire Service, in the interests of highway and fire safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New residential Development and EN1/2 - Townscape and Built Design.

14. The on site refuse collection/bin storage arrangements indicated on the approved plans shall be provided before the converted building and 4 No. new dwellings

hereby approved are first occupied and shall subsequently be maintained thereafter for this use.

Reason. To ensure adequate off-highway refuse collection facilities are provided to mitigate the fact that the usual curtilage system of refuse collection cannot be offered by the Council in this instance due to the existing and proposed load carrying capacity of the Railway Street Bridge, pursuant to Bury Unitary Development Plan Policy H2/2 - The Layout of New Residential Development.

15. The turning facilities indicated on the approved plans 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 site access roads and highway in the interests of road safety pursuant to Bury unitary development plan policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.
16. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved 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.
17. The developer, within one week of the commencement of development (excluding any works to increase the load carrying capacity of the existing Railway Street bridge), shall ensure that there is provision to be made for the parking on site of operatives' and construction vehicles together with storage on site of 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 other than the parking of vehicles and storage of construction materials respectively.
Reason. To ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design and HT2/4 - Car Parking and New Development.
18. 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 only shall be implemented and maintained thereafter during the period of construction.
Reason. A scheme has not been provided at application stage to ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.
19. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by PSA Design (D1977-FRA-01) issue 2 and the following mitigation measures outlined within the FRA:
 1. Ground floor level to be no lower than 104.0m AOD.
 2. Employ flood resilient forms of construction and materials in the ground floor construction.
 3. Formation of voids beneath buildings for compensatory storage.
 4. Produce a flood warning and evacuation plan for the development.

The mitigation measures shall be fully implemented prior to occupation and

subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

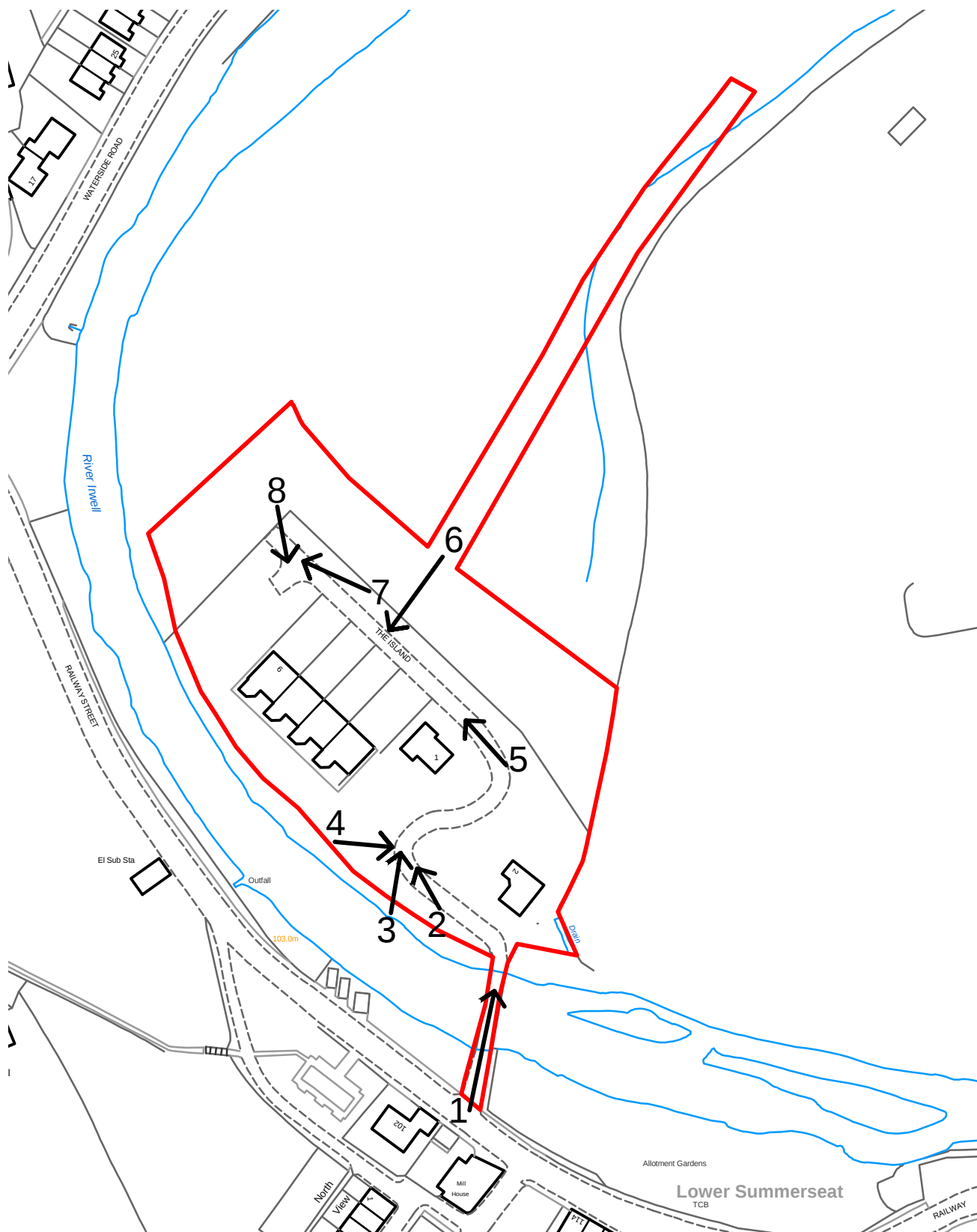
Reason. To reduce the risk and impact of flooding to the proposed development and users of the development and to reduce the potential impact on flood risk elsewhere pursuant to chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

20. Notwithstanding proposed materials shown on plan number 699 L (00) 003 Rev A, for the proposed semi detached dwellings, the roof of each semi detached dwellings hereby approved shall be constructed of slate, and all samples of proposed materials 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. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58230

**ADDRESS: The Island
Railway Street, Ramsbottom**

Planning, Environmental and Regulatory Services 1:1250

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Bury
COUNCIL

58230

Photo 1



Photo 2



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Photo 3



Photo 4



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Photo 5



Photo 6



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Photo 7

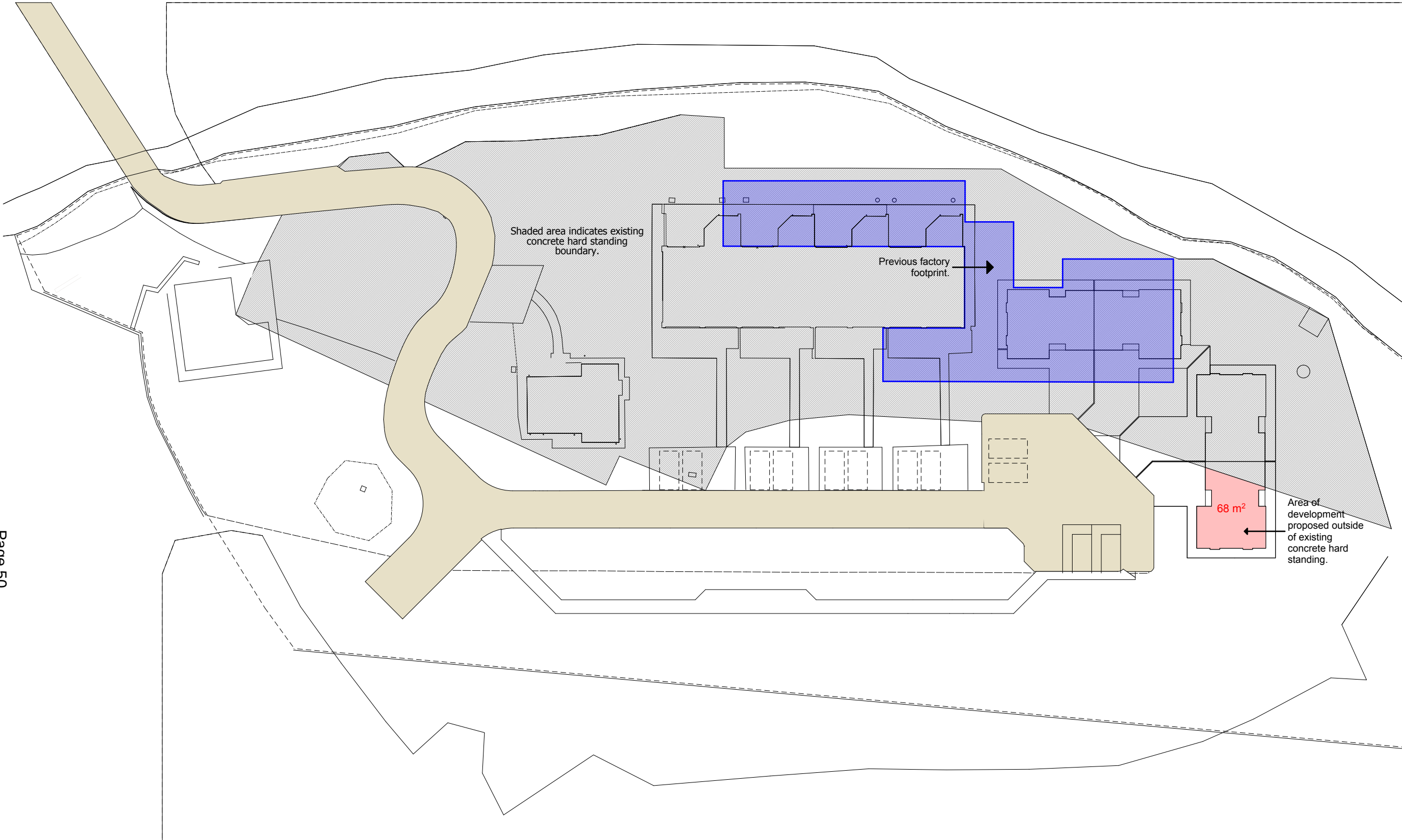


Photo 8



TOTAL AREA OF EXISTING CONCRETE HARD STANDING = 4,190m2

TOTAL AREA OF DEVELOPMENT PROPOSED OUTSIDE OF EXISTING CONCRETE HARD STANDING AREA = 68m2



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All dimensions in millimeters and to be checked on site prior to commencement of any works.

Do not scale from this drawing.

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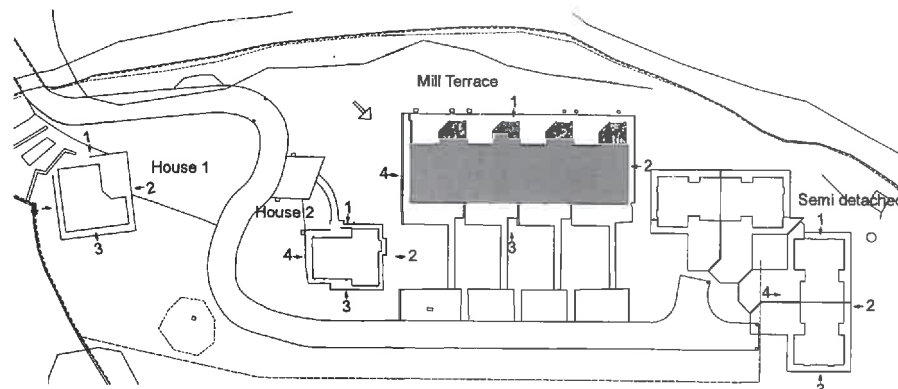
No encroachment onto neighbours property without written permission.

The contractor in preparing his estimate shall visit the site and acquaint himself with the problems involved & shall allow in his price for any detail whether indicated or not which may be reasonably considered necessary to ensure a neat structurally sound & workmanlike job.

The contractor shall issue all statutory notices to the Local Authority at commencement, during progress & completion of the works.

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Revision	Date	Drawn	Checked
Mersey Design Group 41 Shaw Street Liverpool L6 1HL			
Job Title			
The Island, Railway St Summerseat Bury BL9 5QD			
Drawing Name			
Existing and Proposed Site Footprint			
Drawing Status			
FOR COMMENT			
Drawn by	Date		
CT	08.06.15.		
Checked by	Date		
MC	08.06.15.		
Drawing Scale	Status		
1:500 @ A3			
Layout ID	Revision		
699 L (00) 012			



Proposed Terrace

Existing Roof Retained
FM2
Existing brickwork cleanse
Sills as existing
FM3



Front Elevation 1:100 (3)

Side Elevation 1:100 (2)

Existing Roof Retained
Existing Roof Retained
FM2
Sills as existing
Existing brickwork cleanse
FM3



Rear Elevation 1:100 (1)

Side Elevation 1:100 (4)

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The contractor shall trace all statutory notices to the Local Authority at commencement, during progress & completion of the works.

0 20m
0 20m
0 10m
0 5m

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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F 0151 707 9996
Portland Tower, Portland Street, Manchester M1 3LD
T 0161 236 4924
info@mc-a.com

Job Title

The Island-residential development

Drawing Name
Proposed Terrace

Drawing Status
PLANNING

Drawn by
B

Checked by
GC

Drawing Scale
1:100 @ A1

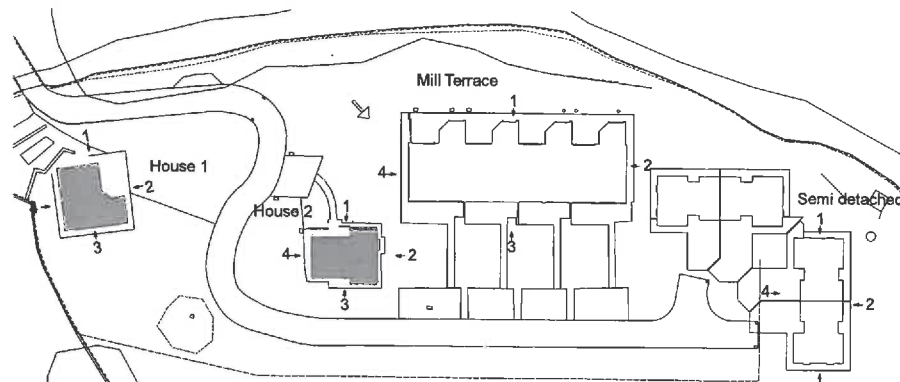
Layout TD
600 L (00) 002

Date
21-05-14

Date
21-05-14

Status
P

Revision
A



Proposed Detached houses

House 1



Front Elevation 1:100 (1)

Side Elevation 1:100 (2)

Rear Elevation 1:100 (3)

Side Elevation 1:100 (4)

House 2



Front Elevation 1:100 (1)

Side Elevation 1:100 (2)

Rear Elevation 1:100 (3)

Side Elevation 1:100 (4)

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The contractor shall leave all necessary notices to the Local Authority at commencement, during progress & completion of the works.

0 20m
0 20m
0 10m
0 5m

1:100 (1) 1:100 (2) 1:100 (3) 1:100 (4)

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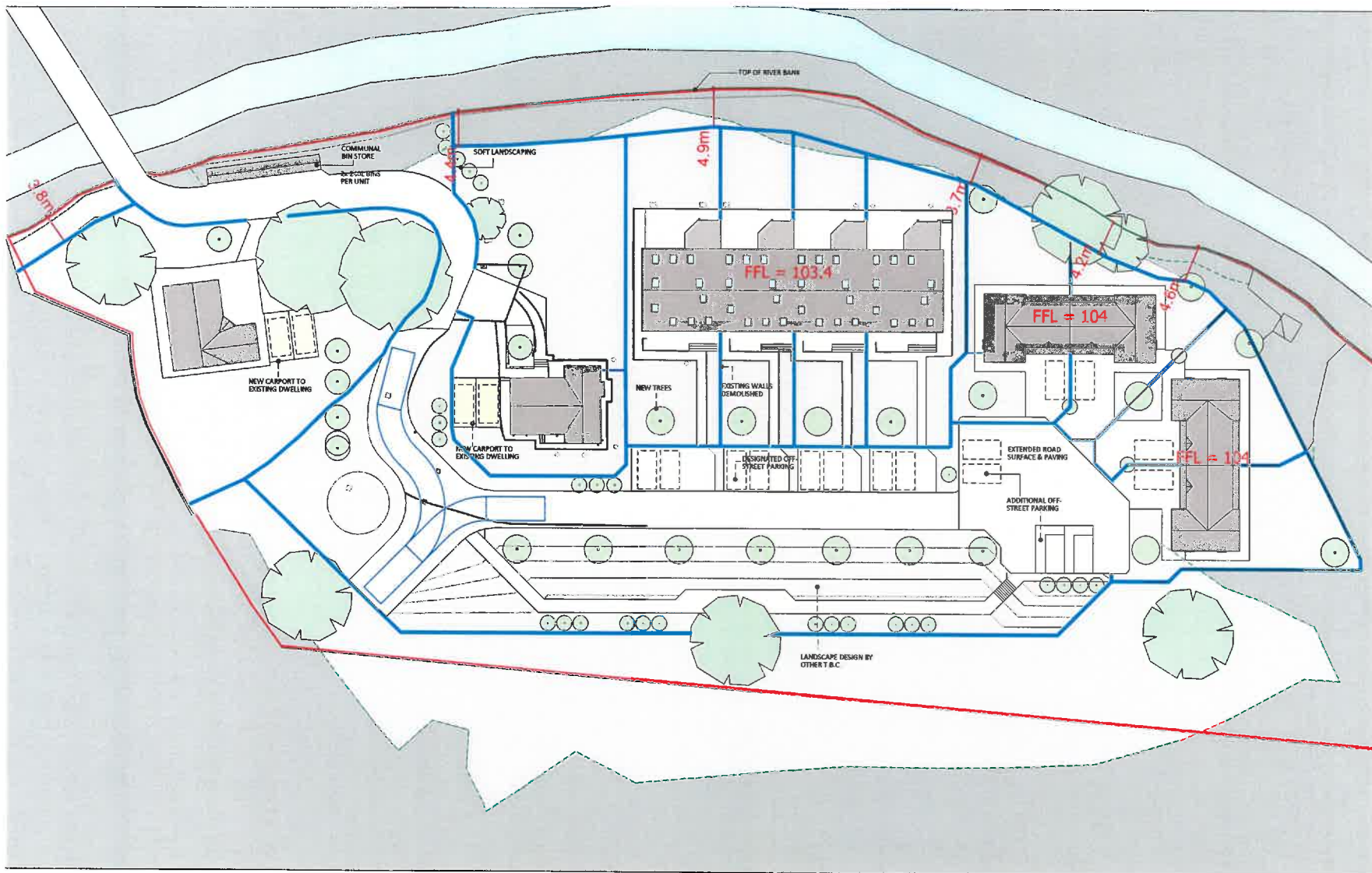
5th Floor

The Island-residential development

Drawing Name
Proposed Detached houses

Drawing Status
PLANNING

Drawn by B	Date 31-03-14
Checked by G	Date 24-04-14
Drawing Scale 1:100 @ A1	Status P
Layout ID 009 L (00) 001	Location A



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11	Boundary and level lines amended and FFL's indicated	CT
12.04.15		MC
13	Communal Bin Store added adjacent to River Bridge	MC
13.04.15		MC
14	Orientation of existing dwelling amended to line with tree survey	MC
15.10.14		MC
Revision		Drawn
Drawn		Checked

Hertsey Design Group
41 Shaw Street
Liverpool
L8 1HL

Job Title:

The Island-residential development

Drawing Name:

Proposed Site Layout

Drawing Status:

PLANNING

Drawn by: CT Date: 16.7.15

Checked by: MC Date: 16.7.15

Drawing Scale: 1:500 @ A3 Status: P

Layout ID: 699 L (00) 000 Revision: H



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Include a copy of drawings, rights and limits prior to commencement of work.

His environment onto ambiguous property without written permission.

The contractor is preparing his estimate shall that the contractor himself with the program involved in shall allow in prior to any detail work indicated on cut which may be reasonably considered necessary to ensure a work structurally sound. It is recommended that the contractor shall allow all statutory rights to the local authority concerned, during progress in completion of the work.

A		Approved planning application for the above	Ref
A2.6.1			101
michael cunningham architects ☐ Residential ☐ Commercial ☐ Planning ☐ Other Unit 182, South Factory, 39 Platt Street, Liverpool, L3 0AB T 0151 747 4000 F 0151 747 4004 Postcode Town, Platt Street, Manchester M1 2JD E 0151 747 4000 info@mcas.co.uk			
Job Title			
The Island-residential development			
Drawing Name			
Proposed Semi detached houses			
Drawing Status			
PLANNING			
Drawn by		Date	
RM		21-07-14	
Checked by		Date	
CCT		23-07-14	
Drawing Scale		Sheet	
1:500 @ A2		P	
Laysheet ID		Revision	
599 L (00) 003		A	

Ward: Bury West - Elton

Item 04

Applicant: Champale Limited

Location: Land to the West of 149 Brandlesholme Road, Bury, BL8 1BA

Proposal: Reserved Matters application following Outline planning approval 54738 for construction of 39 houses and 18 flats, junction improvements, new access road and associated landscaping

Application Ref: 58413/Reserved matters

Target Date: 23/06/2015

Recommendation: Minded to Approve

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 and for Affordable Housing in accordance with Policy H4/1 of the UDP and SPD5. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application.

Description

The application site comprises 2.62 hectares of land which is located directly to the south of established residential development and is currently accessed via a footway off Brandlesholme Road. The site is now fairly open and vacant, having been cleared of vegetation and tree planting without consent, many of the trees being the subject of a Tree Preservation Order (TPO).

To the east are houses fronting Brandlesholme Road and to the west is 'Right to Roam' land, which has also become over run with vegetation and extensive scrub. Directly to the north, between the development site and the houses is a national cycle route and public footpath, Kirklees Trail, which runs from Brandlesholme to the Kirklees valley. To the south is an old lagoon and disused land which has become unkempt and overgrown with self seeded planting. Beyond this is Woodhill Brook, across which is a more recently built out and occupied residential development (Valley Close) which was formally Olives Paper Mill.

The development site itself is relatively level where it sits in close relation to the cycle path, but is set lower than the houses on Brandlesholme Road, Brandle Avenue and Bankhouse Road and then drops down quite steeply to the Brook to the south.

This application seeks reserved matters consent following the grant of an outline approval, for the residential development of 39 houses and 18 flats in 2012. This included access to the site which was shown to be taken from Brandlesholme Road with a new carriageway and footpath running parallel alongside the cycle path. It would incorporate a traffic light junction with Brandlesholme Road. Whilst approved in principle, details of the access were to be provided through conditions of the permission. The proposal also showed an indicative layout with the area for housing to be located to the southerly side of the new highway and the remaining land to the south and west of the development area to be enhanced for public access, footpaths and general landscaping and maintenance.

This reserved matters application comprises details of the scale, layout, appearance and landscaping.

House types would compromise the following:

House type C - 8 x 3 bed semi and 16 x 3 bed terrace with single car port and driveway
House type D - 3 blocks of 6 x 2 bed apartments (18) with 8 curtilage parking spaces per block
House type E - 10 x 4 bed detached properties with single integral garage and double driveway
5 x self build plots.

The houses would be orientated north and east fronting the new access road into the site. A turning head would be provided at each end of the road. Visitor parking bays in a lay-by arrangement would be located along the northern part of the access road, parallel with the cycle path.

The scheme includes proposals for a landscaping scheme including tree replacement, incorporating mature species in consideration of the unauthorised tree removal.

It is proposed to provide on site Recreation Provision and Affordable Housing by way of a Section 106 Agreement.

Relevant Planning History

54738 - Outline - Residential development (18 flats and 39 houses) with details of the means of access to the site - Approve with Conditions 11/06/2012
14/0109 - Enforcement Case - Trees felled in breach of planning approval conditions - 12/03/2014

Publicity

121 initial notification letters sent in total, on 1/4/2015 with additional properties notified on 24/4/2015.

Site notice posted 24/4/2015.

Press advert in the Bury Times dated 9/4/2015.

7 letters of objection received from Nos 16 Valley Close, 1,11 Brandle Avenue, 135, 149 Brandlesholme Road, 38 Hawthorn Avenue, one no address supplied, which raise the following issues:

- The reason we moved to Valley Close was in regards to the open and green areas in front. The development would be on top of this open area some 75m in front of our home;
- Furthermore there is a bridge proposed connecting Valley Close to the new development and Brandlesholme Road which will be used by pedestrians as a short cut and greatly increase pedestrian traffic within Valley Close, a cul de sac;
- Brandlesholme Road is already a bottle neck and there is already a Pelican Crossing and a Toucan crossing within the space of 300 yards;
- Parents parking for the school is atrocious;
- Is the school equipped to take the number of extra children which would be generated by the building of so many houses and flats;
- Additional traffic would add more congestion to the area;
- Access problems to and from the estate;
- Detrimental impact on the wildlife in the area;
- Understand there are coal seams under the area to be developed - worried about the effect on the development;
- Understand there are toxic substances in the ground which if disturbed would be released into the atmosphere and cause health problems to people in the area and the builders etc;
- Hard to believe permission granted in the first place;
- Not the right terrain for a residential development;
- Judging from the plans, it does not seem possible in the space indicated to have landscaping, a pavement and sculptures between the boundary of No 149 and the cycle track;
- Raise some questions about the outcome of the surveys, the situation regarding access

- to our drive and the viability of the development company undertaking the work;
- Has fresh work been undertaken on an ecological survey as the one submitted dates back to 2011?
- What guarantees do we have that any tampering in the lodges will not prove hazardous?
- Concerns over the management of the project as we feel it is not in safe hands - the recent tree lopping serves to endorse this;
- Anomalies in an e-mail from the applicant (references to the access and the parcel of land) which do not appear on the new plans;
- With the applicant's record over the past 26 years, passing this application would present the authority with further problems;
- The applicant probably does not know what land he owns - he first bought it off plan;
- Who wants more traffic lights at the site?

Petition received from No 23 Westcombe Drive with 114 signatures which raises the following issues:

- The applicant have made at least 3 applications to develop the site and done nothing to progress the previous outline consent other than destroy an area of natural woodland and flouting TPO which they have not been prosecuted for, and area left like a tip;
- No viable outlet onto Brandlesholme Road. Additional congestion caused on an already busy road which is unfair on residents;
- The applicant have installed an entry/service road onto the site without planning permission. No respect for the area or environment and with no intention of developing the site;
- We maintain circumstances have changed considerably since the outline was granted and installation of a further set of traffic lights/roundabout and more vehicles on Brandlesholme Road is not a viable proposition for the population in the area. Traffic has increased significantly and forecast to keep rising and the development would make the situation for commuters intolerable;
- Proposal to cover a potentially toxic area and remove soil within the site or adjacent to the Kirklees Valley would encourage the spread of Japanese knotweed and Himalayan Balsam. Issue of contamination is a major consideration;
- Previous submitted report stated land unstable and there would be potential risks for future purchasers. Piling of the land would involve significant noise levels and would exceed those permitted by law;
- Risk assessment document advised further investigation of the site.
- The application is inappropriate to the area and would reduce Green Belt, even though designated as brownfield land.

Revised plans were received showing amendments to the blue edge boundary, site layout, house types, section plans and gradient details and landscaping details.

Letters sent on 22/7/2015 to inform residents of the revisions.

Following the re-notification, one letter of objection received from No 149 Brandlesholme Road with the following issues:

- This development has been ongoing now for 21 years since Champale proposed to develop the land;
- Following our complaints about the random tree lopping (27-10-14) it appears the outcome is to be an 'assessment process' through reserved matters;
- We received a letter on 5-15 about reserved matters. Now receive another letter 22/7. What is happening?
- When it is intended that construction work begins?
- There is still the issue of access to our drive. No formal discussion with the applicant or response from the highways dept. A turning circle would still present major difficulties with access and egress;
- What is the legal situation with regard to plans affecting our drive? Can Committee pass plans which show development on our property we have not approved?
- Trust the 'have your say' policy is going to be alive and well in these circumstances.

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

Consultations

Traffic Section - No objection subject to conditions.

Greater Manchester Police - designforsecurity -No comment received.

Fire Protection Dept Bury Fire Station (Part B) - A condition to provide information of location of domestic sprinklers was included on the Outline permission.

Public Rights of Way Officer - No objection.

British Waterways - No comments to make.

Greater Manchester Ecology Unit - No objection. Recommends the ecology assessment be updated to identify any changes to the presence of protected species.

Unitary Development Plan and Policies

EC1/1	Land for Business (B1) (B2) (B8)
EC1/2	Land Suitable for Business (B1)
MW1/1	Areas of Search
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
HT6/3	Cycle Routes
OL5/2	Development in River Valleys
EN6/4	Wildlife Links and Corridors
EN6/3	Features of Ecological Value
RT3/4	Recreational Routes
RT2/2	Recreation Provision in New Housing Development
EN8	Woodland and Trees
SPD1	Open Space, Sport and Recreation Provision
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework
HT4	New Development
HT6/1	Pedestrian and Cyclist Movement

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 principle of residential development on the site has been established through outline planning approval reference 54738.

In addition 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 principle of residential development is established.

The site is within the urban area and is adequately served by existing infrastructure and in a sustainable location. It would be located on the periphery of established residential development and would not conflict with the local environment in terms of the character and surrounding land uses. The scale of the proposal would not result in over development of the site and would serve to regenerate a disused, overgrown and currently unusable area. As such, the principle is in general accordance with national planning policy and would help to contribute to meeting local housing targets and would be in compliance with the NPPF and UDP Policies H1/2, H2/1 and H2/2.

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

Scale and layout - The site is linear in shape, extending south to north parallel with Nos 127-149 Brandlesholme Road, whereon it would continue towards the west in line with the cycle path, for approximately 285m. The form of the land has largely dictated the position of the properties and the tree removal carried out, and these would follow the linear pattern of the site, in a mix of detached, semi detached, terrace and 3 storey apartment blocks.

The dwellings would be sited on the level area of land to the north and east of the site. As the land drops lower towards the Brook, so would the gardens, and the 3 storey apartment blocks would utilise the topography to form a split level arrangement. Working with the existing levels on site would enable the ridge heights of the roof lines of the dwellings and apartments to be fairly consistent throughout the site.

The houses would be orientated with front elevations facing towards the access road and the cycle path. This is considered to be good planning in terms of design and layout, as the development would not 'turn its back' on public areas and would acknowledge what would essentially be the street scene for the development.

Each dwelling would have a private garden area, integral garages and dedicated driveways. Gardens would be separated by close boarded 1.8m high timber fences and 1m high post and rail fences which would be acceptable.

The apartment blocks would have shared garden areas at the rear, with parking to the front, with bin store area located adjacent and enclosed by 1.8m high hit and miss fencing within a landscaped area.

The 5 self build properties would be located in the south eastern area of the site and the layout demonstrates that detached dwellings with gardens and curtilage parking could be comfortably accommodated.

A new access road would be created off Brandlesholme Road whereby it would split to serve the 2 'legs' of the development. Additional visitor spaces would be located to the north in specially created lay by's behind the cycle path which would be protected by a landscape buffer.

The area of land to the rear of the residential development, (to the south of the site) is not within the red edge application area, but is in the ownership of the applicant. It is the intention of the applicant to develop this area of land out to provide privately managed open space for use by occupiers of the development only. Any works which would need to be carried out in this area requiring planning permission would be subject to a separate application.

The other 'open' areas of land comprises a woodland path which runs parallel with the Brook at the southern most point of the site, and the existing 'Right to Roam' to the west, both in the ownership of the applicant. It is the intention to bring these forward as part of the on site recreation contribution, discussed in more detail below.

It is considered the layout of the residential development would maximise the developable land available and fully utilise the existing topography to ensure scale and massing would not be out of character with the surrounding area.

As such, the proposed scale and layout is considered to be acceptable and would not only offer a well designed family sized housing scheme, but would efficiently utilise available land to secure additional housing for the Borough, pursuant to Bury Unitary Development Plan Policies H2/1 and H2/2.

Impact on 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 is generally considered to be an acceptable minimum distance. Where there is a difference in levels between 2 properties, additional separation would be sought.

There would be a minimum separation distance of 35m between the proposed houses to the northern part of the site and the existing dwellings on Brandle Avenue and Bankhouse Road and more than 50m from the proposed properties to the east and the houses fronting Brandlesholme Road.

Houses to the south on the Valley Close would be in excess of 100m from the development. Whilst some of these properties are in an elevated position and would have views of the proposed site, it is considered their outlook across the valley would not be significantly or adversely affected, given the distance away and that there are already existing properties which are visible from Valley Close existing on Brandle Avenue. Rights to a view are not material planning considerations.

As such, it is considered there would not be a detrimental impact on residential amenity and that aspect standards would be more than comfortably satisfied and in compliance with SPD6.

Design and appearance - The development would be set back from the main public vista of Brandlesholme Road, but would be open to wider public views from those using the cycle path, footpath and open public land, as well as the existing residential properties on the periphery of the site. As such a high quality of design would be expected in this location.

The proposed development would comprise a mix of properties, of terraced, semi detached,

detached and apartments blocks, 2 and 3 storeys in height, and would utilise the existing levels and topography of the site by introducing split level designs.

The proposed properties would introduce contemporary features through the insertion of floor to ceiling glazed openings and balconies on the rear of the apartment blocks and the 3 storey dwellings, pike roof detailing on frontages, symmetrically aligned fenestration patterns and a simple palette of material comprising brick and rendered elevations and brown roof slates.

It is therefore considered that the proposed development would respond in providing a well designed scheme which would respect the character and appearance of the surrounding area and existing residencies, and would be in compliance with UDP Policies EN1/2 and H2/1.

Access - Access has already been determined through the approval of the outline planning consent and the principle of its location accepted and approved.

For background information, the scheme proposes to take access and egress from/to Brandlesholme Road. A Transport statement was also submitted with the outline application and this was independently assessed by Greater Manchester Transportation Unit.

Whilst it was accepted that the scheme would add to existing traffic flows, the scale of the development would be such that there would not be any undue impact upon flows. It was also borne in mind that the site was originally designated for employment use, and that a permission had previously been granted for a hotel, office and restaurant use which would generate a significant volume of traffic.

The position of existing crossing and proposed crossings together with the addition of the new junction was assessed and conclusions reached that even taking into account the additional traffic this development would generate, nearby junctions and carry capacities of the highways would still be able to operate satisfactorily, and as such there was no reasonable or sufficient grounds on which to refuse the scheme on traffic generation.

In terms of this application, it is the details of the position of the internal roads and parking provision which are under assessment. The highways section are satisfied that the access road would be capable of accommodating the level of traffic which would be generated, together with parking requirements (see below).

From a planning perspective, positioning the roads to the 'front' of the site, with the dwellings forward facing would be good design, reflecting a typical street scene.

As such, it is considered the proposal complies with H2/1 and H2/2.

Parking - SPD11 states that maximum standards for 3 and 4 bed properties in a high access area are 2 and 3 spaces respectively. The development would provide a single integral garage or car port for each dwelling, and driveway parking for 1 or 2 cars. The apartments would provide 8 spaces for each block of 6. There would also be 11 visitor parking spaces in a lay-by arrangement at the northern part of the access road.

The site is also located in a high access area with links to a frequent public transport service.

As such, the proposed parking provision is considered to be acceptable for the scale of the development and would be in compliance with SPD11.

Ecology - An Ecological Assessment was submitted with the outline application. No particular concerns were identified in terms of impact on ecology and GMEU were satisfied with the conclusions. Recommendations were made with regard to the issues of ecological

improvements, precautionary requirements to provide habitat enhancement measures to the lagoon within the centre of the site, restriction on the time of the removal of vegetation, eradication of Japanese knotweed and Himalayan balsam and provision for opportunities for bats and birds to the site. These were all dealt with by conditions or informatives on the outline consent and are still appropriate and relevant.

GMEU recommended that the Ecological Assessment be updated to reflect any changes to the presence of protected species and specifically badgers. This is being carried out by the applicant and findings reported in the Supplementary Agenda.

Landscaping - The site has already been substantially cleared of trees, a number of which were subject to individual and group Tree Preservation Orders. This was in breach of planning condition No 21 of the outline consent, which stated that no trees subject to a TPO, unless indicated otherwise on plans submitted and approved as "reserved matters" relating to the siting of the development should be felled, lopped or topped without consent of the Local Planning Authority (LPA). No consent for their removal prior to the submission of this reserved matters application was granted and as such, the removal of the trees resulted in an investigation by the Council's Enforcement Team.

In consideration of the unauthorised tree removals, in view of the nature of the site and extant planning permission, prosecution and tree replacement would not have been reasonable as the development of the site would have required their removal in any event. A planning permission overrides a Tree Preservation order. The normal course of action would be to require significant levels of tree planting and the use of mature species.

The reserved matters landscaping proposals show mature tree planting in key locations all of which would be of a high specification, and which are to be of a high quality amenity value than some of the self seeded trees which were removed.

The applicant acknowledged that it was their intention to apply for all outstanding reserved matters soon in any case, and resulted in the submission of this application which is now under consideration.

The application has been submitted with a full planting schedule, comprising native hedgerow, shrubs and trees. Further details of landscaping would also be sought through the S106 Agreement to provide on site public open space. Conditions of the outline approval have also ensured that the areas outside the residential development would be appropriately treated in terms of landscaping and ecological enhancement.

Tree protection measures, as per condition 22 of the outline application, would be incorporated prior to the commencement of development on the site.

As such, it is considered that the proposed landscaping scheme would be appropriate and satisfactory to compensate for the trees which have already been removed, as well as further vegetation clearance, which would be necessary to facilitate the siting of the development and would comply with chapter 11 - Conserving and enhancing the natural environment of the NPPF.

Planning obligations -

Recreation provision - 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 RT2/2 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. In this instance there is a possibility that the areas within the applicant's land holding could fulfil this purpose.

A key objective of the applicant is to upgrade, enhance and facilitate the areas to the south, west and north west of the development to make them functional and publicly accessible

recreational spaces for the benefit of future occupiers and also for residents in the locality and the Borough as a whole.

The applicant is proposing 3 elements for this:

1. Land to the north west of the development - This is existing 'right to roam' land which the public already have the right to access and use for recreation purposes. It is however, extremely overgrown, with sections of footpath which are not apparent or even usable. It is not well sign posted. There is also an existing link to the development on Valley Close and this is to remain. The applicant proposes to carry out improvements to this area of land which would include vegetation removal, reinstatement and clearing of footpaths, and new footpath from the Kirklees Trail to the Brook and crossing, which would be fenced off from the residential development area. A maintenance programme is also proposed.
2. Kirklees Trail - The land is within the ownership of the applicant but the trail itself was funded in partnership between Bury MBC and Sustrans charity. Whilst this could not be considered to be providing additional recreation provision, the applicant does propose improvements and ongoing maintenance of the area to ensure it remains safe and accessible as public recreational provision.
3. Land to the south of the development - There is an existing right of way through from the southernmost part of the site which follows the line of the Brook. It is not particularly accessible or widely used by the public or even known to exist. It is proposed to carry out improvements to provide a more usable and accessible pathway, which would be separated from the adjacent land to the north, with landscaping and maintenance works.

The Council is satisfied that in principle, exceptional circumstances exist whereby on site provision would be a preferable option for this development to that of seeking an off-site contribution. The proposals would provide functional and publicly accessible recreation provision and would bring about benefits not only to future occupiers of the proposed development but also in terms of improving green infrastructure links through the Kirklees Valley for the good of the immediate locality and the wider Borough.

Affordable housing - The application proposes a total of 57 properties and is subject to providing Affordable Housing pursuant to UDP Policy H4/1 and SPD5. The policy requirement is that 25% of the development must be affordable and this would equate to 13 properties.

The applicant proposes to provide 7 houses (4 x terrace, 2 x semi and 1 detached) and 6 apartments, which would be 'pepper potted' throughout the site to provide an even mix and spread. This is considered to be acceptable and would comply with the requirements of UDP Policy RT2/2 - Recreation Provision in New Housing Development and SPD1.

The Lagoons - The lagoons are outside the site edge red and do not form part of the development proposals. They will remain the responsibility of the applicant (current owner).

Land within the site edge red is controlled through contamination land conditions, which remain to be discharged on the outline planning permission. Any works by the carrying out of engineering proposals to the lagoon area or outside the site edge red would be subject to a planning application.

Response to objectors -

- Issues to do with the principle of the development, access and traffic generation are not relevant or a consideration of this application, already having been established and approved under the outline planning consent in 2012.
- Issues raised with regard to residential amenity, impact on ecology and trees, land remediation have been assessed in the above report;
- Agreements between the applicant and a 3rd party regarding works to be undertaken outside of the site are not material planning issues;
- The Coal Authority were consulted on the outline application. No objections were

raised in principle. The Authority recommended that site investigations should be carried out prior to commencement of development to determine the full implications of previous historic workings that affect the site. This was included as a condition of the outline planning consent.

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: Mind to Approve

Conditions/ Reasons

1. This decision relates to drawings numbered 3402-460/402/ 403 N/ 404 D/ 405 C /406 D/ 407/ 408/ 409/ 415/ 416/ 416.1/ 417/ 418/ 419/ 420/ 421/ 423/ 424/ 430/ 451/ 461/ G4401.001/ D5304.001/ D5304.002/ D5304.003/ D5304.004/ D5304.005/ D5304.006/ D5304.007/ 411 02 A updated 19.03.2015 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. Details/Samples of the materials 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. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
3. Notwithstanding the details indicated on approved plan reference 3402/403 Revision N, 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 estate roads (including all necessary land filling operations and method of compaction) and connection with the proposed signalised junction at Brandlesholme Road;
 - Long sections through the proposed estate road and connection onto the cycle route confirming general gradients will not exceed 1 in 14 for the purposes of adoption and incorporating a maximum 1 in 20 plateau at each junction within the development and at the interface with the adopted highway;
 - Construction details for and cross sections through the proposed retaining wall located to the north of 149 Brandlesholme Road confirming no foundation encroachment under the future adopted highway;
 - Service strips at all necessary locations of a width to be agreed and outside of the limits of the proposed lay-bys to the north of the main estate road;
 - Revised arrangements at the turning head to the north of Plots 49 incorporating a 1.8m minimum footway around the whole of the turning head and level connection onto the footpath link between

No.'s 133/135 Brandlesholme Road;

- A 20mph traffic calming scheme for the new residential development incorporating, but not limited to, the provision of a raised table at the internal junction, including details of proposed materials, road markings and signage;
- Street lighting scheme for the residential development incorporating the lighting requirements at the signalised junction and any footpath link(s) to be adopted;
- Swept path analysis of the proposed estate roads to ensure a refuse collection vehicle can pass a private car.

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

Reason. Details not submitted at application stage 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 H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, HT4 - New Development, HT6/1 - Pedestrian and Cyclist Movement and HT6/2 - Pedestrian/Vehicular Conflict

4. No development shall commence unless and until a 'Construction Traffic management Plan' (CTMP) has been submitted to and approved in writing by the Local planning Authority. The approved plan shall be adhered to throughout the construction period and shall provide for:

- Access arrangements for construction traffic from the adopted highway and phasing in relation to the implementation of the proposed signalised junction including all temporary works and measures required on the adopted highway;
- Temporary warning/speed limit signage;
- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site.

Reason. Details not provided at application stage to ensure mitigation of the construction traffic generated by the proposed development of the adjacent residential streets, in the interests of road safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

5. The visibility splays indicated on the approved plan reference 3402/403 Revision N shall be implemented to the satisfaction of the Local Planning Authority before the relevant parts of the development in which they are located are 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 Policies HT6/1 - Pedestrian/Vehicular Conflict and HT6/2 - Pedestrian/Vehicular Conflict.

6. The turning facilities on the proposed adopted highways and private driveways on approved plan reference 3402/403 Revision N shall be provided before the areas of the development to which they relate are 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 HT6/2 - Pedestrian/Vehicular Conflict.

7. Minimum hardstandings of 5.5m measured between the highway boundary and any proposed garage doors or 5m at dwellings without garages shall be provided to the satisfaction of the Local Planning Authority and thereafter maintained. shall

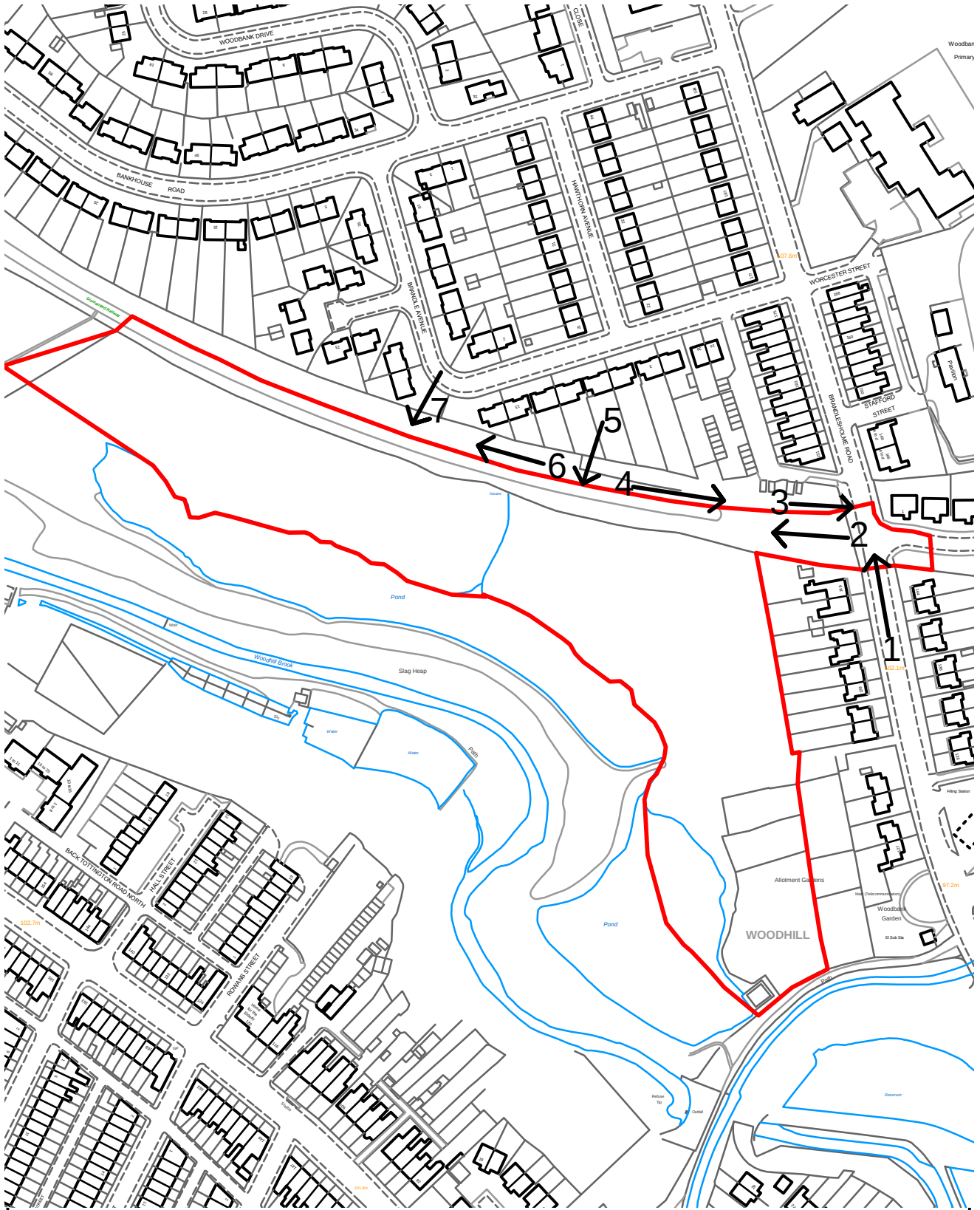
be provided to the written satisfaction of the Local Planning Authority and thereafter maintained.

Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and/or allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development.

8. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to ensure that there is provision to be made for the parking on site of operatives' and construction vehicles together with storage on site of 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 other than the parking of vehicles and storage of construction materials respectively.
Reason. Details not submitted at application stage to ensure adequate off street car parking provision and material storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.
9. 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. Details not received at application stage to ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.
10. The landscaping scheme hereby approved shall be implemented in accordance with a scheme for phased implementation to be submitted for approval by the Local Planning Authority. 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. The approved phasing scheme only shall be implemented.
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 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 58413

ADDRESS: Land to the West of 149
Brandlesholme Road, Bury

Planning, Environmental and Regulatory Services 1:1250

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Bury
COUNCIL

58413

Photo 1



Photo 2



58413

Photo 3



Photo 4



Photo 5



Photo 6



58413

Photo 7





Front Elevation



Rear Elevation

Drawing Number:
3402/420

Revision:
-

Drawn By:
NDV

Checked By:
MSB

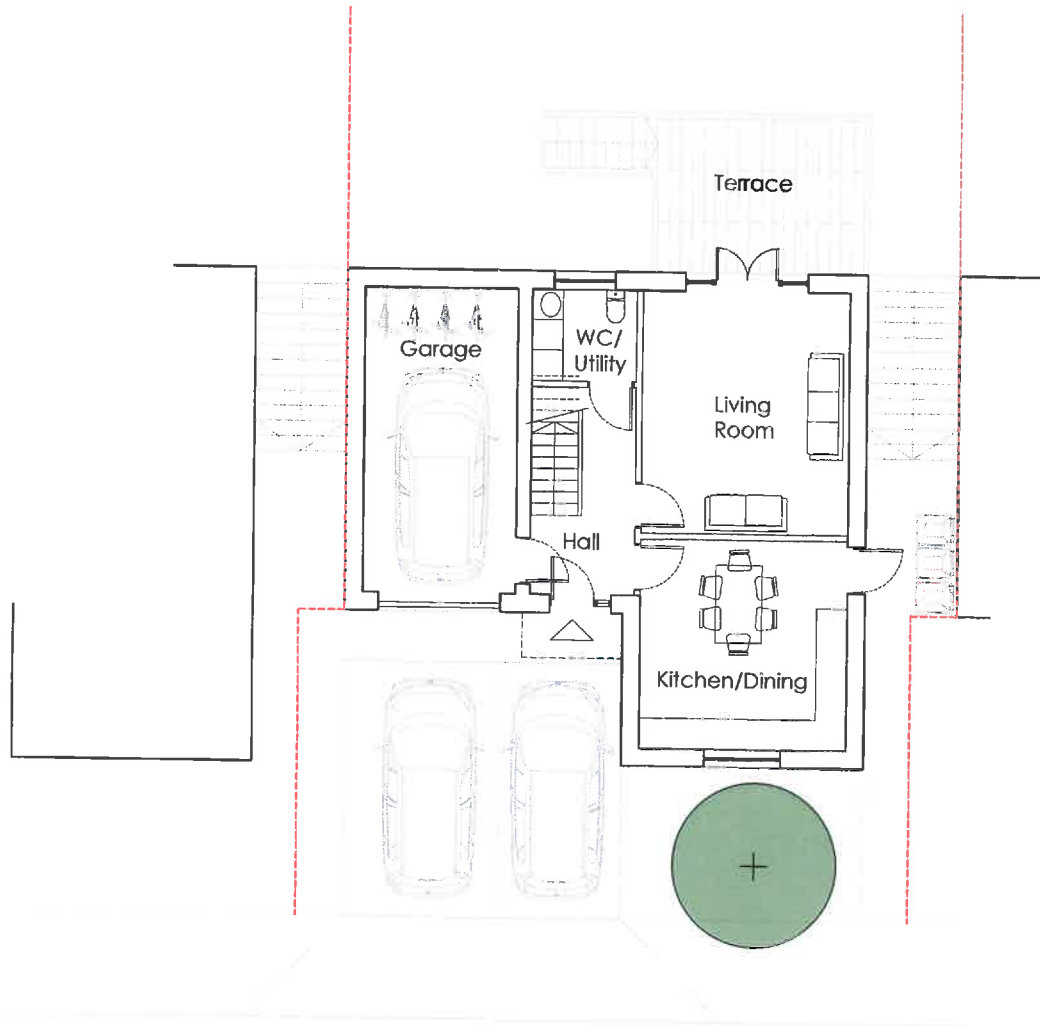
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Nov 2014

Scale:
1:100

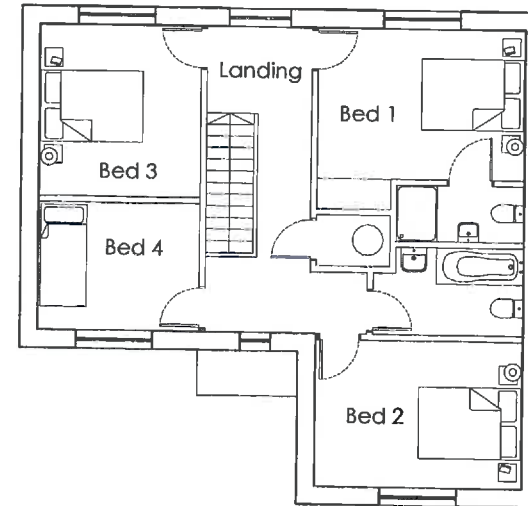
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Type D - 2 Bed Flats
Elevations 1
Land at Brandlesholme Road
Bury

BBA
ARCHITECTS
& PLANNERS
Heronville Manor, Bury, UK, M26 6LR
Tel: 01206 480427 Fax: 01206 480422
www.bbaarchitects.co.uk



Ground Floor Plan



First Floor Plan



Drawing Number:
3402/423

Revision:
A

Drawn By:
NDV

Checked By:
MSB

Date:
Nov 2014

Scale:
1:100

Sheet Size:
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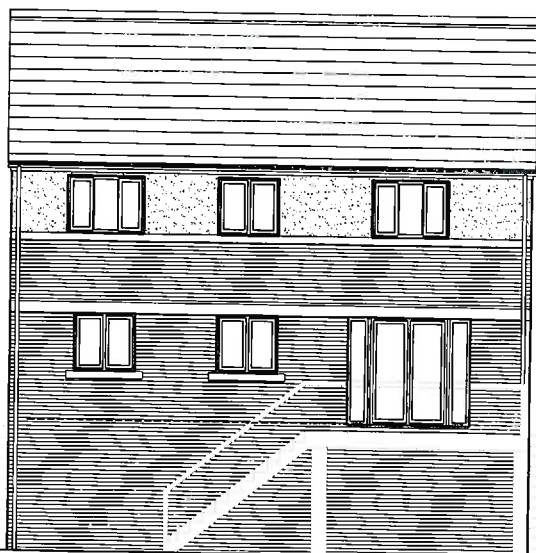
House Type E - 4 Bed House
Floor Plans
Land at Brandlesholme Road
Bury



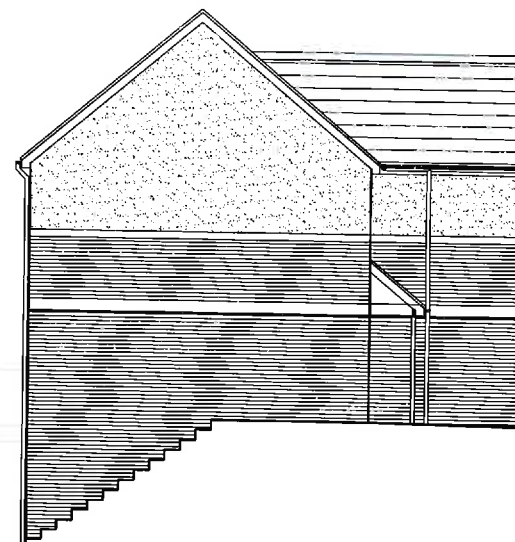
Side Elevation



Front Elevation



Rear Elevation



Side Elevation

Drawing Number:
3402/424

Revision:
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Drawn By:
NDV

Checked By:
MSB

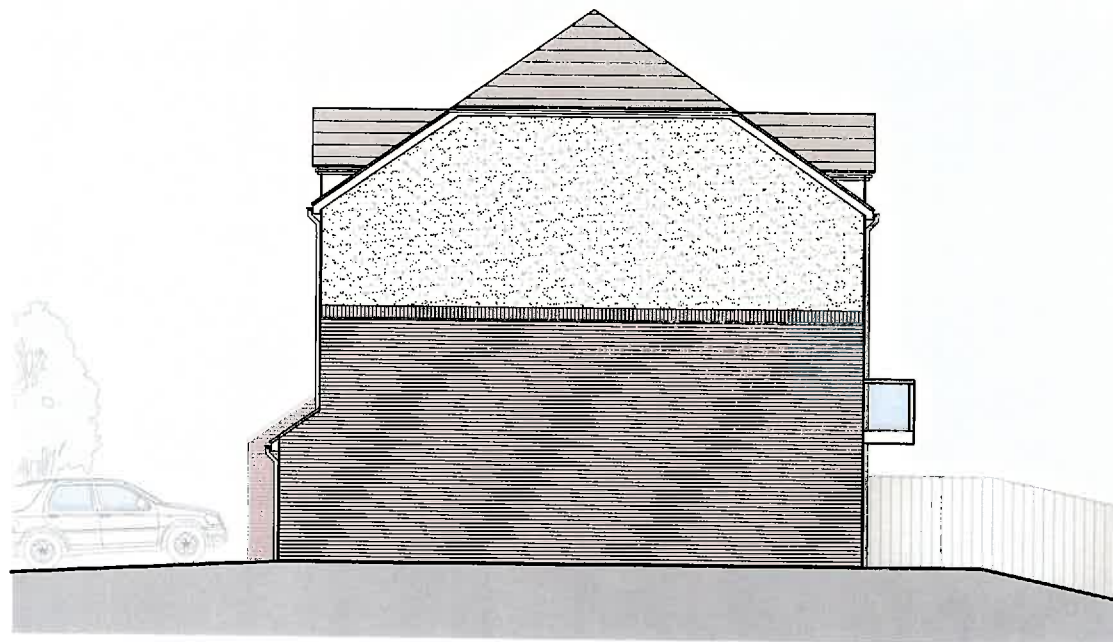
Date:
May 2015

Scale:
1:100

Sheet Size:
A3

House Type E - 4 Bed House
Elevations
Land at Brandlesholme Road
Bury

B B A
ARCHITECTS
& PLANNERS
Horsfield Mews, Bath, BA2 0LR
Tel: 01225 480427 Fax: 01225 482022
www.bba-architects.co.uk



Drawing Number:
3402/417

Revisions:
-

Drawn By: NDV
Checked By: MSB

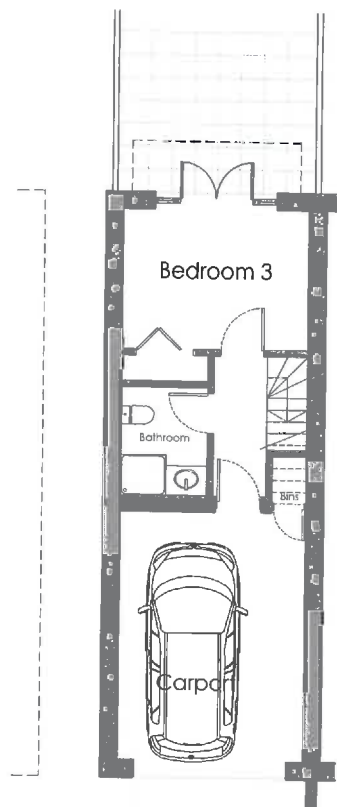
Date:
Nov 2014

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Sheet Size:
A3

House Type C - 3 Bed House
Elevations 2
Land at Brandlesholme Road
Bury

B B A
ARCHITECTS
PLANNERS
Henrietta Mews, Bath, BA2 5LR
Tel: 01225 460427 Fax: 01225 489022
www.bba-architects.co.uk



0 1 2 4 6m
Ground Floor

Drawing Number:
3402/415

Revision:
-

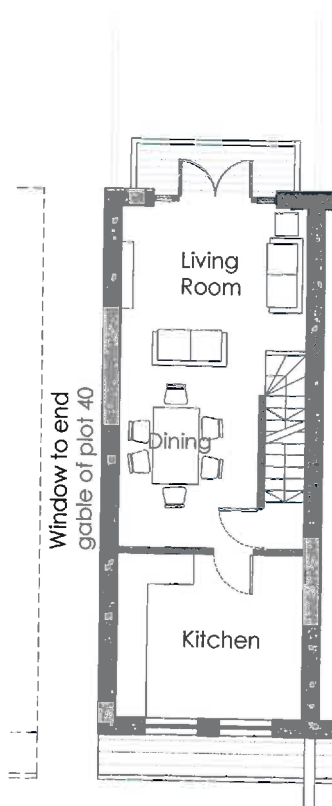
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Checked By: MSB

Date:
Nov 2014

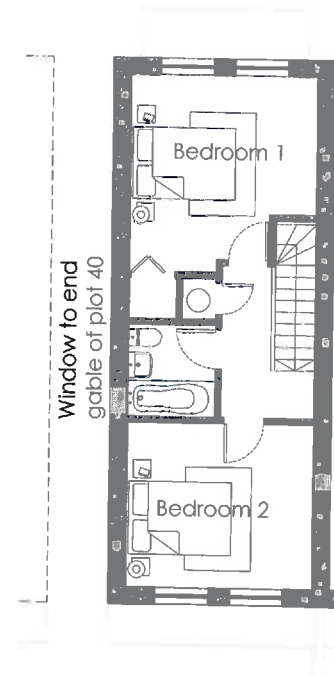
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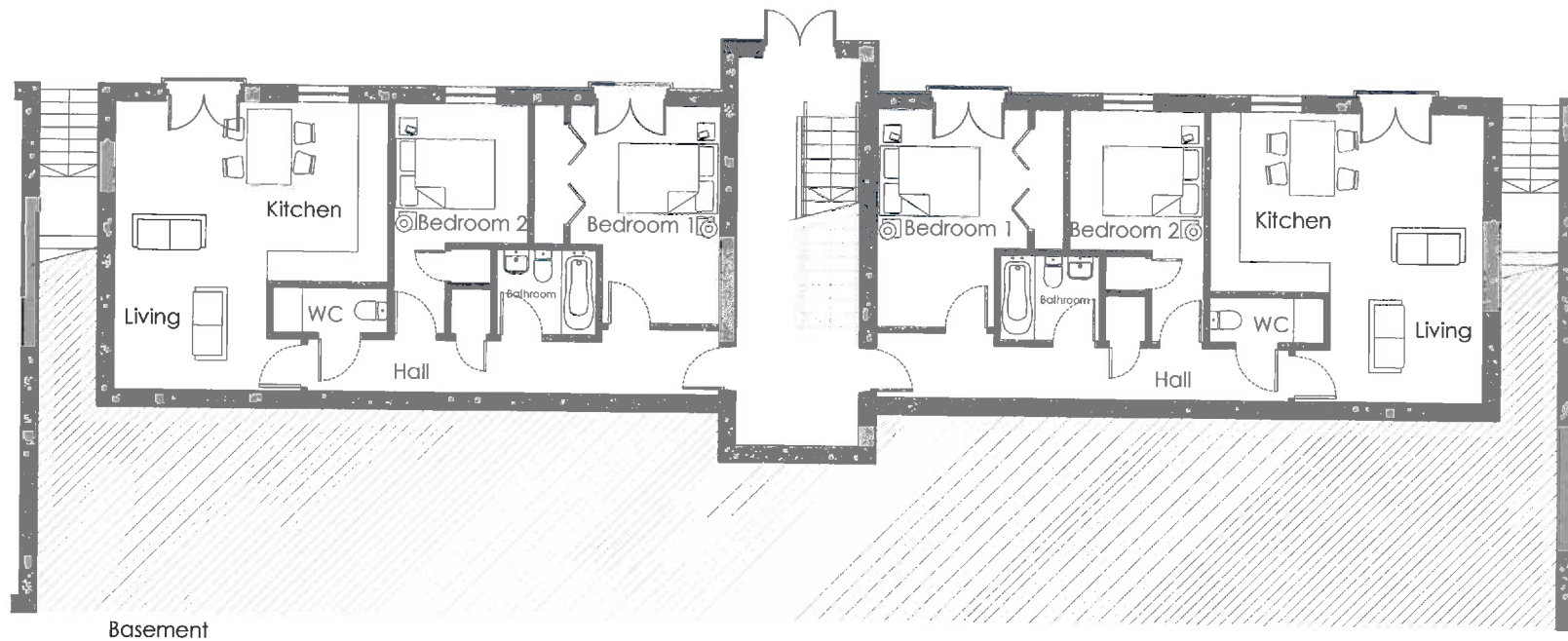
First Floor



Second Floor



House Type C - 3 Bed House
Floor Plans
Land at Brandlesholme Road
Bury



Drawing Number:
3402/418

Revision:
-

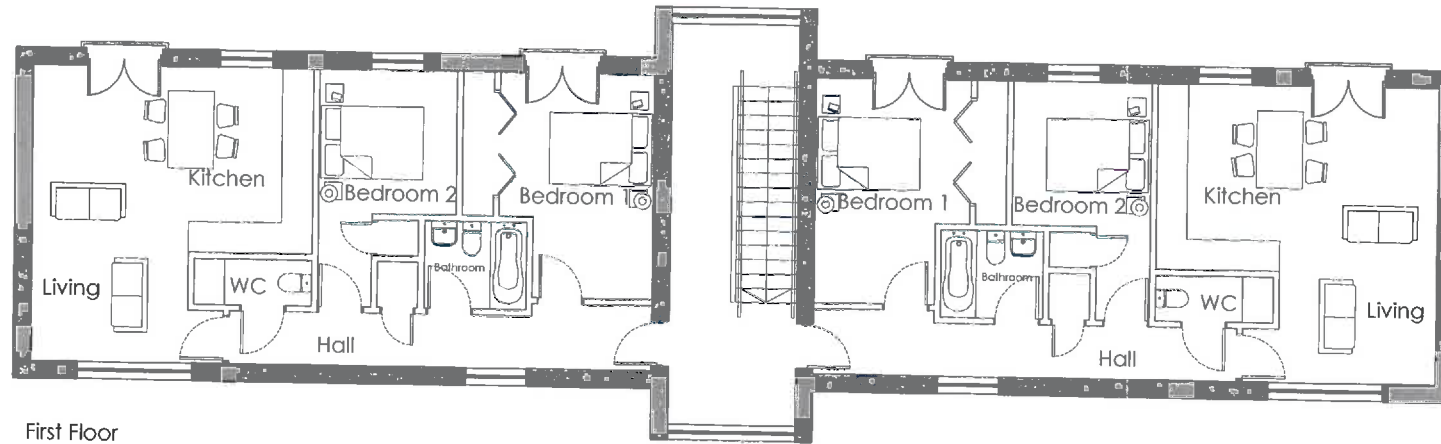
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Date:
Nov 2014

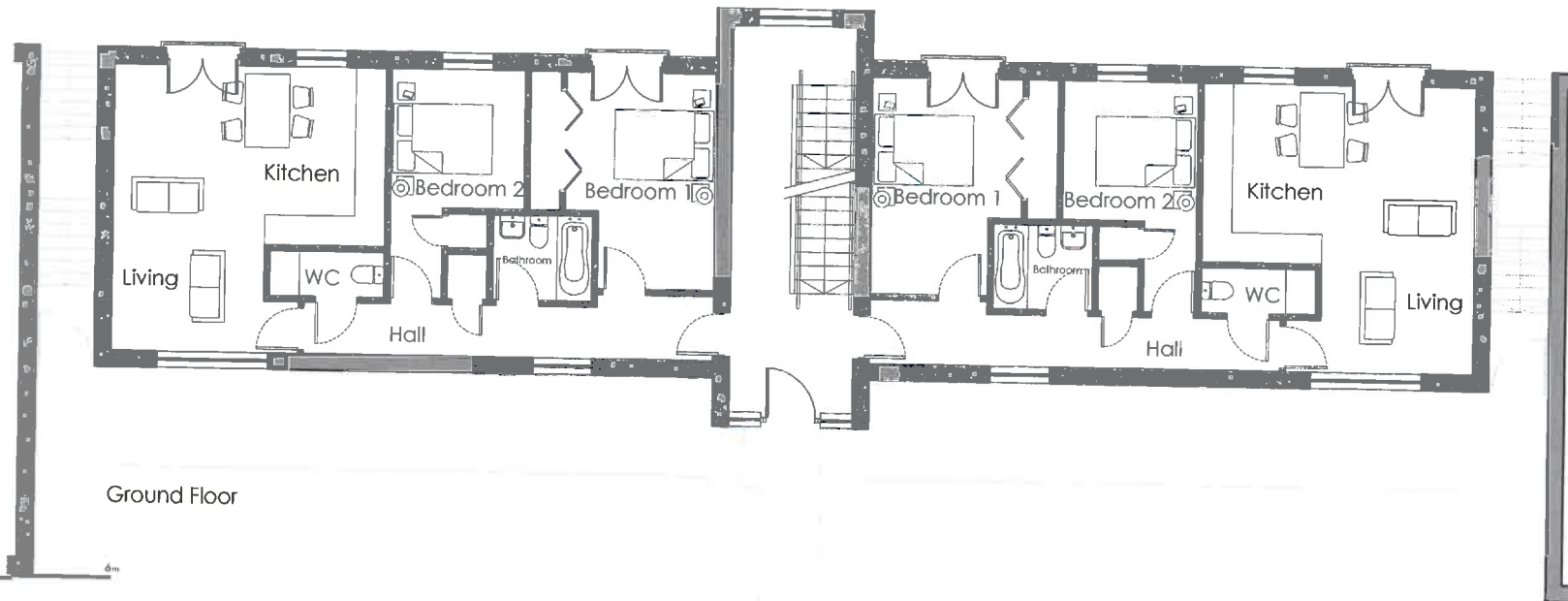
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1:100

Sheet Size:
A3

Type D - 2 Bed Flats
Floor Plans - Lower Ground Floor Plan
Land at Brandlesholme Road
Bury



First Floor



Ground Floor



Drawing Number:
3402/419

Revision:
-

Drawn By:
NDV

Checked By:
MSB

Date:
Nov 2014

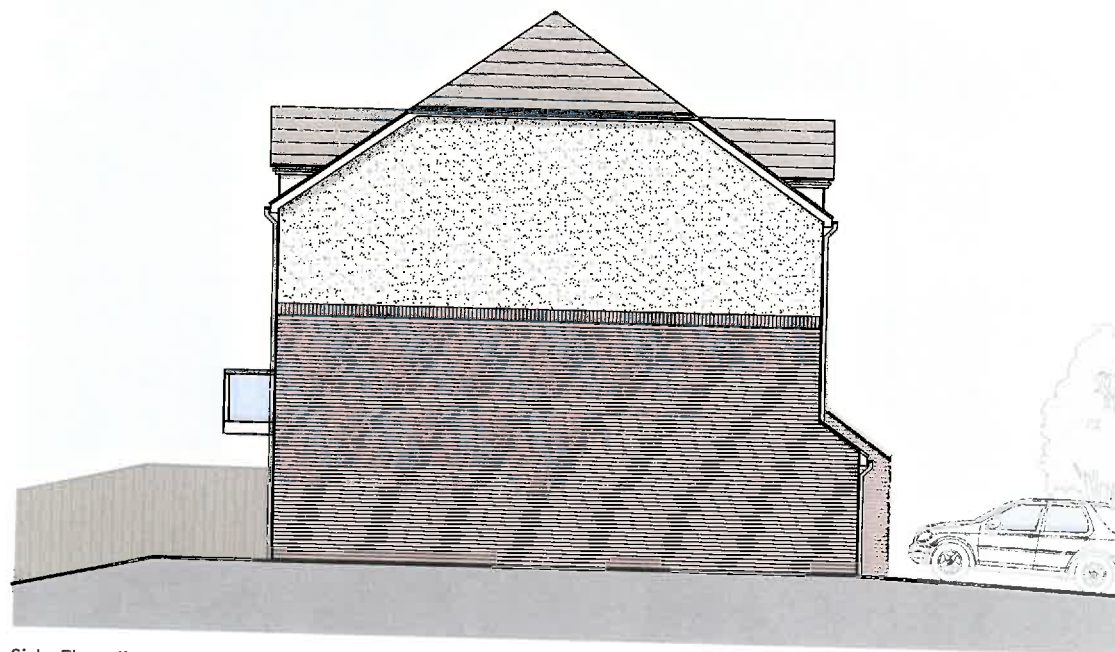
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1:100

Sheet Size:
A3

Type D - 2 Bed Flats
Floor Plans - Ground and First Floor Plan
Land at Brandlesholme Road
Bury



Front Elevation



Side Elevation

Materials Schedule
 Roof - Brown profiled concrete tiles & recon slate
 Walls - Brick, Render & Recon stone cills
 Windows & Doors - Double Glazed uPVC - White



Drawing Number:
3402/416

Revision:
 -

Drawn By:
 NDV

Checked By:
 MSB

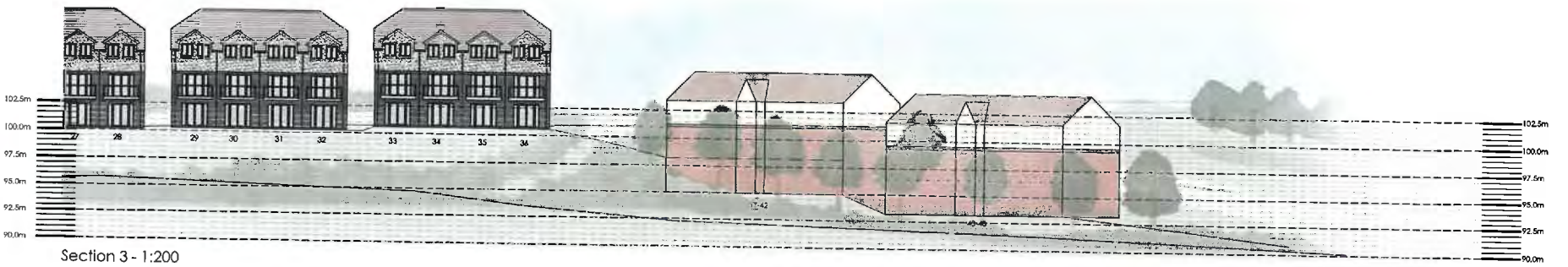
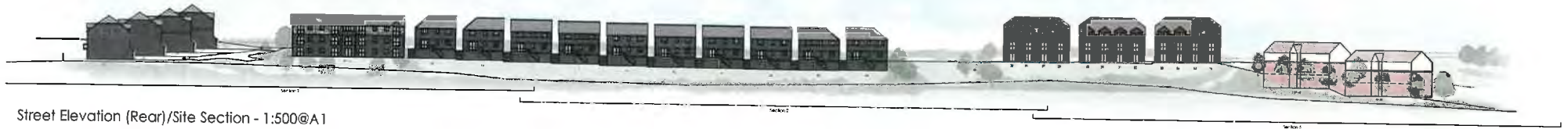
Date:
 Nov 2014

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Sheet Size:
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House Type C - 3 Bed House
 Elevations 1
 Land at Brandlesholme Road
 Bury

B B A
 ARCHITECTS
 PLANNERS
 Henfield House, Bath, BA2 5LR
 Tel: 01225 460427 Fax: 01225 460022
 www.bba-architects.co.uk



House No.	House Type	No. Units
	A - 4 Bed	
	B - 2 Bed	
1-8, 25-34, 54-57	C - 3 Bed - With Internal garages and 1 parking space	24
9-14, 37-48	D - 2 Bed Flats - With Allocated parking	18
15-24	E - 3 Bed / 4 Bed - With Internal garage and 2 parking spaces	19
Plots 49-53	SF - Self Build - House Type A	5
	Total	57

Key

RS - Residential Sprinklers Required

Proposed trees subject to landscape design.

landscape design

Existing Trees Retained

Trees Outside site

 Trees with Tree Preservation



 TPO Tree to be removed

1

INS Covered communal bin

Private Dwellings

Affordable Housing

100

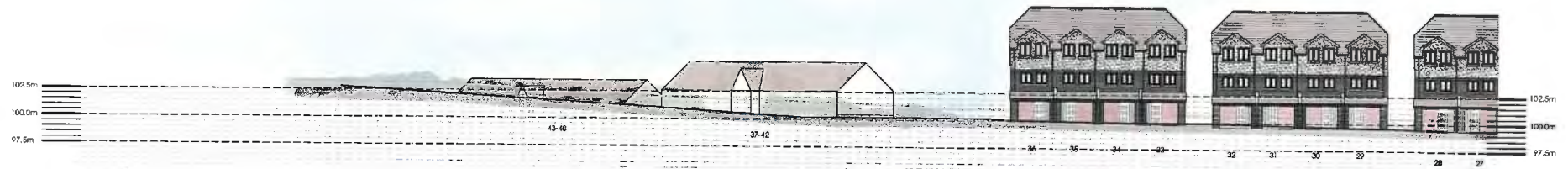
00.00 Existing Major Contours U

Reiter, in TED, signs in to the forum.

where Γ is the growth rate for free pr



Street Elevation (Front) 1:500 @ A1



Section 1 - 1:200



Section 2 - 1:200



Section 3 - 1:200

Ward: Prestwich - St Mary's

Item 05

Applicant: Redrow Homes (Lancashire) Ltd

Location: Land at Valley Park Road/Clifton Road Prestwich, Manchester, M25 3TG

Proposal: Erection of 97 no. residential units (Class C3) comprising 67 no. dwellings and 30 no. apartments with associated landscaping, access arrangements and car parking and substation and creation of pond and woodland walk and seating area

Application Ref: 58655/Full

Target Date: 05/08/2015

Recommendation: Minded to Approve

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 and for Affordable Housing in accordance with Policy H4/1 of the UDP and SPD5. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application.

A site visit has been suggested by the Development Manager.

Description

The site is a triangular piece of land, which is located to the west of the Tesco store. The site originally formed part of Prestwich Hospital and formed part of the development for the retail store, restaurant and hotel, which was allowed on appeal in 1993. The site is vacant with a number of trees within the site. Access is taken from Valley Park Road and Pinfold Drive. There is an access (Thornton Crescent) which crosses the site from west to east and connects to Clifton Road.

Prestwich Hospital is located to the north and west of the site and the Tesco store is located to the east. There is an existing football pitch to the south with Clifton Road and residential properties beyond. There are residential properties to the southeast (on Kingswood Road/West Road).

The proposed development involves the erection of 97 residential units, which comprises 67 dwellings and 30 apartments. All the proposed dwellings would be two storeys in height and there would be a mix of detached, semi-detached and terraced properties. The proposed apartments would be located in two buildings, which would be three storeys in height. The proposed dwellings and apartments would be constructed from red brick, render with timber detailing and a tile roof. Access to the site would be taken from Valley Park Road and Pinfold Drive.

Relevant Planning History

25004 - Proposed shopping, housing and hotel development at Prestwich Hospital, Bury New Road, Prestwich. Refused - 20 December 1990. Allowed on appeal - 5 April 1993.

29082 - Erection of retail food store, petrol filling station including car parking, landscaping and alterations to Bury New Road - Approval of reserved matters at Prestwich Hospital, Bury New Road, Prestwich. Approved with conditions - 23 December 1993.

31839 - Renewal of outline planning permission for residential element of retail store, petrol filling station, residential and hotel development at Former Prestwich Hospital, Bury New Road, Prestwich. Approved with conditions - 28 March 1996.

43686 - Clubhouse with changing facilities and car parking; new lower tier with junior pitches and countryside walk at land at Prestwich hospital, Bury New Road, Prestwich. Approved with conditions - 8 July 2005.

Publicity

318 neighbouring properties were notified by means of a letter on 6 May 2015 and a press notice was published in the Bury Times on 14 May. Site notices were posted on 12 May 2015.

43 letters have been received from the occupiers of 6 North Road, 1, 2, 5, 6, 9, 16 West Road, Cheddleton Lodge, 3, 5, 20, 24, 26 Dashwood Road, 49, 56, 70, 71, 74, 78, 89, 99 Clifton Road, 1, 27, 29, 37 Kingswood Road, 42 Haslam Hey Close and 11 Wyndham Park, which have raised the following issues:

- Concerned about the proposed walkway connecting Kingswood Road to the development. This should connect to the recently approved residential development on Kingswood Road.
- Concerned about the loss of trees.
- Object to the three storey apartment blocks, which will overlook West Road and Cheddleton Lodge.
- Object to the proposed substation being located near an existing dwelling and the associated health risks they bring.
- The proposal will lead to increased traffic in the area and would be a danger for children playing in the road.
- Increased noise pollution.
- Increased light pollution from the three storey flats.
- The proposed emergency access would destroy a magnificent Victorian boundary wall and would cause trees to be destroyed.
- The current strain on school places and GPs is a major concern.
- The proposal is in contravention of the Bury UDP as it is to the detriment of the quality, character and amenity value of the area.
- The proposed emergency access should connect to the rear of the existing car park at Tesco or the existing road at Clifton Road.
- Concerned that the emergency access road would be used regularly by owners of the new homes.
- The proposed block of apartments would be 11.5 metres in height and would be much taller than the existing two storey dwellings.
- The applicant has not considered the amenity of the existing properties, only those within the proposed development.
- The proposed development would contravene our rights under Protocol 1, Article 1 of the Human Rights Act, as it would curtail the right to peaceful enjoyment of our home and surroundings.
- Any construction traffic must use Valley park Road and not West Road, Kingswood Road or Clifton Road.
- Impact upon ground stability and drainage in Prestwich.
- The leafy character of the area would be lost.
- The proposed development does not reflect the local context, the street pattern or the scale and proportions of local buildings.
- The proposed apartment block would cause significant noise, which would disturb the existing residents.
- The additional permeability provided by the proposed emergency access at Clifton Road is not necessary and would not be a viable option for an emergency due to increased congestion.
- The Tree Survey does not guarantee that the opening of the access point will not damage T28 (lime tree).
- The proposed emergency access would become the primary pedestrian access point and would cause an increase in noise and would have a significant adverse impact upon the residents of the surrounding area.

- There is a lack of information as to how the proposed emergency access will be controlled.
- The emergency access may be used as a full access to the site at a later date. A small spur has been added to the main road adjacent to the emergency access to accommodate this use.
- HGVs already use Kingswood Road due to satnavs and poor map reading.
- The application has not received any scrutiny from the Council prior to consultation. I reasonably expect to see the Council's preliminary observations in the consultation letter to confirm that the proposal is worthy of my consideration.
- In its present form this application is UNACCEPTABLE. Redrow must be REQUIRED to reconsider its submission with considerable rigour and INSTRUCTED to do so by a Council which takes seriously its primary function to serve its communities.
- Object to the three storey apartments, but would have no objections to two storey apartments.
- There will be an additional risk of flooding from surface water run off.
- This area of Prestwich is known as the 'Village' because of the character of the area and it seems that this is being destroyed by the Council which is seeking to continually keep chipping away at the area to the detriment of local residents.
- The proposed apartments would be 2 metres above the existing levels and as such, would be higher than the proposed elevation plan suggests.
- The topographical survey did not include the properties on West Road and as such, it is not possible to ascertain whether there are adequate aspect distances in place.
- The mature trees would offer little screening during the winter months.
- The photographs within the design and access statement are incorrectly labelled and the immediate properties are two storeys in height.
- The proposed development does not comply with SPD16 and should be refused.

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

Consultations

Traffic Section - No objections in principle to access from Valley Park Road. Further comments to be reported in the Supplementary Report.

Drainage Section - Comments awaited and will be reported in the Supplementary Report.

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

Environmental Health - Pollution Control - Comments awaited and will be reported in the Supplementary Report.

Waste Management - No objections.

Public Rights of Way Officer - Comments awaited and will be reported in the Supplementary Report.

Children's Centres & Early Years - Comments awaited and will be reported in the Supplementary Report.

Performance & Housing Strategy - Comments awaited and will be reported in the Supplementary Report.

Prestwich Township Forum - Comments awaited and will be reported in the Supplementary Report.

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to tree protection methods, Japanese Knotweed and Himalayan Balsam, and a habitat management plan.

Environment Agency - No comments.

Electricity North West - No objections, subject to the inclusion of informatives relating to infrastructure.

United Utilities - No objections, subject to the inclusion of a condition relating to foul and surface water drainage.

The Coal Authority - No objections, subject to the inclusion of an informative relating to coal mining.

GM Fire Service - No objections, subject to the inclusion of conditions.

Transport for Greater Manchester - No objections, subject to the inclusion of a condition

relating to a travel plan.

Minerals and Waste Planning Unit - No objections.

Highways Agency - No objections, subject to the inclusion of a condition relating to a travel plan.

Designforsecurity - Comments awaited and will be reported in the Supplementary Report.

Unitary Development Plan and Policies

H1/1	Housing Land Allocations
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/1	Tree Preservation Orders
EN8/2	Woodland and Tree Planting
RT1/1	Protection of Recreation Provision in the Urban Area
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
SPD1	Open Space, Sport and Recreation Provision
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide

Issues and Analysis

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

Principle - Following revocation of the North West Regional Strategy on 20th May 2013, there is no statutory housing target for Bury. Work is in progress on Bury's Local Plan - 'The Core Strategy', which will bring forward a new statutory housing target. It is currently proposed that the new housing target in the Local Plan should be set at 400 dwellings per annum, which is currently timetabled to be adopted in 2014.

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 housing land.

The proposed dwellings would be located on land, which is allocated for residential development under Policy H1/1.

The site is located within the urban area and is adjacent to a residential area. The proposed development would not conflict with the surrounding uses and is in a sustainable location with good access to public transport and services. The site formed part of the adjacent hospital and contained buildings and is previously developed land. Therefore, the proposed development would be in accordance with Policy H1/1 of the Bury Unitary Development Plan and the NPPF.

Design and layout - The proposed development would include a mix of detached, semi-detached, terraced dwellings and flats. The proposed dwellings would be constructed from a mix of materials, including red brick, render with timber detailing and a tile roof. The proposed materials would match the surrounding area. The use of headers, cills, brick banding, canopies and pike details would add visual interest to the elevations. As such, the proposed dwellings would not be a prominent feature within the locality.

All of the proposed dwellings would have a side or rear garden, which would provide a suitable level of private amenity space. There would be space within the rear or side gardens for bin storage. The proposed boundary treatments would include a 1.8 metre high timber boarded fence, which would be acceptable and would match the existing fencing in the area.

Therefore, the proposed development would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards between residential properties and as such, would be relevant in this case. The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows and 13 metres between a habitable room window and a two storey blank wall. For each additional storey in height, 3 metres should be added to the separation distance, i.e. there should be 23 metres between directly facing habitable room windows.

There would be 33 metres between the proposed apartment building and the properties on West Road, which would be in excess of the 23 metre distance required. There would be at least 28 metres between the proposed apartments and Cheddleton House, which would be in excess of the required aspect standard.

Plots 80 - 86 and 88 - 95 would back onto land owned by Prestwich Hospital. All of the plots would have a rear garden of at least 10 metres, which would result in the aspect standard being shared between the two sites. The remainder of the proposed development would comply with or be in excess of the relevant aspect standards.

Therefore, the proposed development would not have an adverse impact upon the residential amenity of the neighbouring properties.

Trees - All of the trees within the site are protected by an area Tree Preservation Order and a tree survey has been submitted as part of the application. The trees have not been actively managed for a number of years and as such, many are of poor quality.

It is proposed to remove 9 groups and 17 individual trees as part of the development. Of the trees to be felled, 5 groups and 14 trees are of poor quality and have low amenity value 77 trees would be planted as part of the landscaping proposals and 20 groups of trees and 54 trees would be retained on site. Given the high number of trees to be retained on the boundary of the site and the replacement trees, it is considered that the proposed development would not have an adverse impact upon the character and appearance of the area. Therefore, the proposed development would be in accordance with Policies EN8 and

Ecology - An ecological survey and assessment were submitted as part of the application and additional surveys in relation to bats and nesting birds have been submitted. GM Ecology Unit has no objections, subject to the inclusion of conditions relating to tree protection measures, nesting birds, Japanese Knotweed and a habitat management plan and informatives relating to bats. Therefore, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

Flood risk - The application site is located within flood zone 1 and the standing advice from the Environment Agency classified residential development as 'more vulnerable'. It continues that a 'more vulnerable' development would be appropriate within this flood zone, providing that the site is not at risk of groundwater flooding. The applicant has submitted a drainage and a sustainable urban drainage (SuDS) strategy, which has identified measures to ensure that the site would not be at risk of groundwater flooding. United Utilities has no objections to the proposal, subject to a condition relating to SuDs and foul and surface water drainage. Therefore, the proposed development would not be at risk from groundwater flooding, subject to conditional control and would be in accordance with Policies EN5/1 and EN7/5 of the Bury Unitary Development Plan.

Highways issues - Access to the proposed development would be taken from Valley Park Road and Pinfold Drive and a Transport Assessment has been submitted as part of the application. A detailed assessment of the junction of Valley Park Road and Bury New Road has been completed and the junction would be able to accommodate the traffic generated. An emergency access would connect the proposed development to Kingswood Road.

There is a private right of access from Prestwich Hospital, along Thornton Crescent to Clifton Road. This right of access would be transferred onto the proposed access road and gates would be provided to prevent unauthorised access. The applicant has confirmed that all construction traffic would utilise Valley Park Road.

The Traffic Section has no objections in principle to the proposal. Further comments will be provided in the Supplementary Report.

Parking - SPD11 states that the maximum number of parking spaces is:

- 1.5 spaces per 2 bed
- 2 spaces per 3 bed
- 3 spaces per 4 and 5 bed units.

This equates to 261 parking spaces.

The proposed development would provide 178 spaces and 69 spaces in the form of garages, giving a total of 247 spaces. The site has good access to public transport and there would be space for visitors to park on the access road. As such, the level of parking provision in this instance would be acceptable. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Planning Obligations - A contribution for off-site recreation provision would be required in accordance with Policy RT2/2 of the Bury Unitary Development Plan and SPD1. 24 affordable dwellings should be provided in accordance with Policy H4/1 of the Bury Unitary Development Plan and SPG5. This will be secured through a Section 106 agreement and the applicant has no objections to these provisions.

Response to objectors

The issues relating to design, character of the area, scale of the development, loss of privacy and residential amenity, traffic, emergency access and its use, drainage and trees have been dealt with in the above report.

The proposed residential use would not lead to a significant increase in noise and as such,

would not have an adverse impact upon the residential amenity of the neighbouring properties.

A condition has been included to restrict access for construction traffic to Valley Park Road and not through Clifton Road. Discussions have been held with Prestwich Hospital and it is proposed to construct a separate access for future developments at the site.

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: Minded to Approve

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location plan, DSL-01 C, DSL -02 C, DSL-03 C, DSL-04 C, DSL-05 C, DSS-01, L4521APT2-901 D, L4521APT2-902 D, EF_HARR_DM.2.0 Rev A, EF_BROD_EM.1.0, EF_OXFD_DM.1.0, EF_STRA_DM.1.0, EF_WELN_DM.1.0 - elevations, EF_WELN_DM.1.0 - floor plan, EF_CAMB_DM.1.0, EF_BROD_EM.1.0 - floor plan, EF_BROD_EM.1.0 - elevations, EF_WORC_DM.1.0, EF_CANT_DM.2.0 - floor plan, EF_CANT_DM.2.0 - elevations, RED/LH/BCS01 B, C-DG03 1 001 B, C-SG01 1 001 B, ENG250-01 A, PRE/ENG001, PRE/ENG026, PRE/ENG039, PRE/ENG040, 4364/VSP-02, 4962.03 4962.04 A, 4962.05 A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. No material samples have been submitted and is required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
4. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed

Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

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

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

6. No development shall commence unless or until calculations to support the Drainage and SuDS Strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved calculations and the submitted Flood Risk Assessment, Drainage and SuDS Strategy and Drainage Layout drawing.

Reason. The scheme does not provide calculations to support the chosen design and to ensure a satisfactory means of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

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

Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

8. Prior to the commencement of the development hereby approved, a five year habitat management plan shall be submitted to and approved in writing by the Local Planning Authority. The habitat management plan will include:

- Mitigation for loss of trees, shrubs and the enhancement of the ground layer;
- Details of any tree thinning works;
- Provision of bird boxes;
- Control of invasive species;
- Enhance the ecological linkage with Mere Clough
- A timetable for the proposed works

The approved plan shall be implemented in accordance with the approved timetable.

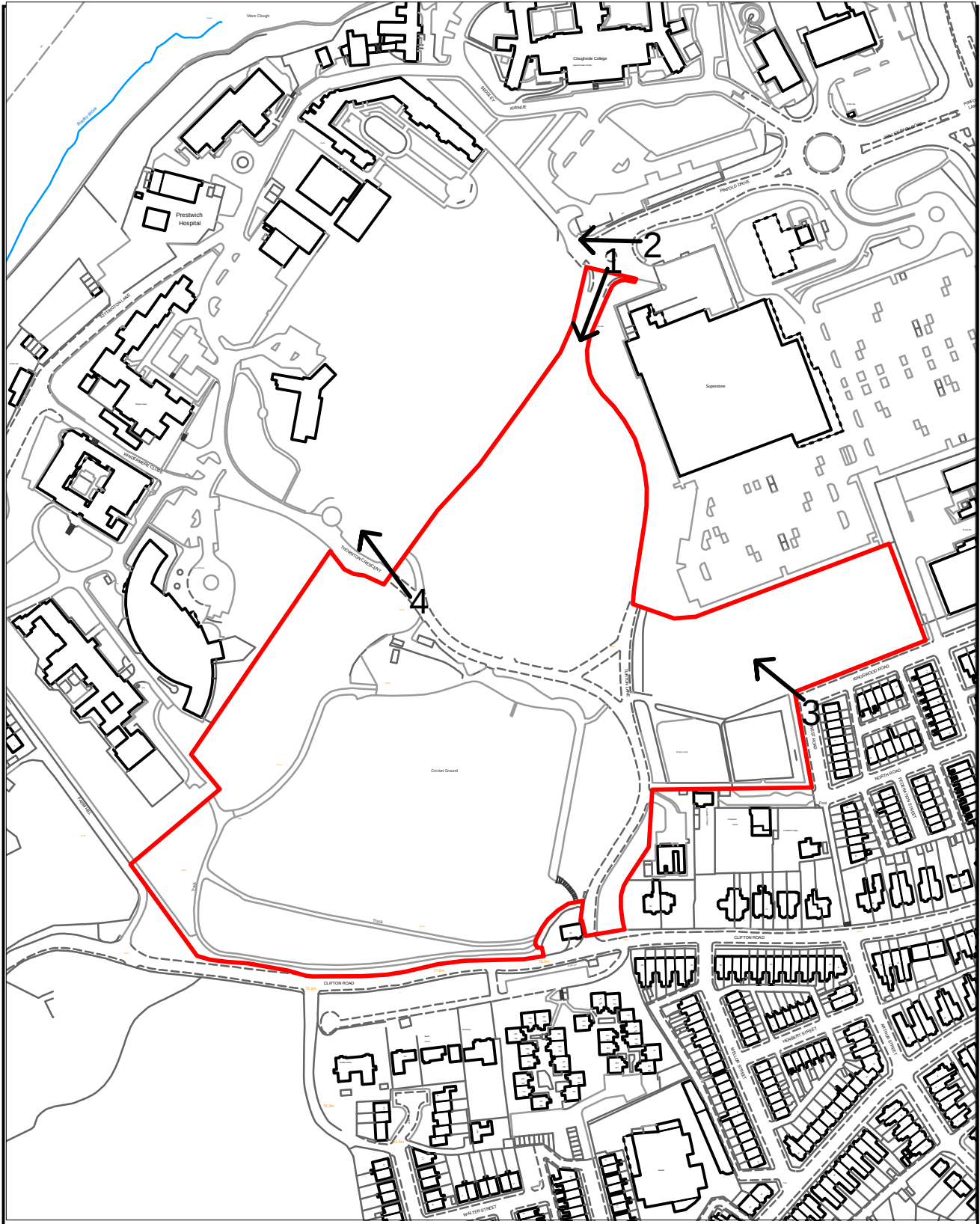
Reason. The scheme does not provide full details of the measures to preserve and enhance the habitat and features of ecological importance pursuant to Policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural

environment.

9. No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year.
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.
10. 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 not commence unless and until 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.
11. No trees subject to a Tree Preservation Order, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before, during or after the construction period.
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.
12. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
13. Prior to first occupation of the development hereby approved, a detailed travel plan shall be submitted to and approved in writing by the Local Planning Authority. The approved travel plan shall be implemented in accordance with an agreed timetable.
Reason. In order to promote the use of sustainable modes of transport and minimise the use of the private car and single occupancy vehicles pursuant to the National Planning Policy Framework.
14. A minimum hardstanding of 5.5m shall be provided and thereafter maintained.
Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58655

**ADDRESS: Land at Valley Park Road
Prestwich**



Bury
COUNCIL

Planning, Environmental and Regulatory Services 1:1250

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

58655

Photo 1



Photo 2



58655

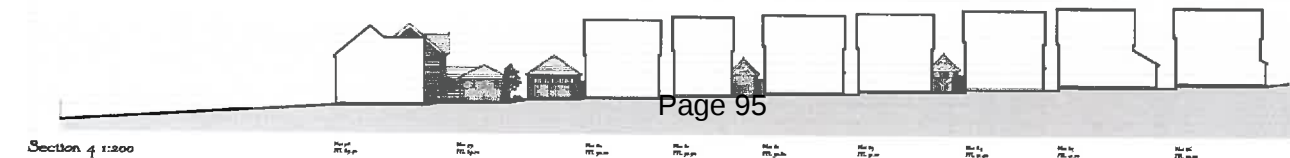
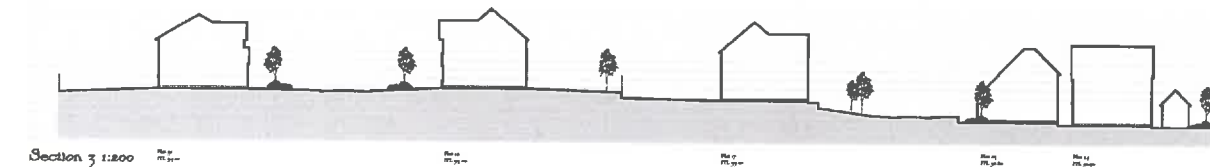
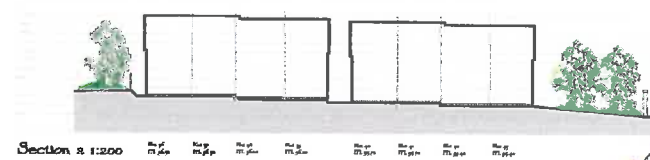
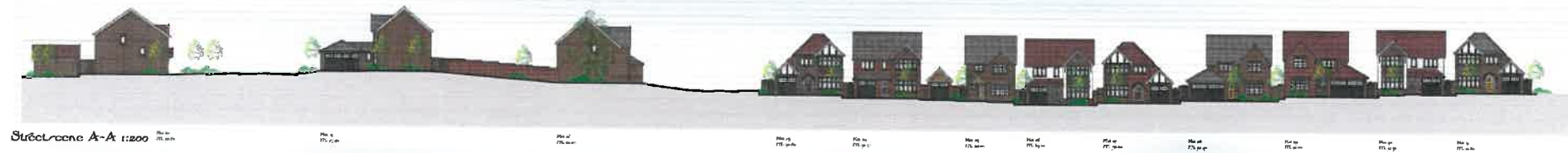
Photo 3

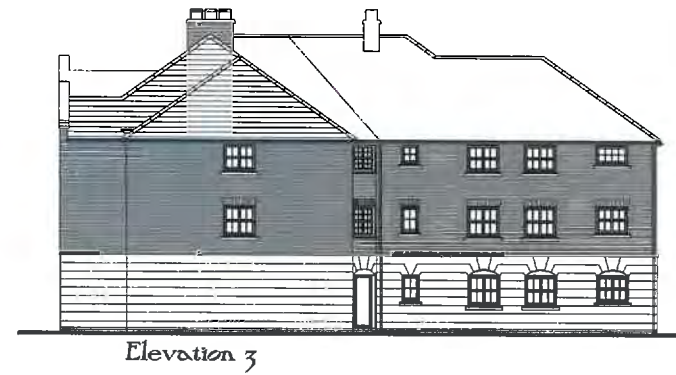
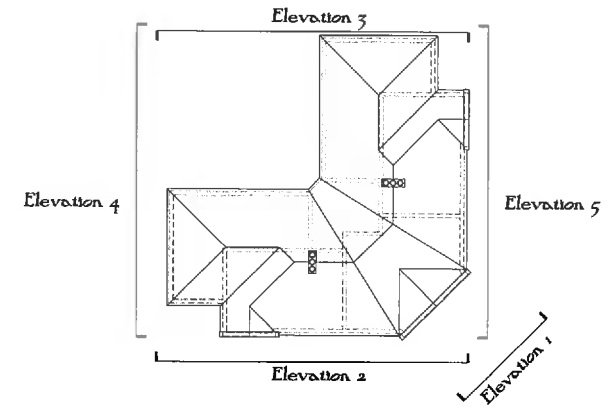
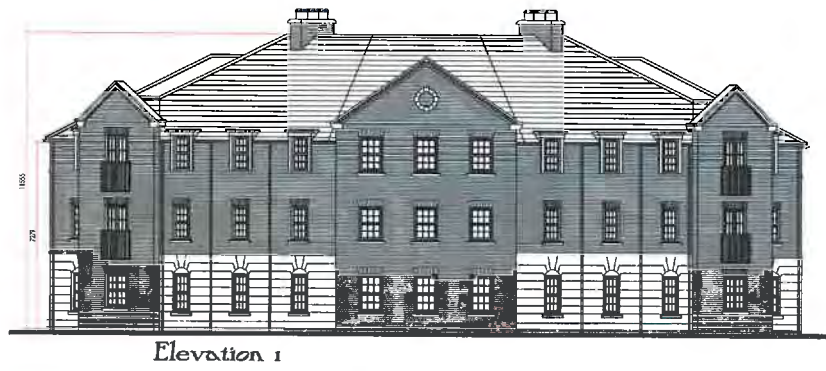


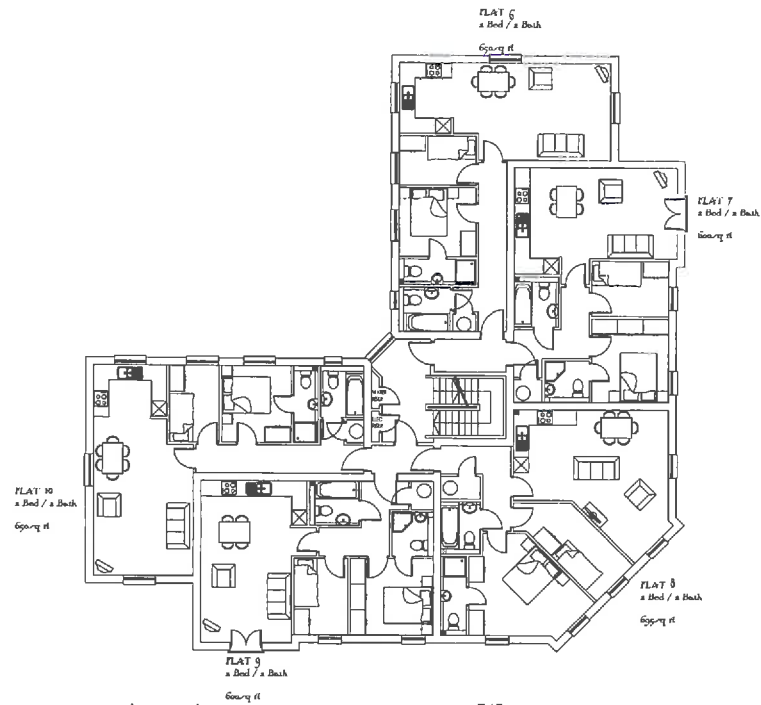
Photo 4



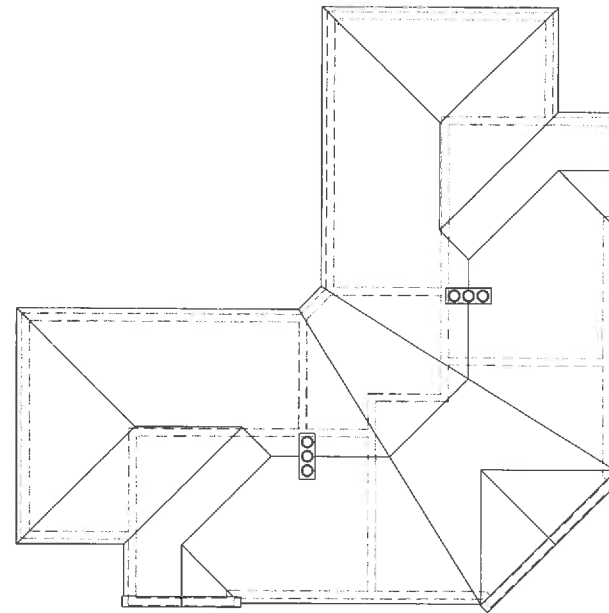
Tesco, Prestwich



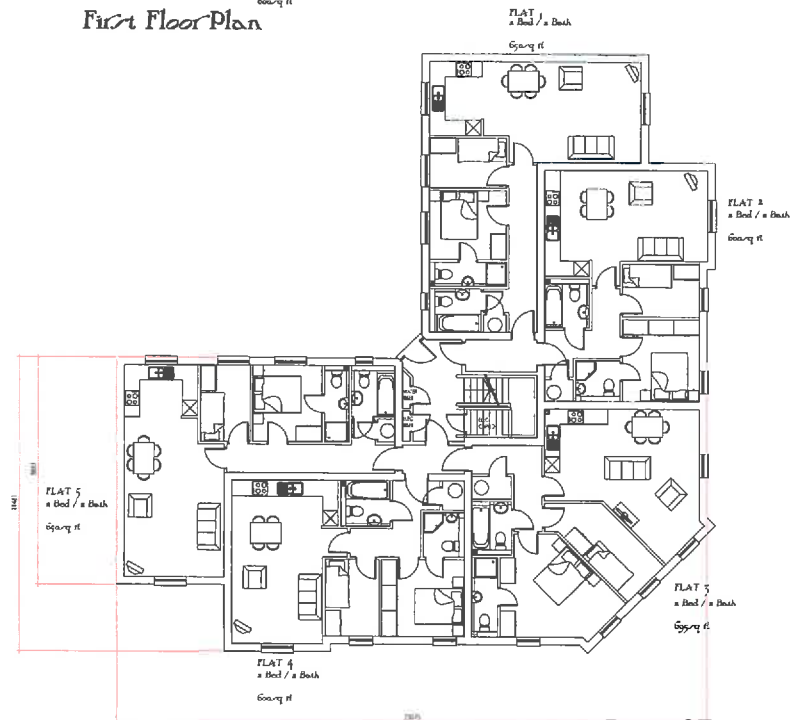




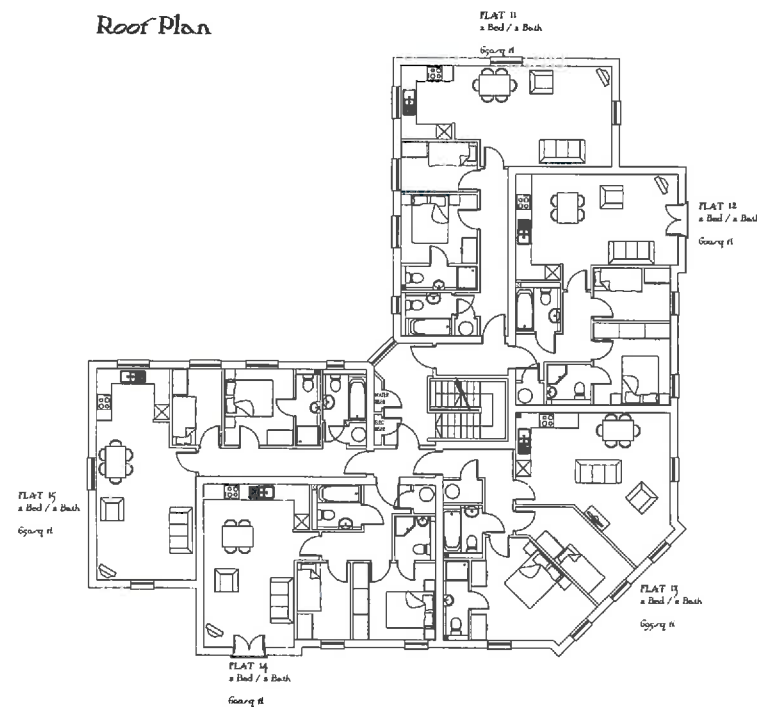
First Floor Plan



Roof Plan



Ground Floor Plan



Second Floor Plan

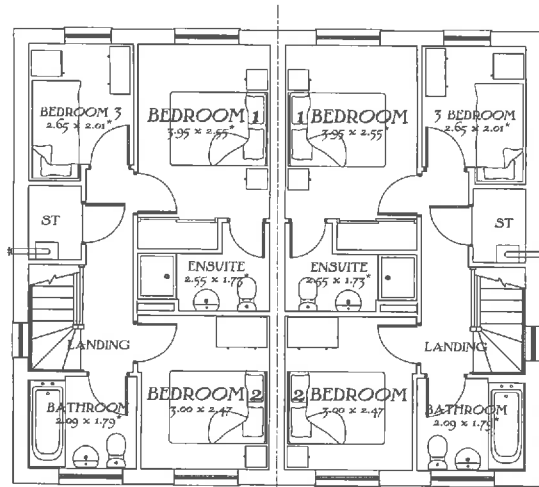
Prestrich

- D-Series
- 2 Bed FLAT 1, 5, 6, 10, 11 & 15
650sqft 60.38m²
- 2 Bed FLAT 2, 4, 7, 9, 12 & 14
600sqft 55.74m²
- 2 Bed FLAT 3, 8 & 13
695sqft 64.56m²

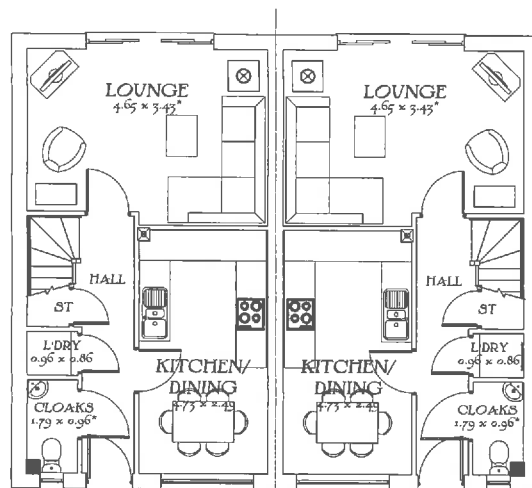
PROPOSED FLOOR PLANS

Dwg No. L4521APT2-901
Date: Mar 2012
REV: D
Drawing Scale: 1:1000





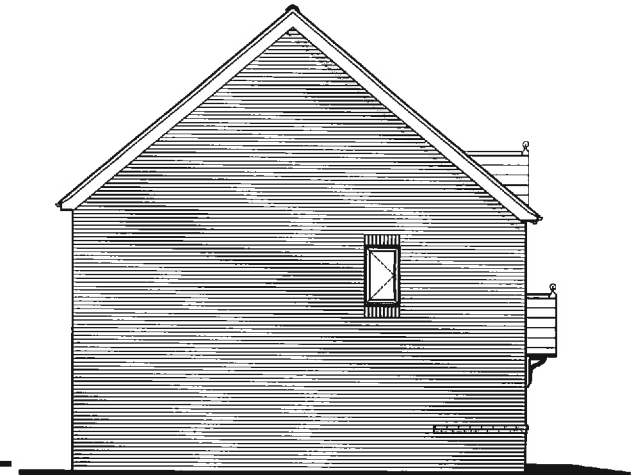
First Floor



Ground Floor



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



The Broadway

Heritage Collection
"2014 Edition"

EF Series Semi-Detached (A1)

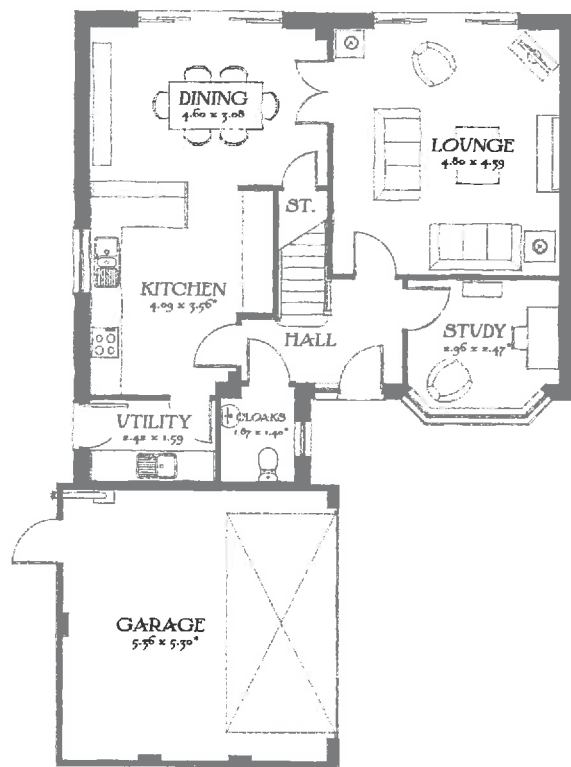
839sqft 77.94m²

DATE: April 2014

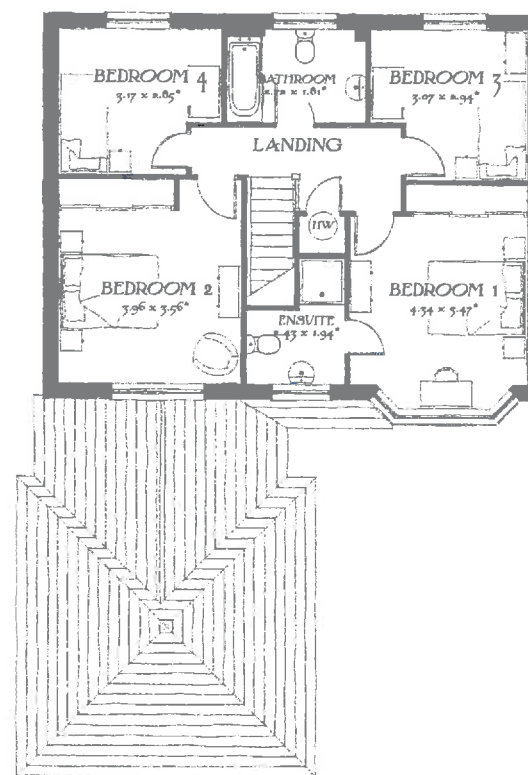
REV:

EF_BROD_EM.1.0

Drawing Scale 1:100 (@ A3)
Bedroom dimensions taken into wardrobe recess
* Maximum Dimension



Ground Floor



First Floor



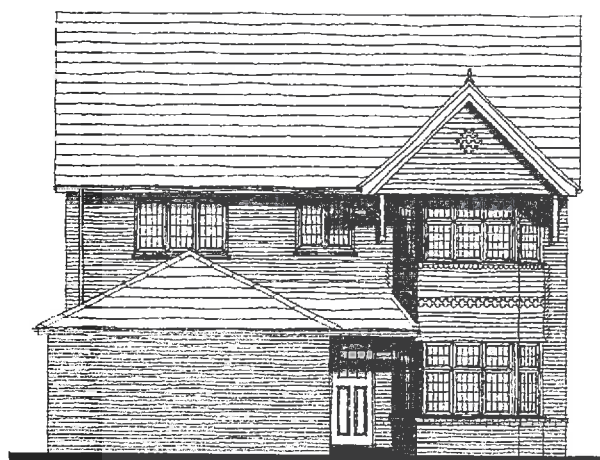
The Canterbury

Heritage Collection
"2014 Edition"

EF Series
1482sqft 137.72m²
DATE: March 2015
REV: -

EF_CANT_DM.2.0

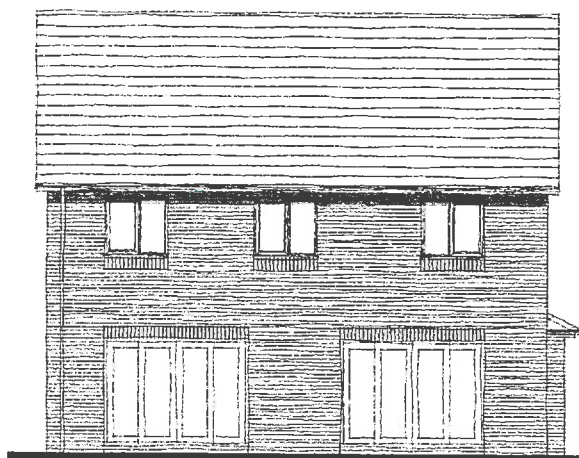
Drawing Scale 1:100 @ A3
Bedroom dimensions taken into wardrobe recess
* Maximum Dimension



Front Elevation



Side Elevation



Rear Elevation



Side Elevation

The Canterbury

Heritage Collection
"2014 Edition"

EF Series Brick (B1)

1482sqft 137.72m²

DATE: March 2015

REV: -

EF_CANT_DM.2.0

Drawing Scale 1:100 @ A3





Front Elevation



Side Elevation



Rear Elevation



Side Elevation

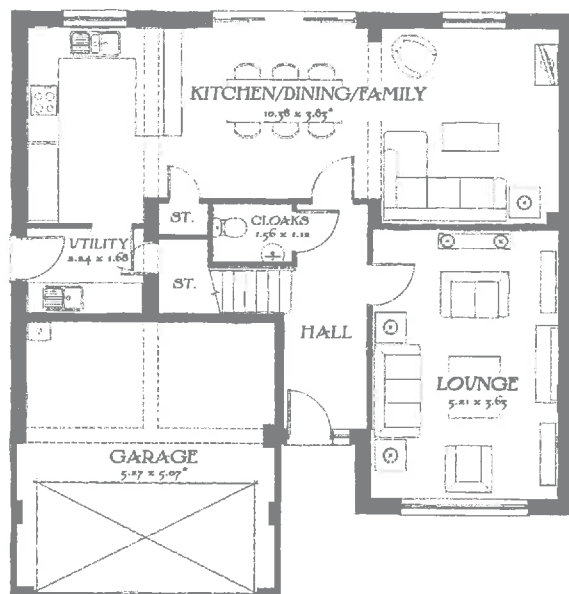
Scale 1:100
0 1 2 3 4 5 (m)

The Welwyn

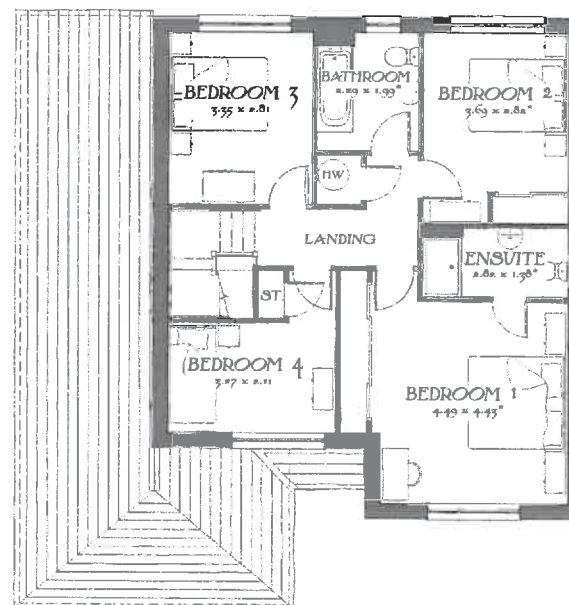
Heritage Collection
"2014 Edition"

EF Series Render (A1)
1533sqft 142.44m²
DATE: April 2014
REV:
EF WELN DM.1.0

Drawing scale 1:100 @ A3
Bedroom dimensions taken into wardrobe recess
* Maximum Dimension



Ground Floor



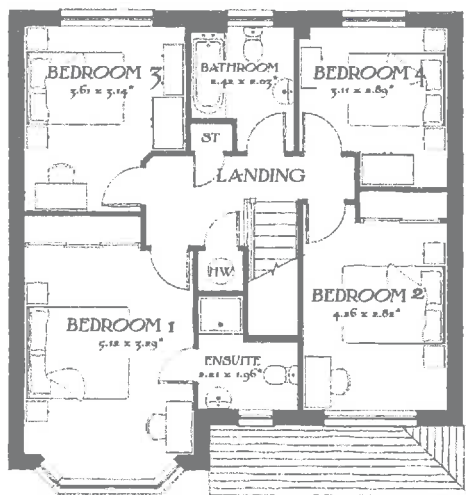
First Floor

The Welwyn

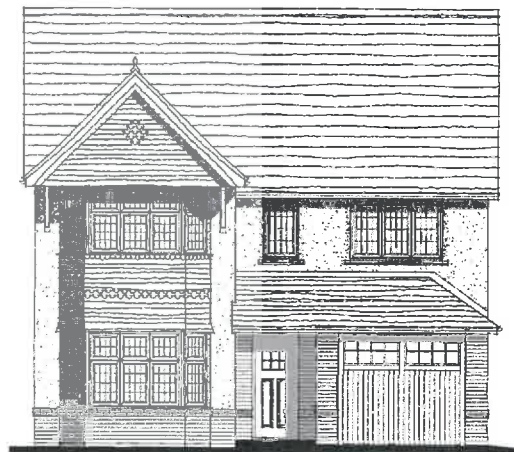
Heritage Collection
"2014 Edition"

EF Series
1533sqft 142.44m²
DATE: April 2014
REV:
EF WELN DM.1.0

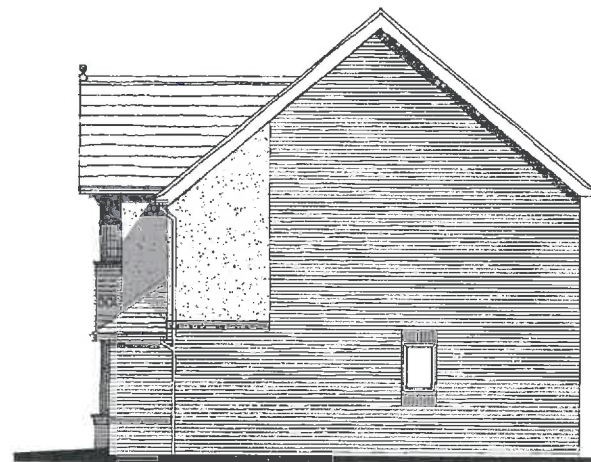
Drawing scale 1:100 @ A3
Bedroom dimensions taken into wardrobe recess
* Maximum Dimension



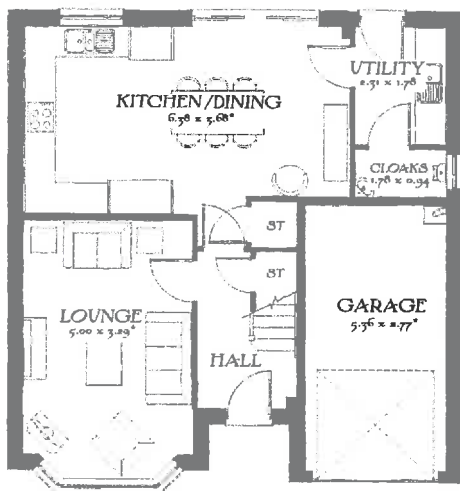
First Floor



Front Elevation



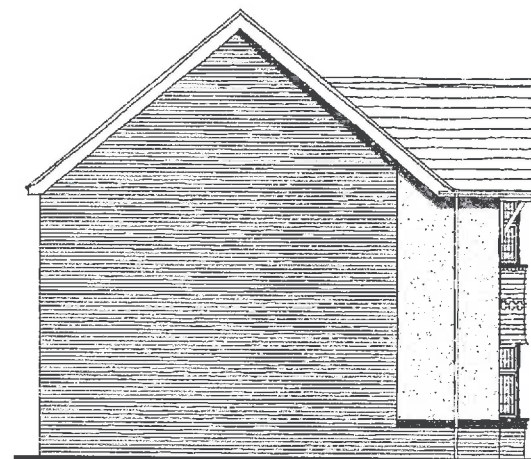
Side Elevation



Ground Floor



Rear Elevation



Side Elevation

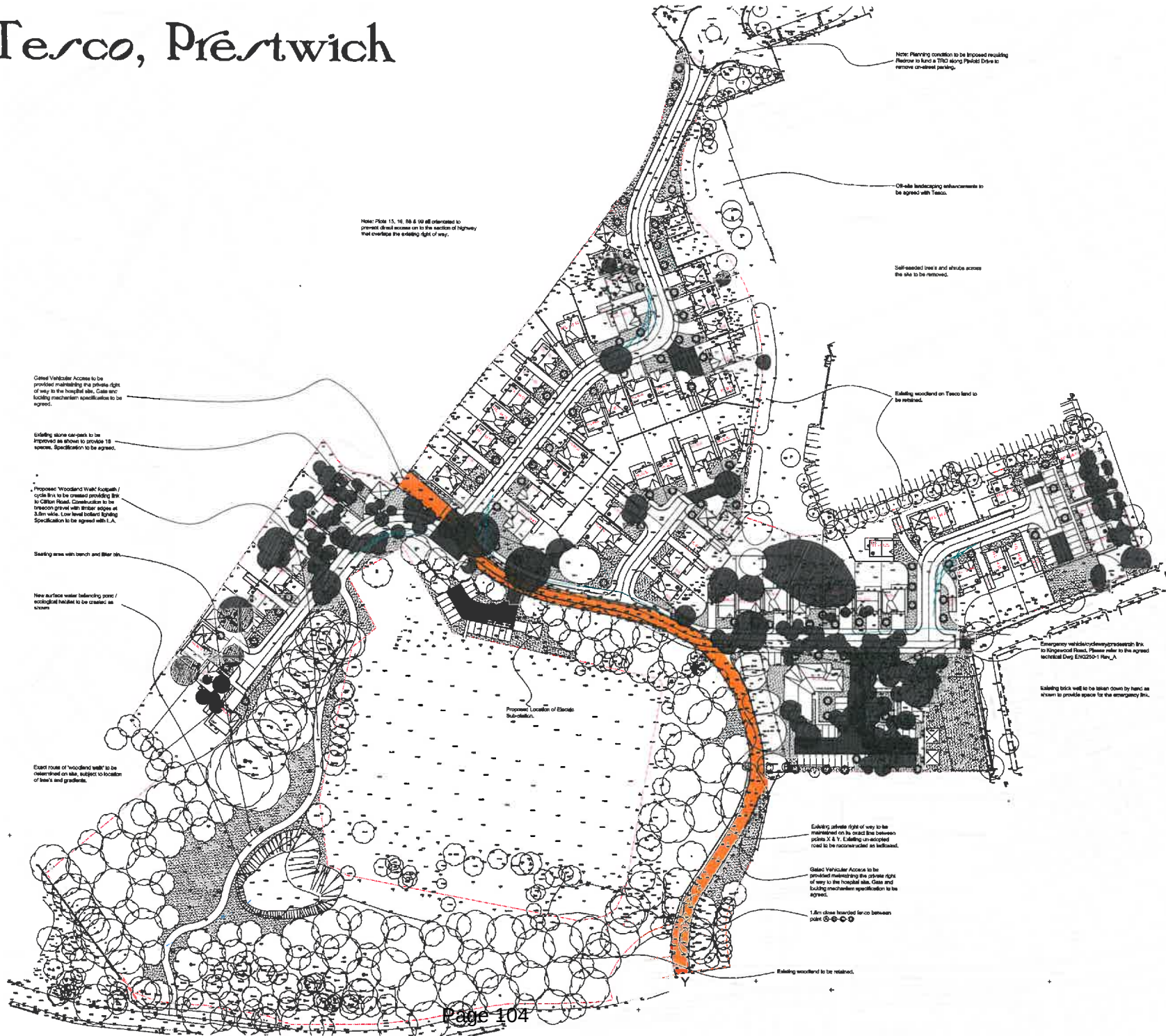
The Oxford
Heritage Collection
"2014 Edition"

EF Series Render (A1)
1301sqft 120.85m²
DATE: April 2014
REV: -
EF OXFD DM.1.0

Drawing scale 1:100 @ A3
Bedroom dimensions taken into wardrobe recess
* Maximum Dimension



Tesco, Prestwich

[illegible]

- SG = Single Garage
- DG = Double Garage
- BSG = Basement Single Garage
- DWG = Basement Double Garage

C	14,18,19	Assessing factors of stress-response that are (binding and) species dependent and the associated energy use in LARV and AD.	MAC
B	17,18,19	Transcription in yolk sac - 18 hr after with L4, cytoplasm.	MAC
A	16,18,19	Yolk sac after 18 hr - what is limited or otherwise common	MAC
Background	2008	Open-ended	14,15,6

Tesco Prestwich	
Prepack	
Merchandise	
FBC	
Inventory No.	
D3L-01	
Product	1500
Price	March 15
Quantity	7

[illegible]

Ward: Bury East - Redvales

Item 06

Applicant: Bambinos Limited

Location: 192 Manchester Road, Bury, BL9 9BD

Proposal: Change of use of ground floor from residential dwelling (Class C3) to nursery (Class D1); Stepped access at rear

Application Ref: 58708/Full

Target Date: 13/07/2015

Recommendation: Approve with Conditions

Description

The application relates to a three storey red brick, semi-detached house on the west side of Manchester Road, close to the junction of Manchester Road and Radcliffe Road. The area is characterised by a mix of residential properties on the west side of Manchester Road and commercial properties on the east side. The attached property to the south and those immediately to the north are houses of a similar size and style. Across Manchester Road is Parkhills car sales. To the rear is Bury Sports Club which is accessed from Radcliffe Road. There are parking restrictions along Manchester Road in front of the site. The existing property has a pedestrian access from Manchester Road but no vehicular access or on-site parking.

The application proposes to change the residential use (C3) on the ground floor of the property to a Nursery (Use Class D1) whilst retaining the upper floors as residential - to be occupied by the manager. Three of the main rooms on the ground floor would be used for three main age groups - 1-2 years, 2-3 years and 3-5 years. The entrance hall, and kitchen would be retained and a small office created in the main house with the existing utility room in the rear extension used as a staff/utility room and WC.

At the rear there would be 15 car parking spaces marked out in the existing car park at Bury Sports Club for use by staff and parents/carers dropping off and picking up children. Access from the car park to the nursery would be the access road onto Radcliffe Road and around the corner onto Manchester Road, a distance of approximately 160m.

Hours of opening would be 0800 -1800hrs, Monday to Friday. The applicant predicts that children numbers would be 10-15 in the first year, 15-20 in the second year and increasing to 20-24 in the third year. The nursery can accommodate a maximum of 24 children. At any one time the applicant has stated that there would be a maximum of 7-8 children in the rear garden at any one time. The nursery would offer the opportunity for children to spend either half a day or a full day at the property. The applicant has stated that the property would be soundproofed to prevent excessive noise outbreak.

Relevant Planning History

58709 - 1 no. stainless steel sign - Undecided

Publicity

The following 20 neighbours were notified by letters dated 15/05/15 and 28/07/15. Pack Horse Hotel, Derby School House, Bury Sports Club, Parkhills Car Centre, 184-194 (Even) and 201 Manchester Road, 2 and 4 Parkhills. 2-10 (even) Caton Close.

Objections from 180, 184, 190, 194 Manchester Road and 10 Caton Close are summarised below-

- Noise problems both inside and outside. Both ourselves and neighbours on the other side own dogs, constant noise from lots of children will cause much distress to all our family and dogs which can only lead to more noise problems if the dogs bark all day.
- Safety, this is a very busy main road and junction with double yellow lines all the way along anyone trying to pull up on the kerb and drop off children will not only cause more traffic chaos but endanger themselves and other users of the road. Trying to park across the road will cause problems for the permits holders and crossing a busy road with children again is a safety issue.
- House value and sale ability will be compromised.
- This is a fine row of Victorian houses and any rendering to an elevation is not in keeping with the character of the houses.
- The statement says the site is on a high street which is not the case.
- The 'walking zone' would be dangerous.
- The 'walking zone' would disturb wildlife.
- There are 29 nurseries within a 2 mile radius and 3 within a short walk.
- The statement mentions a train network but there is only a tram - 15 mins walk away.
- The sports club may be contravening the covenant on the land which prevents the club from entering into a commercial venture for profit.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection

Environmental Health - No objection

Greater Manchester Police - No comment

Children's Centres & Early Years - Under the Childcare Act 2006 the Council have a legal duty to ensure there is sufficient childcare for working parents and also a duty to secure places to enable all eligible children to access their 15 hour free early education place at age 2,3 & 4.

Latest data analysis of 2 year old provision tells us that we currently require an additional 130 places in the Bury East area (Moorside, East & Redvales) to enable each eligible child to access their entitlement. In addition this government are committed to increasing the childcare offer and The Childcare Bill is currently going through parliament to extend the entitlement to 30 hours of free childcare for 3 and 4 year old's of working parents from September 2017.

This will undoubtedly put additional strain on the already stretched childcare market including schools and Bury, as part of an AGMA wide consortium have expressed an interest in being part of the pilot from September 2016.

In view of the above we would support the development of additional childcare places at 192 Manchester Road.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/7	Throughroutes and Gateways
EN7/2	Noise Pollution
EC4/1	Small Businesses
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
CF5	Childcare Facilities

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.

Policy - UDP Policy CF5 Childcare Facilities states that the Council will look favourably on proposals for childcare facilities, including nurseries.

Policy EC4/1 supports the creation of small businesses where there scale and impact is compatible to the surrounding area. As such the proposed use needs to be assessed against Policy H3/1 - Non-Conforming Uses in a Residential Area.

Policy H3/1 sets out the following criteria in terms of measuring the impact the use will have on an area for uses such as the one being considered:

- noise
- traffic generation
- parking
- hours of operation

HT5/1 Access for those with Special Needs states that proposals should encourage access for the mobility impaired. This could be achieved by ramps in preference to steps.

Children's Centres & Early Years - Given the current situation with regard to early years child care and imminent changes to central government policy, the proposal has the support of the Early Years team - see comments above.

Noise - All children make noise, however, it is something most of us are used to and often adds to life rather than detracts from it. In this case the children cared for are in an environment where they have to be cared for in accordance with national regulations set by a central government agency, Ofsted. Part of this regulation requires proper supervision of the children and as such whilst noise will be created, it is considered that the level of supervision, together with appropriate soundproofing, should be such as to ensure that noise levels would be acceptable. Given that the children are only on the premises on working days and that the hours are restricted to between 0800 and 1800hrs, it is not considered that noise levels would be sufficient to warrant refusal.

If members are concerned that the business may cause disturbance as it grows, one option would be to give a temporary consent for say, a 3 year period. After this time the applicant would be required to resubmit an application to continue the use. However it is not considered necessary in this instance given the limitations of the space, the surroundings and general ambient noise levels in the area.

Traffic Generation and Parking - The premises which has no off road parking, are situated on one of the busiest roads in the borough. As a consequence, this part of Manchester Road has parking/stopping restrictions and as such it is considered unlikely that parents or carers would park up or even stop to drop off or pick up children.

Given this situation and the limited parking on surrounding roads, it is considered appropriate to have some dedicated parking available. The parking made available at Bury Sports Club, through a written agreement, satisfies this need in terms of numbers.

The initial proposal for parents/carers and children to walk from the car park down the access road without a dedicated pedestrian route marked out was not considered appropriate in terms of pedestrian safety. Following discussions with the applicant a proposal for stairs ascending up the embankment from the car park to the rear garden was discounted in favour of a dedicated pedestrian walkway running alongside the existing access road onto Radcliffe Road. This arrangement improves the road safety element along the road and satisfies the Traffic Section.

It is considered that the proposed access and parking arrangements are acceptable and as such conforms with Policies HT2/4 Car Parking and New Development, EC4/1 Small Businesses.

Hours of operation - These are 0800 to 1800 Monday to Friday. The applicant has agreed to a condition restricting the business to these hours and it is not considered that they are excessive or that they would cause such a disturbance as to warrant refusal.

Access for all - As a private nursery, the Ofsted regulations require it to be 'reasonably accessible'. Given the steps up to the front and the stairs at the rear, it is considered that special arrangements would need to be made for non-ambulant persons. To this end it is proposed to install a step lift to the front.

Objections - Concerns relating to need, noise and safety have been addressed in the above report.

The issue of the impact on the character of the area by the rendering is now not an issue as this element of the proposal has been omitted. The property would be maintained in brick.

Given its modest width (1.5m), the proposed 'walkway' would not have a significantly detrimental impact on the trees or wildlife on the existing embankment.

The issue relating to the covenant at the sports club is not a planning consideration. However it is believed that the applicant is giving a charitable donation to the sports club and this may satisfy the requirements of the covenant.

Likewise house values and sale ability of neighbouring houses are not planning issues.

It is agreed that the reference to 'trains' is incorrect but it would be reasonable to assume that the reference was to the 'tram' network.

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

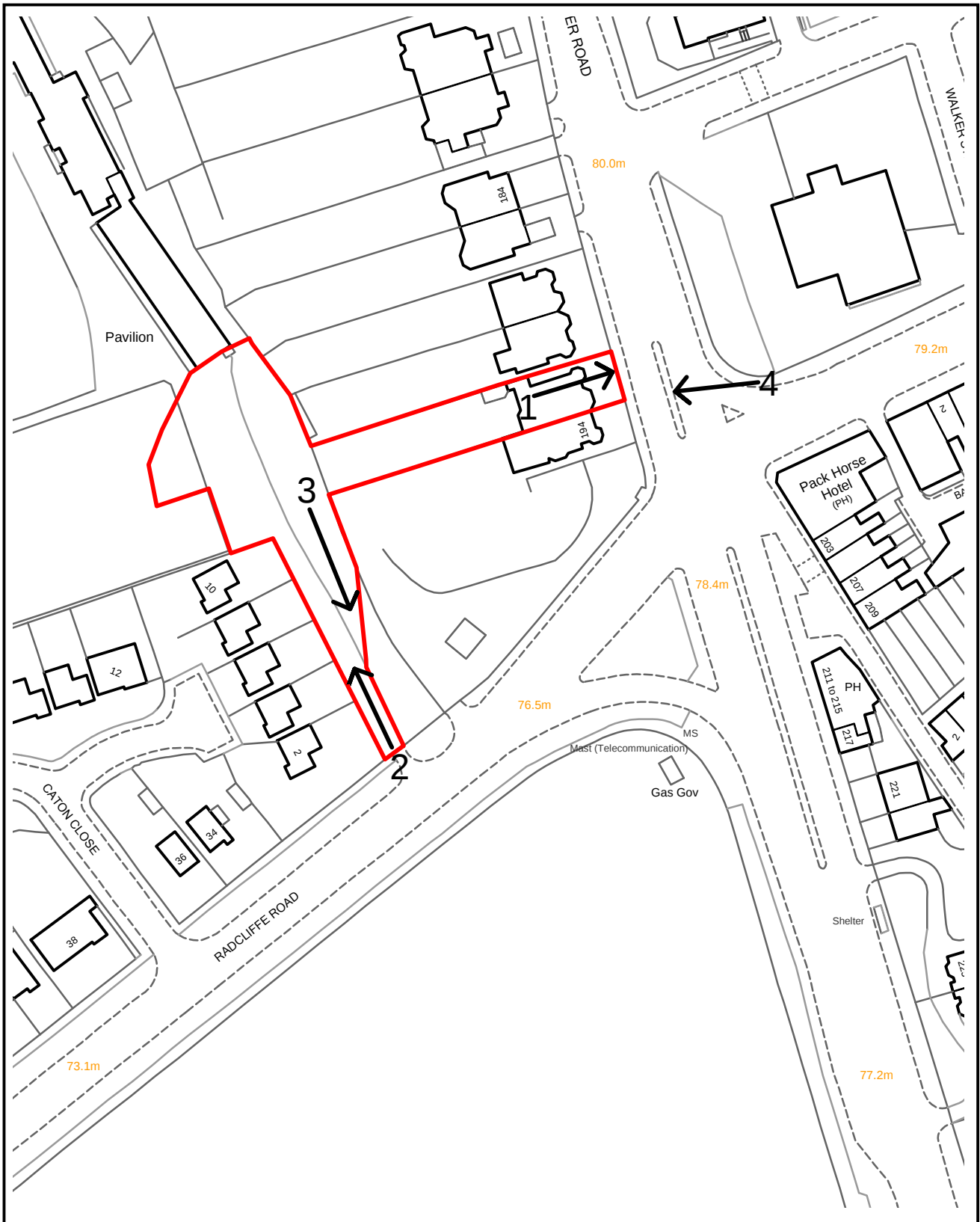
Conditions/ Reasons

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 ZT13-196-00, 01, 02, 03 and 04 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 use hereby approved shall not be commenced unless and until detailed specifications of the 1.5m wide footway on the northerly side of the Bury Sports Club access indicated on the approved plans, along with the widening of the vehicular access on its southerly side, have been submitted to and approved in writing by the Local Planning Authority. The footway shall be completed to the agreed specifications prior to the proposed nursery use commencing.
Reason. To ensure good highway design, in the interests of highway safety pursuant to UDP Policy HT6/2 Pedestrian/Vehicular Conflict.
4. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the use hereby approved commencing and thereafter maintained available for use at all times.
Reason. To ensure adequate off-street car parking provision in the interests of road safety.
5. The sound insulation of the party walls shall be improved in accordance with the relevant sections of Part E of the Building Regulations 2010, the details of which shall be submitted to and approved by the Local Planning Authority and implemented prior to the occupation of the flat.
Reason. To reduce nuisance from noise to the occupiers of the adjoining dwellings pursuant to UDP Policy EN7/2 Noise Pollution, EC4/1 Small Businesses and CF5 Childcare Facilities.
6. Prior to the use hereby approved commencing, the proposed step lift shall be available for use and shall remain available until the use ceases.
Reason. To ensure the development is accessible for all pursuant to Policy HT5/1 - Access for Those with Special Needs of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58708

**ADDRESS: 192 Manchester Road
Bury**



Bury
COUNCIL

Planning, Environmental and Regulatory Services 1:1250

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Photo 1



Photo 2



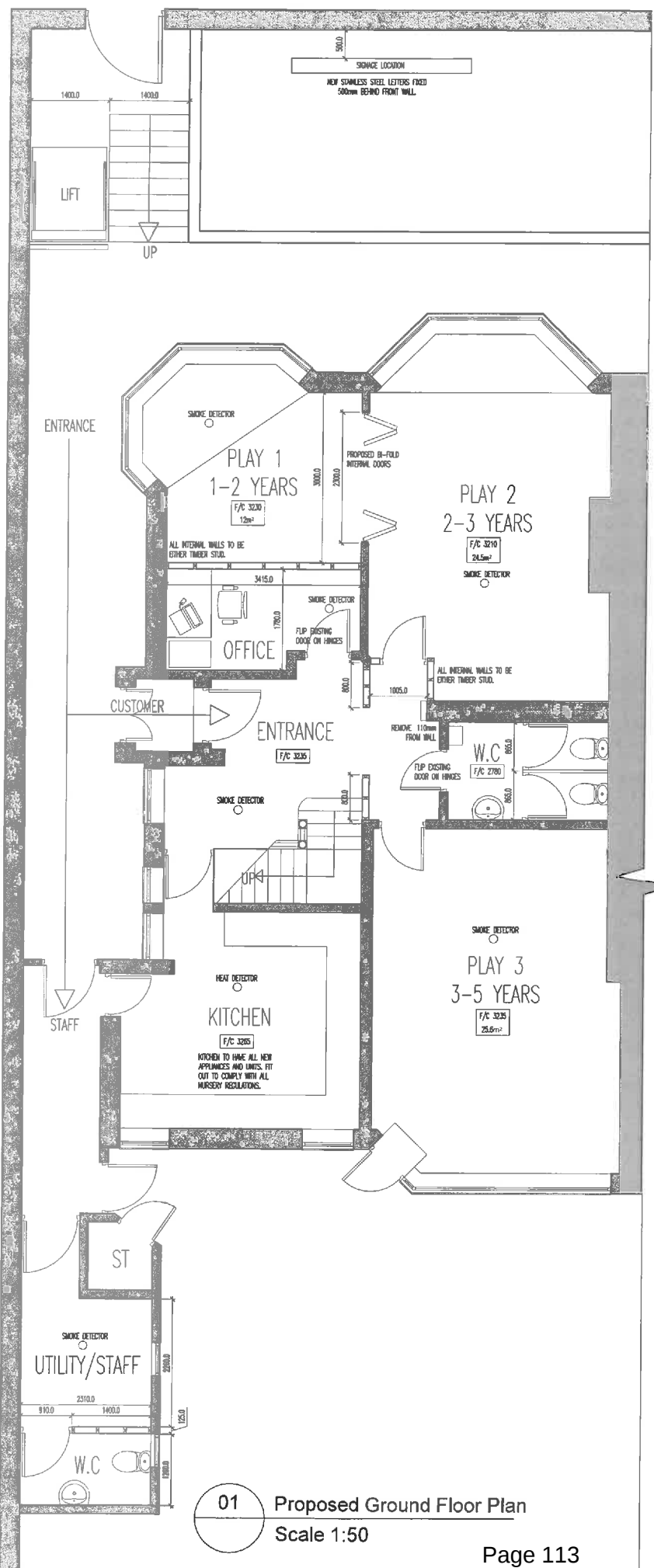
58708

Photo 3



Photo 4





01 Proposed Ground Floor Plan
Scale 1:50



02 Proposed Front Elevation
Scale 1:50



03 Proposed Front Wall Elevation
Scale 1:50

DESIGN AND LEGISLATION
THE FOLLOWING NOTES ARE REQUIRED TO BE USED FOR BUILDING REGULATIONS APPROVAL AND CONSTRUCTION PURPOSES. ANY DISCREPANCIES IN DIMENSIONS OR CONSTRUCTION INFORMATION SHOULD BE REPORTED TO THE ARCHITECT BEFORE ANY FURTHER WORK IS CARRIED OUT. DO NOT SCALE FROM DRAWINGS, WORK TO PROVIDED DIMENSIONS ONLY.

GENERAL NOTE
WORKMANSHIP AND MATERIALS SHALL COMPLY WITH BUILDING REGULATIONS (ALB) REQUIREMENTS, BRITISH STANDARDS OR CODES OF PRACTICE, OTHER AUTHORITY DOCUMENTS.

MATERIALS
CONTRACTOR / SUB-CONTRACTOR / STRUCTURAL ENGINEER TO CHECK DIMENSIONS PRIOR TO ORDERING OF MATERIALS. ANY DISCREPANCIES TO BE REPORTED TO PROJECT DESIGNER. ALL COMPONENT SIZES AND REFERENCES TO BE CHECKED PRIOR TO ORDERING OF MATERIALS. ALL MATERIALS SHALL BE USED IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS AND SPECIFICATION. ALL MATERIALS SHALL BE SUITABLE FOR THE PURPOSE THEY ARE USED. SUBJECT TO CONFIRMATION OF THE PROJECT DESIGNER - SIMILAR APPROVED MATERIALS OF EQUAL PERFORMANCE MAY BE SUBSTITUTED WHERE SPECIFIED ARE NOT AVAILABLE.

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CONCRETE LINTELS
LINTELS MUST BE TO BE EQUAL TO WALL THICKNESS. ALL LINTELS OVER 750mm SIZED INTERNAL DOOR OPENINGS. 150mm DEEP PRE-STRESSED CONCRETE PLANK LINTELS. 150mm DEEP LINTELS ARE TO BE USED FOR 500mm SIZED INTERNAL DOOR OPENINGS. LINTELS TO HAVE A MINIMUM BEARING OF 150mm ON EACH END. ALL PRE-STRESSED LINTELS TO BE DESIGNED AND MANUFACTURED IN ACCORDANCE WITH BS 8110, WITH A CONCRETE STRENGTH OF 50 OR 40 N/mm² AND REINFORCING STEEL STAINLESS TO BS 5896 TO SUPPORT LOADS ASSESSED TO BE 3077 PAUL L.

LINTELS
PROVIDE SUITABLE CONCRETE LINTELS TO OPENINGS IN EXTERNAL WALLS AND WALLS OVER 150mm IN ACCORDANCE WITH MANUFACTURER'S DETAIL. ALL LINTELS TO HAVE MINIMUM END BEARINGS AS SPECIFIED BY MANUFACTURER OR 150mm MINIMUM. ALL LINTELS TO BE ENJOINED TO ONE HALF HOUR FIRE RESISTANCE.

MORTAR MIXES
MORTAR FOR STONE AND BLOCK WORK SHALL BE AS SPECIFIED BY THE MANUFACTURER OR SUPPLIER.

PART-P ELECTRICAL
ALL ELECTRICAL WORK SHALL BE UNDERTAKEN BY A PART P REGISTERED ELECTRICIAN.

ALL LEVELS TO BE CHECKED ON SITE
ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THE INFORMATION IN THE SPECIFICATION TO BE REFERRED TO THE ARCHITECT PRIOR TO PROCEEDING.

FIRE DETECTION
SMOKE DETECTION TO BE FITTED IN CIRCULATION SPACES ON EACH FLOOR AND A HEAT DETECTOR TO BE INSTALLED IN THE KITCHEN. ALL TO BE WIRING WIRED AND BATTERY BACK UP INTERLINKED.

SIGNAGE
450x300mm STAINLESS STEEL LETTERS TO BE GALVANNEED LETTERS TO BE FIXED TO GALVANNEED POSTS WHICH ARE TO BE FIXED INTO THE GROUND WITHIN THE FRONT GARDEN. SIGNAGE TO BE SET BACK 500mm WITHIN THE FRONT GARDEN.

HANDRAILS
NEW HANDRAILS TO BE FITTED TO WALLS OF EXTERNAL FRONT STAIR. ALL HANDRAILS TO COMPLY WITH PART M OF THE BUILDING REGULATIONS.

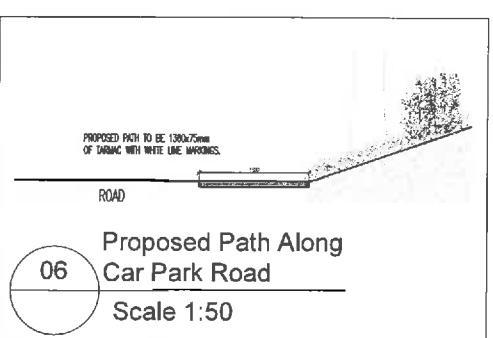
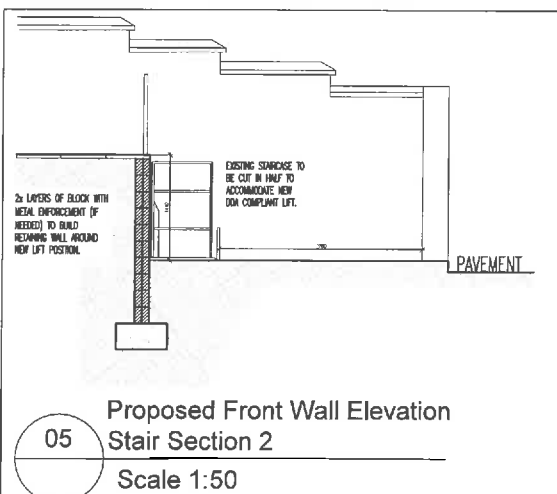
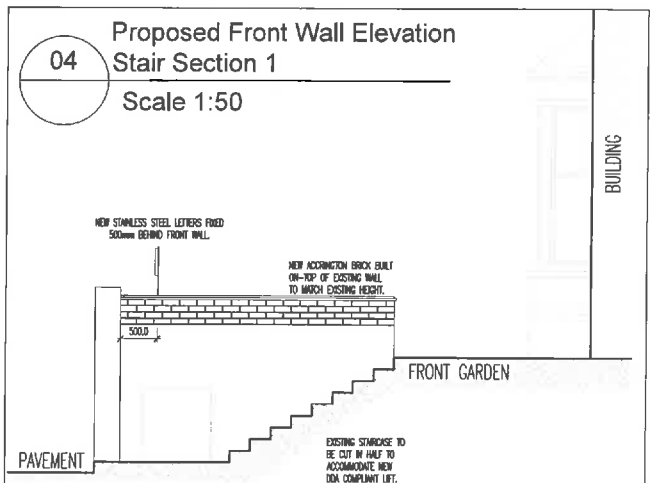
INTERNAL WALLS
INTERNAL WALLS TO BE BUILT USING TIMBER 3x2 STUDS. STUDS TO BE AT 600mm CENTERS. TIMBER PARTITIONING TO BE PROTECTED WITH 75mm KINGSPIR FOR UNCEDED INSULATION BOARD OR SIMILAR. APPROVED JOINTS TO BE COVERED WITH DRYWALL TAPE. WALLS TO BE SHIMMED WITH A PAINTED FINISH.

UPVC WINDOWS
NEW UPVC DOUBLE GLAZED WINDOWS TO BE GREY IN COLOUR.

SANITARY
ALL NEW SANITARY EQUIPMENT TO BE WHITE AND ACCESSIBLE FOR CHILDREN.

INTERNAL BI-FOLD DOORS
INTERNAL BI-FOLD DOORS TO BE HEAVY DUTY TIMBER WITH FINISH SAFETY FRONTS. DOORS TO BE 2300x2100mm.

KITCHEN APPLIANCES
ALL NEW KITCHEN APPLIANCES TO BE COMPLIANT AND FITTED BY A COMPLIANT JOURN. ALL DOORS TO HAVE SAFETY FEATURES ATTACHED AS NECESSARY.



06 Proposed Path Along Car Park Road
Scale 1:50

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All dimensions are to be checked on site and any discrepancies to be referred to Zach Thorp before proceeding.

All levels to be checked on site

All discrepancies between information shown on the drawings and the information in the specification to be referred to the architect prior to proceeding.

All component sizes and references to be checked before ordering

Position of existing drain runs to be confirmed prior to proceeding and drains checked as necessary.

All relevant boundary positions are to be checked prior to proceeding

Rev	Description	Date	By	CHK

Status	Purpose for Issue
Survey ☐ Tender ☐	
Construction ☒ As Built ☐	

Client:
Bambinos Ltd.

Contract:
Proposed Internal Alterations and Change of Use

Drawing:
Proposed Floor Plans & Elevations

Drawing No.	AS15-195-04	Revision	/
Scales	1:50	Date	Apr '15
Drawn	ZTT	Checked	



01 Existing Site Plan
Scale 1:500

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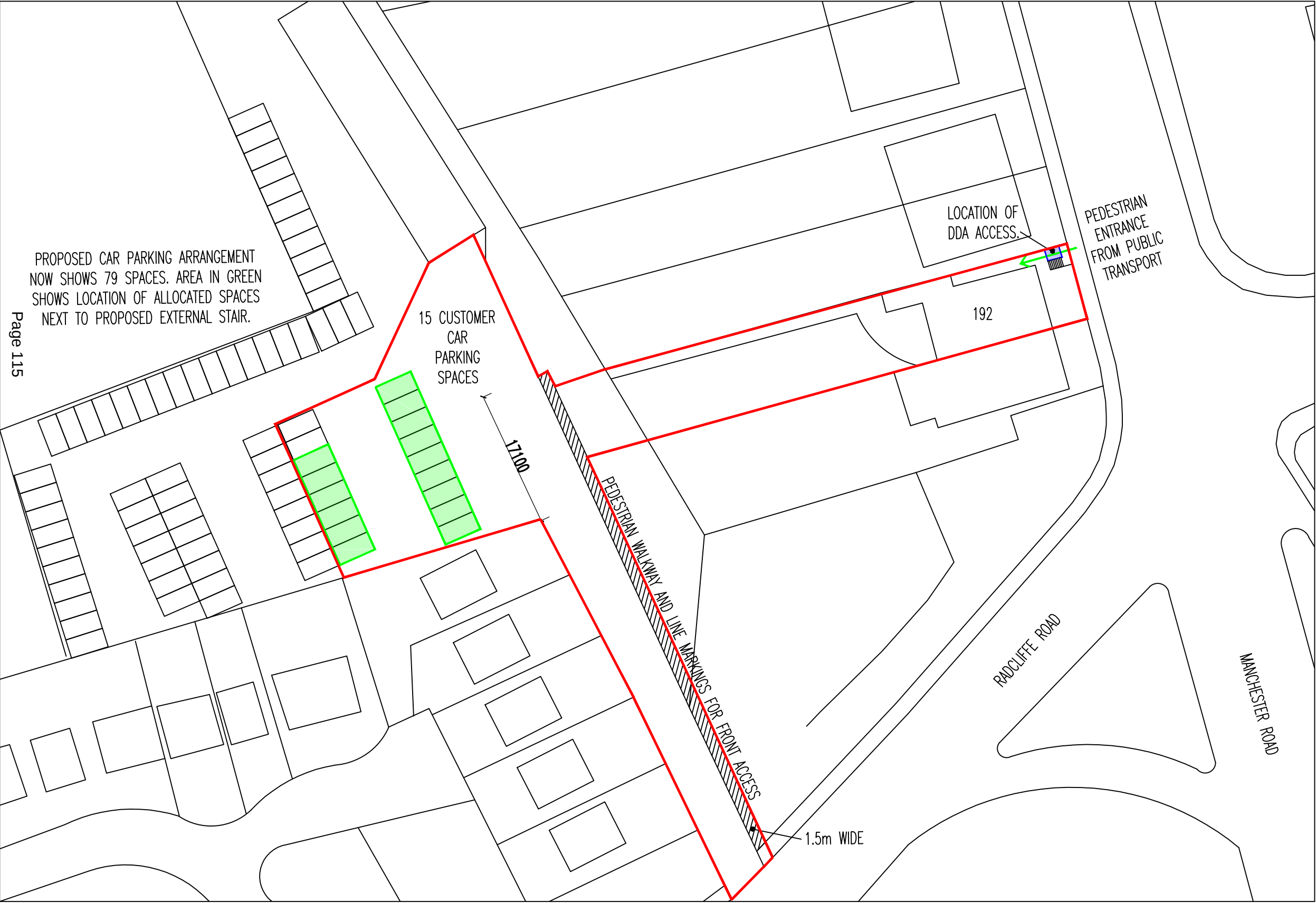
All discrepancies between information shown on the drawings and the information in the specification to be referred to the architect prior to proceeding.

All component sizes and references to be checked before ordering



SURVEY ORIENTATED TO MAGNETIC NORTH

Rev	Description	Date	By	Chk
Status				
Planning	☐ Tender	☐	Purpose for Issue	
Construction	☒ As Built	☐	PLANNING	
Client Bambinos Ltd.				
Contract Proposed Internal Alterations and Change of Use				
Drawing Exisitng Site Plan				
Drawing No.	ZT13-196-01	Revision	/	
Scales	1:500 @ A3	Date	Apr '15	
Drawn	ZTT	Checked		



Page 115

01 Proposed Site Plan
Scale 1:500

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SURVEY ORIENTATED TO MAGNETIC NORTH

Rev	Description	Date	By	Chk

Status

Planning ☐ Tender ☐ Purpose for Issue

Construction ☒ As Built ☐ **PLANNING**

Client
Bambinos Ltd.

Contract
Proposed Internal Alterations and Change of Use

Drawing
Proposed Site Plan

Drawing No.	ZT13-196-03	Revision	/
Scales	1:500 @ A3	Date	Apr '15
Drawn	ZTT	Checked	

Ward: Bury East - Redvales

Item 07

Applicant: Bambinos Limited

Location: 192 Manchester Road, Bury, BL9 9BD

Proposal: 1 No. stainless steel sign

Application Ref: 58709/Advertisement

Target Date: 13/07/2015

Recommendation: Approve with Conditions

Description

The application relates to a existing large semi-detached dwellinghouse on the east side of Manchester Road and being considered by this Planning Control Committee for a change of use to a children's nursery - see 58708.

The proposed stainless steel sign with the individual letters, 350mm high, spelling 'Bambinos', would be 500mm behind the front wall and would not be illuminated. The sign would extend 2.5m across the frontage.

Relevant Planning History

58708 - Change of use of ground floor from residential dwelling (Class C3) to nursery (Class D1) - Undecided

Publicity

None required on an advertisement application. Two objections have been received from the occupiers of No.186 and 190 Manchester Road. Concerns are summarised:

- An illuminated sign is completely out of character for these historic houses and would blemish and detract from the original Victorian architecture.

Consultations

None relevant

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN1/7 Throughroutes and Gateways

EN1/9 Advertisements

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.

Need - It is recognised that businesses do need advertisement signage of some kind. The type of signage is assessed on the nature of the business and its surroundings.

Visual amenity - The proposed sign has been reduced in size and the illumination, initially proposed, has been omitted.

This property together with the neighbouring houses are attractive and have a strong Victorian character, despite appearing run down in parts. Given that the proposed sign is set back 500mm from the front wall and composed of individual letters 350mm high, it would not appear particularly incongruous on the Manchester Road frontage. With the backdrop of Manchester Road and without any illumination, it would not be a prominent feature when viewed from the immediate neighbours. It would comply with UDP EN1/9 Advertisements in relation to visual amenity.

Residential amenity - As the sign is now non-illuminated and relatively modest in scale, there are no serious residential amenity concerns arising. The proposal complies with UDP EN1/9 Advertisements in this respect.

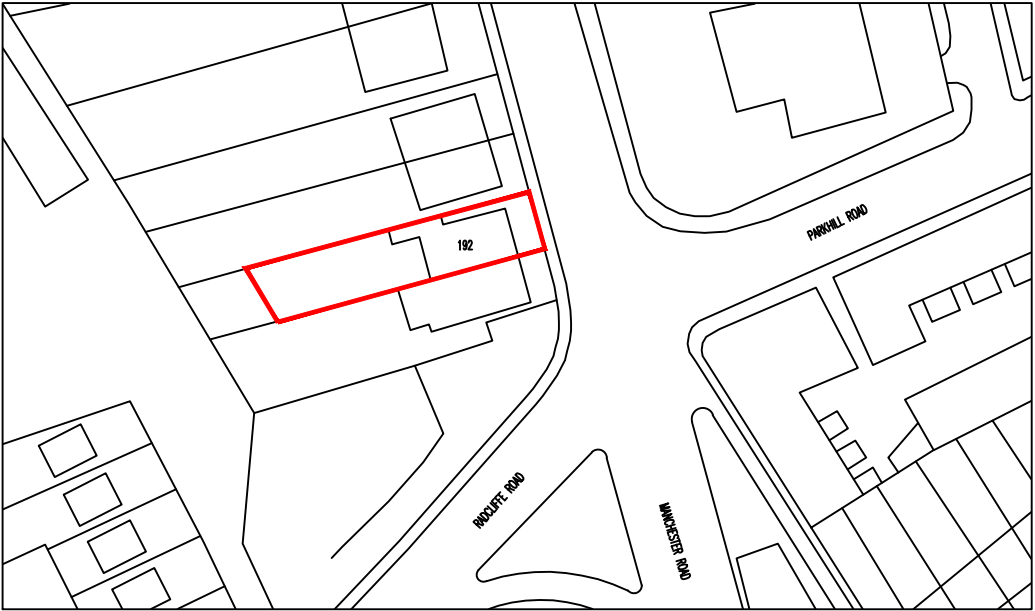
Objections - The concerns raised by the objectors have been addressed in the report.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered ZT15-196-00, 02 and 04 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 proposed sign hereby approved shall not be illuminated.
Reason. In order to protect the amenity of neighbouring residents pursuant to UDP Policy EN1/p Advertisements.

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



01 Existing Site Plan
Scale 1:1250

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All levels to be checked on site

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All component sizes and references to be checked before ordering

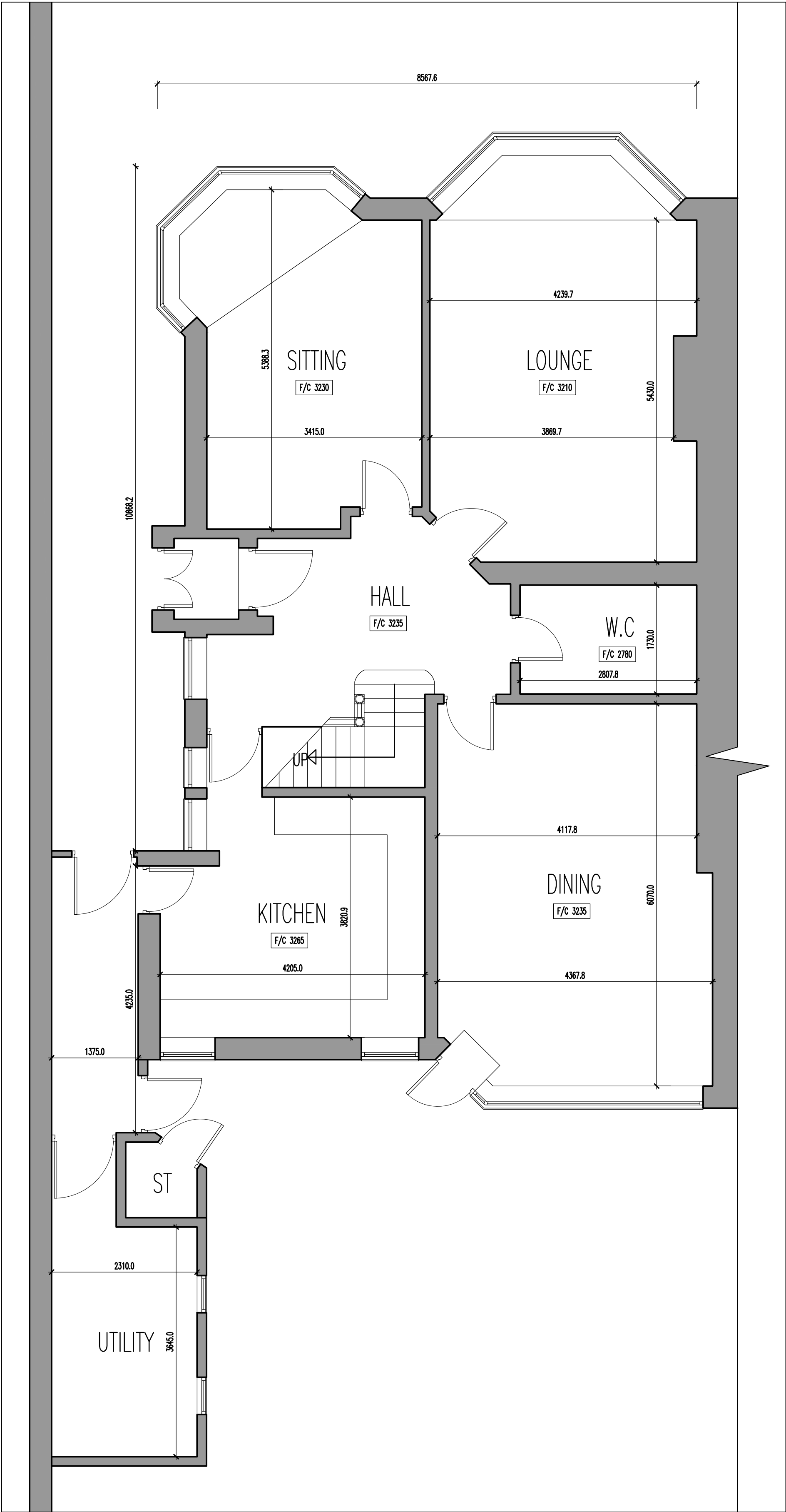
Position of existing drain runs to be confirmed prior to proceeding and drains checked as necessary.

All relevant boundary positions are to be checked prior to proceeding



SURVEY ORIENTATED TO MAGNETIC NORTH

Rev	Description	Date	By	Chk
Status		Purpose for Issue		
Planning	☐	Tender	☐	PLANNING
Construction	☐	As Built	☐	
Client				
Bambinos Ltd.				
Contract				
Proposed Internal Alterations and Change of Use				
Drawing				
Location Plan				
Drawing No. ZT15-196-00		Revision	/	
Scales	1:1250 @ A4	Date	Apr '15	
Drawn	ZTT	Checked		



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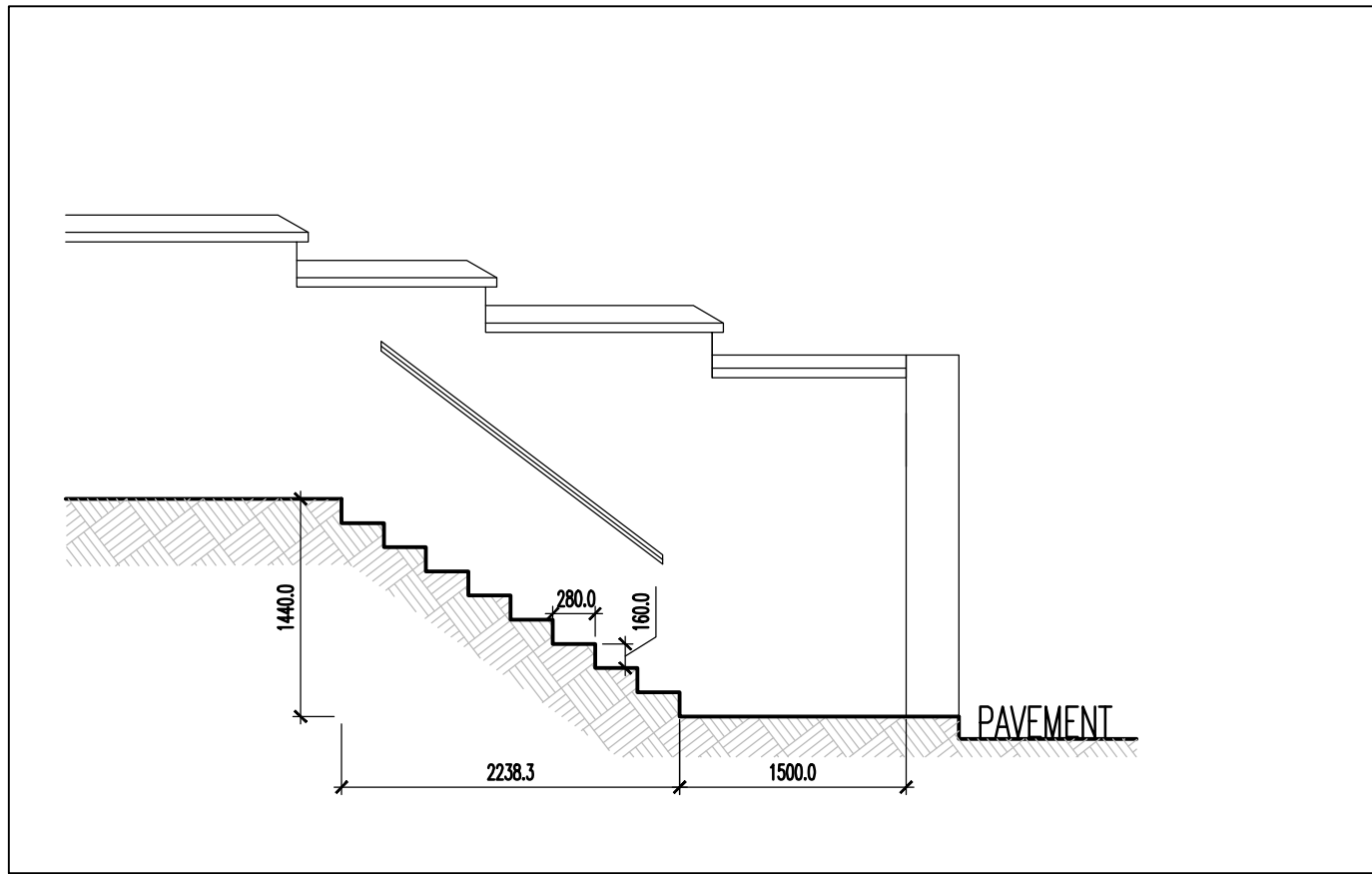
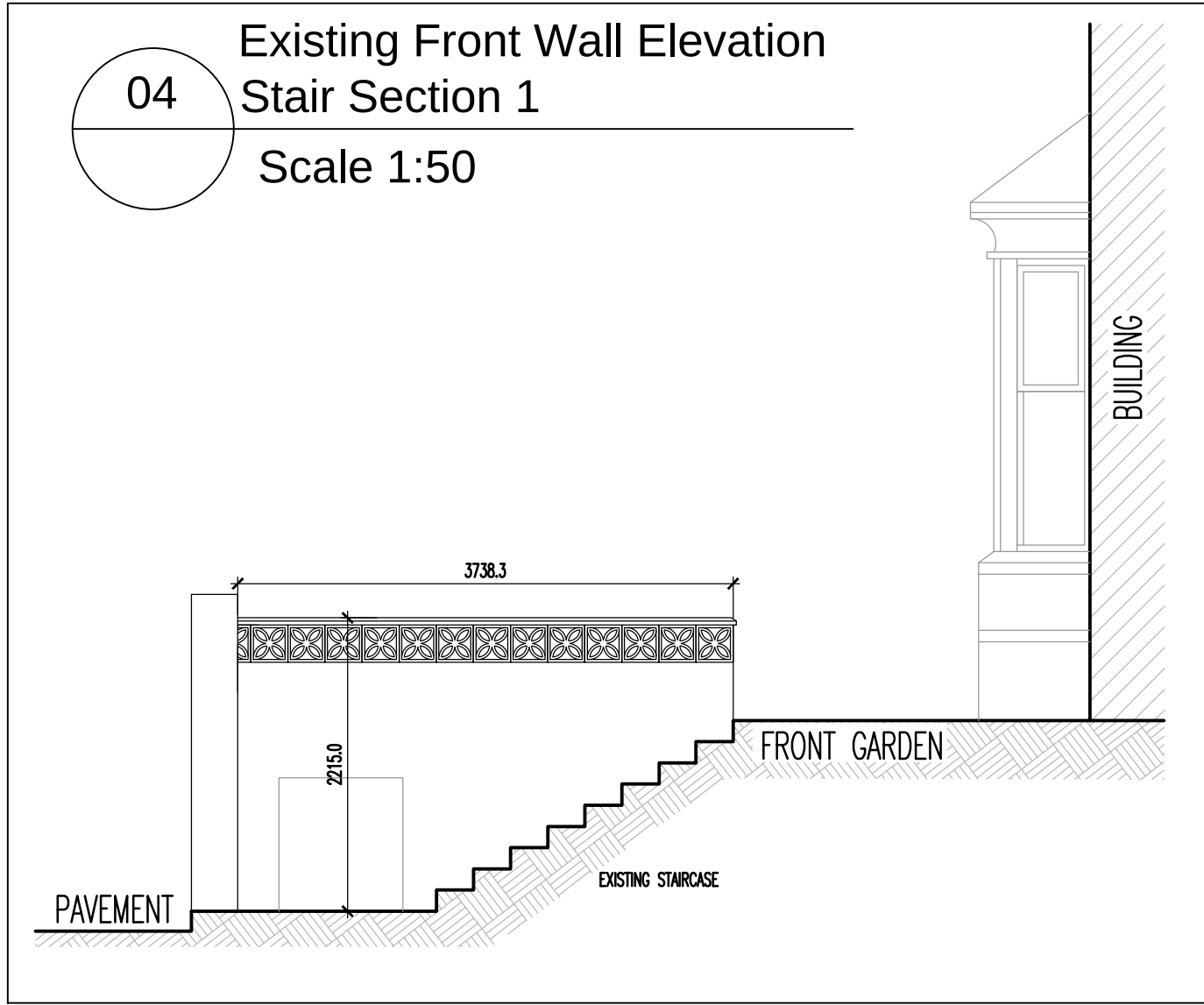
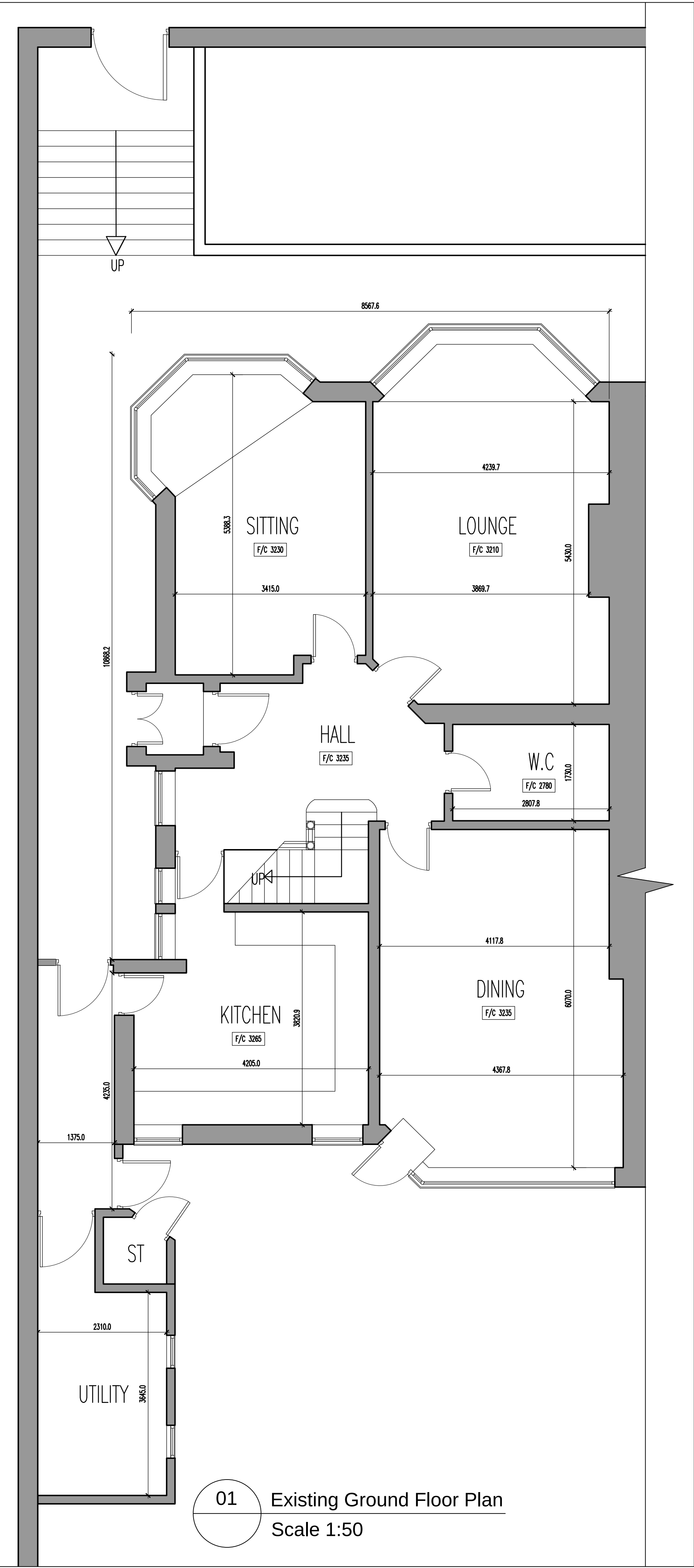
All discrepancies between information shown on the drawings and the information in the specification to be referred to the architect prior to proceeding.

All component sizes and references to be checked before ordering

Position of existing drain runs to be confirmed prior to proceeding and drains checked as necessary.

All relevant boundary positions are to be checked prior to proceeding

Rev	Description	Date	By	Chk
Status		Purpose for Issue		
Survey	☐	Tender	☐	
Construction	☒	As Built	☐	
Client				
Bambinos Ltd.				
Contract				
Proposed Internal Alterations and Change of Use				
Drawing				
Existing Floor Plans & Elevations				
Drawing No. AS15-196-02				
Scales	1:50	Revision	/	
Drawn	ZTT	Date	Apr '15	
		Checked		



Notes

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All levels to be checked on site

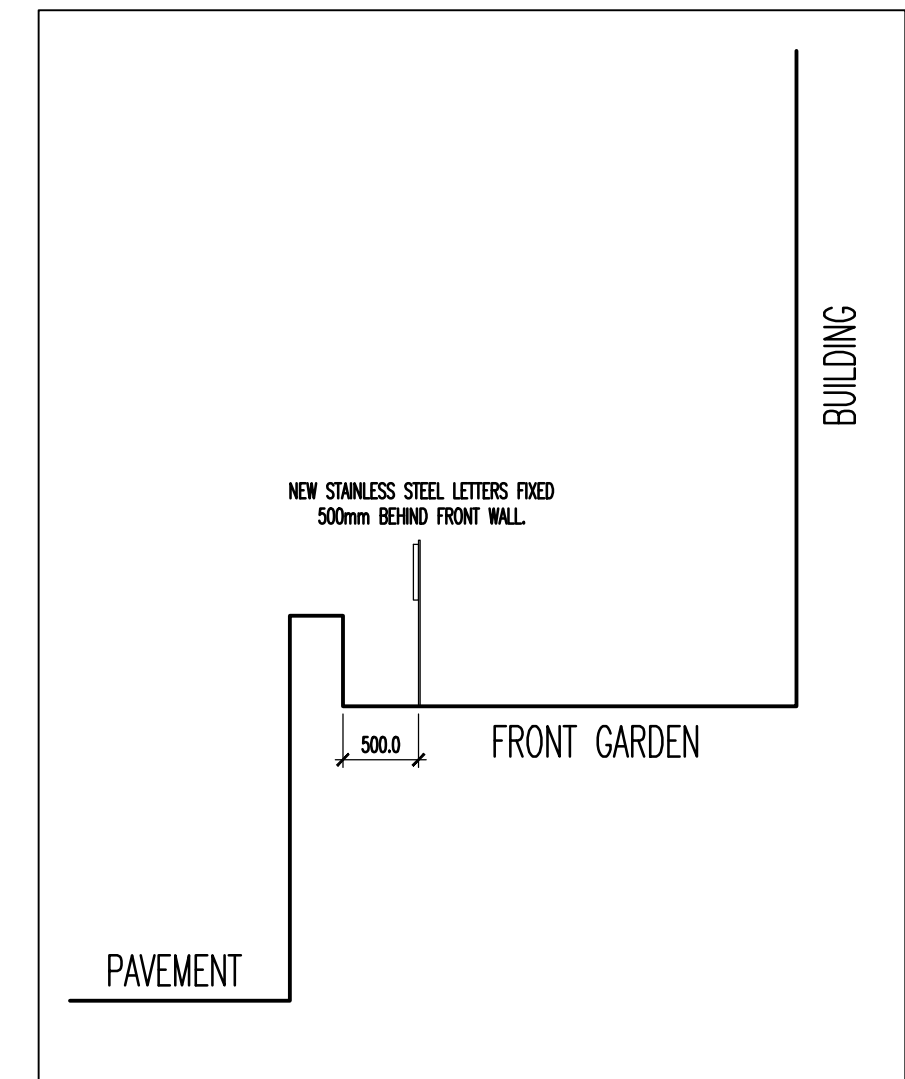
All discrepancies between information shown on the drawings and the information in the specification to be referred to the architect prior to proceeding.

All component sizes and references to be checked before ordering

Position of existing drain runs to be confirmed prior to proceeding and drains checked as necessary.

All relevant boundary positions are to be checked prior to proceeding

Rev	Description	Date	By	Chk
Status				
Survey				
Construction				
Client				
Contract				
Drawing				
Drawing No. AS15-196-02				
Scales				
Drawn				
Revision				
Date				
Checked				



Rev	Description	Date	By	Chk
Status		Purpose for Issue		
Survey	☐ Tender ☐			
Construction	☒ As Built ☐			
Client				
Bambinos Ltd.				
Contract				
Proposed Internal Alterations and Change of Use				
Drawing				
Proposed Floor Plans & Elevations				
Drawing No. AS15-196-04		Revision /		
Scales	1:50	Date	Apr '15	
Drawn	ZTT	Checked		

Ward: Whitefield + Unsworth - Besses

Item 08

Applicant: Growling Groomers Doggy Day Care

Location: Moss Lane Industrial Estate, Egremont Close, Whitefield, Manchester, M45 8FH

Proposal: Change of use from warehouse and distribution unit (Class B8) to dog day care and grooming (Sui Generis) (retrospective)

Application Ref: 58786/Full

Target Date: 24/07/2015

Recommendation: Approve with Conditions

Description

The site relates to an industrial unit which is located within an existing Business Park Estate, Park 17 and is within an Employment Generating Area as allocated in the Bury Unitary Development Plan, Policy EC2/1.

The unit is located within 4 similar sized units on this row, in a cul de sac type road, with a single large unit opposite. Each unit has its own curtilage parking for up to 6 cars.

The other units are all Employment Uses, of either B1, B2 or B8 - Business, Industrial or Warehouse Use.

The application is retrospective and seeks approval for the change of use from a warehouse and distribution unit B8, to a doggy day care and grooming parlour facility (Sui Generis Use).

The main unit comprises 234sq m for the day care and training centre area and has a roller shuttered entrance which separates it from an outdoor 'play' area of 12 sqm. This area is enclosed at the front by a 2m high close boarded timber fence. An additional 16 sqm operates as a grooming facility. The main entrance is located to the front of the building. The business has been in operation since March 2014.

Hours of operation are 7.30am to 6pm Monday to Friday. There are 3 full time and 2 part time employees.

The application has been submitted as a result of complaints received by the Pollution Control Section from adjacent units due to noise nuisance from the dogs. This was reported to the Planning Enforcement team and as a result, the applicant has been advised to apply for retrospective permission.

Relevant Planning History

None relevant

Publicity

20 letters sent to properties at Nos 105-133 Tintern Avenue, 57, 59 Stanley Road, Units 1, 2, 3, 5 Egremont Close, Moss Lane Industrial Estate

One letter of objection received from No Unit 5, Moss Lane Industrial Estate with the following issues:

- I own and run my business from the unit next door to the applicant and have been there for more than 30 years;
- Since the applicant has moved in and started business, there has been a continuous

- noise nuisance factor from dog barking which is from the adjacent room and intolerable;
- Oppose the application with this as the set up as it is;
- If granted, respectfully request steps are taken to limit noise and certain on-site activities so as to be less nuisance.

One letter of support received from Langdon Community with the following comments:

- Our service uses the premises as a work placement for young people with autism, who gain valuable life and work experience skills from the placement at this business.

Letters of support from No 13 Charnley Street, 11 Leah Gardens, 44 Rectory Lane with the following comments:

- Doggy Day care offer an invaluable service to dog owners, the premises are clean and dogs closely supervised and secure;
- Has enabled my full time return to work;
- Helps alot of dogs owners in the community;
- Only noise is playful barking when dropping or collecting ;
- Helps a local charity by bringing in people with learning difficulties;
- Absolute shame if the service was not there;
- Not experienced excessive noise. Has helped bring extra clientele to my own business and helped it grow - in favour of the application.

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

Consultations

Drainage Section - No objection.

Environmental Health Pollution Control - Have dealt with a number of noise complaints from either side of this property. Recommend a condition that a scheme to soundproof the building be submitted for approval.

Unitary Development Plan and Policies

EC2/1	Employment Generating Areas
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
EC4/1	Small Businesses
NPPF	National Planning Policy Framework
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.

Principle - Unit 4 of Moss Lane Industrial Estate sits within the Park 17 Employment Generating Area (EGA) as designated under UDP Policy EC2/1. Under this Policy, development will only be allowed for business (B1), general industrial (B2) or warehousing (B8) uses. Other uses will only be acceptable where they constitute limited development or where they would not substantially detract from the area's value for generating employment.

A dog day care use is classed as sui generis which does not fall within the scope of acceptable uses for this area.

In addition, unit 4 is a fairly substantial building that would not be considered to be limited in

scale.

The key issue, therefore, is whether the change of use substantially detracts from the area's value for generating employment. In this respect, the use of the unit as a dog day care centre has not introduced a sensitive use, such as residential, that could potentially curtail other businesses in the area from operating as they wish. Consequently, it is not considered that the change of use would substantially detract from the rest of the EGA.

Furthermore, there has been little by way of alteration to the building so it could easily revert back to an employment use should the dog day care use cease.

As a further consideration, it could be less acceptable to expect a dog caring facility to be located within residential areas, where noise and traffic generation may be more problematic.

As the use falls within a sui generis use class category, all future proposals for the change of use would require planning permission, with each proposal considered on its own merits. and as such, this would not preclude the unit from reverting back to an employment use.

The proposal is therefore considered to be acceptable in principle, and considered would not detract from the area's value as an EGA.

Noise - A number of noise complaints have been received by the Environmental Health Pollution Control Department. It has been reported from the adjacent properties that dogs barking can be all day or at particular times, and that this has been affecting the work practices of the adjacent businesses.

As industrial units, the surrounding businesses generate a certain amount of noise from processes which are and could be carried out, and which would be expected from such a location. The application unit itself could operate machinery or use equipment which would produce constant or sporadic noise on a daily basis, without the need for planning permission.

The roller shutter to the front elevation is generally open at all times, and the close boarded fence to the frontage does provide some acoustic screening from barking dogs. Whilst dog barking creates a different pitch or tone compared to other noises, it is arguably no louder or aggravating than the noise some equipment or machinery may generate.

The Pollution Control section have not raised an objection to the location of the use, but in view of the complaints received and the potential ongoing disruption of the business, have recommended a condition that a scheme to soundproof the building be submitted for approval.

Given the location of the premises within an industrial setting, the noise which could potentially be generated from industrial processes, and the recommended condition, it would not be reasonable to recommend refusal of the application on these grounds.

As such, the proposal is considered to be acceptable and would comply with UDP Policies EN7/2 - Pollution Control and EC4/1 - Small Businesses.

Visual amenity - No physical alterations have been carried to the building, and its appearance as a typical industrial type unit has been retained.

Parking - SPD 11 advocates 1 space per 40 sq m, 1 per 60 sq m and 1 per 100 sq m of floor space for B1 Business Park, B2 Industrial and B8 Warehouse uses respectively.

Taking a B1 use as a yardstick for maximum parking provisions, 6 spaces would be required. The unit provides parking for up to 6 cars. The scale of the business is such that it does not generate significant amounts of traffic at one time, as clients drop off/pick up

at staggered times during the day, and would park for very limited periods only.

There have been no complaints received as a result of parking or access problems associated with the use.

As such, the parking provisions are considered to be acceptable and would be in compliance with HT2/4 - Car Parking and New Development and SPD11.

Response to objector - The issue of noise and disturbance have been covered in the above report.

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.

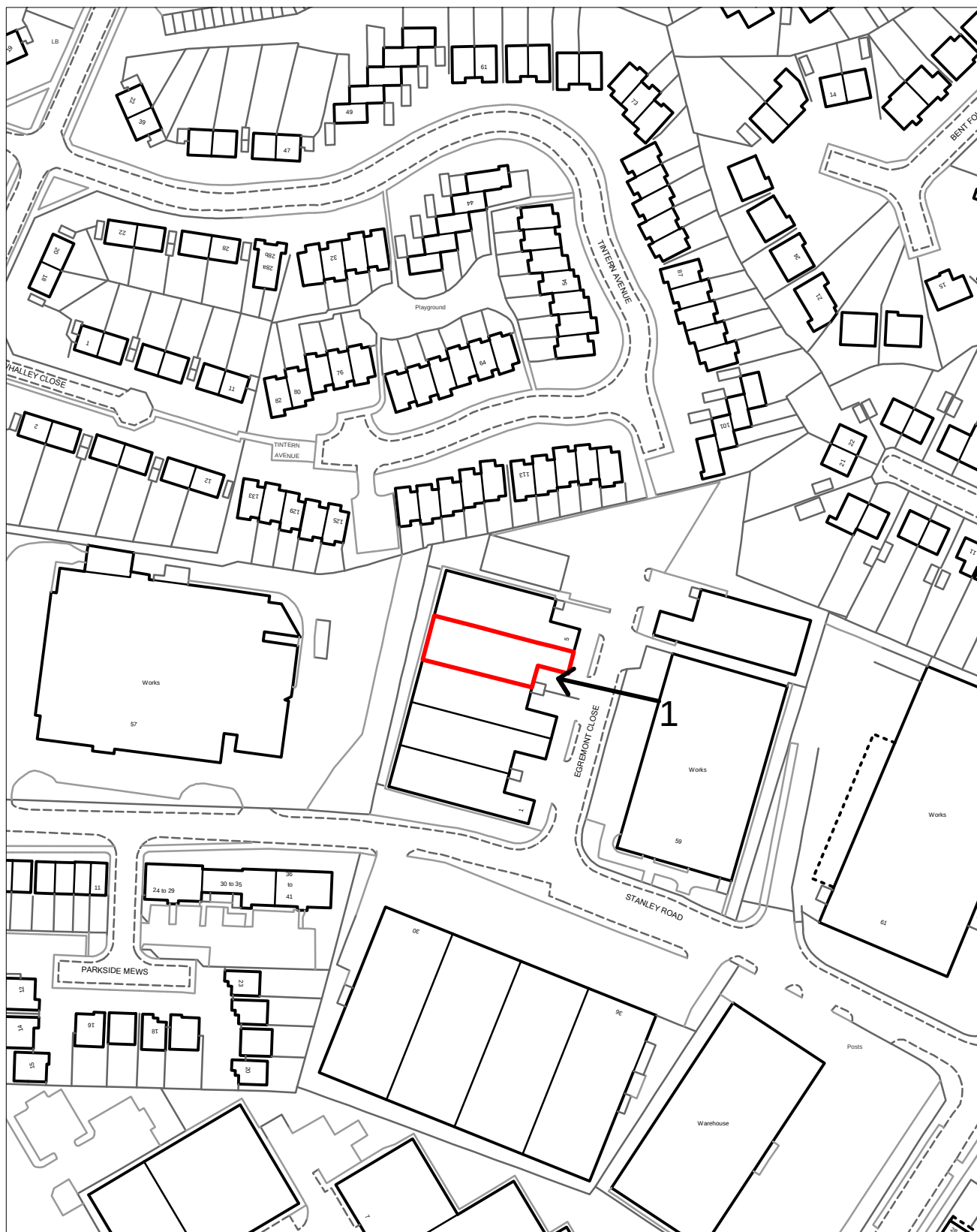
Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings Plot plan received 5/6/15; Existing and proposed layout plan dated May 2015; Design and access statement dated 28 May 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. Within 28 days of the decision notice, a scheme to install ventilation within the building shall be submitted to and approved by the Local Planning Authority. The approved scheme only shall be implemented within 90 days following the subsequent approval of the details of the ventilation scheme.
Reason. In the interests of amenity pursuant to Policy EC6/1 - Assessing New Business, Industrial and Commercial Development of the Bury Unitary Development Plan.
3. A scheme to soundproof the building, in accordance with standards of construction specified in current Building Regulations, shall be submitted to and approved by the Local Planning Authority within 28 days of the date of the decision notice. The approved scheme only shall be implemented within 90 days following the subsequent approval of the ventilation details.
Reason. To reduce nuisance from noise to the occupiers of the adjoining properties pursuant to Bury Unitary Development Plan Policy EN7/2 - Noise Pollution and EC4/1 - Small Businesses.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58786

**ADDRESS: Moss Lane Industrial Estate
Egremont Close, Whitefield**



Bury
COUNCIL

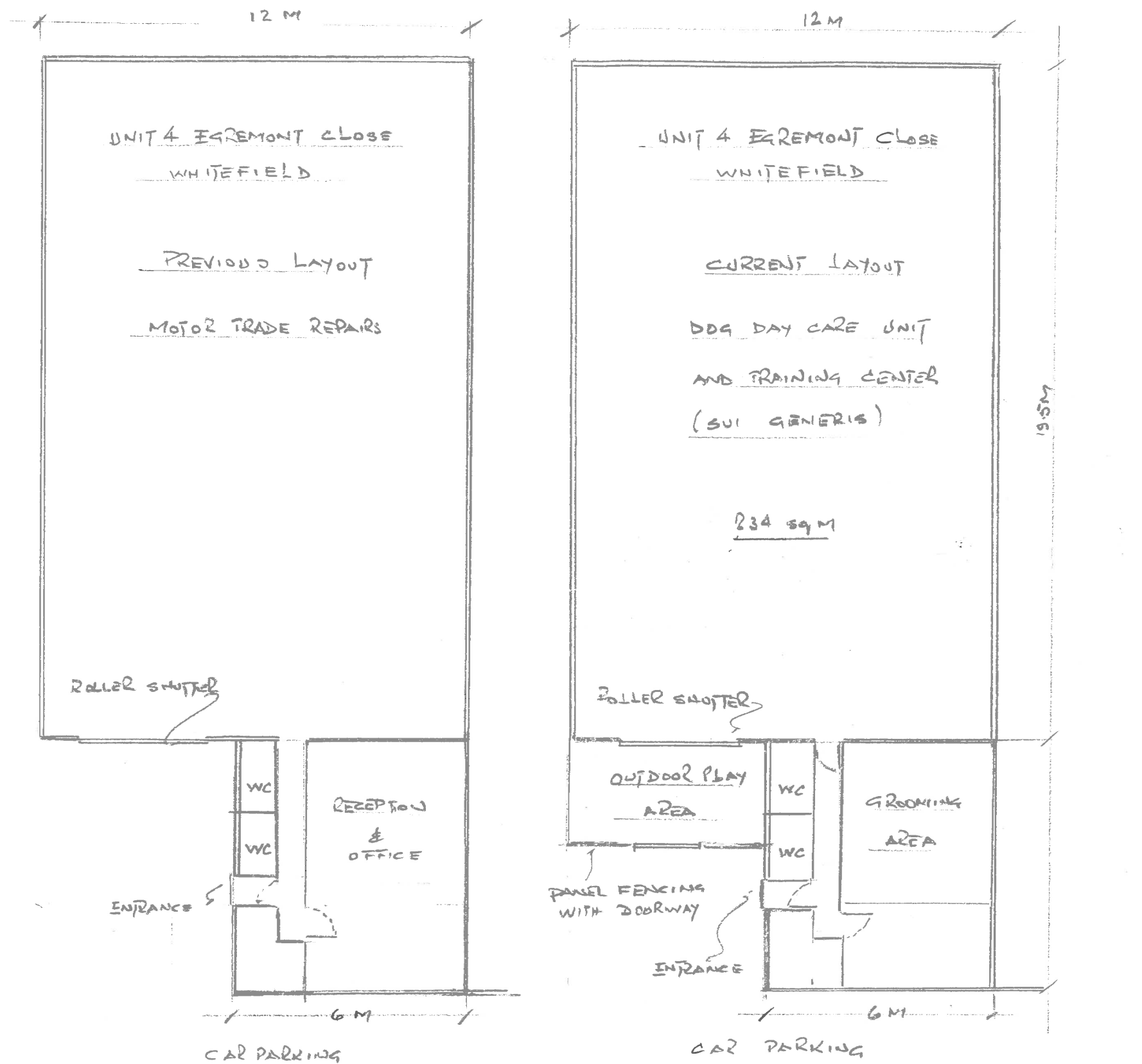
Planning, Environmental and Regulatory Services 1:1250

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58786

Photo 1





EXISTING & PROPOSED LAYOUT PLAN

DRAWN BY EURLING HATTERSLEY CEM. FIMECHE, ARTCS.
MAY 2015

PLACEMENT

ROADWAY

SCALE 1/125

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 09

Applicant: Astim Ltd

Location: Land to rear of Grants Arms Hotel, Market Place, Ramsbottom, Bury, BL0 9AJ

Proposal: Erection of 24 (Cat C) flats for retirement housing for the elderly, communal facilities, landscaping and car parking

Application Ref: 58807/Full

Target Date: 10/09/2015

Recommendation: Minded to Approve

It is recommended that this application is Minded to Approve subject to the signing and completion of a Section 106 agreement for Loss of Protected Recreation Provision in accordance with Policy RT1/1 of the adopted Unitary Development Plan, and Recreation Provision in accordance with Policy RT2/2 of the adopted Unitary Development Plan and SPD1. Should the agreement not be signed and completed within a reasonable period, it is requested that the application be determined by the Development Manager.

Description

The site relates to a vacant piece of land which was formally used as a bowling green. It is designated as Protected Recreation Provision under UDP Policy RT1/1 and set within the Ramsbottom Town Centre Conservation Area. To the north are residential properties on Pinnars Close, to the east, the land slopes steeply away from the site leading to an access track which runs along the rear of properties on Oxhey Close. To the west is a public car park and directly adjacent to the south is the Civic Hall, with the Grants Arms, a Grade II Listed Building to the south west. The site is set in an elevated position in relation to the town centre and accessed via a steep cobbled road which leads from Market Place.

The piece of land itself gradually rises from the south to north to a slight banking and timber fence to the side elevation of No 24 Pinnars Close, and slopes from the car park down to the rear access track to the east. There are a few trees around the perimeter although the majority have previously been removed. The site has since become overgrown and derelict.

The application seeks the erection of 24 (Category C) self contained flats (11x2 bed and 13x1 bed) for the over '55's with associated car park and landscaping.

The building would be located to the north of the Civic Hall and to the east of the public car park. The footprint of the building would be set back within the site and orientated with the main entrance and parking facing the public car park.

The building would be 3 storey in height with a single storey element on the most northerly end of the building. It would have a traditionally designed appearance, with elevations comprising stone with quoin detailing, a slate roof and casement type symmetrically aligned aluminium windows with ashlar stone sills and headers.

The flats would be self contained, with a communal laundry, residents lounge and bin store area.

Within the grounds, there would be soft and hard landscaping, seating areas and amenity space and tree/shrub planting.

The entrance to the site would be directly from the existing public car park where there would be parking for 19 cars, including 2 disabled spaces. A pedestrian footpath would continue the footway from the Civic Hall to link into the southern area of the site. The external bin store would be located adjacent to the southern boundary.

Relevant Planning History

56225 - Erection of 34 (Cat C) flats for retirement housing for the elderly, communal facilities, landscaping and car parking - Withdrawn by Applicant 12/07/2013

57271 - Erection of 28 (Cat C) flats for retirement housing for the elderly, communal facilities, landscaping and car parking (resubmission) - Withdrawn by Applicant 01/05/2014

58104 - Erection of 24 (Cat C) flats for retirement housing for the elderly, communal facilities, landscaping and car parking - Refused 22/1/2015

Publicity

170 notification letters sent on 12/6/2015. A full list of addresses is available on the public file.

Site notice posted 24/6/2015.

Press advert in the Bury Times 18/6/2015.

As a result of the publicity, a total of 92 objections received. A full list of addresses is available on the public file.

The following issues were raised by individual letters:

- No surprise a further amended application has been made - gained the impression from the last Committee meeting that revised plans were encouraged;
- Notwithstanding minor changes, the access is steep and dangerous for local elderly residents because of cars accessing the car park, slippery banking with the obvious implications of health and safety in the winter and almost impossible to access via wheelchair or mobility scooter;
- The access road is cobbled with stone setts and present problems for access ie ambulances, necessary health/council personnel;
- A multi storey building dwarfing a local landmark and attractive town centres is not appropriate;
- Protected trees have been removed;
- Land designated as Protected Recreation provision in the Bury UDP and should not be developed;
- The site is an important green space in Ramsbottom Conservation Area, the stone setts need to be preserved and the area around the Civic Hall is of historical interest;
- Concerned for the disruption during building work which could run for a long period and the related safety implications for pedestrians in Market Place;
- Disruption of public parking facilities which are critical to maintaining the healthy commercial and tourist activities of the town;
- Insufficient proposed parking which would result in overspill to the existing car park;
- The proposed facility will not constructively contribute to the financial wellbeing of the community which has an identity as a tourist centre - which the Council should focus more on;
- Concerns about the financial stability of the applicants;
- Applicants have ruined a beautiful part of Ramsbottom and well run public house, and should be ordered to return the site to its original state;
- If approved, the Council would be condoning criminal behaviour for gain which is shameful;
- Better alternative uses for the site - eg youth club, community use;
- The flats will not end up being for retired people due to the available access;
- Additional traffic generated would increase congestion on the area;
- The design takes no account of special features and character of nearby buildings, nor the Conservation Area;
- The Civic Hall would come under pressure from the development;

- Disappointing the application has been re-submitted with simply small changes to the design;
- Located in the centre of Ramsbottom, it would be an important back drop for visitors and should sit appropriately and not out of context. The drawings do not clearly show the proportion of the development in relation to the Civic hall;
- The design would not be in accordance with para 127 or 129 of the NPPF;
- The proposed Spatial Plan does not specify the land designation - if to remain Urban Open Space, the development would be inappropriate;
- The Grant's Arms Bowling Green has been designated as an asset of Community Value as set out in section 88 of the Localism Act 2011;
- NPPF para 130 states that where there is 'evidence of deliberate damage to or neglect of a heritage asset in the hope of making consent or permission easier to gain the local planning authority should disregard the deteriorated state of the asset';
- The ACV would be lost to the town for all time if 3 storeys of apartments were built on it;
- A better site for this development could be found in Ramsbottom;
- It is understood that "the Planning Department have previously indicated their assent on the basis of funds being included for spending elsewhere in the Borough". Such inducements are a poor excuse for the potential damage to a well used public amenity;
- Surprised the application has been validated with no Heritage Statement as it represents development within a Conservation Area and affecting the setting of a Listed Building. The NPPF is very clear on this in Para 128. Need to demonstrate how the proposal would impact on the Heritage Significance and it would fail to meet the statutory obligation of preserving or enhancing the architectural and historical significance of the conservation area;
- The development is a very large building closely sited to the Civic Hall which would appear dominant and of inappropriate scale and mass for such a tight site. Over development dominated by car parking. Dominate the setting of the Grade II Listed Civic Hall and harm its significance;
- Parking would affect Root Protection Areas and trees too close.
- Not in keeping with the surrounding businesses;
- Functions at the Civic Hall will be noisy for residents;
- Applications for housing should now be banned once and for all and stop wasting residents money;
- Applicants have no interest in the town, its historical connections or inhabitants;
- Totally unsuitable land, company and project;
- Over populated area needs to stay Green Belt;
- The company has a shocking record of poor construction and prosecutions;
- The Community Garden behind the Civic Hall would be affected by the over dominant building;
- The 'Hotel Rescue' TV programme highlighted the lovely area - the proposal would diminish this amenity;
- Bowling greens are an amenity which should be protected and enjoyed;
- Ramsbottom is in danger of losing its unique characteristics as a small northern post industrial town - should be preserved and valued - not overshadowed by further development;
- Access to the rear of the Grant's Arms is restrictive and would create unacceptable congestion in the Market Place;
- Politely suggest that the Council gets creative and draw inspiration from a Canadian scheme which is using green space in the town to provide real benefits to the community in terms of providing employment, career training, work experience for disadvantaged youth and fresh affordable food for those on low incomes?;
- The former Green has been recently placed by the LPA on the register of Assets of Community Value, and enjoys protection from development as a town centre open space;
- It is known to have existed as early as 1842, and probably in 1828 when the Grants was licensed;
- The bowling green is an important aspect of the social heritage of the town.

Objection received from the Friends of Ramsbottom Civic Hall summarised as follows:

- The land is designated as Protected Open Space and Recreational Outlet (UDP Policies TC1/1 and RT1/2);
- The land is within the original 1977 Ramsbottom Town Centre Conservation Area;
- The Ramsbottom Management Plan specifically outlines the bowling green and recognises it as making a positive contribution to the character and locality - impact on the Grants Arms would be unacceptable;
- Bury Council has now agreed to list the former Grants Arms bowling green site as an Asset of Community Value and should be a material consideration;
- The proposal represents a monolithic addition to the building stock of Ramsbottom, out of scale and in a highly prominent and visible position;
- The size and location would add an oppressive presence to the town centre;
- The visual effect on the locality would be unacceptable;
- Community events would be inhibited by any residential development;
- Increased pressure on limited parking facilities;
- Increased congestion in Ramsbottom during any development and its subsequent use would pose a serious and unacceptable danger to the public, especially pedestrians in Market Place;
- Dangerous at traffic light junctions and road safety implications;
- Attempt to provide access from other directions will increase traffic flow through quiet residential streets;
- Effect of any development on the former bowling green site on Ramsbottom Civic Hall - the community garden would be overshadowed, light to the rear of the hall would be reduced, functions would come under pressure, potential restrictions on permitted noise levels, functions at the rear of the premises will be directly alongside any development, traffic will cause problems around the main entrance to the Hall, use of the outside of the hall will be inhibited, serious impact on proposed plans for improved access to the upper floor and means of escape;
- Effect on local businesses - the Civic Hall and Grants Arms are thriving licensed premises and activities at these venues will conflict with the interests of the residents of any development on the bowling green;
- The local business group and members who use the Hall would be inhibited and the activities would come under pressure from development;
- The various Markets would come under pressure and their future threatened;
- Effect of development on the community - loss of valuable open space in the town centre, pressure on local services would be significantly increased, access for older tenants and visitors is inadequate and unsuitable, Over ambitious scheme in the wrong place, Planning have a responsibility to set an example of taking care of this key area of the town;
- Overall approach of the application - personal profit is the prime objective, applicant contemptuous of the interest of Ramsbottom as a whole, No effort to involve local people, development contrary to the interest of all parties in the town other than the developer;
- The Friends of Ramsbottom Civic Hall and other users firmly oppose any development of the land. As formal partners of Bury Council, would act to manage the land if it were purchased by the Council as recreational land. The community development of the gardens at the rear provides evidence of their ability to do this.

Objection received from Friends of Nuttall Park raising the following issues:

- Principal objection is the loss of a green open space in Ramsbottom of which there are increasingly few;
- Loss of a sporting opportunity which contributes to the health and welfare of people - was well used and not a voluntary closure;
- Designated as an Asset of Community Value which could set a precedence for other such designated areas to be developed, thus reducing enormously the open, green spaces in Ramsbottom;
- Nuttall Park is extremely well used and sometime over subscribed - would be complimented by the retention of other open spaces in the town - ie land adjacent to

Civic Hall;

- Do not diminish open spaces and sports facilities in Ramsbottom any further.

Objection by the Ramsbottom Heritage Society summarised as follows:

- The application fails to address the basic tenet of Bury' Conservation Area Management plan;
- Protect - how can the CA be protected by proposing a block of flats? Previously a well used and facility in the town and was closed and left neglected, by deliberately increasing rent to , so closure became inevitable and the green left neglected. Valued as an important open space making a positive contribution to the area in the CA Management plan;
- The deterioration of a heritage asset can be material consideration in deciding an application - but where there is deliberate damage to or neglect the LPA should disregard the deteriorated state (para 130 NPPF);
- The site has been subject to a number of application of different schemes;
- Enhancement - Would not enhance in terms of design and materials;
- Location - inaccessible for the elderly, detrimental impact on the activities held at the Civic hall, lack of proposed parking and impact on adjacent public car park;
- Conclusion - No mention of how it is intended to ensure units rear only occupied by the elderly. It would unjustly reward the applicant who has carried out illegal and unauthorised works. A betrayal of the hard work to preserve and enhance Ramsbottom's unique character.

Ramsbottom Heritage Society's response to the submitted Heritage Statement of July 2015 summarised as follows:

- Deliberate vandalism and neglect of a Heritage Asset and the bowling green should still be regarded as such due to deliberate actions by the applicant (NPPF);
- Deliberate misinterpretation of the age of the bowling green and ignorance or abuse of key source material;
- Ignorance of the Earliest Evidence of the Bowling Green;
- Ignorance of the green's Historical Value and its associations with the Grant family;
- Ignorance of the Extent of the Ramsbottom Bowling Community - it was a popular, supported facility of important significance to the people of Ramsbottom;
- Disregard to the Protected Status of the Bowling Green - no mention on the Heritage Statement of the Bowling Green's protected status - it is in a conservation area; protected under RT1/1 of the UDP, registered as an Asset of Community Value. Is any space or building protected in Bury?
- Disregarding the Wider Vulnerability of Bowling Greens in the Borough;
- Overall conclusion - Urge that the applicant's heritage Statement be judged against the recommendation of the DCLG and para 132 of the NPPF "... great weight should be given to the asset's conservation....As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification"

Three petitions received in total received.

Two petitions with 38 and 75 signatures raise the following issues:

- The bowling green site is an important green space and is within Ramsbottom Town Centre Conservation Area;
- The proposed building would dominate the surrounding area with its smaller scale properties including the Grade II listed historic buildings which surround Ramsbottom Market Place (The Market Place is also about 50m from the site);
- The proposed development would cause an increase in traffic on the narrow, steep, setted access road which is shared by the site, Ramsbottom Civic Hall users and the general public. It would be especially dangerous for pedestrians in the area which includes Ramsbottom Market Place;
- The extra traffic generated would increase congestion on the already overcrowded Ramsbottom main roads where there are often delays with long queues of vehicles;
- The Civic Hall is the only large community venue in Ramsbottom town centre. It is used by the community for a wide range of activities including meetings, functions,

social events, dancing and indoor exercise classes. These will come under pressure from any development;

- The hall and its recently developed community garden and courtyard would be overshadowed by the proposed large building and functions, meetings and activities involving use of the rear of the Hall would be inhibited.

One petition with 26 signatures raising the following issues:

- The increase in traffic on the narrow, steep, setted access road which is shared by the site, Ramsbottom Civic Hall users and the general public would cause serious safety problems. Dangerous for residents of Pinners Close and Carr Bank Avenue, including children, who often walk through the area;
- The proposed development is so large and near to Pinners Close it would be oppressive to the residents. Building would dominate Ramsbottom's smaller scale historic buildings, adversely affecting the character and attractiveness of the town centre;
- Residents of Pinners Close would be affected by increased noise and disturbance. The important 'buffer area' which the former bowling green helps to form between the busy Ramsbottom town centre and Pinners Close would be lost.

15 Carr Bank Avenue which raises the following issues on the Heritage Statement:

- The reference maps dated 1842 and 1891 lack detail;
- As well as the Grants Arms, telephone kiosk and Market Chambers, there are other buildings in Market place which area also Grade II Listed;
- No maintenance of the bowling green has been carried out and the trees in the Conservation Area clandestinely felled without permission;
- Previously submitted application was refused by the Planning Committee.

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

Consultations

Greater Manchester Police - designforsecurity - No comments received.

Greater Manchester Ecology Unit - No objection subject to conditions.

United Utilities (Water and Waste) - No response received.

Traffic Section - No objection subject to conditions.

Drainage Section - No objection subject to condition.

Environmental Health Contaminated Land - No objection subject to conditions.

Public Rights of Way Officer - No comments to make.

Waste Management - The proposed bin store will need to be large enough to accommodate several 1100ltr Eurobins for residual waste and recycling materials. An informative would advise the applicant to contact the Waste Management Section to arrange the bin collection.

Historic England - Recommend the application be determined in accordance with national and local policy guidance and on the basis of the LPA's conservation advice.

Unitary Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
TC1/1	Open Space in Town Centres
RT1/1	Protection of Recreation Provision in the Urban Area
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4	Housing Need
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
RT2/2	Recreation Provision in New Housing Development
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention

EN5/1	New Development and Flood Risk
EN8/2	Woodland and Tree Planting
EN9	Landscape
NPPF	National Planning Policy Framework
SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD16	Design and Layout of New Development 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.

Principle - Loss of sports/recreation facility - UDP Policy RT1/1 - Protection of Recreation Provision in the Urban Area states that development would not be allowed where it would result in the loss of existing and proposed outdoor public/private recreation areas, recreation space within settlements located in the Green Belt, indoor facilities for which there is a recreational need or any other unidentified recreation provision created within the Plan.

Exceptions to this may be permitted through the redevelopment of part of the site, if alternative provision is made available or it can be demonstrated there is an excess of recreation/open space in the area. The policy also recognises that some recreation sites may genuinely become redundant, and rather leaving them derelict, permit a change to an alternative use if there is no prospect of the site being required for recreation use, either now or in the future. The Council has accepted the loss of such sites in the past where a contribution has been paid to compensate for the loss of recreation provision.

The application relates to a site which is designated as Protected Recreation Provision under UDP Policy RT1/1 and paragraph 74 in Chapter 8 - Promoting healthy communities of the NPPF makes reference to recreation land and open spaces.

Under Policy RT1/1, the principle of residential development is considered not to be acceptable, unless:

- alternative provision of equivalent community benefit is made available;
- the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss; or
- an assessment has been undertaken which has clearly shown the land to be surplus to requirements.

Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land should not be built upon, unless:

- an assessment has been undertaken clearly finding the facility to be surplus to requirements;
- the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location;
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

The site has remained vacant and in the 2006 Greenspace Strategy Audit was scored as 'poor'. There have been no further proposals which have come forward to redevelop it for recreational purposes. It has since become derelict, overgrown and disused.

However, the site remains designated as Protected Recreation Provision to which Policy

RT1/1 and NPPF Paragraph 74 apply. In this particular case, whilst the site in its current state has scored poorly and there are no plans to return it to recreation use, it nevertheless has the potential to do so. There is a shortfall of recreation provision in the Borough overall and in this particular part of the Borough for outdoor sport. Therefore, the loss of this site, with its potential to be returned to a functional recreation use, can only be considered acceptable for redevelopment subject to the applicant making an appropriate contribution to compensate for the loss of the recreation site.

This has been calculated at £68,328.84 and is derived from the Council's own costs of providing playing pitches.

The applicant has agreed to this contribution which would be secured by way of a S106 Agreement.

As such, it is considered that the contribution would provide satisfactory compensation which would satisfactorily mitigate for the loss of this land, therefore meeting the policy requirements of UDP Policy RT1/1 and the NPPF.

Principle - Conservation considerations - 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.

Paragraph 130 states that where there is evidence of deliberate neglect of or damage to a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

In paragraph 131, in determining planning applications, local planning authorities should take account of:

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

Paragraph 132 - When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

Paragraph 133 - Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through

- appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

In paragraph 134, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 135 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control seek to preserve or enhance the character and appearance of these areas. Development will only be acceptable if it preserves or enhances these areas with regard to the nature of the development in terms of bulk, height, materials, design, relationship to the surrounding area, and impact of a new use on the character of the surrounding area. Proposals where appropriate should seek to implement measures to retain, replace, restore features of architectural interest, retain and enhance landscaping features, promote environmental enhancement and promote design guidelines to ensure sympathetic development.

EN2/3 - Listed Buildings seeks to actively safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features.

The site is set within the Ramsbottom Conservation Area and also close to the Grants Arms, a Grade II Listed Building.

The Ramsbottom Conservation Area Appraisal and Management Plan (November 2011) describes Market Place as the focus of the conservation area and at the crossroads, as the historic centre of Ramsbottom and cites the bowling green as an important green open space, and is shown on the 1842 tithe map, and a valued recreational asset.

The consultation response from Historic England notes it is identified in the Ramsbottom Conservation Area appraisal as an "important green space...and a valued recreation asset". Its loss therefore represents some harm to the significance of the conservation area as a whole. It is for the LPA to weigh its loss against the public benefits of the proposal in line with Para 134 of the NPPF.

In terms of assessing the proposal against para 134, the LPA recognise that it was, at one time a community facility of public benefit. However, the site is privately owned, unused, derelict and fenced off to the public and may never come forward in the future as a community use, unless put up for sale. The proposed development would utilise a vacant site by introducing a viable development which would make a positive and sustainable contribution to promote local economic vitality, and would secure an optimum use for the conservation area.

Paragraph 130 state that the deterioration of the site should not be taken into account in any decision, and it is considered that significant weight be attached to this and its heritage status. Of equal weight, however, is the ability to re provide in a positive way, and additionally to contribute to the local housing needs, which is a significant material consideration.

As assessed above, under Principle - Loss of Protected land, the site has been considered under Policy RT1/1 and it was concluded that due to the financial contribution which would be required to justify its loss, then this is deemed to be acceptable in principle and would

comply with chapters 73 and 74 of the NPPF. Furthermore, the NPPF advocates the need for LPA's to boost the supply of housing provision in the short and long terms and to bring forward developable land. (see housing principle below).

With regard to the above, therefore, it is considered that the proposals would comply with paras 73,74,130 and 134 of the NPPF, to successfully deliver a scheme which would both preserve and enhance the Conservation Area.

In terms of scale and position, the proposed building would be 3 storeys in height, which would be similar to the height, scale and massing of the adjacent Civic Hall and Grade II Listed Grants Arms opposite. It would be positioned to the north of the Civic Hall and set back within the site, with the front elevation in line with the rear elevation of the Hall. The set back is such that the building would not 'compete' with the street scene or be at odds with the outlook from, or light to, any of the windows in the side of the Civic Hall. It would neither conflict with the position or stature of the Grants Arms and is considered to sit well within the context of the street scene.

With regards to the design and elevational detailing of the building, the applicant has sought to overcome this previous reason for refusal to deliver a scheme which would preserve the traditional character of the Conservation Area. This would involve the use of a simple palette of materials, to comprise entirely of stonework elevations and a pitched slate roof. As the building would be set back into the site and also from the front elevation of the Civic Hall, the view of the sides of the building, and the rear for that matter, would not be visible when approached from Market Place. For the avoidance of doubt, a condition to submit samples of materials prior to commencement of any development would be a condition of a permission if granted.

The building would be of a traditional form and appropriate in design and scale with acceptable details and materials. In terms of the Conservation Area, it is considered the scheme would respect the character and special interests of Ramsbottom.

A Heritage Statement and Design and Access Statement have been submitted with the application which consider the conservation issues.

As such, it is considered that the proposed use and design and appearance of the building would both preserve and enhance the Conservation Area and would not detrimentally harm the architectural or historical character of the adjacent Listed building. As such, it is considered to comply with the NPPF and UDP Policies EN2/1, EN2/2 and EN2/3.

Principle - Asset of Community Value - On 27th May 2015 the former bowling green was listed by the Council as an Asset of Community Value (ACV) under section 88(2) of the Localism Act 2011 following a nomination by the Ramsbottom Heritage Society. The process of determining ACV's is separate from the planning process and recognises that the land has in the recent past furthered the social wellbeing of the interests of the community. Section 88(2) provides that land in a local authority's area is an ACV if:

- there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social wellbeing or interests of the local community, and
- it is realistic to think that there is a time in the next five years when there could be a non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or interests of the local community.

The landowner has submitted an appeal to the Council and asked the Council to review its decision to list the former bowling green as an ACV. This review has not yet been completed.

The effect of the listing is that if the landowner intends to sell the land, community interest groups have a right to be treated as a potential bidder and if they do so, the sale cannot

take place for six months to allow the community group to put a bid together. However, at the end of this "moratorium", it is entirely up to the owner to determine whether a sale goes through, to whom, and for how much. This means that the community bid may not be the successful one.

It is also important to note that the provisions also do not place any restriction on what an owner can do with their property, once on the list, so long as it remains in their ownership. This is because it is planning policy that determines permitted uses for particular sites. In this regard, planning applications have to be determined in accordance with the development plan unless material considerations indicate otherwise.

It is open to the Local Planning Authority to decide whether a listing as an ACV is a material consideration in determining the planning application, considering all the circumstances of the case. It is judged that the designation of an ACV on the site is a material consideration to be afforded only moderate weight for reasons of the site's protection in the statutory development plan as Protected Recreation Provision and as a Conservation Area, which is given significant weight. This moderate weight must then be weighed against the following considerations.

In terms of Protected Recreation Provision, the loss of the site has been considered acceptable with reference to Policy RT1/1 and NPPF Paragraph 74, subject to the applicant making a financial contribution to compensate for the loss of the recreation site.

The compensatory payment of £68,328.84 would be spent on improvements to bowling greens and clubs in the locality which would be detailed in the S106 Agreement. It is therefore considered that there would be no net loss of community facilities because alternative provision of equivalent community benefit is being made available and as such would be compliant with policy guidance of the NPPF and policy guidance UDP Policy RT1/1.

In conservation/heritage terms, when considering the proposed optimum use of the proposal, the loss of the bowling green site, although considered to hold some significance in contributing to the character and setting of the conservation area, is only judged to cause limited harm to the significance of the conservation area as a whole, and is ultimately outweighed by the public benefits of the sheltered housing scheme, thereby satisfying Paragraph 134 of the NPPF.

As such it is considered that the designation and allocation of the site has been fully assessed under the NPPF and UDP Policies, and the proposal is considered to be acceptable and policy compliant.

Principle - Residential development - 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 site is in a town centre location and as such in a sustainable location, being within walking distance of the shopping area, on a main bus route and served by existing infrastructure. The application relates to the provision of retirement housing and would support the aims of providing this type of accommodation in the Borough.

As such, the principle is in general accordance with national and regional planning policy, would help to meet local housing targets and therefore complies with the NPPF and UDP Policy H1/2 - Further Housing Development.

The layout, design and appearance, relationship to the surrounding area, car parking and access issues will be assessed in the report below.

Layout - The plot of land is rectangular in shape and the proposed building would utilise the area of land by siting the building to run lengthways from north to south, fronting the public car park, with the main entrance defined just off centre.

Around the perimeter of the building, there would be a footpath, with gardens and amenity areas to the north and east. The building would either be approached by car or by foot from Market Place to the south, or by foot from Pinners Close to the north.

Nineteen parking spaces would be located to the front of the site and the building and a block paved pathway would define a pedestrian route through to the building.

The bin store would be located to the south of the site, details of its design and appearance would be sought by a condition.

Boundary treatment would comprise close boarded timber fencing and mature tree and shrubbery planting through the provision of a landscaping plan, which would be secured by way of a planning condition to ensure appropriate replacements for those previously lost on the site.

Internally, the scheme would provide 11x2 bed and 13x1 bed, with 2 guest rooms provided for visitors on the 1st and 2nd floors. A communal residents lounge, laundry room and refuse collection point would be located on the ground floor of the building.

The layout of the scheme would provide circulation space around the building, together with accessible external amenity and parking areas. It is considered the siting of the building would relate well to the surrounding environment without compromising the amenities of the occupiers of nearby properties, and as such would comply with UDP Policies H1/2, H2/1 and H2/2.

Design and appearance - A key concern of the previous scheme, and a reason for refusal related to the materials and fenestration treatment of the building. In response to this, the proposed building would have a traditional appearance, broken up by projecting facades comprising natural regular coursed facing stone and natural stone lintels, cills, quoins plinth and band course.

The fenestration of the original scheme was square in form with large section framed

windows. The revised scheme would incorporate windows of a more vertical form, with proportions similar to those at the Grants Arms and Civic Hall. The frames would be narrow aluminium, with similar section sizes to the original sliding sash windows in the adjacent buildings. To promote conservation design, a condition would ensure that all windows would have a minimum reveal of 75mm.

It is considered that the proposed design and materials for this revised scheme would successfully address the previous reasons for refusal by reflecting both the character of the Ramsbottom Conservation Area and the form and appearance of the surrounding buildings. As such, it is considered the proposal would preserve and enhance the character of the conservation area and would comply with UDP Policies H2/1, EN1/2, EN2/1 and EN2/2.

Impact upon residential amenity - There is no policy guidance on aspect standards for this type of development. However, Supplementary Planning Document 6 does provide guidance on separation distances and is a useful yardstick for the consideration of new residential development in relation to existing dwellings. Generally, a separation distance of 20m is required between facing habitable room windows of 2 properties, with an additional 3m of separation required for each additional storey.

Pinnars Close - The difference in levels in the land to the north of the site would result in the building being the same height as No 24 Pinnars Close, the adjacent residential property to the north. There would be a distance of 6.7m between the proposed single storey element of the new building and the side elevation of No 24, and 12.5m to the 3 storey elevation. There are no habitable room windows in the side elevation of either property and the separation distance is therefore acceptable.

There is an existing boundary fence along the side of No 24 and the application proposes additional intervening planting along this boundary. As such, it is considered there would be minimal impact in terms of any overlooking or privacy issues to this property.

There would be no direct relationship between the proposed building and No 22 Pinnars Close.

Oxhey Close - There would be a distance of 23m from the rear elevation of No 6 Oxhey Close to the east of the site and the proposed building. SPD6 advocates a 20m separation between facing habitable room windows plus 3m per additional storey. No 6 Oxhey is set at a lower level than the site.

Because of the topography of the site and the significantly elevated position of the proposed building in comparison to No 6 Oxhey, there would be no direct overlooking from habitable room windows of the new build to the rear windows of No 6. Views would be over the top of this property and as such there would be less of an impact on the privacy of No 6, compared to a directly facing window to window relationship. This is a common place relationship between properties in Ramsbottom given the topography of the area.

There is an existing access track which runs along the rear boundary of No 6. Additional tree planting is proposed to the rear boundary of the site (imposed as a landscaping condition with the emphasis on the planting of mature trees), which together with a boundary fence, would further minimise any potential overlooking into this property or the garden.

Given these intervening features, and the separation distance, the position of the proposed building in relation to this property is considered to be acceptable and would be in compliance with the aspect standards of SPD6.

The relationship of the proposed building is such that it would be set back into the site and there would not be a gable wall directly facing the Civic Hall which would affect privacy or light.

As such, the proposal is considered to comply with UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development and SPD6.

Access and parking - Vehicular access would be directly from the Grants Arms public car park, located in a south position in relation to the site and the building. The scale and character of the scheme is such that it would not generate significant levels of traffic and as such considered not to interfere with the movements in and around the existing public car park.

Pedestrian access would be via a newly created footpath which would continue the existing footpath in front of the Civic Hall and link into the site along the southern boundary. This would lead to the main entrance of the building.

SPD11 - Parking Standards in Bury does not have a specific category for this type of accommodation, falling neither within a purely residential or sheltered housing scheme.

Insufficient parking was cited as a reason for refusal on the previous application, which proposed 13 spaces.

This application proposes to provide 19 spaces for the 24 flats and these would be laid out and demarcated to the front of the site.

The proposed development is similar to other schemes which have been carried out in the Borough, where the expectations for parking provision would be lower, given it would be directed towards the older age group where it is accepted that residents of this type of accommodation are less likely to be car owners.

The site is within a town centre location with excellent links to public transport. The close proximity to shops and services would also provide for the day to day needs of residents and as such largely preclude the need for a car.

The Highways Section raise no objections to the application and has recommended conditions that relate to the provision and layout of the parking area and works to the site access and pedestrian footpath.

As such, the proposal is considered to be acceptable and comply with UDP Policy H2/2 - The Layout of New Residential Development and SPD11.

Access and location - Objectors have raised concerns that the development would not be accessible for future occupiers, and particularly the elderly.

There is a public car park, public house and Civic Hall all located at the top of the access road to the site. Users of all ages utilise these facilities and are not prejudiced by the gradient. Much in the same way, any future occupants would be aware of the local topography, and were the site not suitably accessible for them, would either choose not to live there or otherwise accept the local conditions.

The site is in a highly sustainable location and subject to appropriate responses to the UDP allocation of protecting the recreation provision, is a site that would be suitable for, amongst other things, the proposed development and its intended use.

As such, the proposal is considered to be acceptable and in compliance with UDP Policies H1/2 - Further Housing Development and H2/2 - The Layout of New Residential Development.

Ecology - GMEU have been consulted on the application and identified that the main ecological interest on the site were the mature trees, many of which have now been felled. GMEU previously advised that proposed tree planting should be of a native species to

replace the trees lost. The current proposal is for 20 standard oak trees which fulfills this requirement and GMEU support this proposal in ecological respects. However, the proximity of some of the trees to the proposed development could cause long term problems. It is suggested that trees 18-20 are replaced with species such as silver birch. As such, it is considered reasonable to include a condition which would require the applicant to submit a landscape management plan, detailing the number, size and species of trees, for approval prior to the commencement of any development, and implemented within 12 months from the completion of the development.

An informative has been suggested by GMEU with regard to Japanese knotweed and measures which should be taken if found on the site.

Servicing and bin store area - The bin store would be sited in an area to the south of the site. The waste management team already service this part of the town centre, picking up from the Grants Arms and the Civic Hall. The bins would be wheeled out to the back edge of pavement adjacent to the Civic Hall, similar to the existing arrangement, and the waste management team have raised no objection to the proposals.

Contributions -

Recreation Provision - The scale of the proposals requires a recreation contribution of £37,085.76, towards off-site recreation provision. The Council's SPD1 was approved on 10/6/2015 and supports Policy RT2/2 of the UDP. The Recreation Contribution would be secured through a S106 Agreement.

As of 6 April 2015, the Community Infrastructure Regulations 2010 (as amended) have imposed restrictions on pooling Section 106 contributions, preventing obligations being entered into that result in the pooling of more than five Section 106 obligations for a project or type of infrastructure. As a result of this change, all Section 106 agreements signed after 6 April 2015 must specify exactly what project each contribution will be spent on.

The £37,085.76 for enhancements to off-site recreation provision under SPD1 would be spent on improvements to Nuttall Park. The specific details for the projects will be set out in the Section 106 Agreement.

Loss of Protected Recreation Provision - A separate requirement of the developers for the scheme would be to provide a compensatory contribution for the Loss of Protected Recreation Provision as defined in RT1/1. The applicant has agreed to a one-off payment of £68,328.84 to compensate for the loss and this would be secured through a S106 Agreement.

The important consideration here is that the contribution should go towards enhancement of bowling greens in the Ramsbottom, Tottington and North manor area to meet the Policy RT1/1 requirements and ultimately satisfy tests of being reasonable under the Regulations.

The £68,328.84 to compensate for the loss of Protected Recreation Provision would be spent on Nuttall Bowling Greens and Pavilions and Tottington Bowling Green and Pavilion.

Other Consideration - Concern has been raised that the development would not be guaranteed as retirement accommodation, and could be sold on the open market to any age group. That being the case, a higher standard of parking may also be required as the character of the development would change. To ensure the future occupancy of the development, the S106 Agreement would include an appropriate provision to ensure the units would only be available to occupiers 55 years or older. The accommodation also proposes 2 rooms for visitors of the occupants to stay, but this would be for short term and limited periods and need not be included in the contribution requirements.

Response to objectors -

The objections raised to the proposed development have been covered in the above report. Personal comments about the applicant are not planning considerations.

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: Minded to Approve

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location plan dwg 01; Proposed floor plans 4746-01A; Proposed gravel track and car park elevations 4746-02 A; Proposed elevations from Civic hall and Pinners Walk 4746-03C; Proposed site plan 4746-04C; Existing cross sections dwg No 250; Topographical Survey QDS/350/453/TOP Rev O; Revised Design and Access Statement May 2015; Heritage Statement ref 4746 July 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. 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. Information has not been provided 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. Following the provisions of Condition 3 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation

Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and

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

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

6. The development hereby approved shall not be commenced unless and until full details of the retention of a boundary wall/feature between the proposed car parking area and existing public parking spaces to be retained and proposed pedestrian and bin store access arrangements shown indicatively on the approved plans have been submitted to and approved by the Local Planning Authority. The details subsequently approved shall be implemented prior to the development hereby approved being brought into use/first occupied.
Reason. Detail not received at application stage to ensure good highway design in the interests of public safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian and Vehicular Conflict.
7. The bin storage area indicated on the approved plans shall be provided before the development is brought into use/first occupied and shall subsequently be maintained thereafter for this use.
Reason. To ensure adequate off-highway refuse collection facilities are provided, in the interests of pedestrian safety and to minimise any potential impact on the adjacent public car park 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 indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use/first occupied and thereafter maintained 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.
9. The Developer, within one week of the commencement of development, shall ensure that there is provision to be made for the parking on site of operatives' and construction vehicles together with storage on site of construction materials. The provision shall be retained and used for the intended purpose for the duration of the construction period and that area shall not be used for any other purposes other than the parking of vehicles and storage of construction materials respectively.
Reason. To ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period, in the interests of road safety pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.
10. A landscaping scheme, to include both hard and soft landscaping and car park surfacing finish, shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The content of the plan should include details of replacement trees including number, species and size, which should be long lived native species. The approved plan only shall be implemented in the first available planting season and not later than 12 months from completion of the development; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of

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

Reason. The submitted scheme does not demonstrate the landscape proposals can be successfully achieved. revised details are required to secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 11 - Conserving and enhancing the natural environment of the NPPF.

11. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:2005 "Trees in Relation to Construction" (or subsequently amended), including details of the protection of the root systems of the existing trees, has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.

Reason. Details not provided to ensure avoidance of 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.

12. No trees shall be removed 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 has verified the absence of occupied bird nests in writing, supplied to and agreed by the Local Planning Authority.

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

13. All windows in the development hereby approved shall be fitted within a minimum reveal of 75mm.

Reason. In the interests of good design pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.

14. Details/Samples of the materials, (stone, roof slate, window frames) 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. Details not provided at application stage, in the interests of visual amenity and to ensure a satisfactory development pursuant to Policies EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 Conservation Area Control of Bury Unitary Development Plan.

15. No development shall commence unless and until details of the design, materials, location and access arrangements there to, of the bin store hereby approved, have been submitted for approval to the Local Planning Authority. The approved details only shall be implemented and the bin store made available for use prior to the first occupation of the development hereby approved and thereafter maintained.

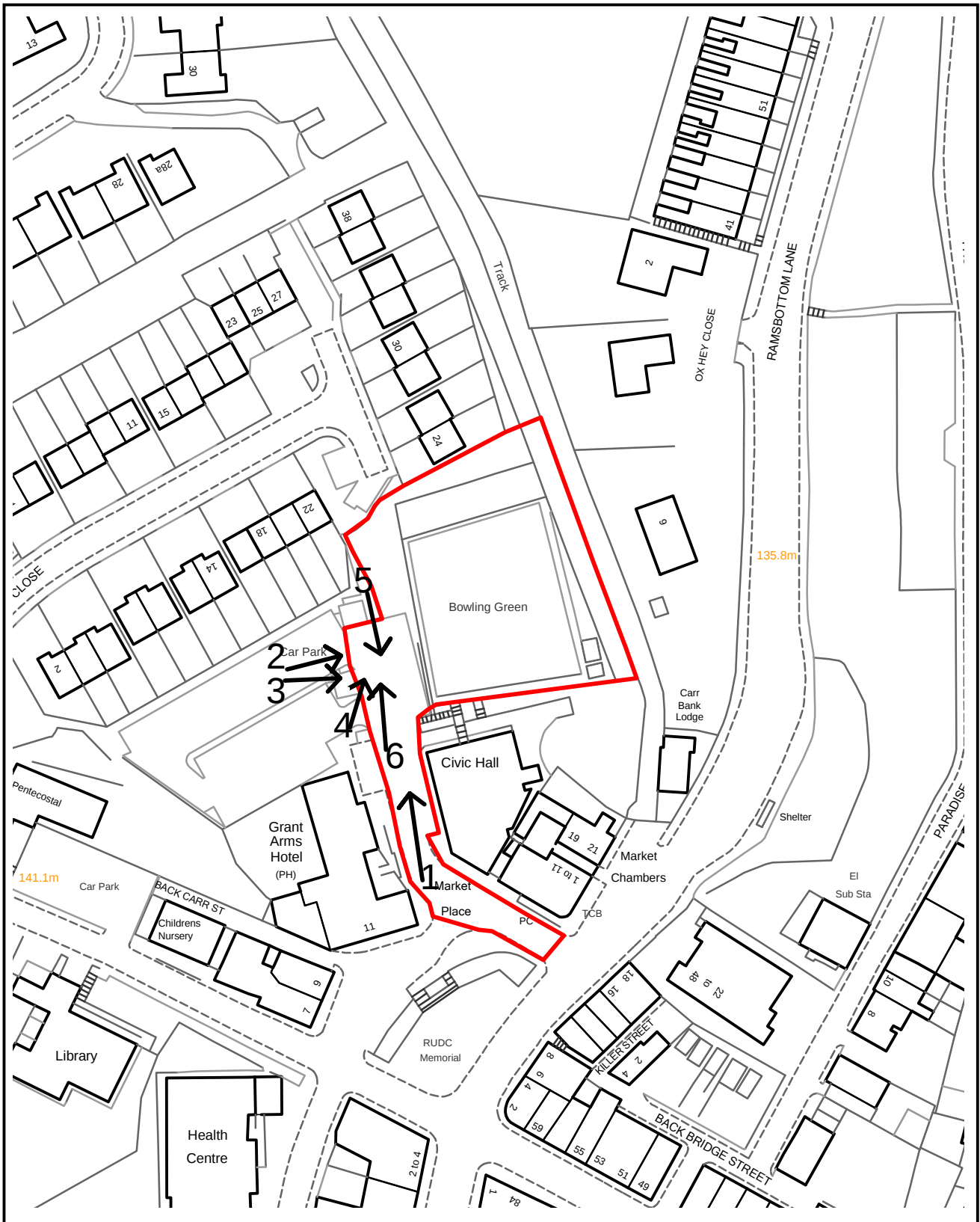
Reason. No information submitted at application stage. In the interests of visual amenity pursuant to Bury Unitary development plan Policy EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 -

Conservation Area Control.

16. 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 current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact pursuant to chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
17. Each of the residential apartments hereby permitted shall be occupied only by:
- persons aged 55 years and over;
 - persons living as part of a single household with such a person or persons.
- Reason. With regards to the limited car parking availability and having due regard to Bury Unitary Development Plan Policy H2/4 - Car Parking and New Development and SPD11 - Parking Standards in Bury.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58807

ADDRESS: Land to rear of Grant Arms Hotel
Market Place
Ramsbottom

Planning, Environmental and Regulatory Services 1:1250

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



Bury
COUNCIL

58807

Photo 1



Photo 2



58807

Photo 3



Photo 4



58807

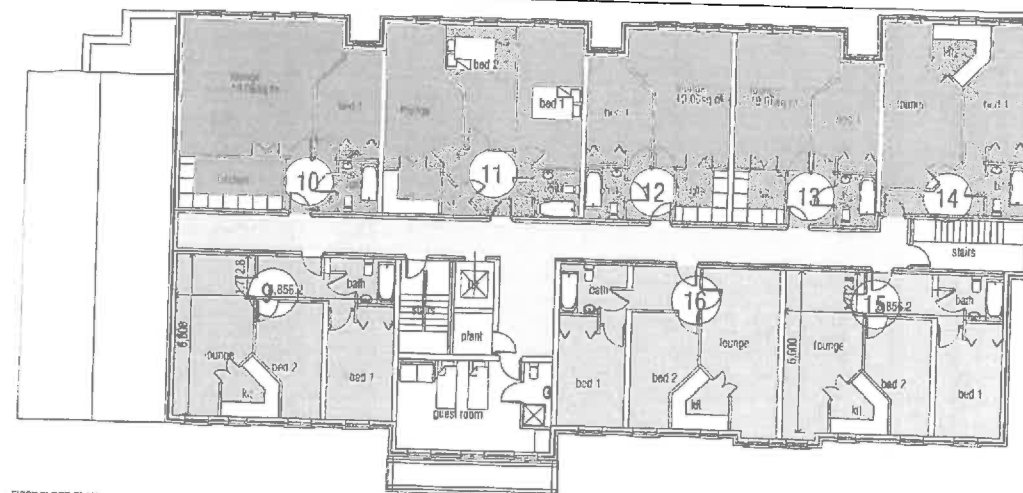
Photo 5



Photo 6

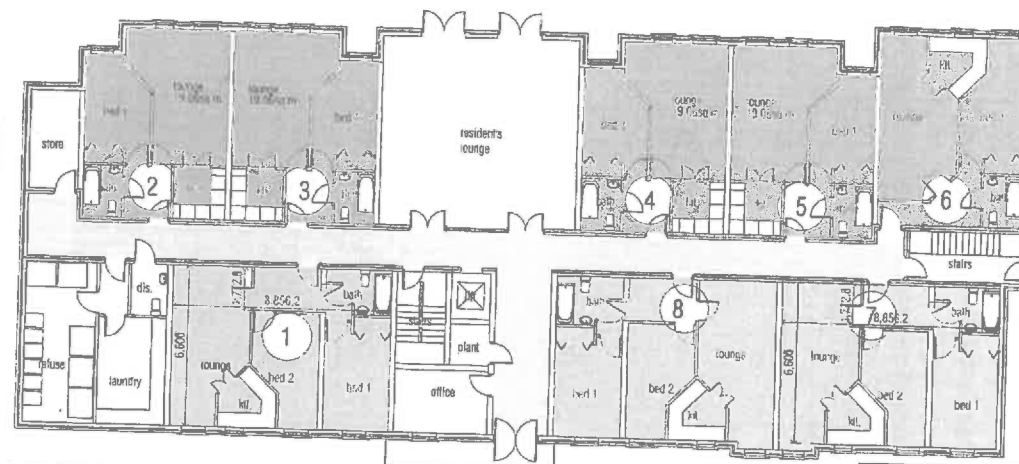


Information on the site is provided for all relevant buildings, services and other facilities. It is not intended to be a substitute for a professional survey or other specialist information. It is not intended to be a substitute for a professional survey or other specialist information. It is not intended to be a substitute for a professional survey or other specialist information.

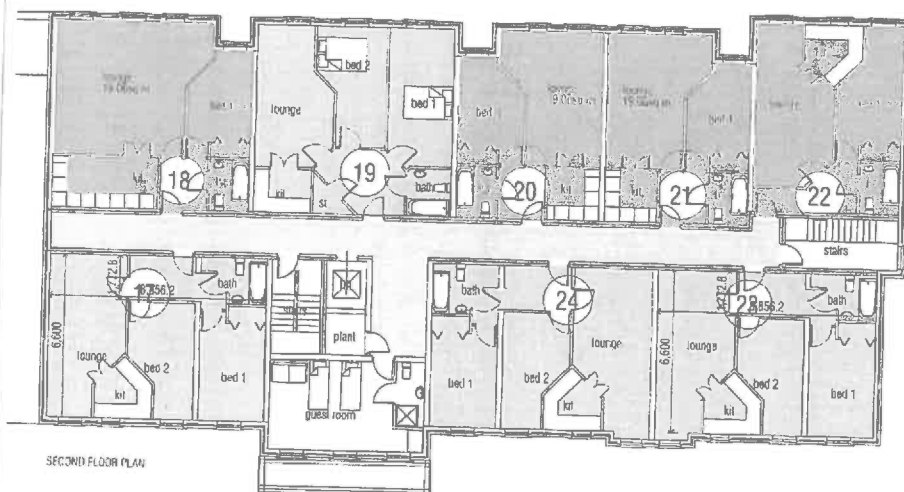


FIRST FLOOR PLAN

FLATS	GF	1 bed	2 bed
FF	4	4	4
SF	4	4	4
TOTAL UNITS	13	11	
OVERALL TOTAL UNITS	= 24		



GROUND FLOOR PLAN



SECOND FLOOR PLAN

- 1 Bed Apartment
- 2 Bed Apartment
- Access

ASTIM LTD

Proposed Development on
Land to the Rear of
The Grange Arms
Farmbottom

Proposed Plans

Scale: 1:100 @ A1 Date: Feb 2016 Drawn: LG

SUNDERLAND PRACTICE

4746 - 01A

REV A - Units re-numbered and roof altered as discussed with planning officer. 01/02/2016

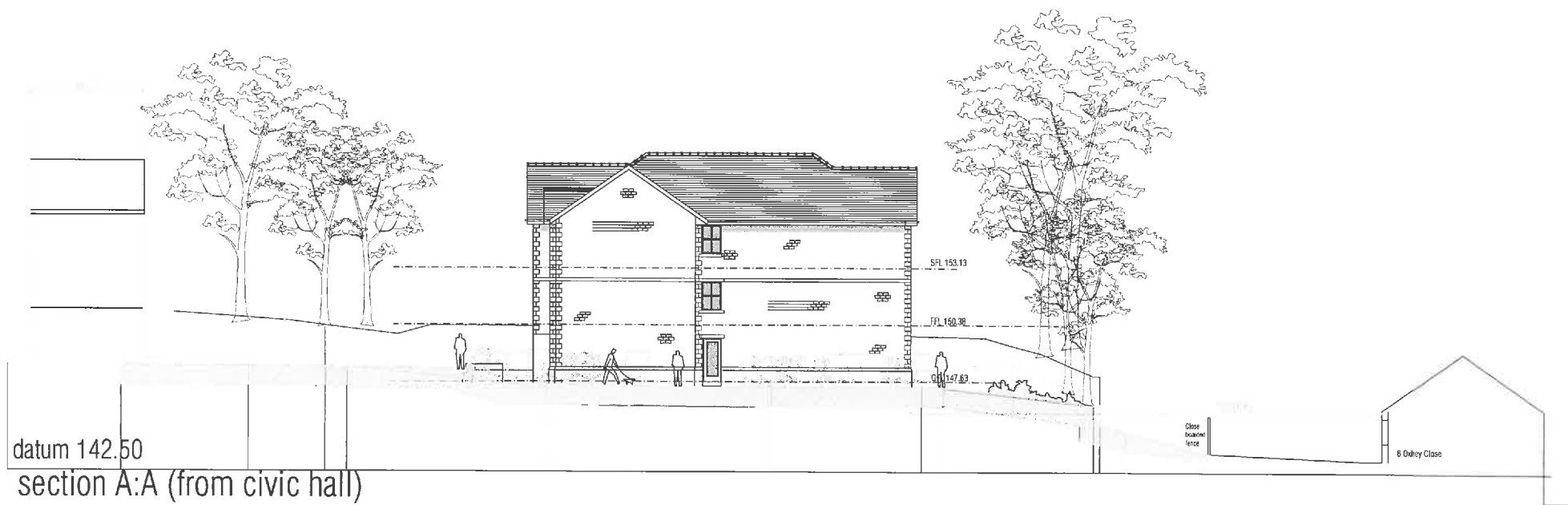


REV A - 1:100 scale plan after the detailed work of the 1:100 scale plan
 01/04/15 LG
 AST-N LTD
 Proposed Development on
 Land to the Rear of
 The Grants Arms
 Ramsbottom

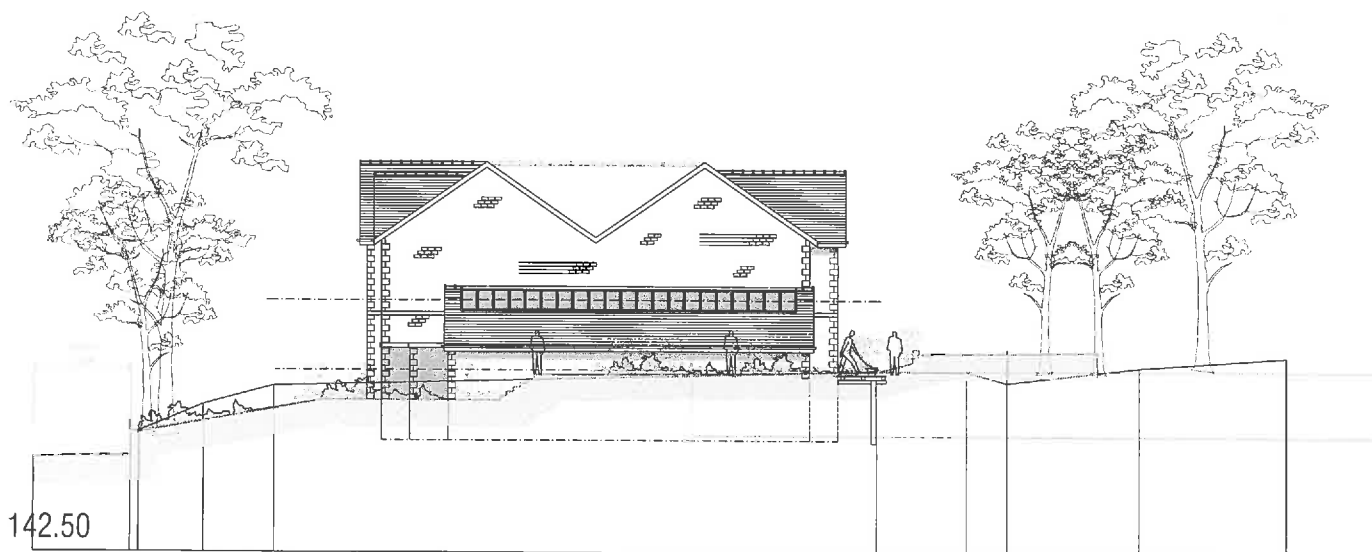
Proposed Gravel Track and
 Car Park Elevations
 1:100 scale A1 Feb 2015 LG

sp
 SINDERLAND PEACOCK
 4746 - 02A

This drawing is to be read in conjunction with all relevant planning conditions and any other documents submitted with the application. It is not to be used for any other purpose without the written consent of the planning officer. The drawing is not to be used for any other purpose without the written consent of the planning officer.



datum 142.50
section A:A (from civic hall)



datum 142.50
section E:E (from 24 pinner's walk)

REV C - Separation distance between 6 Oakley Close increased to 23m as requested by planning officer: 05/07/15 LG
REV B - 6 Oakley Close added to elevations as requested by planning officer: 01/06/15 LG
REV A - Elevations altered as discussed with planning officer: 01/06/15 LG

ASTIM LTD

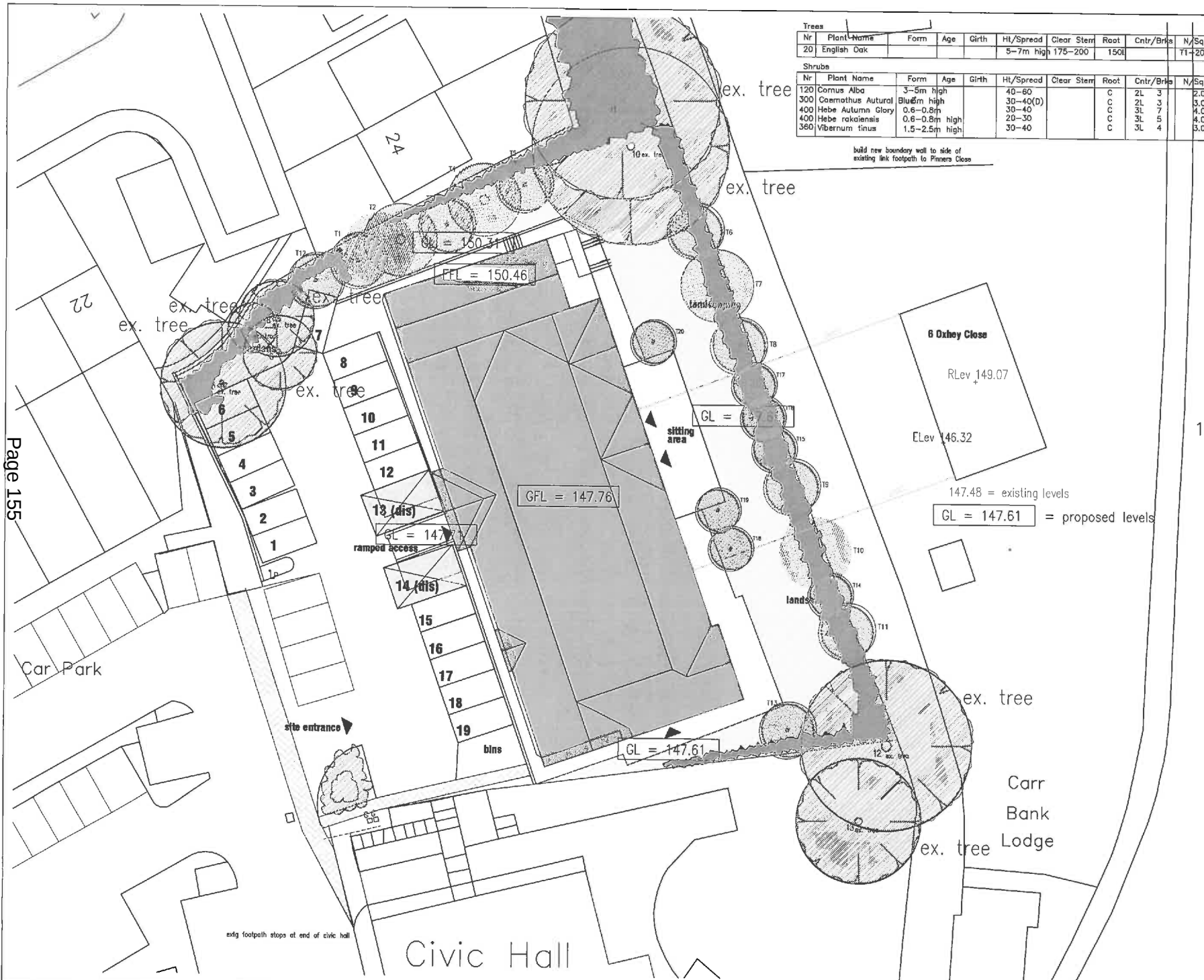
A&T
Proposed Development on
Land to the Rear of
The Grants Arms
Ramsbottom

Drawing Title
Proposed Elevations from the Civic Hall
and Pinner's Walk

Scale
1:100 @ A1 Date Feb 2015 LG



4746 - 03c



Trees										
Nr	Plant Name	Form	Age	Girth	Ht/Spread	Clear Stem	Root	Cntr/Bkls	N/Sq. M	
20	English Oak				5-7m high	175-200	150L			T1-20

Shrubs										
Nr	Plant Name	Form	Age	Girth	Ht/Spread	Clear Stem	Root	Cntr/Bkls	N/Sq. M	
120	Cornus Alba	3-5m high			40-60		C	2L 3	2.00	
300	Coemathus Aural	Blue 6m high			30-40(0)		C	2L 3	3.00	
400	Hebe Autumn Glory	0.6-0.8m			30-40		C	3L 7	4.00	
400	Hebe rakaiensis	0.6-0.8m high			20-30		C	3L 5	4.00	
360	Viburnum tinus	1.5-2.5m high			30-40		C	3L 4	3.00	

This drawing is to be used in conjunction with all relevant Approved, consultant and specialist drawings and specifications. The architect is to be notified of any changes to the drawings. Do not make any changes to this drawing. All dimensions and levels are to be checked on site. This drawing is subject to copyright. All work carried out under Planning and Building Permission has been granted to it at the contractor's risk.

build new boundary wall to side of existing link footpath to Planners Close

6 Oxhey Close
RLev 149.07
Elev 146.32

147.48 = existing levels
GL = 147.61 = proposed levels

135.8m

REV C - Separation distance increased between 6 Oxhey Close to 23m, as requested by planning officer. 06/07/15 LFG
REV B - 6 Oxhey Close added to the plan and dimensioned from the proposed building. 29/08/15 LFG
REV A - Roof plan altered, number of parking spaces increased and number of trees increased and species altered. 01/08/15 LFG

Client
ASTIM LTD
Job Site
Proposed Development on Land to the Rear of The Granita Arms Ramsbottom

Drawing Title
Proposed Site Plan
Scale
1:200 @ A2
Date
Feb 2015
Drawn
LG

spa
SUNDERLAND PEACOCK ARCHITECTS
21 NEWCASTLE STREET, SUDBURY, ESSEX, SSM 6 6LJ
TEL: 01206 227178
E: info@spapeacock.co.uk
W: www.spapeacock.co.uk

4746 - 04 c

Ward: Radcliffe - East

Item 10

Applicant: Bellway Homes - Manchester Division

Location: Land at Spen Moor, Bury and Bolton Road, Radcliffe, Manchester, M26 4JY

Proposal: Reserved Matters for appearance, landscaping, layout and scale following grant of Outline planning permission 55003 for residential development of 191 dwellings, creation of ecological enhancement ponds and access off Bury and Bolton Road

Application Ref: 58810/Reserved matters

Target Date: 07/09/2015

Recommendation: Minded to Approve

The application is Minded to Approve subject to the completion of a s106 agreement relating to the provision and maintenance of informal open space together with public access to it, the provision of a commuted sum of £450,070.93 pursuant to UDP Policy RT2/2 and SPD1 to be spent upon a number of projects contained within this report and to deliver 48 units for affordable housing pursuant to UDP Policy H4/1.

Description

This reserved matters application follows on from the outline planning permission (55003) which was approved on 27/11/2012 for 191 houses and means of access to the site from Bolton Road.

The application site is bounded by Bolton Road to the north, open land to the west and partly to the east, a brook follows the easterly boundary beyond which are residential gardens and properties belonging to Sunningdale Close, Kensington Drive and Henley Close.

To the south is a former railway line that has since been closed for many years. In the middle of the application site is Middle Spen Moor and to the south of the former railway are two properties, Lower Spen Moor Barn and Lower Spen Moor Farm.

There are three public rights of way that cross the site; one running north/south past Middle Spen Moor, one running through the ecological area to the west of the proposed entrance and one running east/west to the south of Spenside. All rights of way are to be retained in their position.

The site also contains a Tree Preservation Order containing a small collection of Spruce Trees to the far easterly boundary, which are to be retained.

The outline permission included a newly formed access on to Bolton Road, the formation of an ecological parkland area (Site of Biological Importance), which was formulated and controlled through a Section 106 agreement.

This application is now seeking the approval details of the housing layout, scale, landscaping and external appearance of the site.

The houses are two storey dwellings predominantly with the exception of house type 4FU126 which is three storeys. Parking is indicated for all the plots either as driveways, integral garages or detached garages.

The scheme includes three small areas of on site recreation provision and indicates the provision of a cycle/access route to the south of the site, running parallel along the railway line.

Relevant Planning History

55003 - Outline - Residential development of 191 dwellings, creation of ecological enhancement ponds and access off Bury and Bolton Road - Approved 27/11/2012

Publicity

233 letters were sent to neighbouring properties on 17/06/2015, covering properties in the immediate vicinity of the site and a list of addresses can be read on the file.

Site notice was placed next to the site on 23/6/15 and the proposals were advertised in the Bury Times on 16/06/2015.

As a result of this publicity there have been 10 objections from 3 Spen Fold, 101 Bury & Bolton Road, 566, 600 Bolton Road, Mr J Sutcliffe (no address given), 6, 10 Sunningdale Close, 20 Grindsbrook Road, 6 Kensington Drive, Lower Spen Moor, Middle Spen Moor and 1 comment (4 Sunningdale Close) made to the proposals. Points include:

- The previous scheme was rejected about a year ago.
- No land is allocated for educational purposes.
- It would add an additional of between 200 to 500 vehicles to the surrounding highways and Bolton road is already an extremely busy road, which is difficult to cross.
- The Council should be prepared to accept some responsibility should any child be injured as a result of any decision to approve it.
- Boundary of 4 Sunningdale Close is incorrectly marked and should be corrected.
- Gabions and crib lock walls are different structures and planting these up requires different methodologies and one has a vertical finish whilst the other has a raked finish.
- Conflicting height dimensions are shown for the retaining structures to the north east of the site next to the brook.
- Overlooking and loss of light would occur as a result of ground levels differences towards Sunningdale Close properties.
- Concerns about land stability with a part of the site to the rear of Sunningdale Close shows signs of sinking.
- Increased traffic on Grindsbrook Road (choosing to travel to Radcliffe Metrolink rather than Bury); subsequent congestion on Bolton Road and the dangers that this would bring. Namely turning and crossing existing highways and Bolton Road in particular.
- The potential effects on the flow of water and run-off outside/from the site.
- Potentially lead to additional land to the west and south becoming developed.
- Visual impact from three storey dwellings, which the outline permission ruled out.
- Illustrative street scenes are incorrect and levels are much steeper than shown.
- What provisions are there for previous mining works.
- Impacts exacerbated on erosion of the existing banks to the brook from surface water run-off.
- Impacts arising through subsidence.
- Cannot build on land that is not within the ownership of the developer.
- There are existing private rights of access that cannot be stopped up. The relationship of plot enclosing the front garden of middle Spen Moor.
- An additional access should be provided.
- Loss of countryside and impact upon wildlife.
- Unable to identify if there is a proposal to address the culvert pipe at the rear of my property (3 Spen Fold)
- There is enough brown site potential in the borough to fulfill housing requirements without destroying the quality of life for both animals and humans.
- The decision to allow outline permission was, in our opinion, made in a fit of pique and left us disgusted by the integrity and public spiritedness of our local council.
- The development would also reduce house prices on our own road.
- It is a pity that Bury Council do not appreciate the green belt area. This virgin land can never be returned to a natural habitat once built upon.

Respondents have been informed of the Planning Committee meeting.

Consultations

Traffic Section - The outline application was submitted with a Transport Assessment and Transport for Greater Manchester (TfGM), Highway Forecasting and Analytical Services (HFAS) have reviewed the submitted documentation on behalf of the Council. Whilst it is accepted that the scheme will undoubtedly introduce additional traffic on to the highway network, as a principle, there are no objections to the main access point on to Bolton Road. The traffic Section's finalised comments to the detailed layout including any additional conditions shall be reported within the supplementary.

Drainage Section - No objections. Conditions are imposed on the outline permission.

Environmental Health Contaminated Land/ Air Quality - No objections. Standard conditions relating to prevention/remediation of contamination are contained on the outline planning permission.

Public Rights of Way Officer - No objections in principle. However, there will be a need to consider the rights of way within and around the site and to ensure that the proposals provide access to the countryside. All Public Rights of Way (PRW) through the site should be given a formal surface and upgraded to bridleway/cycle way where they adjoin other highways that also offer countryside access. Where possible, the proposals should improve the PRW/increase the number of PRWs beyond the site and thus consider offering access to Elton Reservoir by foot, cycle and horse.

Children's Services - The s106 contains provisions for a commuted sum in relation to the provision of education facilities in the area.

Waste Management - No objections in principle.

Environment Agency - Conditions are imposed on the outline permission.

Greater Manchester Police - design for security - no objections received.

The Coal Authority - records indicate that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth associated with coal which outcropped across the site. Condition 3 of planning permission 55003 confirms that the decision relates to the Preliminary Risk Assessment (Phase 1 Desk Study) (January 2012, prepared by Leyden Kirby Ltd). In this regard, The Coal Authority would expect the site investigations proposed within that report, along with any identified remedial measures to be undertaken accordingly. The Coal Authority is therefore pleased to note the submitted letter prepared M&J Drilling Services Ltd (15 December 2014), which confirms the findings of the shallow coal mining investigation. The investigations were undertaken with the prior approval of The Coal Authority and the letter confirms that 30 boreholes were advanced across the site to a maximum depth of 45m. Commentary in the letter confirms that coal seams were absent in the majority of the boreholes, and that drilling and grouting is unlikely to be required prior to development of the site, other than close to the western boundary of the site. Consequently, The Coal Authority raises no objections to this planning application on the proviso that the necessary treatment works as detailed within the letter (dated 15 December 2015 prepared by M&J Drilling) are undertaken prior to the commencement of development.

Fire Protection Dept Bury Fire Station (Part B) - No objections but add informatives to state that the Fire Service requires vehicular access for a fire appliance to within 45m of **all** points within the dwellings. The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes. Additionally if the access road is more than 20m long a turning circle, hammerhead, or other turning point for fire appliances will be required. The maximum length of any cul-de-sac network should be 250 m. There should be a suitable fire hydrant within 165m of the furthest dwelling.

Transport for Greater Manchester - No objections.

Greater Manchester Ecology Unit - Conditions are imposed on the outline permission but request an additional condition that the additional ecological measures proposed are carried out.

The Ramblers Association (Bury) - No objections received.

Natural England - No response.

Canal & River Trust - No objections conditions imposed on the outline will need to be discharged.

United Utilities (Water and Waste) - No objections conditions imposed on the outline will

need to be discharged.

Electricity North West Ltd - No objections add informatives concerning the proximity of ENW's apparatus.

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/2	The Layout of New Residential Development
H4	Housing Need
H4/1	Affordable Housing
EN1/1	Visual Amenity
EN1/6	Public Art
EN3	Archaeology
EN3/1	Impact of Development on Archaeological Sites
EN3/2	Development Affecting Archaeological Sites
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/1	Sites of Nature Conservation Interest SSSI's NNR's
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN8/1	Tree Preservation Orders
OL1	Green Belt
OL2/1	Development on Other Protected Open Land
OL4/1	Agricultural Land Quality
RT2/1	Provision of New Recreation Sites
RT2/2	Recreation Provision in New Housing Development
RT3/4	Recreational Routes
HT5	Accessibility For Those With Special Needs
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
HT6/3	Cycle Routes
CF1	Proposals for New and Improved Community Facilities
EN8/1	Tree Preservation Orders
SPD1	Development Control Policy Guidance Note 1: Rec Prov
SPD2	Development Control Policy Guidance Note 2: Wildlife
SPD5	Development Control Policy Guidance Note 5: Housing
SPD12	Travel Plans 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 of Residential Development - The site is greenfield land but is not designated in any way in the UDP. The planning background to how this came about was set out clearly within the report relating to the outline planning application including the loss of a greenfield site and its informal designation.

The site is subject to a valid and extant outline planning permission together with a s106 agreement and planning conditions for residential purposes and ecological enhancement. Therefore the principle of residential development is established.

Access - UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of new Residential Development seek to ensure that development proposals deliver

a good standard of design and layout for new housing development.

The outline permission established the principle of 191 dwellings together with the means of access from Bolton Road. The scale of the development meant that Transport for Greater Manchester (HFAS) were commissioned to assess the submitted Transport Assessment (TA) and concluded that while the main arterial route to/from Bury is busy, there is sufficient capacity on the road to accommodate additional traffic. The single means of access would be able to accommodate an oversized footway that can assist in the event of any major roadworks at the junction/access road and that a right turn lane would be accommodated within Bolton Road to ensure that free flowing traffic would still be able to pass vehicles that would be waiting to enter the site. In addition to this, the proposals show that the existing pedestrian refuge would be retained to continue to assist pedestrians to cross the road.

The Council's Traffic section raised no objections to this as a means of access in light of the foregoing, which was supported by the Planning committee's decision to approve the outline permission as the access proposals conformed with UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of new Residential Development seek to ensure that development proposals deliver a good standard of design and layout for new housing development.

The Existing Private Access -The residential properties at Middle Spen Moor and Lower Spen Moor are located within or accessed through the development site. They are accessed by a private road located on the southerly side of Bolton Road, opposite Mile Lane. It is also classified as Public Footpath No 117, Bury/No. 15, St Andrew's, Radcliffe and is surfaced to a reasonable standard. As well as being a public right of way on foot, it currently forms the single private vehicular access to residential properties including Lower Spen Moor Farm.

The proposals have separated all development to the east of the private access into a second phase of the layout such that negotiations can continue with those owners over alternative arrangements. This is, however, a private matter between those parties. The site estate roads would provide an alternative means of access for those properties which would ensure that they could still access and egress their properties.

Recreation - The site layout plans indicate that recreational open space would be provided for by the development in three forms. Firstly, by way of including three areas of informal space centrally within the site, and two areas to the south of the housing site. These latter areas would be able to include provisions for a sustainable urban drainage scheme and would also connect to formal cycle routes that run east/west to the south of the site. Furthermore, the provisions of the s106 also include the delivery of a cycle route which reflect the UDP policy RT3/4/2 and HT6/3/2 and enables the former railway line, that accommodates the cycle route into/out of Bury to continue past the site.

The calculations of the quantum of development minus the proposed on-site provisions means that the remainder of provision would be provided for by way of a s106 planning obligation to contribute a sum to the value of £450.070.93. It is proposed that the commuted sum would be spent on the following projects:

- Burrs Strategy Improvements Phase 1
- Extension to Daisyfield Cycleway
- Upgrade of existing Daisyfield Cycleway
- Improvements at Starmount Reservoir and Blackshaw Brook
- Dow Lane Infrastructure and Play Area
- Improvements at Whitehead Green Flag Park (Phase 1)
- Wellington Barracks football and play provision

Such provision would then ensure that the development would be consistent with UDP Policy RT2/2, SPD1 and the CIL regulations.

Layout, Scale and Appearance - UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of new Residential Development seek to ensure that development proposals deliver a good standard of design and layout for new housing development. SPD6 also provides guidance that supports considerations on how new development should relate to existing development in the consideration of aspects, overlooking and separations.

The proposed layout predominantly contains two storey dwellings with 4 pairs of units that would be three storeys. These units are located in key promontory positions to act as focal points. Aspect distances within the site maintain the Council's aspirations set out in SPD6 in relation to aspect standards between dwellings.

The layout provides a circulatory layout with the rights of way maintained in their current position, albeit that in relation to opening up phase two, bollards would be installed to prevent vehicular access directly on to Bolton road from using right of way 117, together with a turning head for those who might drive southwards and find that they would have to about turn.

The layout maintains limited development to the wider countryside and the locations of the informal recreational space further reinforces this design approach.

The dwellings elevationally would contain a mix of materials to maintain visual interest and a planning condition can be imposed to ensure that the materials are reflecting of and appropriate to the locality. The outline permission did not restrict the development to any particular height maximums and as such the introduction of three storey units is not prohibited and indeed would provide visual interest within the townscape.

Concerns have been made in relation to levels and amenity to existing properties to the north west of the site (Kensington Drive and Sunningdale Close) to the new housing to back on to the brook. The levels of the existing housing in relation to the proposed housing would have a difference of around 3m in the main, to circa 4m at the worse difference in floor levels. Properties on Henley Close whilst having the lowest floor levels, ground levels including that of the site soften out towards the south and east of the site, thereby becoming broadly level.

The gardens of the existing properties on Sunningdale Close and Henley Close drop towards the brook. Furthermore, the brook on both sides is heavily landscaped by mature trees, albeit that there are intermittent gaps. As such, the development plateau to be created by the new housing would be elevated to these properties.

The proposed land for the housing and gardens to the new housing backing on to the brook are proposed to be built up and retained along the northeast extremity by a supporting structure of either gabions or crib lock. 1.8m high fencing would be erected at the end of the gardens and an 8m linear standoff distance would be provided to the brook.

In determining the acceptability or otherwise of this relationship, SPD6 provides a means by which aspects and separation from existing to new development can be judged. Primary aspects should maintain a minimum distance of 20m separation; primary to secondary 13m and for each storey difference in height an additional 3m on top of the minimum should be provided.

In this instance, the proposed housing would be between around 40m and 50m away from existing housing. The rear of the built up gardens near to the brook for each of the plots would be between 28m and 48m away. Therefore even considering that the land is to be built up at the levels show (approximately 102.9m AOD) and that the existing housing to the north and east is lower in level (circa 99m AOD) the distances to be provided between new built form and existing properties and their curtilage are considered to be acceptable.

In terms of concerns about overlooking, considering the separation distances to be

provided, the location of existing trees, siting of new rear boundary fencing would all contribute to ensure that there would not be any significant concerns from overlooking. Additionally, the intervening standoff to the brook with its planting and proposed planting to the supporting structure would be effective screening of the new development plateau when seen from the rear gardens of the properties on Sunningdale Drive and Henley Close.

Given the above, it is considered that there would be no detrimental impact arising from the development upon amenity, overlooking, overshadowing or proximity.

Given the above it is considered that the proposals would conform with UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of new Residential Developments.

Affordable Housing - The outline planning permission contained a condition requiring a scheme for affordable housing to be submitted as part of the reserved matters. The proposals have incorporated provisions for affordable housing within the site to deliver 48 units, which would represent a selection of differing house types and sizes and pepper potted across the site. Given these provisions, the scheme is considered to be compliant with UDP Policy H4/1 - Housing Need and its associated SPG5 and the s106 to accompany this application would ensure delivery.

Trees and Landscaping - The site is largely devoid of tree cover with the exception of along the north east boundary with the brook and to the east a collection of spruce, which are subject to a Tree Preservation Order. The scheme recognises that the tree cover is an important part of the assimilation of the development into the local area as well as being a means of retaining appropriate levels of screening as described in the layout section above.

The scheme has been submitted with a landscaping scheme that shows that these highlighted trees would be retained and that the scheme would include new tree planting, hedge planting and landscaping within the site. Semi mature trees are proposed and would be, along with hedges of native species. The tree planting and landscaping as part of the development proposals, which also include the works set out within the existing s106 obligation in relation to the ecological issues that affect the site, would also enhance the wildlife corridor of the former railway line.

Given the above and the layouts shown, the landscaping proposals are considered to be acceptable and would enhance the development in a way that would be sensitive to the local area. As such the proposals would comply with UDP Policies EN1/3 - Landscaping Provision, H2/2 - The Layout of New Residential Development, EN 6/4 - Wildlife links and Corridors and EN8/1 - Tree Preservation Orders.

Flood Risk and Erosion - The issue of flood risk and surface water run off was extensively considered in relation to the outline planning permission and conditions relating to this still prevail and would require discharging. It is understood that there has been some erosion to the brook bank. However, following consultation with the Environment Agency and the Canal and Rivers Trust, there are no objections to the proposals. Erosion is a matter for the respective parties and not a matter for the Local Planning Authority.

Mining and Subsidence - As stated above, the Coal Authority have been consulted on the proposals and following the receipt of additional information relating to the testing that has been carried out, there are no objections to the proposals. A condition was imposed on the outline permission requiring the development to be carried out in accordance with the risk assessment and a condition shall be imposed to ensure that the treatment works specified in the latest proposals are carried out.

Parking - SPD11 states that the maximum number of parking spaces is:

- 2 spaces per 3 bed
- 3 spaces per 4 and 5 bed units.

This equates to 494 parking spaces.

The proposed development would provide 359 spaces and 96 spaces in the form of garages, giving a total of 455 spaces. The site has good access to public transport and there would be space for visitors to park on the access road. As such, the level of parking provision in this instance would be acceptable. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Objections - These have been duly responded to within the report and also considered with the primary outline planning permission relating to the development proposals on this site.

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: Minded to Approve

Conditions/ Reasons

1. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.

2. No works shall take place on altering the levels of land relating to plots 176 to 191 unless and until detail of landscape planting and construction design is submitted to and approved in writing by the Local Planning Authority. The landscaping of the structure shall be carried out in the first planting season following its substantial completion.

3. This decision relates to the following drawings and reports:

PLANS

Location Plan (Dwg No: BHM028/LP)

Planning Layout Revision L (Dwg No. BHM028/01 Rev L)

Ecological Enhancements 1 of 3 (Dwg No: 04 Rev: B)

Ecological Enhancements 2 of 3 (Dwg No: 05 Rev: A)

Ecological Enhancements 3 of 3 (Dwg No: 06 Rev: A)

External Works Layout - Sheet 1 of 4 (Dwg No: 30116/8/1 rev D)

External Works Layout Sheet 3 of 4 (Dwg No: 30116/8/3 rev C)

Planting Plan 1 of 3 (Dwg No: 01 Rev: B)

Planting Plan 2 of 3 (Dwg No: 02 Rev: A)

Planting Plan 3 of 3 (Dwg No: 03 Rev: A)

Proposed Drainage Layout (Dwg No: 3016/100 Rev: G)

Proposed Highway Access Arrangements Layout (Dwg No. 30116/102) Rev B

Proposed Site Access (Dwg No: SCP/11263/AP02 Rev D)

NOTE: The *housing* layout of the plans in bold are amended by Planning Layout Revision L (Dwg No. BHM028/01 Rev L)

Proposed Garage - Double Detached – (Dwg no. BW/NW/DG/001 Rev A)
Proposed Garage - Single Detached - – (Dwg no. BW/NW/SG/001 Rev A)
Proposed Garage - Twin Detached - – (Dwg no. BW/NW/TG-S(6x6)/001 Rev A)
High Knee Rail Fence (Dwg No: BH/WL/SD/FD035)
High Brick Piers with Low Level Wall & Timber Infill panel (DWG: BH/WL/SD/FD049)
Rail Fence Details (Dwg No: BH/WL/SD/FD003)
Indicative Section through Kensington Drive/culvert (Dwg No: BHM028/SS01)
Arboricultural Impact Assessment - Ascerta May 2015
Attenuation Basin Details and Sections (Dwg No: 30116/103)
Closed Boarded Fence Details (Dwg No: BH/WL/SD/FD001 rev.A)
Double Detached Garage with Vaulted Roof - (Dwg No: BWNW/MS-VR-S/001)

House Type Range

3RU081 – Rufford
4BR098 - Browning
3BE095 – Bennett
4FL147 - Fleming
4FA124 - Fairhaven
4RE102 - Regent
5TH181 - Thomas
4ED133 ALT – Edgeworth ALT
4ED131 - Edgeworth
3LA094 - Lansdown
3P1078As - Pilkington
4FU126 - Fulwood
4LA129 - Larch
3WE103 - Weston
40A155 - Oakwood

REPORTS

Brown Hare Survey 2015
Design and Access Statement (Part 1 of 2)
Design and Access Statement (Part 2 of 2)
Geo-Environmental investigation and risk assessment 1 of 2 by Leyden Kirby Feb 2015 ref:LKC 14 1191-02[FINAL]
Geo-Environmental investigation and risk assessment 2 of 2 Leyden Kirby Feb 2015 ref:LKC 14 1191-02[FINAL]
Habitat Creation and Ecological Management Plan ERAP 2014_069b and 2015/021 – Updated March 2015
Water Vole Survey (ERAP ref:2015_021)

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.

4. No trees subject to a Tree Preservation Order, unless indicated otherwise on plans submitted and approved as "reserved matters", shall be felled, lopped or topped without the previous written consent of the Local Planning Authority.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/1 - Tree Preservation Orders, EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
5. 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 not commence unless and until 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.

6. The landscaping scheme hereby approved shall be implemented in accordance with a scheme that reflects the phased implementation proposed by the development proposals. 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, Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of new Residential Development of the Bury Unitary Development Plan.

7. The development shall be carried out in accordance with the Coal Risk Assessment contained the Preliminary Risk Assessment (Phase 1 Desk Study) (January 2012, prepared by Leyden Kirby Ltd) as updated by the letter dated 15 December 2015 prepared by M&J Drilling and the necessary treatment works as detailed within that letter.

Reason - To ensure that measures are in place to minimise the risks arising as a result of previous coal workings pursuant to Policies H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development and H2/2 - The Layout of new Residential Development of the Bury Unitary Development Plan.

8. The maximum height of the ground supporting structure to the rear of plots 176 to 191 and to the brook, shall not exceed 4.1m in height.

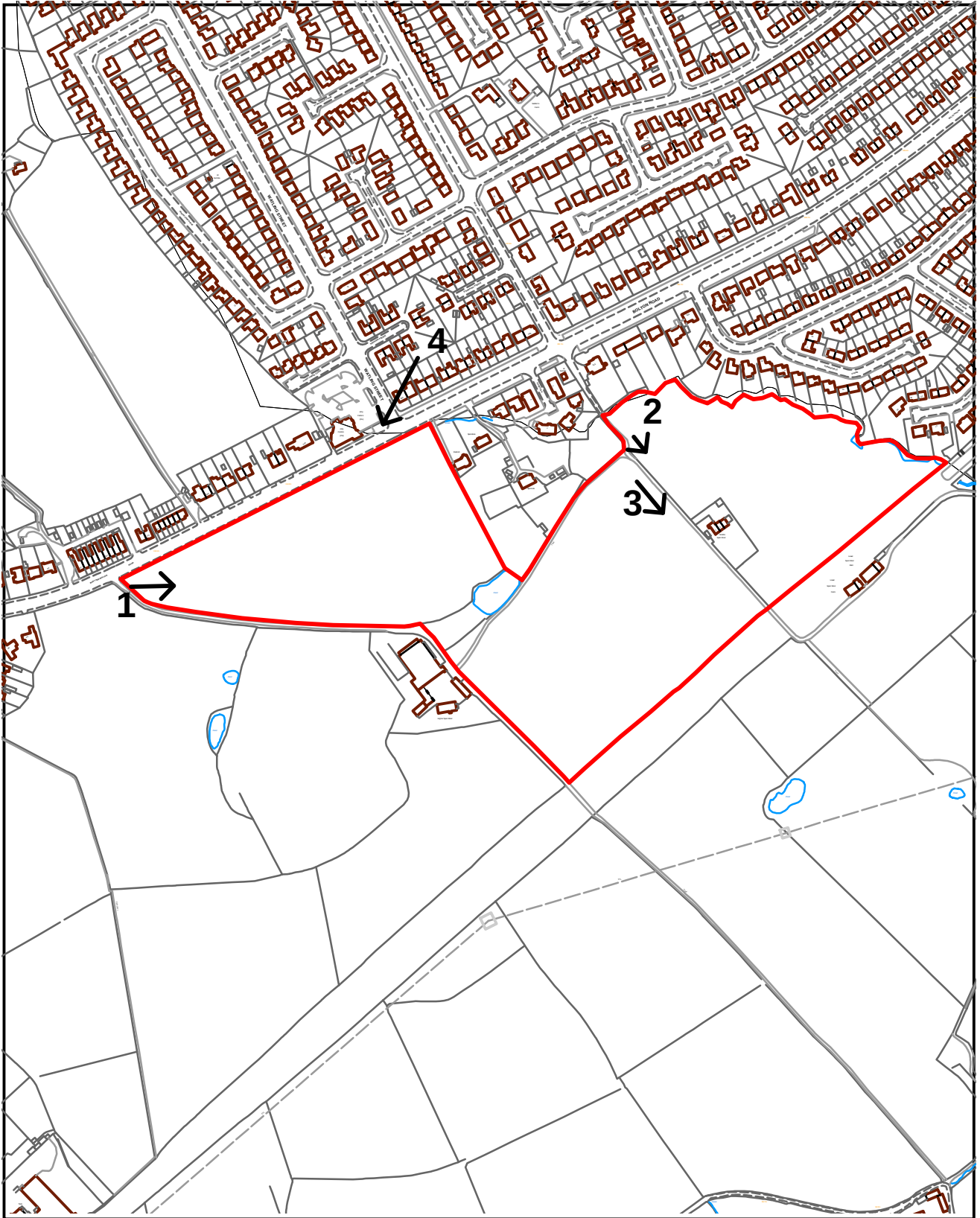
Reason - To ensure that there is no undue impact upon residential amenity to those occupants on Sunningdale Close and Henley Close pursuant to UDP Policies H2/1 The form of New Residential Development and H2/2 - The Layout of New Residential Development.

9. On commencement of development a scheme for street lighting, to include details of implementation and timing to become operative, shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason - To reduce the risk of crime pursuant to UDP Policy EN1/5 - Crime Prevention.

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

Viewpoints



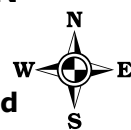
PLANNING APPLICATION LOCATION PLAN

APP. NO 58810

ADDRESS: Land at Spen Moor, Bury & Bolton Road
Radcliffe

EDS

EDS



Bury
COUNCIL

1:5000

55003

Photo 1



Photo 2



55003

Photo 3



Photo 4



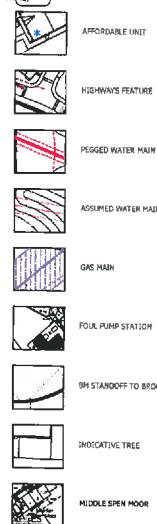


SCALE: 1:3750 DATE: 21/08/2015

Page 169
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Bury
COUNCIL

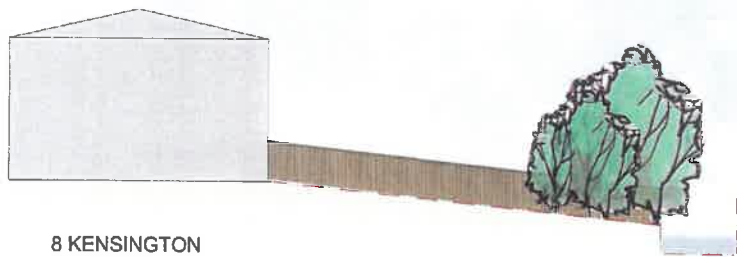


EBA BOUNDARY BASED ON
TITLE PLANS MAN215539
AND GM2002415

[illegible]

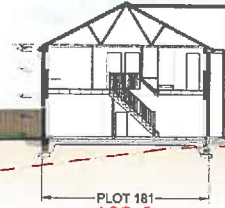
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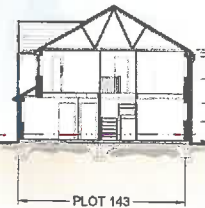
8 KENSINGTON
DRIVE
SECTION A-A
1:200

2.6m RW



PLOT 181
102.9

PROPOSED
ROAD



PLOT 143
102.95

Notes:
1. All structural drawings shall be in accordance with the relevant British Standards.
2. All drawings shall be in accordance with the relevant British Standards.
3. All drawings shall be in accordance with the relevant British Standards.
4. All drawings shall be in accordance with the relevant British Standards.
5. All drawings shall be in accordance with the relevant British Standards.
6. All drawings shall be in accordance with the relevant British Standards.
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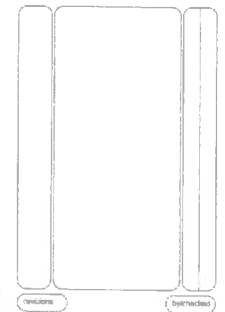


Existing Ground Line
Proposed Ground Line

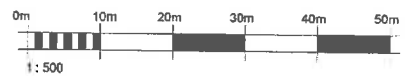
Page 171



PLAN
1:2000

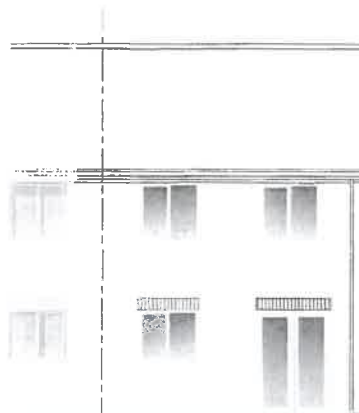


Client
Date 11-08-15
Scale @ A2 AS SHOWN
Hydrated RH MP
Project SPEN MOOR BURY
Revision
Drawing no BHM028/SS01
Drawing title SITE SECTIONS

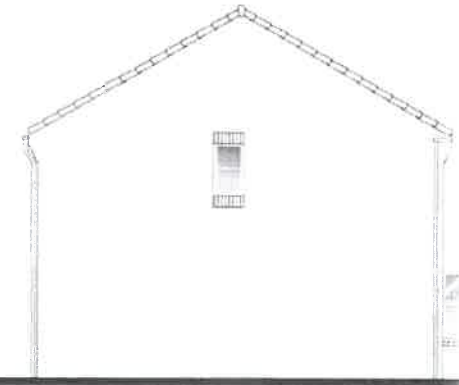




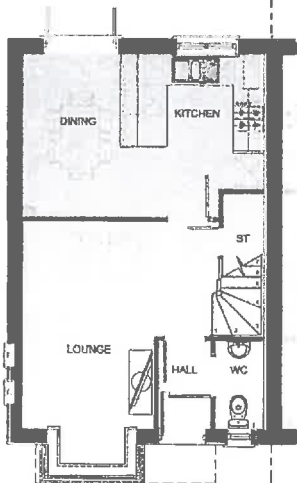
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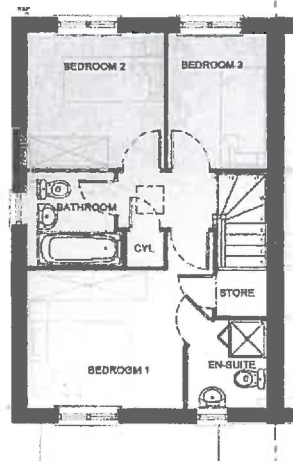
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SIDE ELEVATION



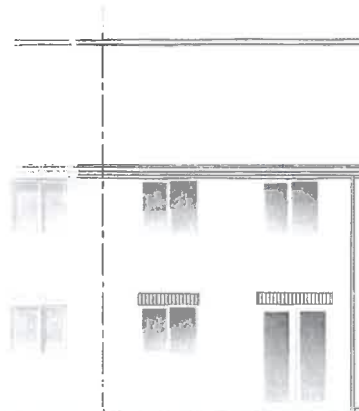
GROUND FLOOR PLAN



FIRST FLOOR PLAN



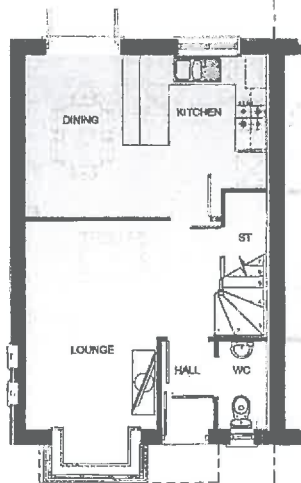
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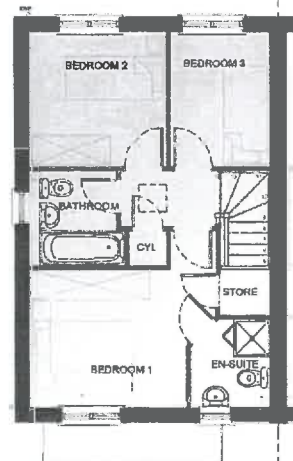
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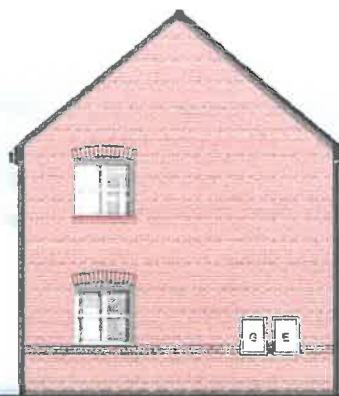
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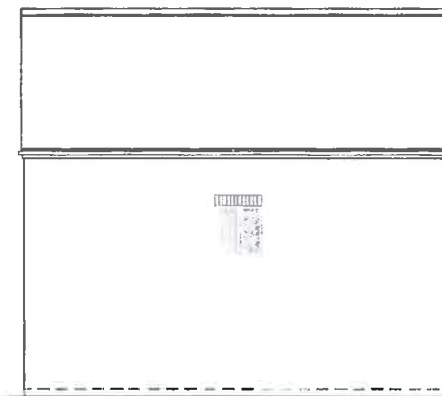
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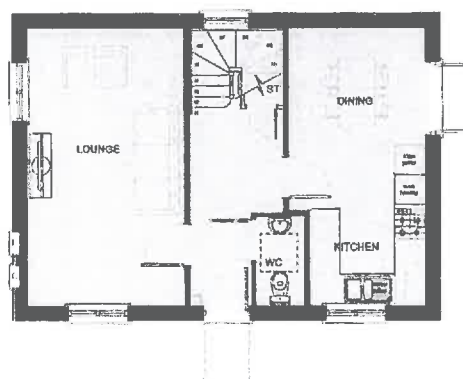
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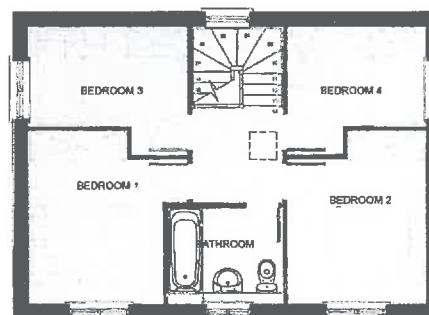
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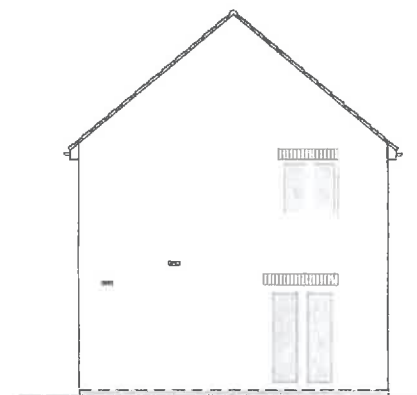
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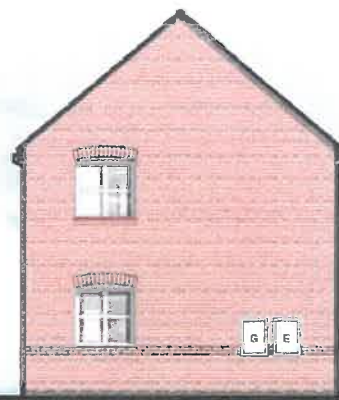
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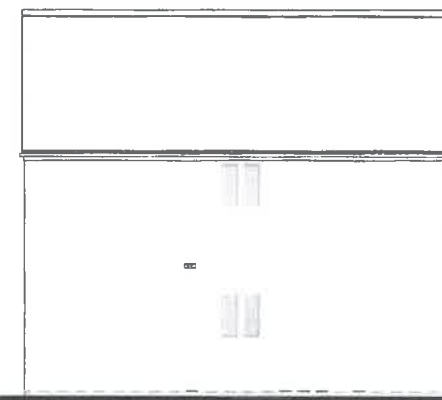
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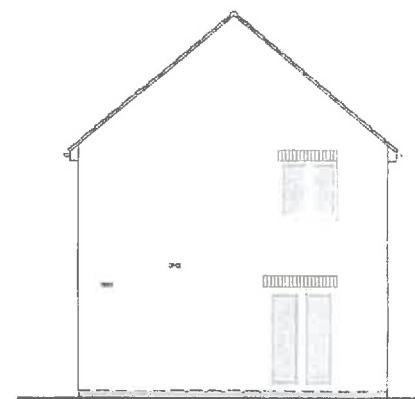
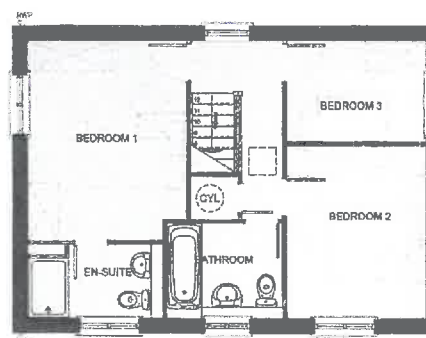
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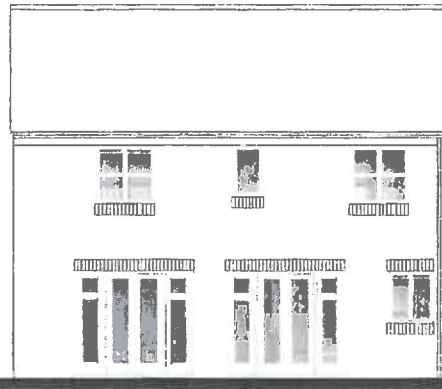
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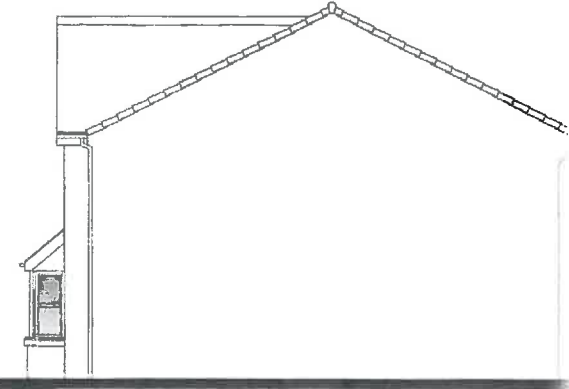
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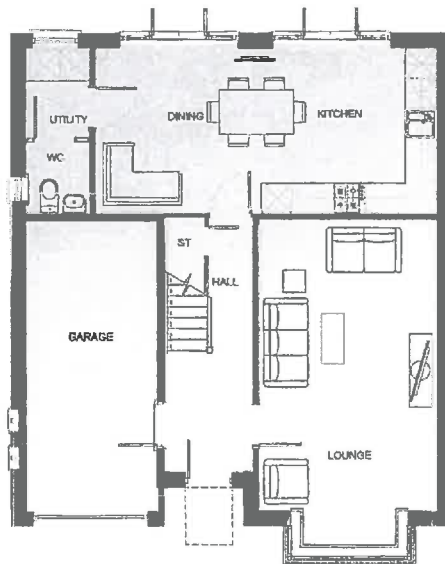
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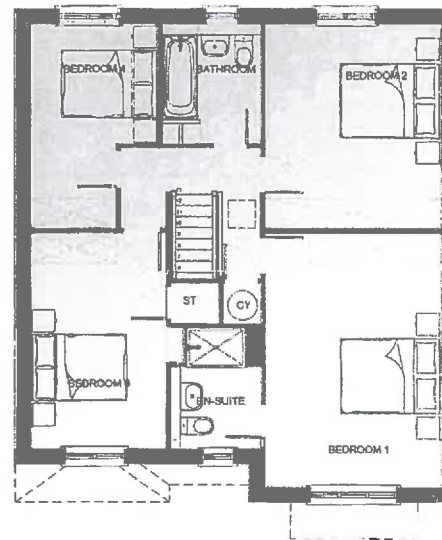
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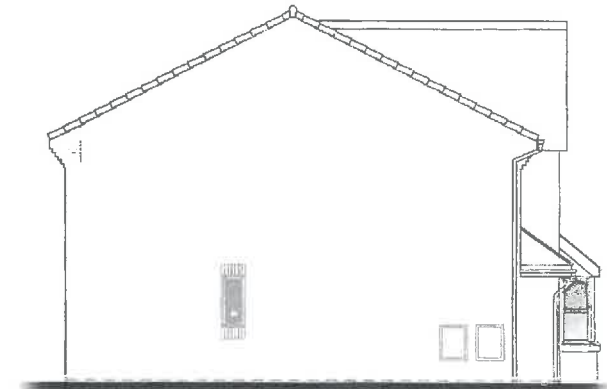
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GROUND FLOOR PLAN



FIRST FLOOR PLAN



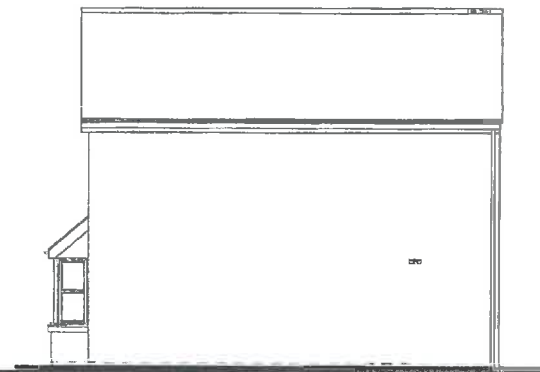
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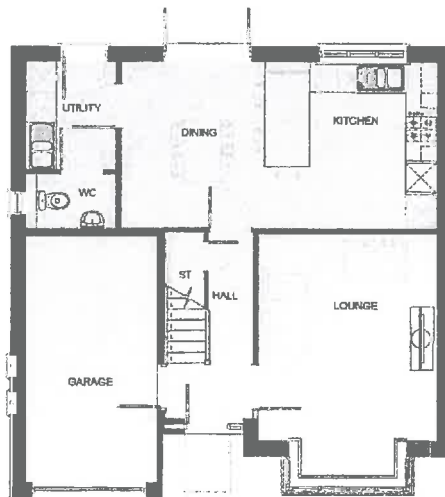
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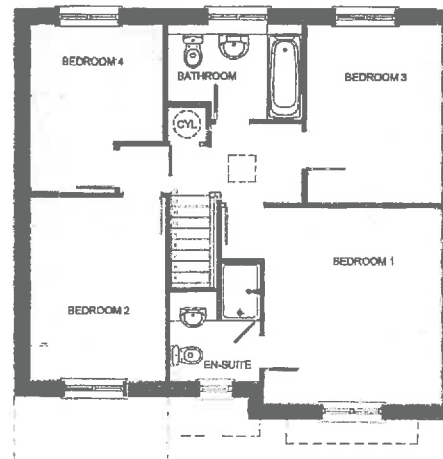
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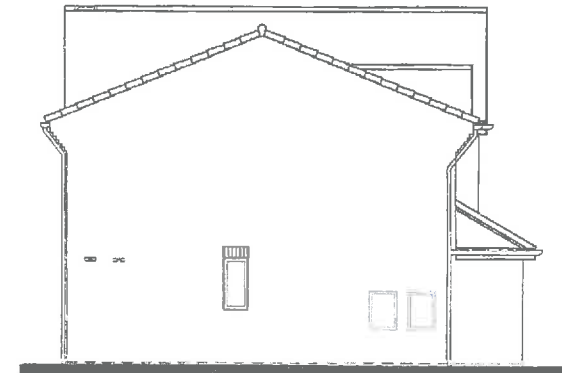
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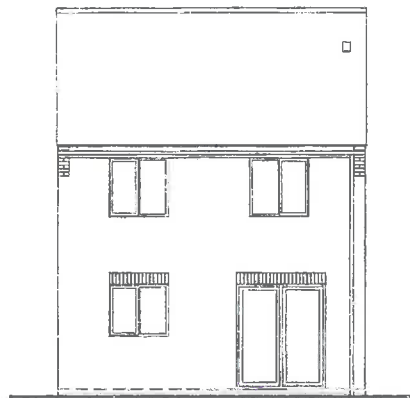
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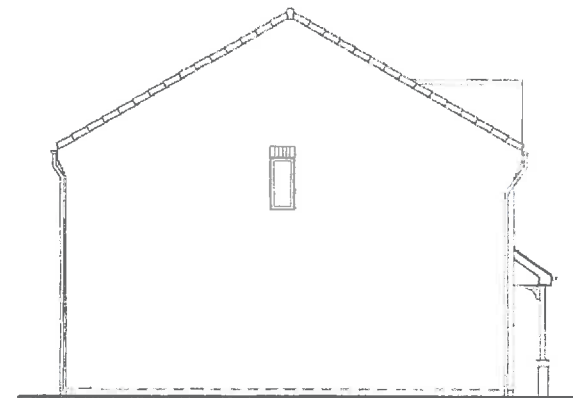
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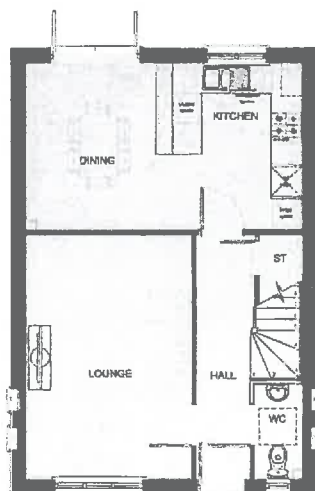
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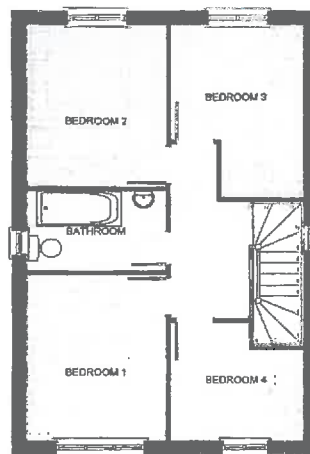
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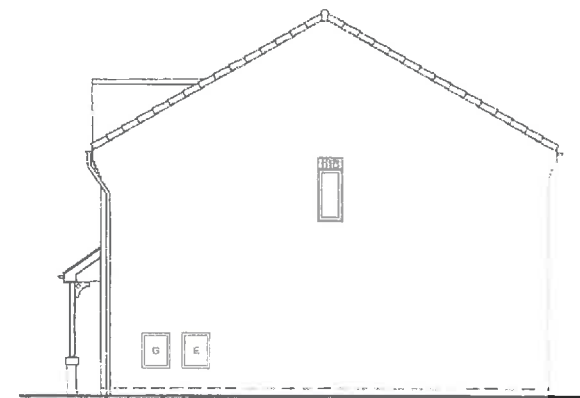
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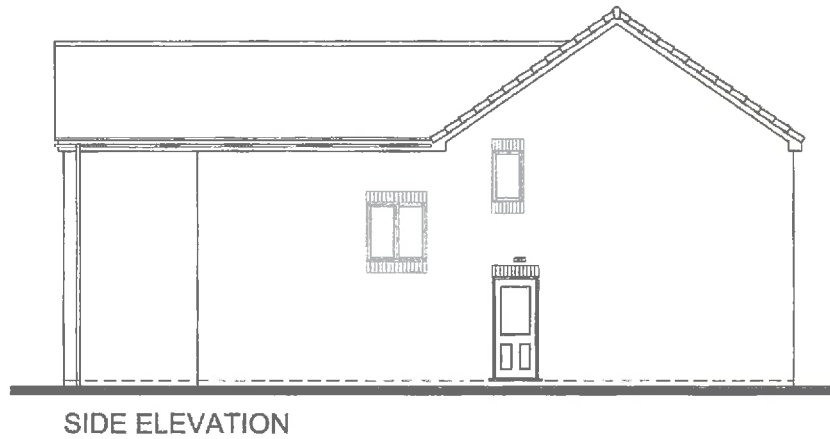
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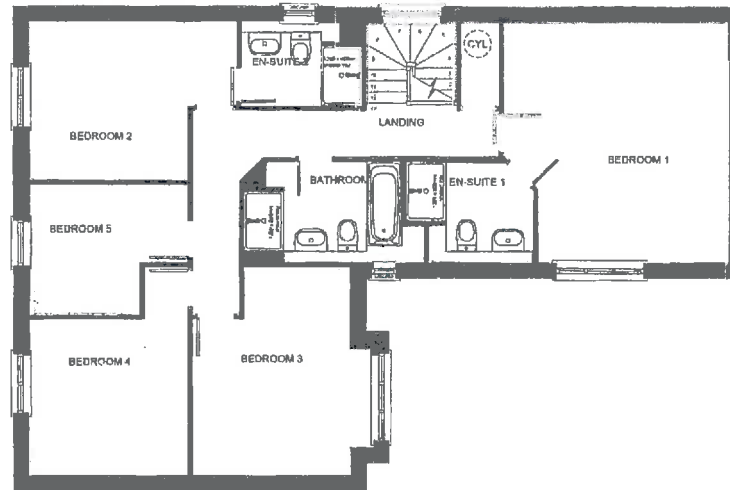


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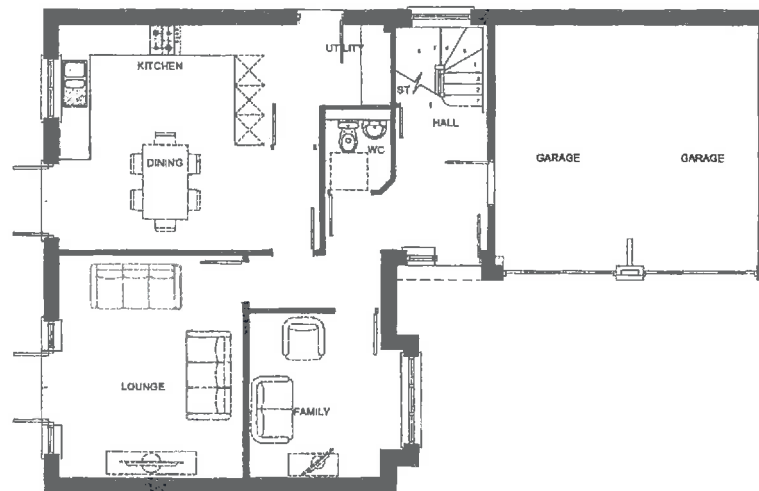


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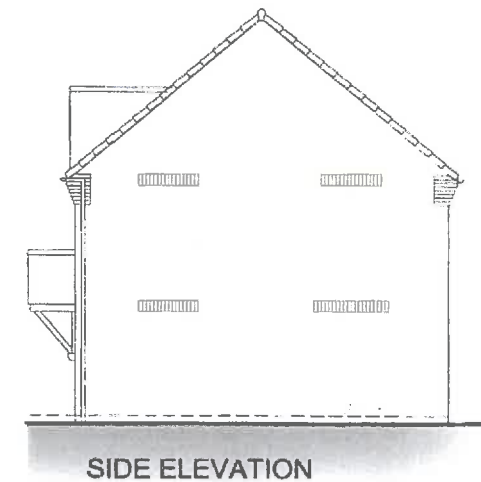
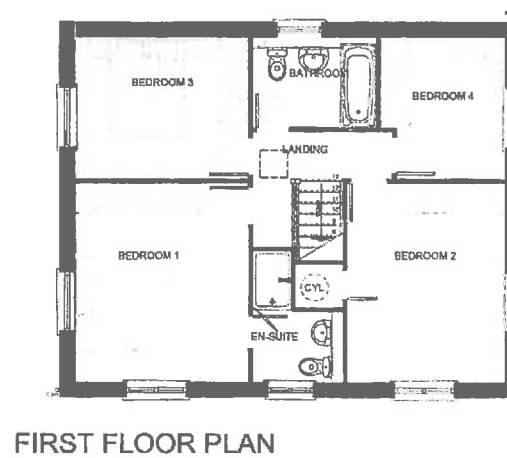
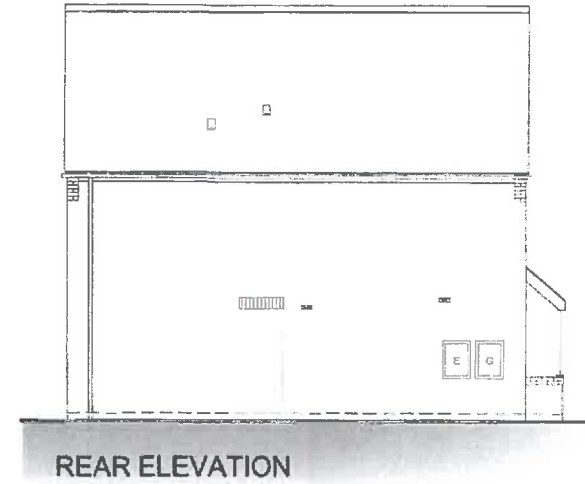
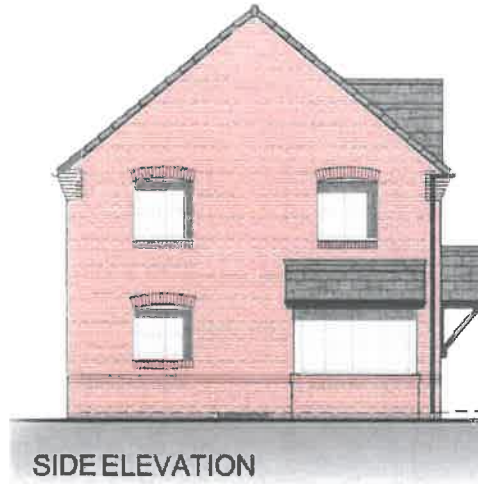


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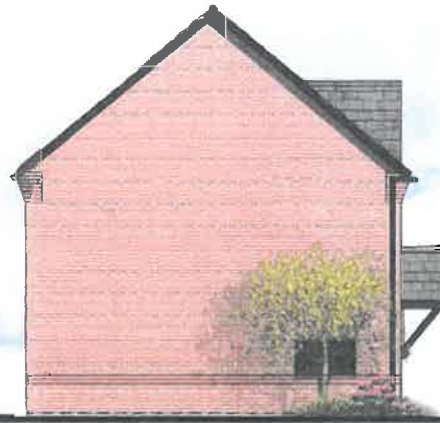
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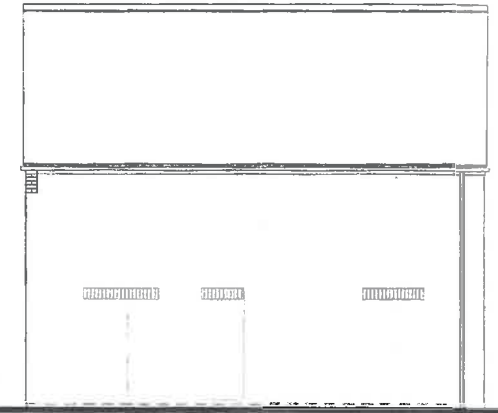




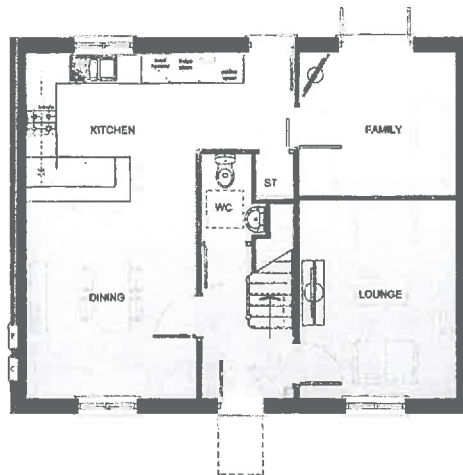
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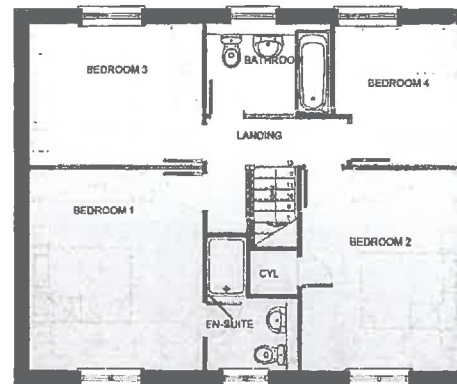
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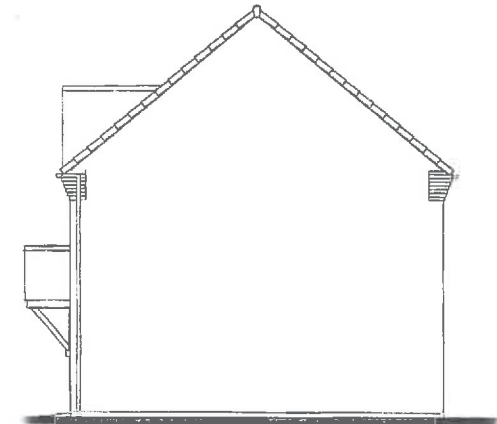
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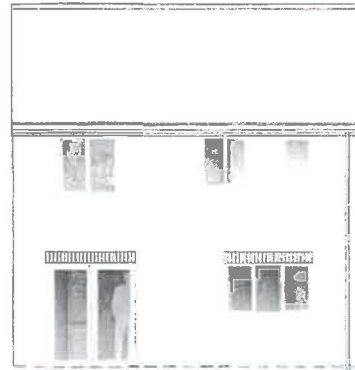
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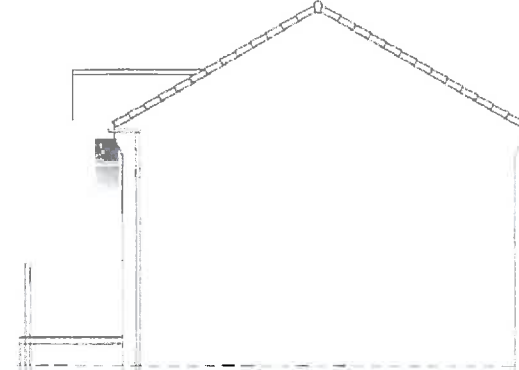
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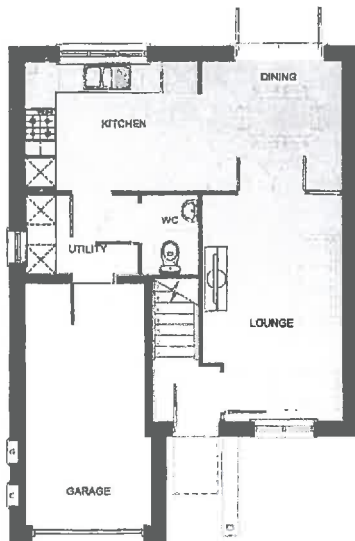
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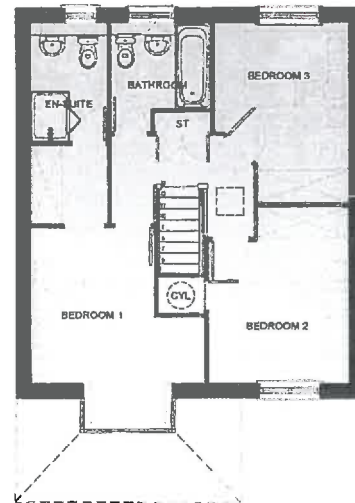
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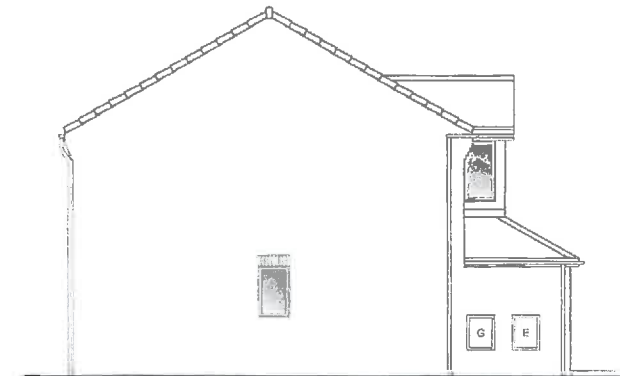
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GROUND FLOOR PLAN



FIRST FLOOR PLAN



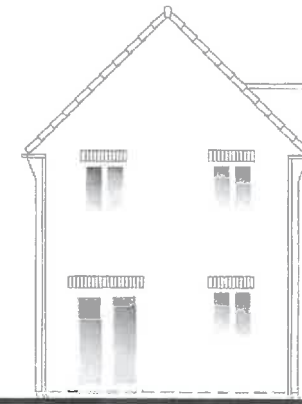
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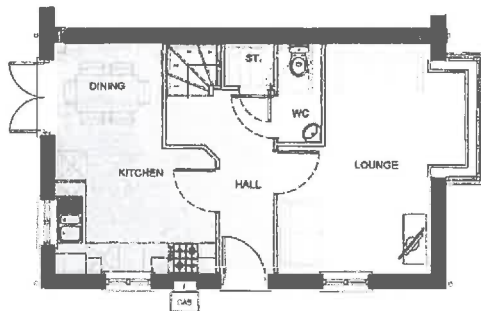
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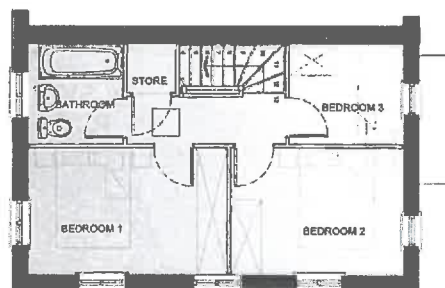
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SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



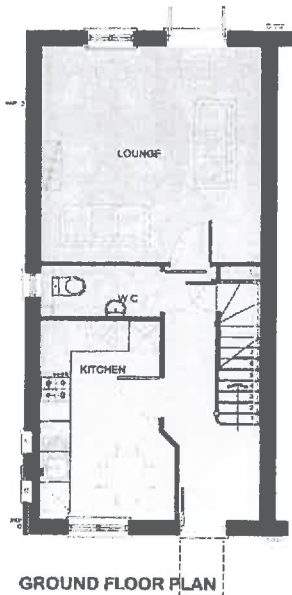
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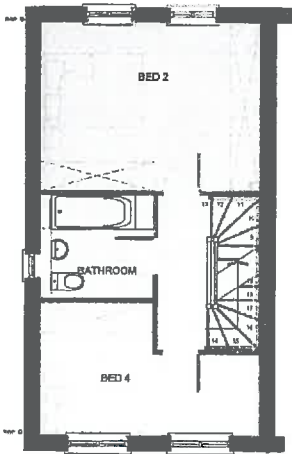
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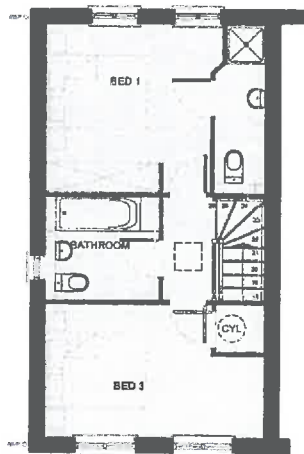
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GROUND FLOOR PLAN



FIRST FLOOR PLAN



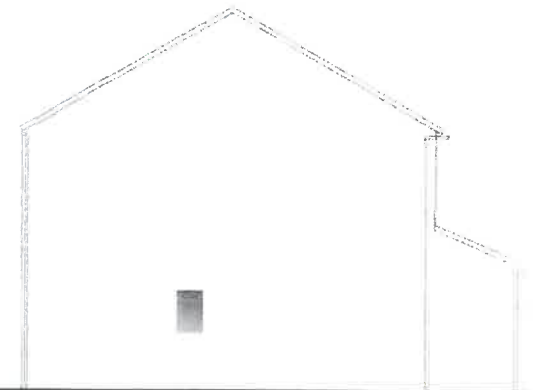
SECOND FLOOR PLAN



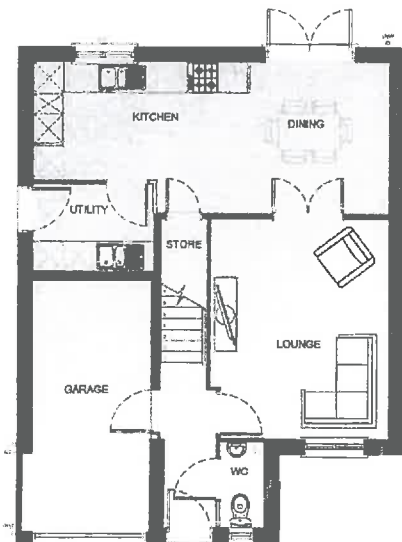
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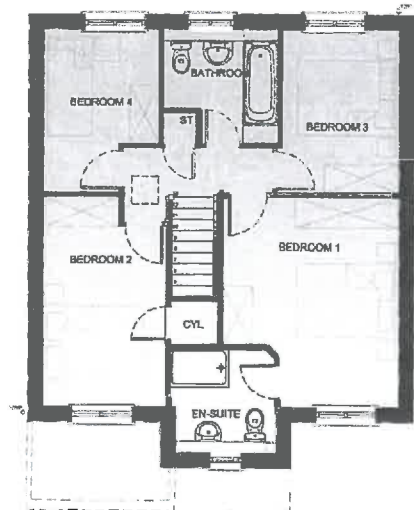
REAR ELEVATION



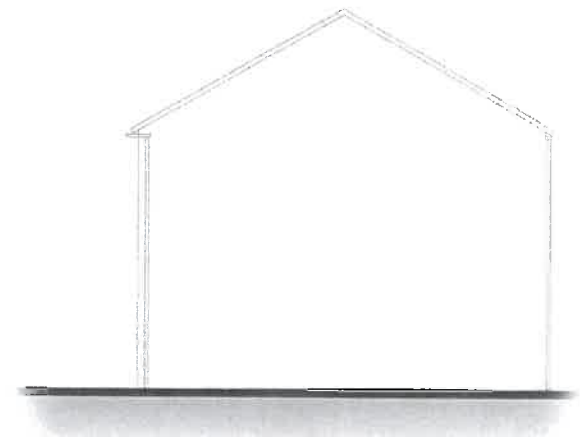
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GROUND FLOOR PLAN



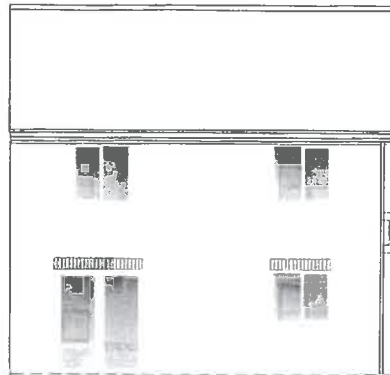
FIRST FLOOR PLAN



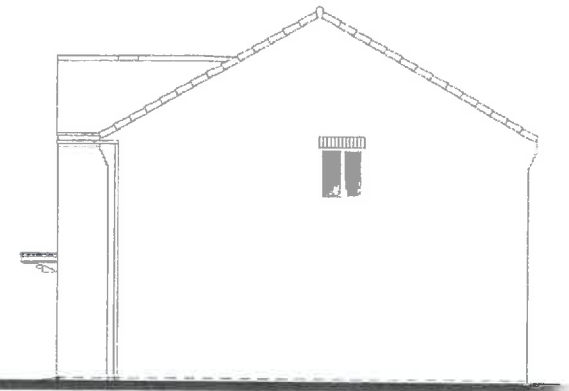
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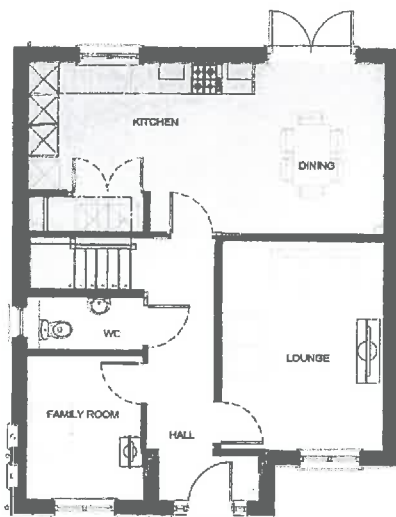
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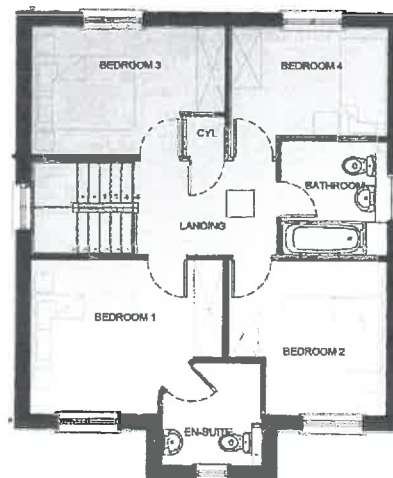
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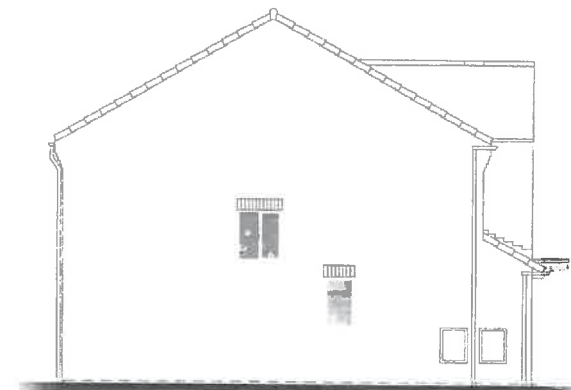
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GROUND FLOOR PLAN



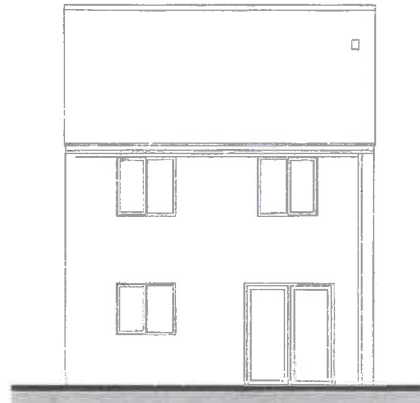
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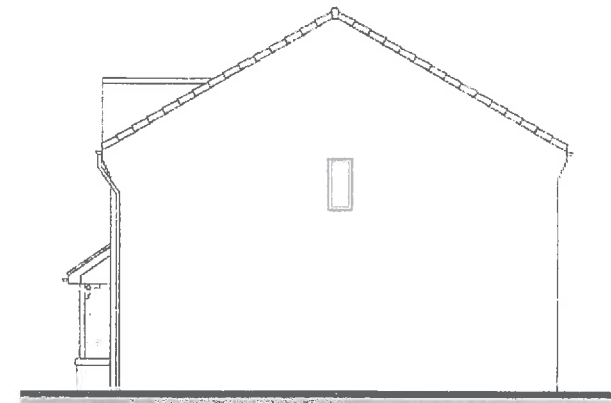
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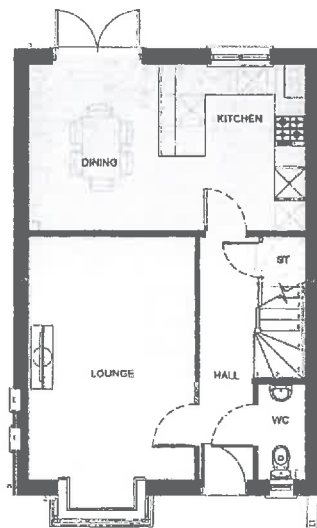
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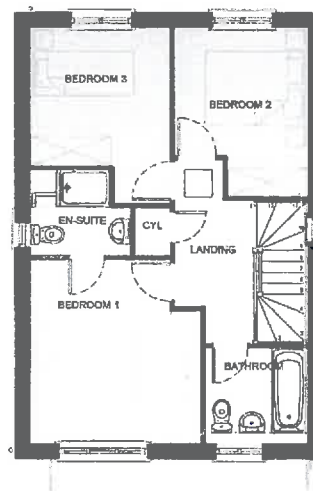
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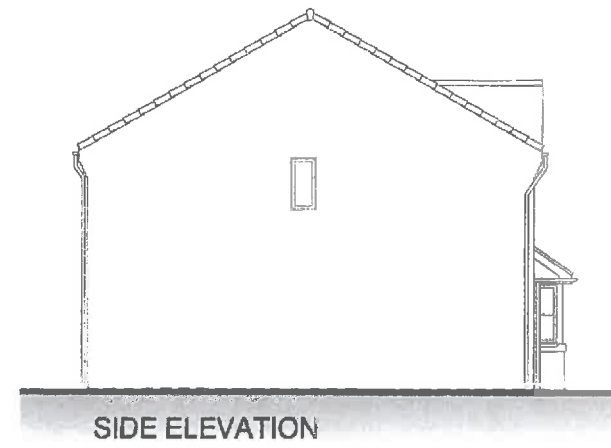
SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SIDE ELEVATION

Ward: Ramsbottom + Tottington - Tottington

Item 11

Applicant: Mr Andy Beale

Location: Green Bank, Green Street, Walshaw, Bury, BL8 3BJ

Proposal: Erection of 1 no. new dwelling with driveway within the garden area of Green Bank with an additional communal car parking space to Green Street and new driveway adjacent Greenbank Cottage

Application Ref: 58820/Full

Target Date: 18/08/2015

Recommendation: Approve with Conditions

Description

Green Street, a relatively narrow cul-de-sac of detached houses close to the centre of Walshaw Village. The site comprises part of the side garden and parking area of the dwellinghouse known as Green Bank. The site drops down from Green Street but is relatively level on the garden side. The applicant's house, Green Bank, lies to the north and is on slightly higher ground. To the south are a row of terraced cottages fronting Hall Street and across Green Street to the west are semi-detached houses that front Neston Road. Christ Church C of E Primary School playing field lies to the east, over the rear boundary. To the south east of the site, beyond the existing hardstanding are some small sheds which appear to be used by at least one of the occupants of the cottages fronting Hall Street.

The proposed detached 3-bed dwelling would be sited to the south of the applicant's house. It would have a ground floor footprint measuring 12.8m by 7.8m and a ridge height of 6.68m, 4.2m to eaves. The new dwelling would have a rendered finish with a grey tiled roof. The existing access from Green Street, serving Green Bank, would be the access for the proposed house. The existing house would have a new drive with two parking spaces along the southern gable. The proposed garden area would be to the east of the house with parking to the south. In addition there would be a parking space formed parallel to Green Street, in front of the new house and this would be for general use by residents and visitors.

Relevant Planning History

54137 - New Dwelling - Refused 17/08/11

Publicity

The following 26 properties were notified by letter dated 04/08/2015. Nos. 9, 9A, 11, 12-16, 22 and 24 Hall St, 2-20 Neston Road, 2, 4 and 6 Green Street, 3 and 5 Haworth Street, Walshaw Primary School.

Objections received from the residents at 22, 24 and 26 Hall Street, 6 and 8 Neston Road. Concerns are summarised:

- The proposal would spoil views and aspect from neighbours.
- Detrimental impact on character of the area.
- Loss of privacy.
- There are enough houses in the area.
- A similar application was refused in recent past.
- The plans are incorrect and site is smaller than shown.

Those making representations have been notified of the Planning Control Committee.

Consultations

Traffic Management - No objection.

Drainage Section - No objection
Environmental Health - No objection.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN7	Pollution Control
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
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development 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.

Policy - UDP Policy H1/2 Further Housing Development, states that the Council will have regard to various factors when determining a proposal for residential development including the availability of infrastructure, the suitability of the site, the nature of the local environment and the surrounding land uses.

The application site is within the built up area of Walshaw that is residential in character and as such the proposed development would be appropriate in land use terms and would not conflict with the surrounding uses. Furthermore it is considered that there is adequate infrastructure to support the development. Subject to compliance with other policy considerations, the proposed development would be in accordance with Policy H1/2.

The details and layout of the application will need to be considered against the criteria listed in Policies H2/1 - Form of New Residential Development and H2/2 -Layout of New Residential Development as well as guidance provided in SPD16 - Design and Layout of New Development.

Policy H2/1 The Form of New Residential Development sets out factors to be assessed, including

- height and roof style,
- impact on residential amenity,
- density and character of the locality,
- position in relation to neighbours and materials to be used.

Policy H2/2 The layout of New Residential Development relates to layout and states that proposal should take account of;

- car parking and access,
- density,
- space between dwellings,
- landscaping.

H2/6 Garden and Backland Development states that the Council will not permit proposals which will result in the loss of private gardens and backland for infill development unless such proposals can be shown not to adversely affect the character and amenity of the area.

Factors to be considered are:

- concentration of development and surrounding density
- impact on residential amenity and
- access arrangements.

Policy EN1/2 relates to general design of a new build on the streetscene and states that proposals should not have an adverse impact on the character of the townscape.

Visual Amenity - The plot is of a reasonable size and considered capable of accommodating an additional dwelling without appearing to constitute overdevelopment or be out of character within the locality. The footprint of the new dwelling equates to less than a third of the site area. Although there are a mix of plot and houses sizes in the area, this plot ratio, with a significant road frontage, is comparable with the neighbouring properties in the immediate area.

In terms of siting and massing, the proposed house would be positioned on the plot so it would be generally in line with Green Bank. With a maximum ridge height of 6.6m, the proposed house, with a hipped roof, would not be dissimilar in scale to other properties in the area.

The design and appearance of the proposed house is quite traditional and again, are not dissimilar to properties in the vicinity. With a render finish and slate roof, the house would be considered to be appropriate within the site and would not be out of character with the area.

The applicant's house, Green Bank is on the Council's local list but it is not considered that the new dwelling would have a significantly detrimental impact on the character and setting of this property.

Given the nature of the site, it is considered appropriate to attach a condition to any approval that removes 'Permitted Development' rights in order to control further alterations and extensions to the properties and to ensure the streetscene created will not be altered detrimentally.

In terms of visual amenity, appearance and character, the proposal complies with UDP policy EN1/2 Townscape and Built Design and housing policies H2/1, H2/2 and H2/6.

Residential Amenity - The terraced houses fronting Hall Street back onto the site. Each has a kitchen at ground floor and a bedroom at first floor on the rear. The gable of the proposed house would be a minimum of 13m away and this is considered to be an acceptable distance.

The distances between the original rear elevations of houses to the west on Neston Road would be over 20m from the proposed house. These separation distances, comply with the Council's aspect standards and are considered acceptable and should protect the amenity of the resident at No.6 Newlands Avenue.

With regard to overlooking gardens, the upper windows the front elevation of the new house would be over 9m away from the rear garden boundaries along Green Street. In terms of overshadowing of the adjacent garden areas, the impact of the new development should not be so significant as to warrant refusal.

It is considered appropriate to attach a condition to any approval that removes 'Permitted Development' rights in order to control further alterations and extensions to the properties and to ensure the amenity of the neighbours is not detrimentally affected.

In terms of residential amenity, the proposal would comply with UDP Policies H2/1 and H2/2 and detailed standards set out in the Council's adopted guidance within SPD 6 Extensions and Alterations.

Parking and Access - The access to the parking area for the new house would be similar to the existing arrangement for Green Bank and as such this would be acceptable and complies with UDP Policy H2/2 The Layout of New Residential Development and SPD11 relating to parking and new development.

The applicant's house, Green Bank would have a separate driveway from Green Street with space to accommodate two cars, adjacent to the southern gable. Both this new access with parking and the arrangement for the new house would be satisfactory and meet adopted Council parking standards. The proposed new house should not generate so significant a level of traffic as to warrant refusing the application on these grounds. It would be a requirement of any approval that the driveway/hardstanding at the front be constructed in permeable materials to reduce surface water run-off.

Waste collection - It would be normal practice to keep bins at the rear and bring them to the front on collection day. This arrangement is considered satisfactory and complies with UDP Policy H2/2 The Layout of New Residential Development.

Trees - There are no significant trees affected by the proposal.

Land Contamination - Environmental Health require a Risk Assessment and prior to commencement of works and a condition has been attached to this end, pursuant to UDP Policy EN5 Pollution.

Objections - The issues with regard to siting, appearance and character have been addressed in the above report.

Whilst concerns about specific views are not material considerations, the impact on the general outlook and visual amenity are. In this respect the proposal should not have a seriously detrimental impact on the visual amenity of the neighbours given the scale of the development and the separation distances involved. Indeed the relationship is not dissimilar to other houses in the immediate vicinity.

The previous refusal of permission for a house on this site related to a house set further back into the site and included land not within the applicant's ownership which would have been the main garden area. This meant that the house would not have had sufficient garden ground and would have been inappropriate within the site. The current proposal has sited the house with garden to the rear and parking to the side. This is more acceptable.

The concern about inaccurate plans appears, to be unfounded as Green Street does actually measure 3.6m wide which is what the plan indicates.

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 R-0358-01, 02 and 04 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) Order 1995, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
4. Details/Samples of the materials to be used in the external elevations, boundary treatments and areas of hardstanding, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
5. 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. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required 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.
6. Following the provisions of Condition 5 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the 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.
7. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;

The approved contamination testing shall then be carried out and 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.

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

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

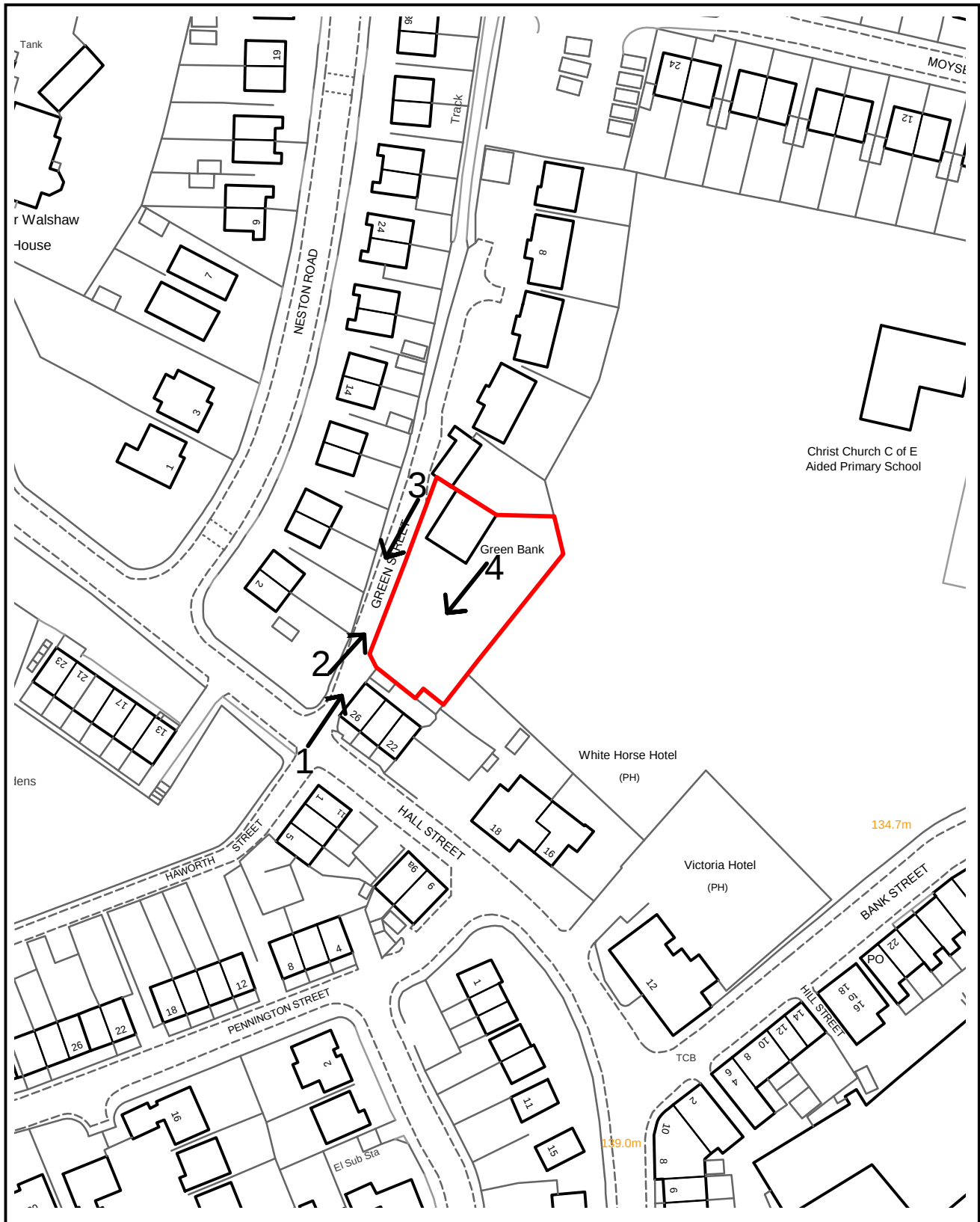
Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

9. Development shall not commence until details of foul and surface water drainage aspects have been submitted to and approved by the Local Planning Authority. This must include potential SuDS options for a surface water drainage scheme. The approved drainage scheme shall be implemented and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason. The scheme does not provide full details of foul and surface water drainage and these are required to reduce the risk of local flooding and water pollution pursuant to the NPPF and UDP Policies EN5/1 New Development and Flood Risk and EN7/5 Waste Water Management.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58820

ADDRESS: Green Bank
Green Street
Walshaw

Planning, Environmental and Regulatory Services 1:1250

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Bury
COUNCIL

58820

Photo 1



Photo 2



58820

Photo 3



Photo 4





1:200 SCALE EXISTING SITE PLAN

NOTES

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Do not scale from this drawing.

All dimensions are to be checked on site prior to construction, manufacture of any components and ordering of materials and equipment.

Any discrepancies are to be reported to the architect for clarification.

All materials and workmanship to be in accordance with the current British Standards and codes of practice.

This drawing is to be read in conjunction with all relevant Architectural, Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.



PLANNING

REV	DESCRIPTION	CHECK	DATE
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CLIENT

A BEAL ESQ.

PROJECT

Greenbank, Green Street,
Walshaw

DRAWING

Existing Site Plan

SCALE	DATE	DRAWN	CHECKED
1:200	May 2015	AGW	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0358-02			

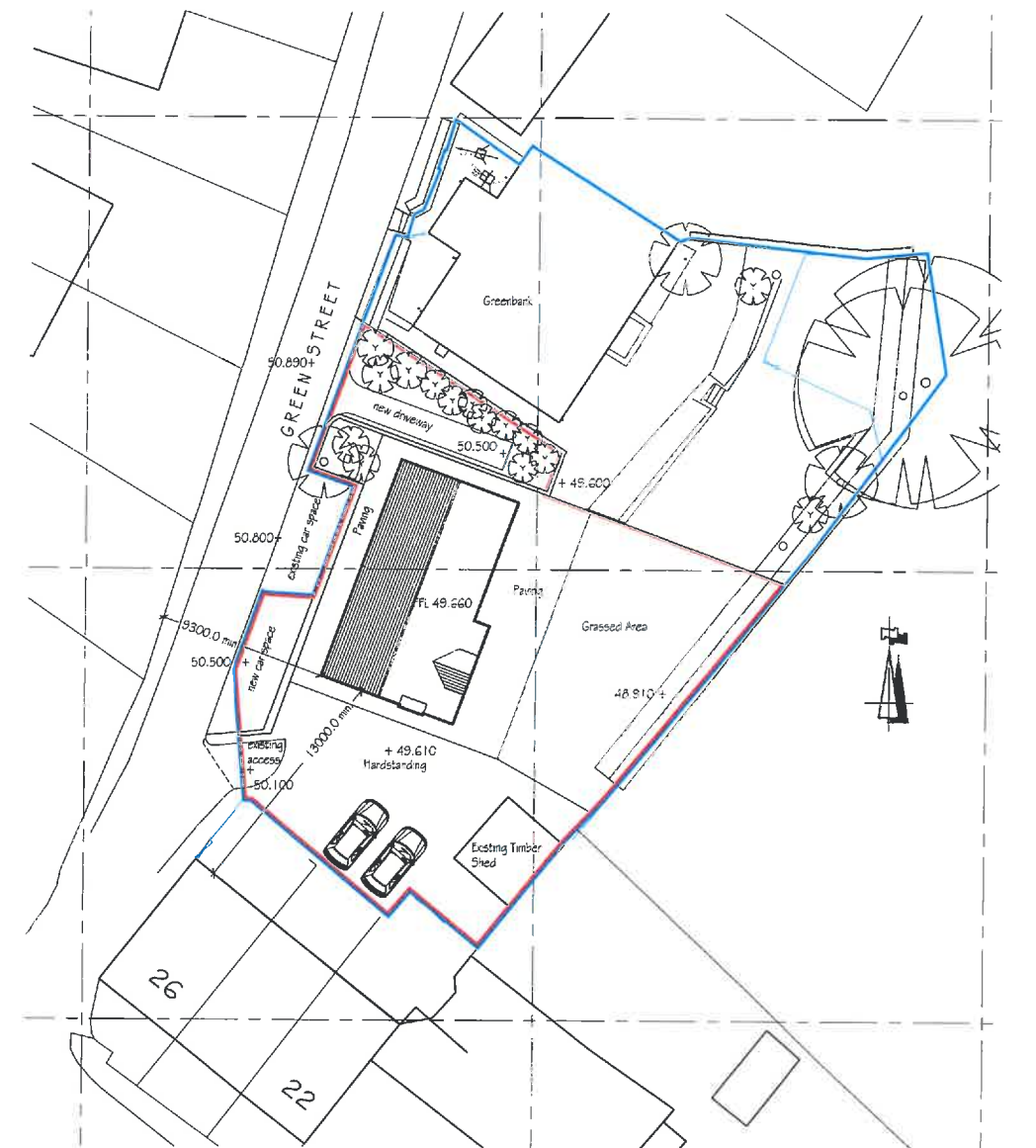
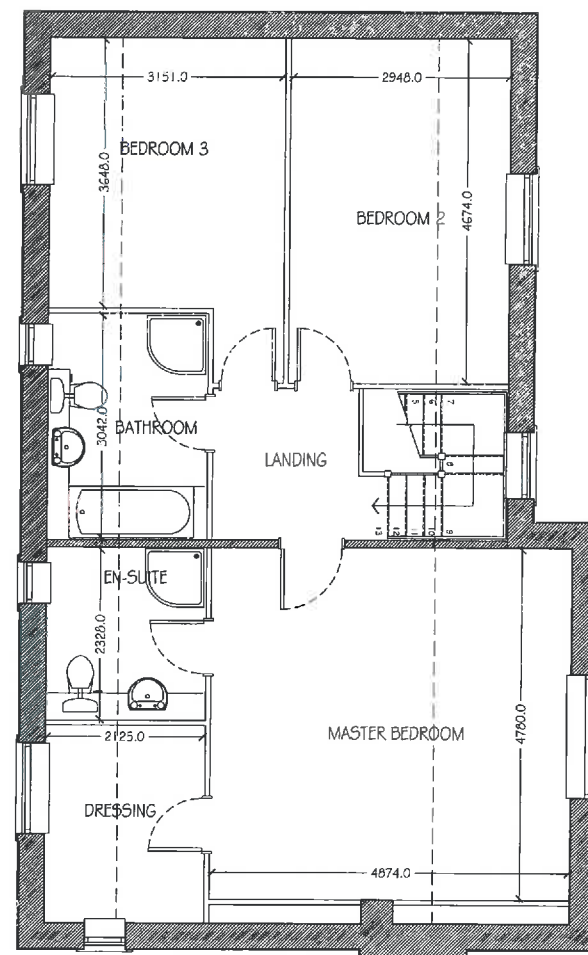
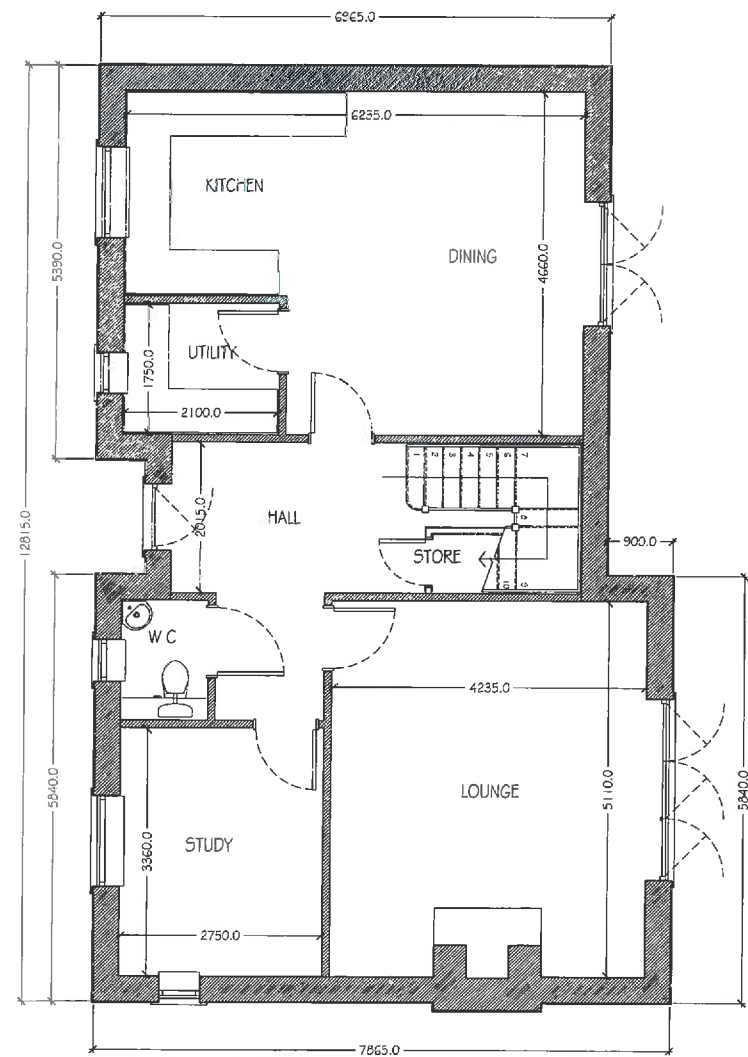
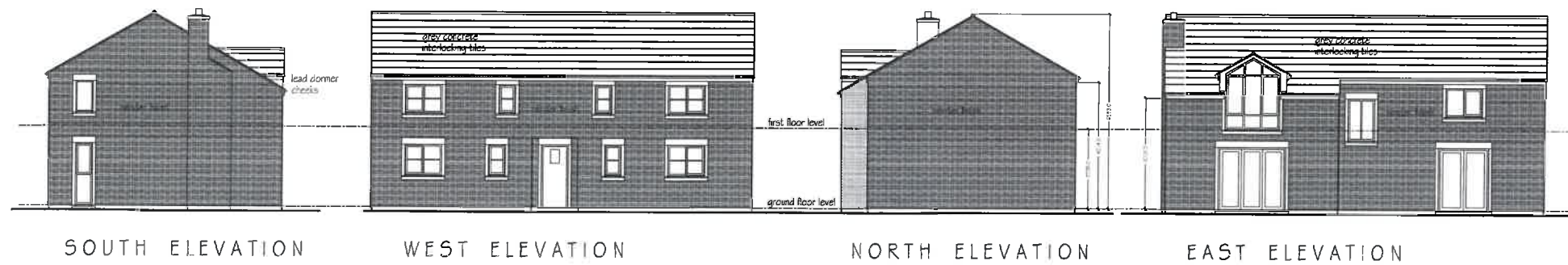


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1:200 SCALE PROPOSED SITE PLAN

PLANNING

REV	DESCRIPTION	CHECK	DATE
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CLIENT
A. BEALE ESQ

PROJECT
Greenbank, Green Street,
Walshaw,

DRAWING

Floor Plans and Elevations

SCALE 1:50 @ A1	DATE August 2015	DRAWN AGW	CHECKED
DRAWING NO. R-0358-04	CAD REFERENCE NO.		REVISION

Ward: Radcliffe - North

Item 12

Applicant: Mr Chris Bleakley

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

Proposal: Variation of condition no.2 (approved plans) of planning permission 57571 and removal of conditions 4 (materials), 8 (drainage) and 9 (boundary planting)

Application Ref: 58846/Full

Target Date: 17/08/2015

Recommendation: Approve with Conditions

Description

This application relates to a part-built detached dwellinghouse on a residential plot on the eastern edge of Ainsworth Village. The site is 'washed over' by the Green Belt, West Pennine Moors and is an Area of Special Landscape. There are residential properties to the west and south and land to the north and east is open countryside. The immediate neighbour at No.85 is a detached bungalow with a gable in which there are two obscure glazed windows facing the site. Further west along Church Street, and across the road, are a mix of two storey houses and flats. There is a tarmacadam single track road (Green Lane) running north from Church Street along the eastern/side boundary of the site.

The part-built structure, in the form of a dormer bungalow, was a consequence of a previously approved scheme (52380) to replace the original bungalow, in May 2010. However, the dwelling was not built according to the approved plans and two amended schemes were refused in 2011 and 2012.

A revised scheme (57571), which is deemed to have commenced, amending the design and massing of the dwelling was subsequently approved by the Planning Control Committee in July 2014. The application proposed to hip the gables on either side and drop the central ridge and was considered to be a significant improvement on the 'as built' property - see proposed elevations.

This application proposes to:

Reduce the height of the central roof section by a further 1m.

Replacing the rear balcony and doors with smaller window openings.

Introducing ensuite rooflights on the side elevations.

Remove conditions applied to the previous approval:

- Condition 2 - Approved plans.
- Condition 4 - Materials. These would be:
 - Terca 'Bisque Red Multi' as used on the existing elevations and low walls to the front
 - The roof would have Riven Edgemere interlocking slate tiles by Marley Eternit.
 - Window frames to be dark grey anthracite uPVC.
 - The hardstanding at the side and rear would be precast grey concrete.
 - The hardstanding at the front would be tarmacadam.
 - Fencing would be 'rustic brown'.
- Condition 8 - Drainage details.
- Condition 9 - Boundary planting. It is proposed to plant an evergreen hedge (mix of Pyracantha, Berberis and Blackthorn) along the eastern boundary.

Relevant Planning History

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

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

54712 - Variation of Condition 2 - Approved Drawings - of 52380 - Replacement dwelling and access - Refused 25/01/2012

55980 - Variation of condition no.2 following granting of planning permission of 52380 for demolition of existing dwelling and construction of a replacement dwelling; amendment to position of property on site - Refused 24/04/2013

57571 - Replacement dwelling (amended scheme) - Approved by Planning Control Committee 30/07/2014

Publicity

The following 28 neighbours and interested parties were notified by letter dated 24/06/15. 75, 83, 85, 140-172(even) Church Street, 49-57(odd) Cockey Moor Road, 1A and 1B Summer Avenue.

Two objections have been received from the Ainsworth Community Association and the immediate neighbour at No.85 Church Street and concerns are summarised:

- Drainage details are not clear and do not reduce risk of run-off and flooding.
- Concerns that the hedge removed at the start of the development has not been replaced.

The neighbour and the Community Association have been notified of the Planning Control Committee.

Consultations

Drainage Section - Final comments to be reported in the supplementary report.

Unitary Development Plan and Policies

OL1	Green Belt
EN1/2	Townscape and Built Design
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
EN6	Conservation of the Natural Environment
OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors
EN9/1	Special Landscape Areas
EN7	Pollution Control
SPD16	Design and Layout of New Development 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.

Visual amenity and streetscene. The previously approved scheme to alter the existing part-built dwelling will clearly improve its appearance on the street. The proposed alterations to the dwelling, proposed by this application, are relatively minor and would not significantly alter the appearance of the building as already approved or its impact on the wider streetscape.

The proposed finishing materials would not be out of keeping on the streetscape and are considered to be acceptable.

The proposed planting along the boundary, particular the eastern boundary, as it matures, would help soften the building and, over time, improve its setting within the village landscape.

The proposed alterations, finishing materials and boundary planting are considered acceptable in terms of visual amenity and comply with UDP policies EN1/2 Townscape and Built Design and H2/1 The Form of New Residential Development.

Residential amenity. It is not considered that there would be any serious harm caused to the residential amenity of the immediate neighbour. The proposal would be acceptable and comply with UDP Policy H2/1 in respect to residential amenity.

Drainage. It is proposed that the water run off from the building would go into the existing drainage system but further measures need to be implemented to reduce this. As a consequence, further discussions with regard to reducing overall run-off into the system are on-going and the drainage engineer's final response will be reported in the supplementary report.

It is likely that an appropriate drainage scheme can be designed so as to prevent excessive run off/flooding which are the concerns of the immediate neighbour at No.87.

Curtilage. The proposed curtilage would not be different to the previous dwelling and that indicated in the approved plans.

Public Representations - The concerns of the Community Association and the immediate neighbour with regard to the boundary planting and drainage have been partly addressed in the above report. Final comments of the drainage engineer will be reported in the supplementary report.

It is considered that the revised scheme would be acceptable and complies with UDP policies listed.

Recommendation: Approve with Conditions

Conditions/ Reasons

2. This decision relates to revised location plan and drawings numbered Site Plan 3150:01B, 02C, 03A, 04C, 05B, 06 and 07J 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) Order 1995, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
5. The contaminated land Remediation Strategy (previously approved under application 52380) for the site shall be implemented to the satisfaction of the Local Planning Authority prior to the development being brought into use. A Site Verification Report detailing the actions taken and conclusions at each stage of the

remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

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

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

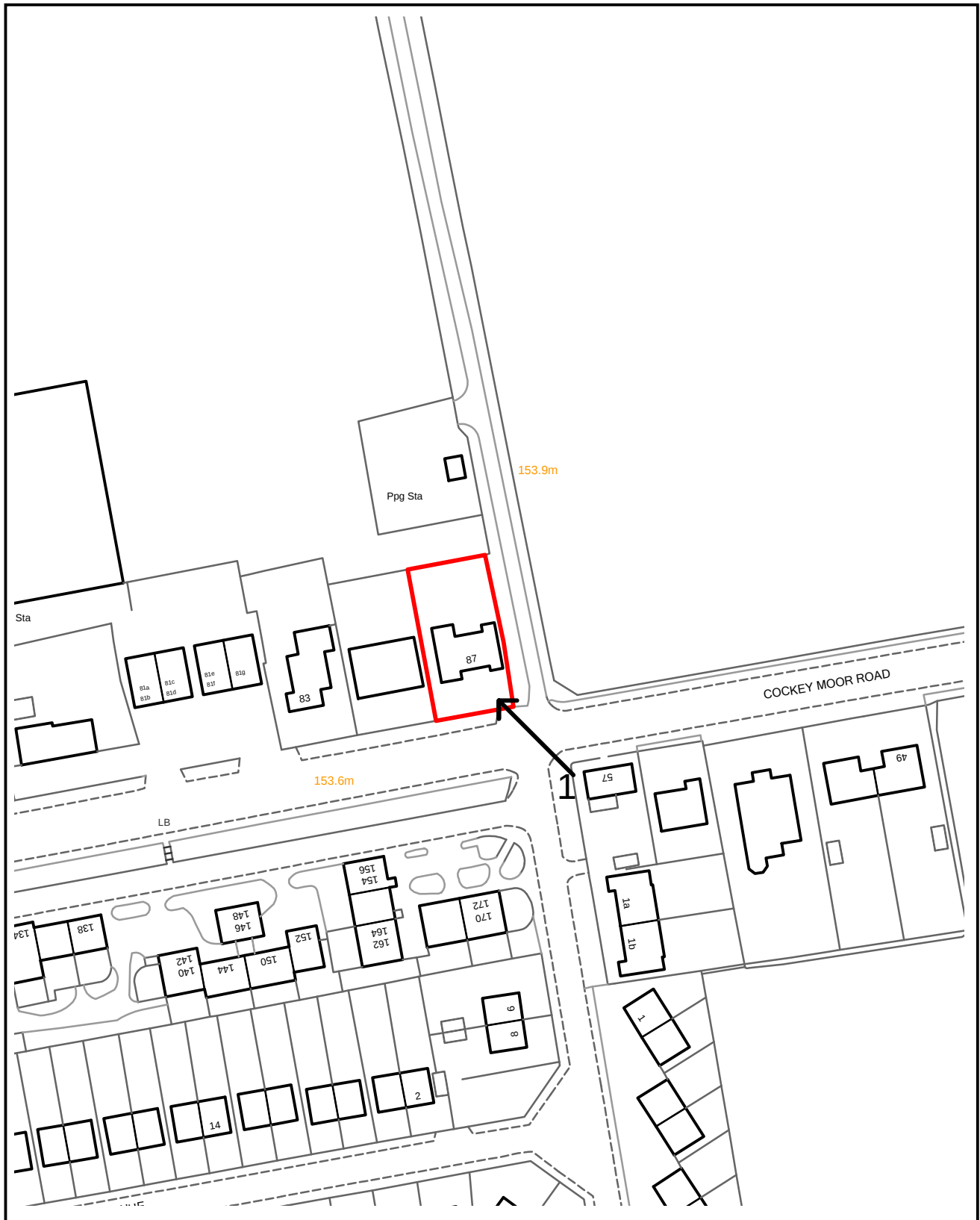
7. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

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

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

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58846

**ADDRESS: 87 Church Street
Ainsworth
Bolton**

Planning, Environmental and Regulatory Services 1:1250

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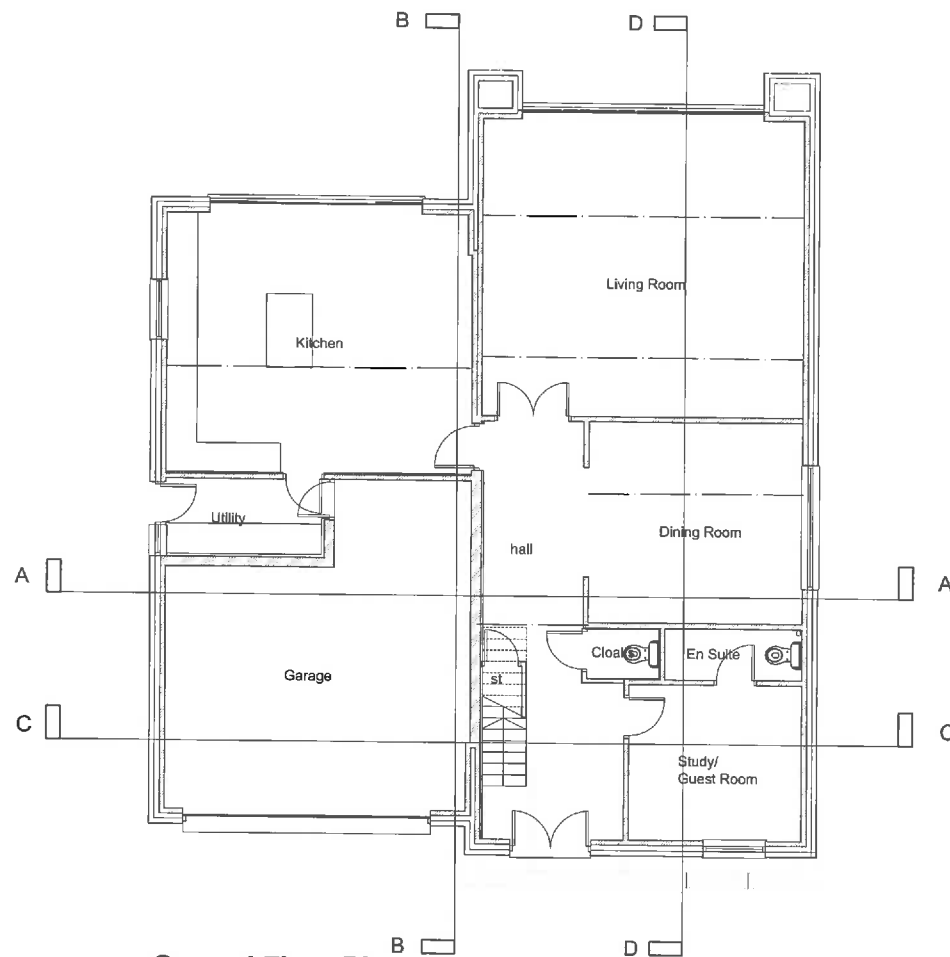


Bury
COUNCIL

58846

Photo 1





Ground Floor Plan

R.A. FISK & ASSOCIATES
Architects

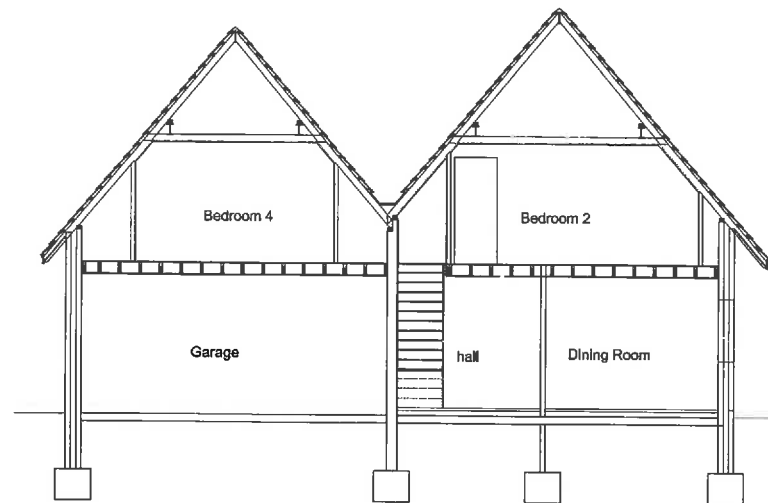
20 Cradley Road
Sutton
Manchester
M27 5AJ
Tel: 0161 2753300
Fax: 0161 2754758
e-mail: info@rafisk.co.uk

CLIENT
C Brierley esq.

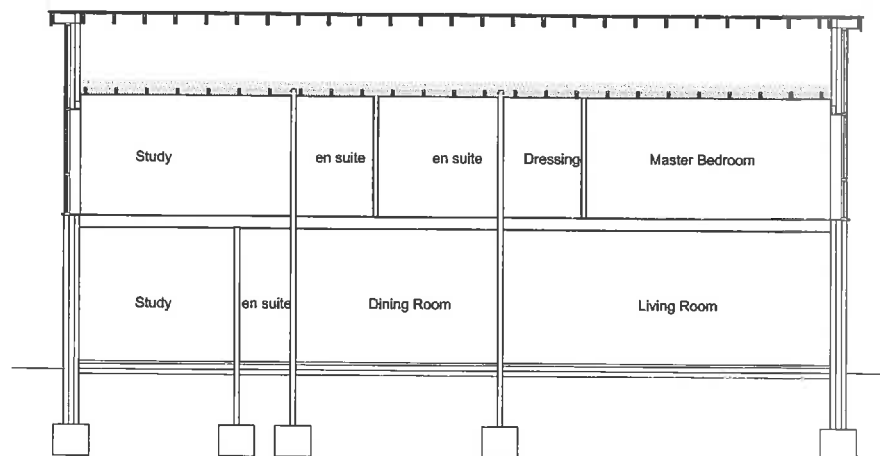
PROJECT
Proposed Dwelling,
Church Street, Alnsworth,
Bury, Lancashire

TITLE
Ground Floor Plan

SCALE	DRAWN BY	DRAWING NO.	REV.
1:50 @ A1		3150:08	A
DATE	STATUS		
Mar 15			



Section C - C



Section D - D

R.A. FISK & ASSOCIATES
Architects

20 Chorley Road
Skelton
West Yorkshire
BD23 5AJ

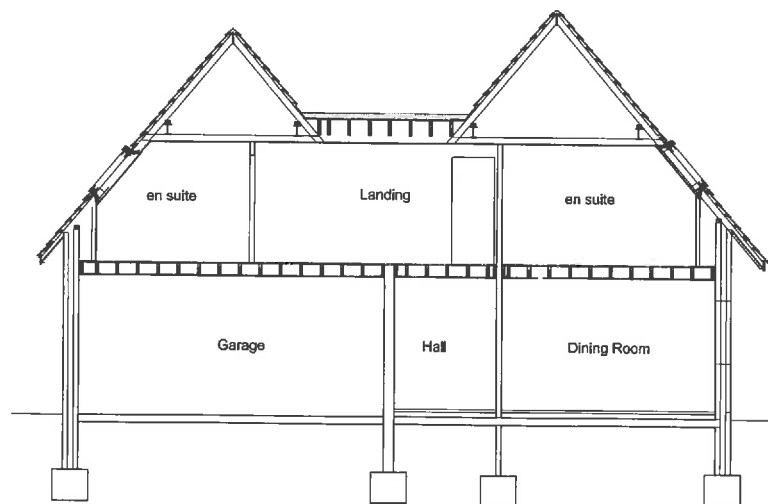
Tel: 0181-703-0300
Fax: 0181-704-4798
e-mail: info@rafisk.co.uk

CLIENT
C Brierley esq.

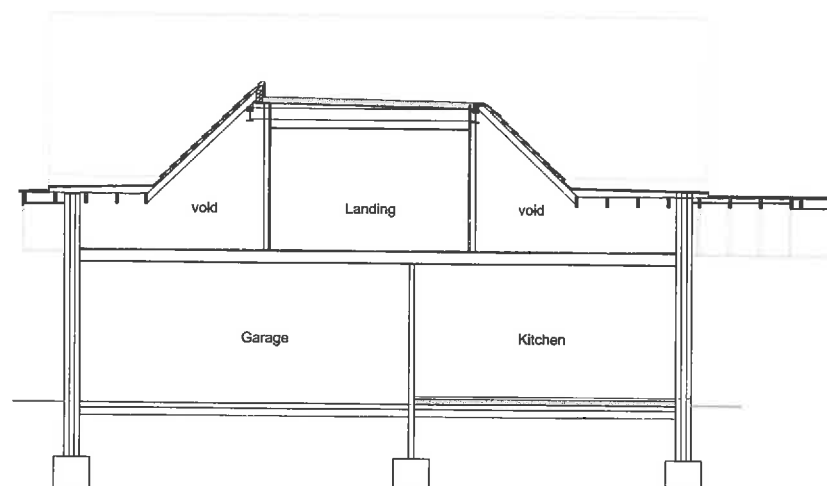
PROJECT
**Proposed Dwelling,
Church Street, Alnsworth,
Bury, Lancashire**

TITLE
Sections 2 of 2

SCALE	DRAWN BY	DRAWING NO.	REV.
1:50 @ A1		3150:14	
DATE	STATUS		
Mar 15			



Section A - A



Section B - B

R.A. FISK & ASSOCIATES
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20 Chorley Road
Bulton,
Manchester
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Email: info@rafisk.co.uk

CLIENT

C Brierley esq.

PROJECT

Proposed Dwelling,
Church Street, Alnsworth,
Bury, Lancashire

TITLE

Sections 1 of 2

SCALE
1:50 @ A1

DRAWN BY

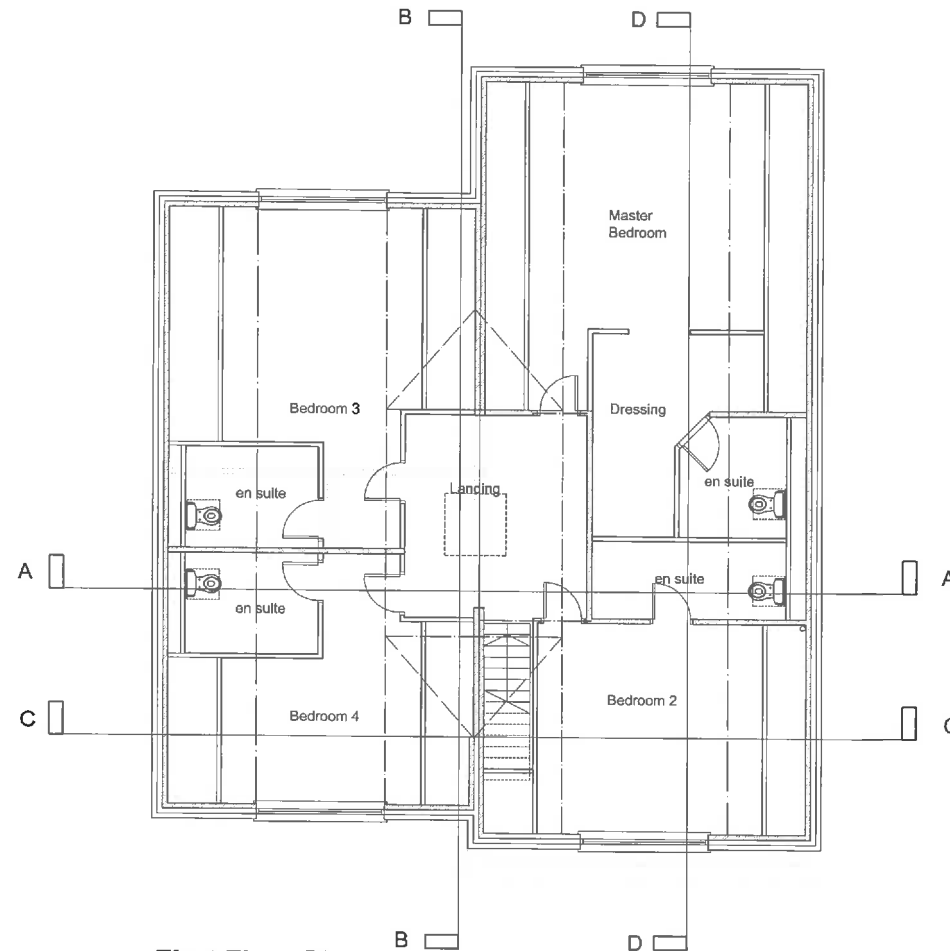
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3150:12

DATE
Mar 15

STATUS

REV.



First Floor Plan

R.A. FISK & ASSOCIATES
Architects

20 Chorley Road
Salford
Greater Manchester
M7 5AU

Tel: 0161 793-0000
Fax: 0161 794-4750
Email: info@rafisk.co.uk

CLIENT

C Brierley esq.

PROJECT

Proposed Dwelling,
Church Street, Alnsworth,
Bury, Lancashire

TITLE

First Floor Plan

SCALE
1:50 @ A1

DRAWN BY

DRAWING NO.

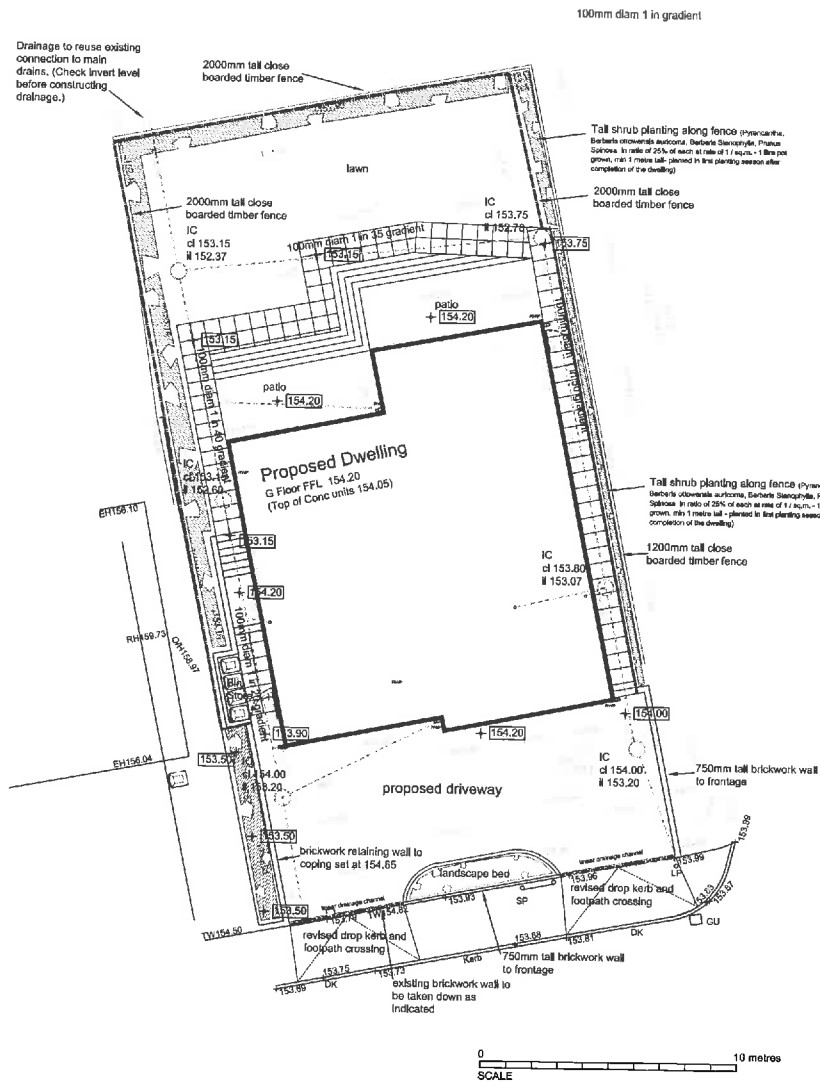
3150:09

REV.

DATE
Mar 15

STATUS

B



GENERAL NOTES

- 1) REFER TO LAYOUT FOR COVER & INVERT LEVELS.
- 2) DRAINS TO BE VITRIFIED CLAY FLEXIBLY JOINTED TO BS EN 295 MINIMUM 1 IN 60 FALL.
- 3) DRAINS WITHIN VEHICULAR AREAS OR SHALLOWER THAN 800mm. TO BE ENCASED IN PEA GRAVEL, OR CONCRETE WITH FLEXIBLE JOINTS MAINTAINED.
- 4) ALL DRAINAGE TO 100mm. DIAM. LAID IN ACCORDANCE WITH BS 8301
- 5) MANHOLE CONSTRUCTION:-

150MM THICK CONCRETE BASE AND HAUNCHING
P.C.CONC. CHAMBER BACKED WITH 100MM THICK WEAK MIX CONCRETE
CAST IRON COVER AND FRAME

M.H DEPTH	CHAMBER SIZE	COVER OPENING
< 1500mm.	1200mm x 675mm or 1200mmØ	600mm x 600mm
>1500mm.	1200mm x 1075mm or 1200mmØ	600mm x 600mm

CAST IRON COVER & FRAME GRADE A: IN PEDESTRIAN AREAS
GRADE B: 125 IN VEHICULAR AREAS
INSPECTION CHAMBERS TO BE 600MM DIAMETER PROPRIETARY
POLYPROPYLENE WITH CAST IRON COVERS

CAST IRON COVER & FRAME		GRADE A: IN PEDESTRIAN AREAS
		GRADE B: IN VEHICULAR AREAS
RWP	RAINWATER PIPE DISCHARGING INTO RODDABLE GULLY	
RG	ROAD GULLY (RODDABLE)	
RE	RODDING ACCESS (THROUGH RODDING EYE)	
SP	SOIL PIPE (WITH "DURGO" AIR ADMITTANCE VALVE)	
SVP	SOIL & VENT PIPE	
IC	INSPECTION CHAMBER	
SMWH	SURFACE WATER MANHOLE	
FMH	Foul Manhole	
SWIC	SURFACE WATER INSPECTION CHAMBER	
FIC	Foul Water Inspection Chamber	

+ 154.00 Proposed Levels shown thus

Proposed Main Drainage Runs shown thus

Proposed Inspection Chambers shown thus

J	Further information on Hedge to Rear Boundary Added	RH	21/08/15
H	More Hedge to Rear Boundary Added	RH	17/05/15
G	Hedge to Rear Boundary Added	RH	5/08/15
F	Updated for Building Regulations	RH	15/08/15
E	Main Drainage Indicated	RH	19/08/15
D	2400mm tall fence reduced to 2000mm.	RH	02/6/14
C	EASTERN AND REAR BOUNDARIES AMENDED FOLLOWING COMMENTS FROM THE L.A.	DF	17/05/14
REV	DESCRIPTION	BY	DATE

R.A. FISK & ASSOCIATES
Architects

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Swinton
Manchester
M27 6AJ
Tel: 0161-793-6308
Fax: 0161-794-4799
Email: info@raflek.co.uk

CLIENT

CLIENT **C Bleakley esq.**

PROJECT

**Proposed Dwelling
Church Street, Alnsworth,
Bury, Lancashire**

TITLE
Site Plan

SCALE

1:100 @ A1

RH

STATUS	Planning
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1

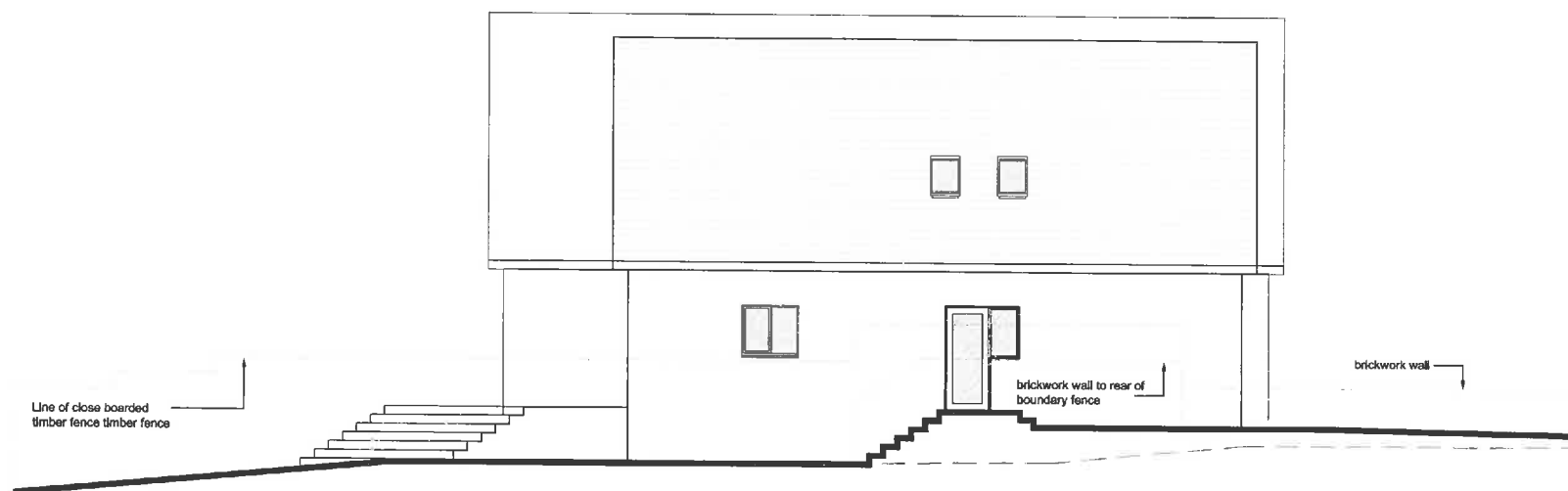
3150:07

1

J



Front Elevation



Side Elevation (West)

R.A. FISK & ASSOCIATES
Architects

22 Church Road
Babson
Manchester
M27 6AU
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CLIENT

C Brierley esq.

PROJECT

Proposed Dwelling,
Church Street, Alnsworth,
Bury, Lancashire

TITLE

Elevations 1 of 2

SCALE

1:50 @ A1

DATE

Mar 15

DRAWN BY

STATUS

DRAWING NO.

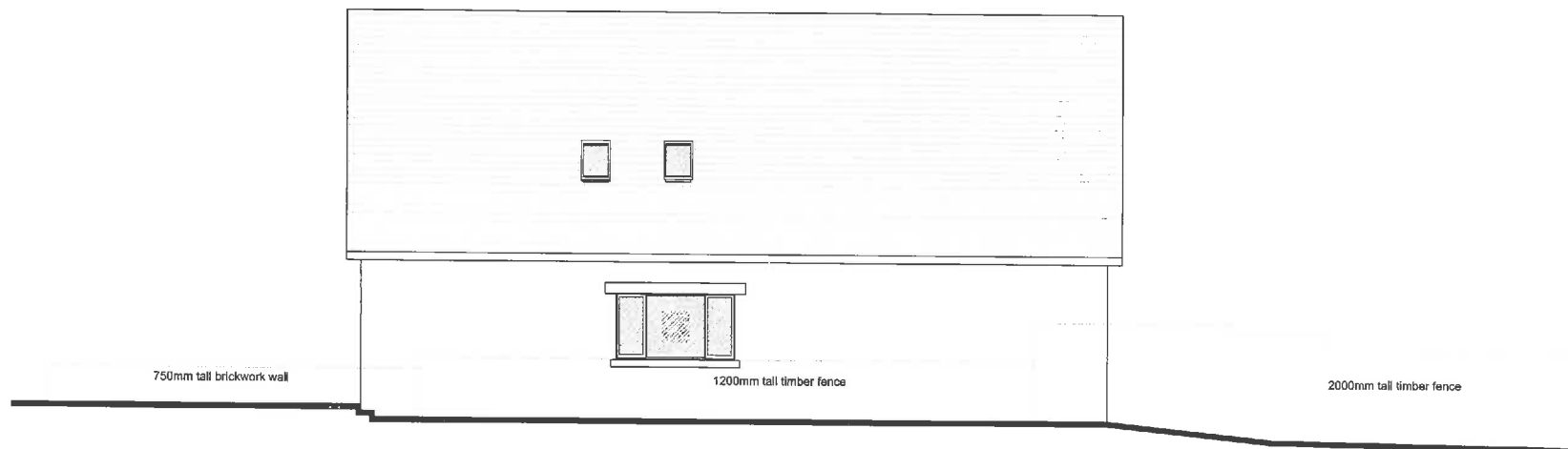
3150:10

REV.

B



Rear Elevation



Side Elevation (East)

R.A. FISK & ASSOCIATES
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20 Chesley Road
Skelton
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M27 5AJ

Tel: 0161-783-4300
Fax: 0161-784-4700
e-mail: info@rafisk.co.uk

CLIENT

C Brierley esq.

PROJECT

Proposed Dwelling,
Church Street, Alnsworth,
Bury, Lancashire

TITLE

Elevations 2 of 2

SCALE

1:50 @ A1

DATE

Mar 15

DRAWN BY

STATUS

DRAWING No.

3150:11

REV.

C

Ward: Ramsbottom + Tottington - Tottington

Item 13

Applicant: Mr Stan Walker

Location: Land Between Lynton & 88 Watling Street, Affetside, Bury, BL8 3QW

Proposal: Erection of 1 no. dwelling

Application Ref: 58860/Full

Target Date: 12/08/2015

Recommendation: Approve with Conditions

Description

The application relates to a 350sqm plot of land on which there is a garage located, in Affetside, between 88 Watling Street and the bungalow known as Lynton. The garage is delapidated and the site overgrown. Along the Watling Street frontage is a dry stone wall and a metal barred gate.

The site is within the confines of the village with a row of terraced properties (stone and render) to the south east, rendered dormer bungalows to the east and a red brick detached bungalow to the north west. Across Watling Street to the west are open fields. The site is within the Green Belt and the West Pennine Moors and is also a Special Landscape Area.

The application proposes to demolish the existing garage and erect a two storey, 4-bed dwellinghouse in a centralised position within the plot. The proposed house would have a traditional design and appearance with a coursed stone frontage, rendered side and rear elevations and a pitched slate roof. The new dwelling would have a footprint measuring 9.3m by 9m with a small porch on the front. The eaves would be 5m high and the ridge 9m. with the central section extending out to the front by 2.8m and 3.5m at the rear. The main vehicular access would be from the existing side access road already used by the occupiers of the dormer bungalows to the east. An additional pedestrian access would also be formed in the rebuilt stone wall along the frontage.

The curtilage would extend approximately 9m back from the house and wrap around the side garden of the adjacent property at 88 Watling Street. The boundary would comprise a 1.5m timber post and rail fence with hedging planted on the inside.

Relevant Planning History

None relevant.

Publicity

The following neighbours were notified by letter dated 24/06/15 and a site notice was posted on site.

Numbers 68-94 and properties known as Lynton and 1-2 Five Acre Barn Watling Street.

Objections have been received from occupiers of 76 and 84 Watling Street and Top Height Farm. Concerns are summarised below:

- The new dwelling will add to the parking and traffic problems on Watling Street.
- The development is not really infill.
- A detached 4 bed property is not in keeping with the original row of 2 bed stone cottages on Long Row and may damage the historic value of the village.
- Properties on 66-88 Long Row have a 'right of way' covenant on the deeds and must maintain access across the rear. A new dwelling would prevent this access and restrict

- the ability to complete any necessary reparations to our properties at this end of the row.
- Concerns about the spread of Japanese knotweed.
- The proposed render is not in keeping with the existing cottages on 'long row' which are all stone finished.
- Solar panels on the front elevation will change the appearance/character of the village.
- Reassurance required that the existing building on the site is removed by appropriate specialists if the presence of asbestos is confirmed.

Two letters of support has been received from the immediate neighbours at Lynton, to the side and Five Acre, behind.

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

Consultations

Traffic Section - No objection.

Drainage Section -No objection.

Environmental Health - No objection.

United Utilities - No objection.

Unitary Development Plan and Policies

OL1	Green Belt
OL7/2	West Pennine Moors
EN9/1	Special Landscape Areas
OL1/2	New Buildings in the Green Belt
OL1/3	Infilling in Existing Villages in the Green Belt
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/1	Visual Amenity
HT2/4	Car Parking and New Development
EN7	Pollution Control
SPD11	Parking Standards in Bury
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD16	Design and Layout of New Development 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.

Policy - UDP Policy H1/2 Further Housing Development, states that the Council will have regard to various factors when determining a proposal for residential development including the availability of infrastructure, the suitability of the site, the nature of the local environment and the surrounding land uses.

Policy OL1/3 Infilling in Existing Villages in the Green Belt states that infill residential development will be acceptable names villages within the Green Belt, of which Affetside is one. Infill development is generally acceptable where there are small gaps within an existing 'ribbon development' and the new development would not prejudice Green Belt objectives.

Within the parameters of this policy, the site with a relatively narrow frontage, is considered

to be 'infill'.

Green Belt - UDP Policy OL1/2 New Buildings in the Green Belt states that infill development falling within the constraints of Policy H3/1, is acceptable in principle.

Supplementary guidance in SPD8 New Buildings and Associated Development in the Green Belt supports Green Belt policies and indicates that where an infill dwelling is proposed the new dwelling should not have a seriously detrimental impact on the openness or character of the Green Belt.

In the light of UDP Policies OL1/2, OL1/3 and associated guidance and taking the proposal on its individual merits, the new dwelling is considered to be in scale with its surroundings, is acceptable and complies with the above Green Belt policies.

Visual Amenity - There is a mix of different house styles and sizes of dwellings along this part of Watling Street. In terms of siting, the new house is centrally positioned within the plot and but not set back from Watling Street so much that it would not relate to the surrounding streetscape.

The proposal, in terms of its scale, design and appearance, has taken elements of the traditional farmhouse seen in the surrounding countryside. As such the new building would be considered to be in keeping with the existing streetscape along this part of Affetside.

Given its sensitive location, it would be considered appropriate to remove 'permitted development rights' for the new dwelling to retain control of any further development or extensions to the property.

Residential Amenity - Given the position of the house in relation to neighbours and configuration of the main habitable room windows, there are no serious residential amenity issues arising.

The proposal therefore satisfies UDP Policy H2/1 with regard to residential amenity.

Access and Parking - There is enough space in front of the house to park two cars and the side access point would allow vehicles to drive onto Watling Street in forward gear. The parking/ hardsurfacing would be permeable. The proposal complies with UDP Policies H2/2 The Layout of New residential Development and HT2/4 Car Parking and New Development.

Drainage - United Utilities have indicated that there is a sewer running through the site. The new house would be connected to the main drainage system and appropriate informative's would be attached to any approval notice, should approval be given.

Public Representations - Concerns relating to parking, access, visual amenity, streetscape and character of the area have been addressed in the above report.

The issue relating to a right of way through the site possibly mentioned in a covenant is not a material planning consideration but a private matter between respective landowners.

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

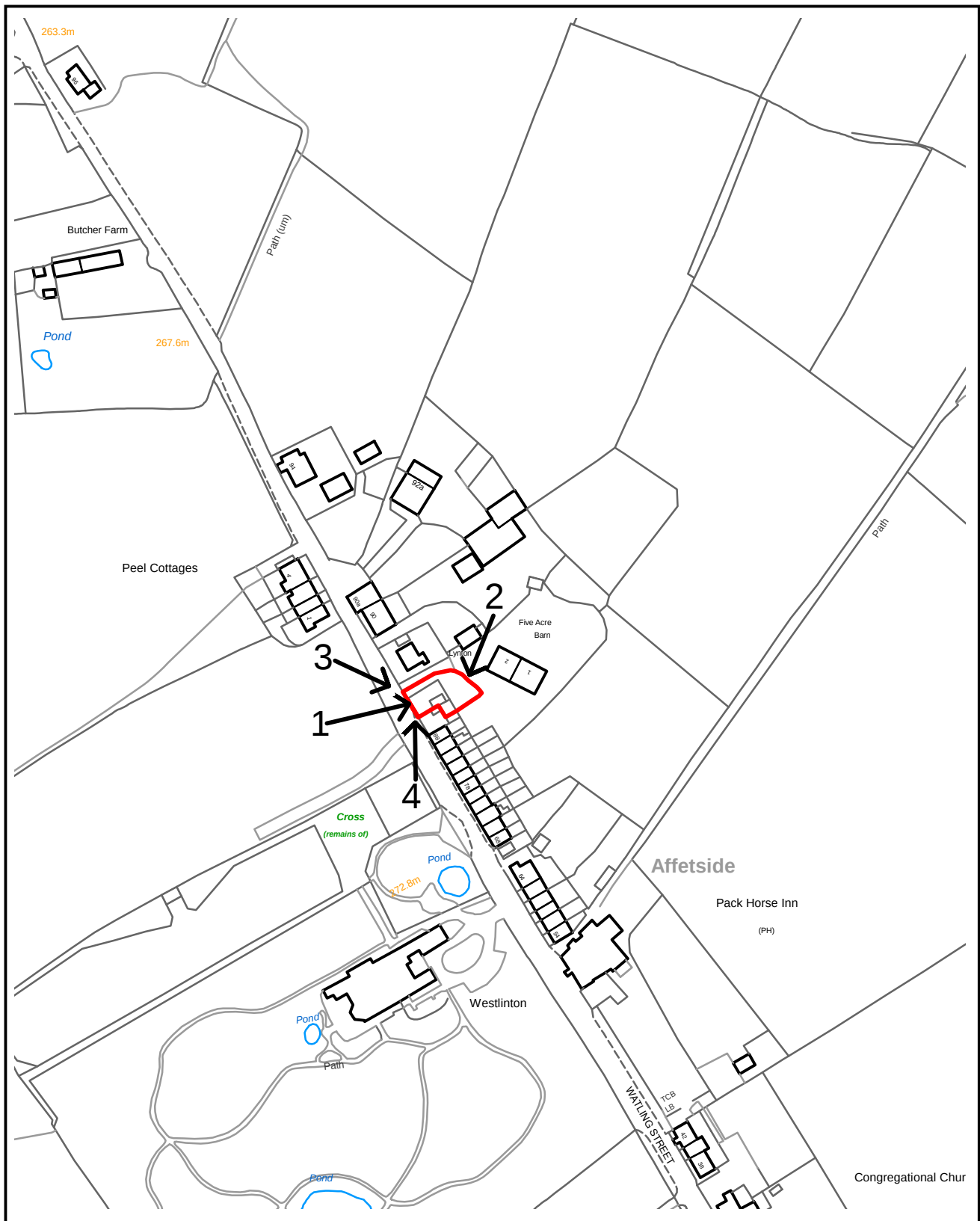
Conditions/ Reasons

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 1B, 2, 3B, 4A, 5 and 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.
3. Details/Samples of the finishing materials to be used in the external elevations, boundaries and areas of hardstanding, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/1 Visual Amenity of Bury Unitary Development Plan.
4. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
5. 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. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required 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.
6. Following the provisions of Condition 5 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the 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.

7. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and 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.
8. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:
- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
 - A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.
- Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
9. Development shall not commence until details of foul and surface water drainage aspects have been submitted to and approved by the Local Planning Authority. This must include potential SuDS options for a surface water drainage scheme. The approved drainage scheme shall be implemented and thereafter maintained to the satisfaction of the Local Planning Authority.
Reason: To reduce the risk of local flooding and water pollution by ensuring the provision of a satisfactory means of surface water disposal pursuant to the NPPF and UDP Policies EN5/1 New Development and Flood Risk and EN7/5 Waste Water Management.
10. The development shall not be occupied unless and until the stone paved footway and kerb indicated on approved plan reference 3B, incorporating the reinstatement of the redundant gated access and all associated highway remedial works, have been implemented in full to the written satisfaction of the Local Planning Authority.
Reason. To ensure good highway design in the interests of pedestrian safety and to maintain the integrity of the adopted highway pursuant to UDP Policy H2/2 The Layout of New Residential Development.
11. The turning facilities and relocation of the existing electronic gate indicated on the approved plan reference 3B shall be implemented before the development is brought into use and shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to UDP Policy H2/2 The Layout of New Residential Development.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58860

**ADDRESS: Land Between Lynton & 88 Watling Street
Affetside**

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



Bury
COUNCIL

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58860

Photo 1



Photo 2



58860

Photo 3



Photo 4



1920S BUNGALOW
SMOOTH RED BRICK
HIPPED SLATE ROOF



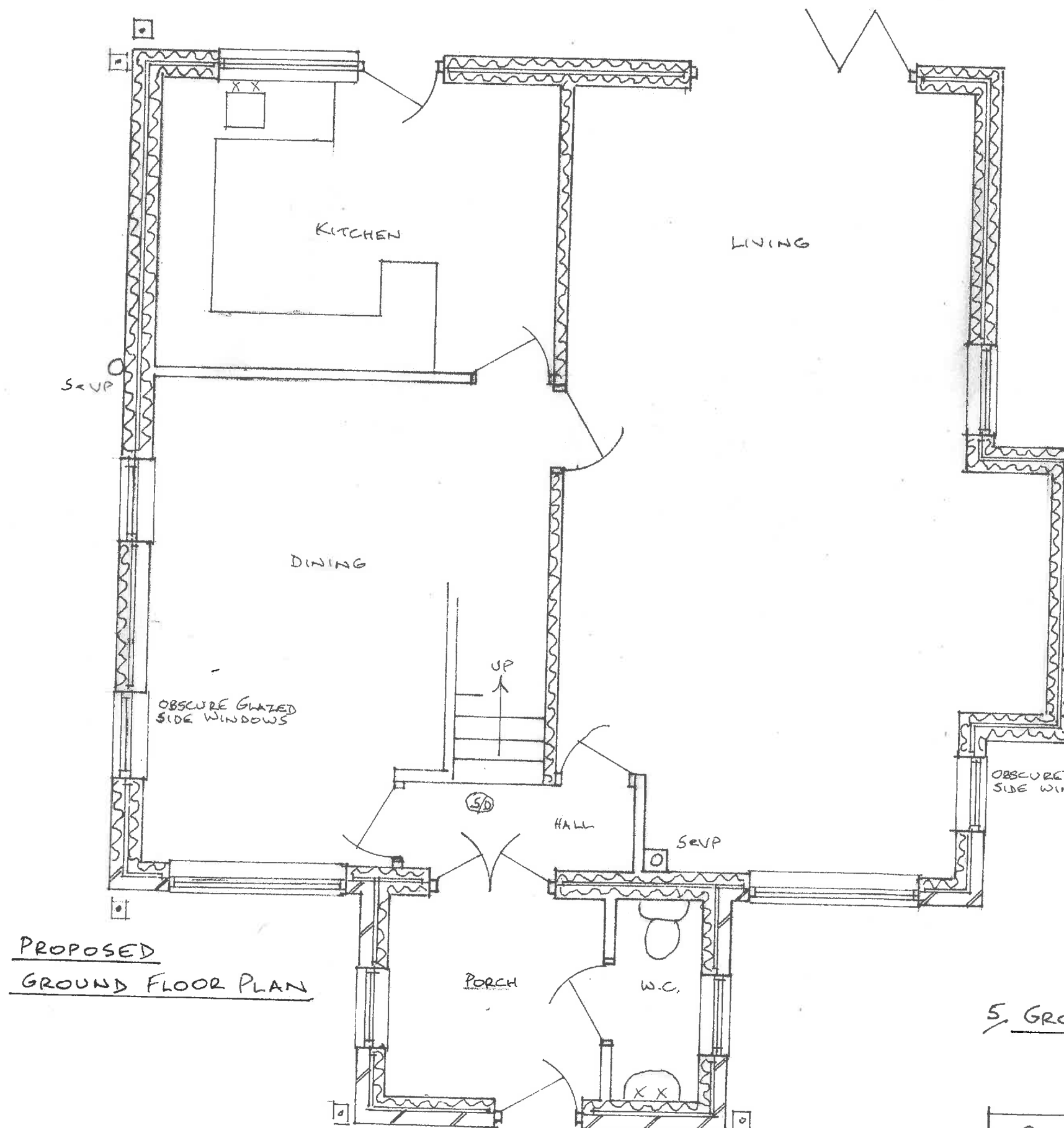
MODERN BARN CONVERSION
STONER RENDER, SLATE ROOF
PRINCIPAL WINDOWS FACE SITE
INCLUDING DORMERS

2. EXISTING LAYOUT PLAN

13/01/02

13/6/13

PROPOSED DETACHED HOUSE
BETWEEN LYNTON & 88 WATLING ST., AFFETTSIDE
BL8 3QW



PROPOSED
GROUND FLOOR PLAN

SLATE ROOFS

COURSED NATURAL
STONE

CREAM COLOURED
SMOOTH RENDER

LIGHT OAK UPVC DOORS
& WINDOWS SET BACK
IN REVEALS.

RECONSTITUTED
STONE SILLS



FRONT ELEVATION

POSSIBLE SOLAR
PANELS TO BOTH
ELEVATIONS TO
SATISFY BUILDING
REGULATIONS.



REAR ELEVATION

S. GROUND FLOOR PLAN & ELEVATIONS

SCALE 1:50 & 1:100 @ A3

PROPOSED DETACHED HOUSE
BETWEEN LYNTON & 88 WATLING ST, AFFETTSIDE
BL8 3QW



LOCATION PLAN
(1:1250)



SITE PLAN
(1:500)

^B
1A SITE PLANS

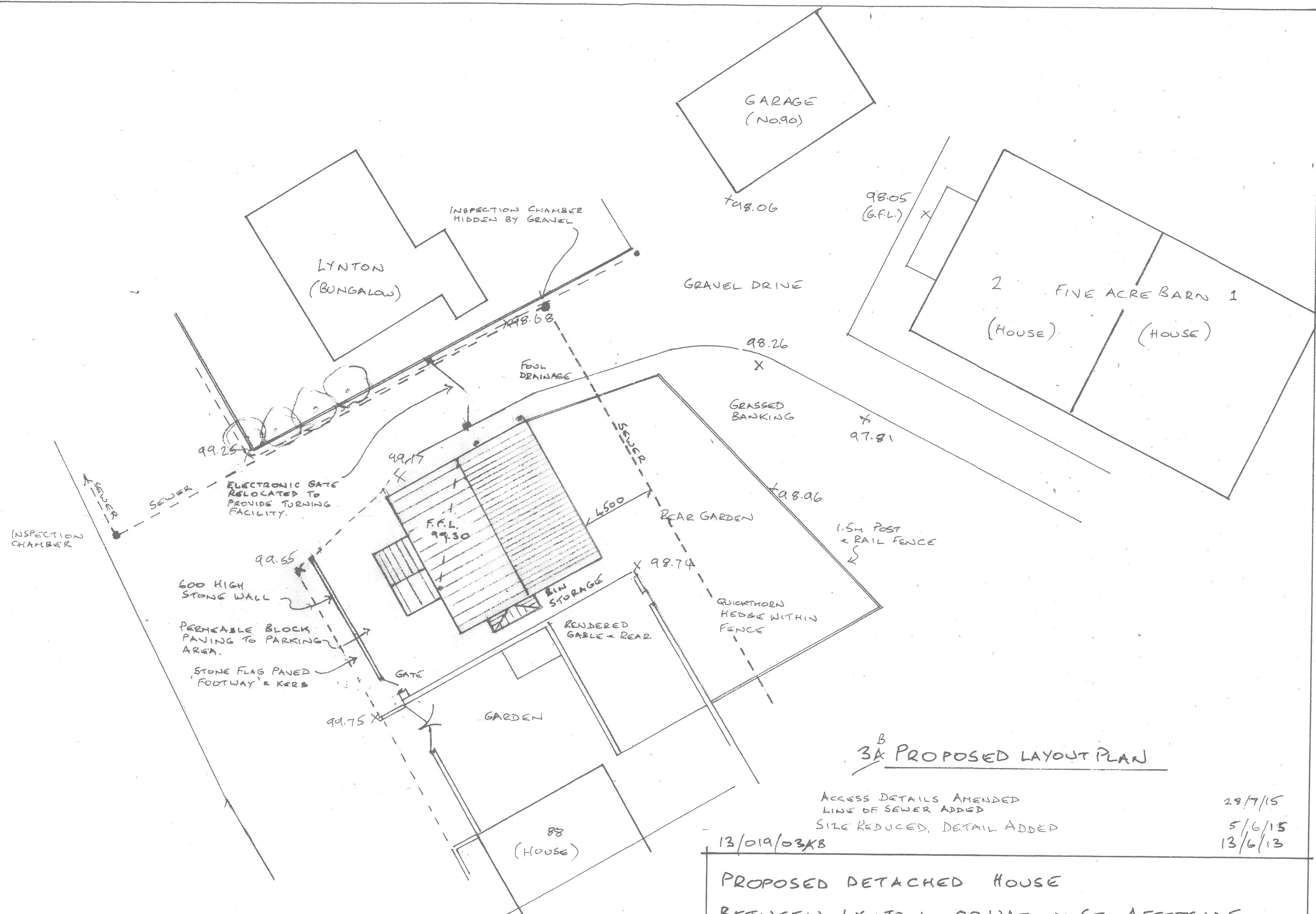
SIZE REDUCED

13/019/01AB

RED SITE BOUNDARY AMENDED 28/7/15
5/6/15
13/6/13

PROPOSED DETACHED HOUSE
BETWEEN LYNTON & 88 WATLING ST., AFFETTSIDE

BL8 3QW



^B
3A PROPOSED LAYOUT PLAN

ACCESS DETAILS AMENDED
LINE OF SEWER ADDED
SIZE REDUCED, DETAIL ADDED

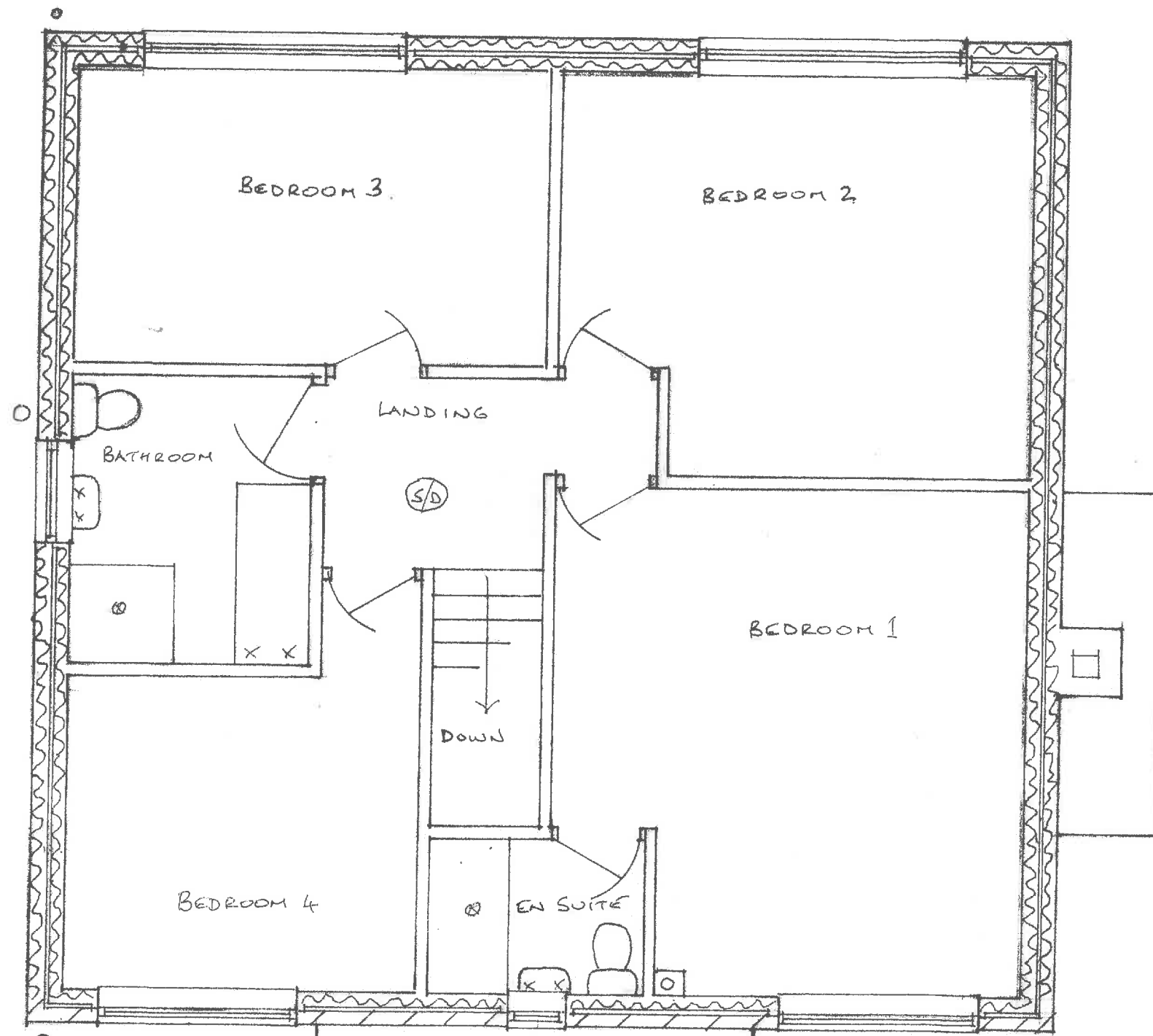
13/019/03XB

28/7/15
5/6/15
13/6/13

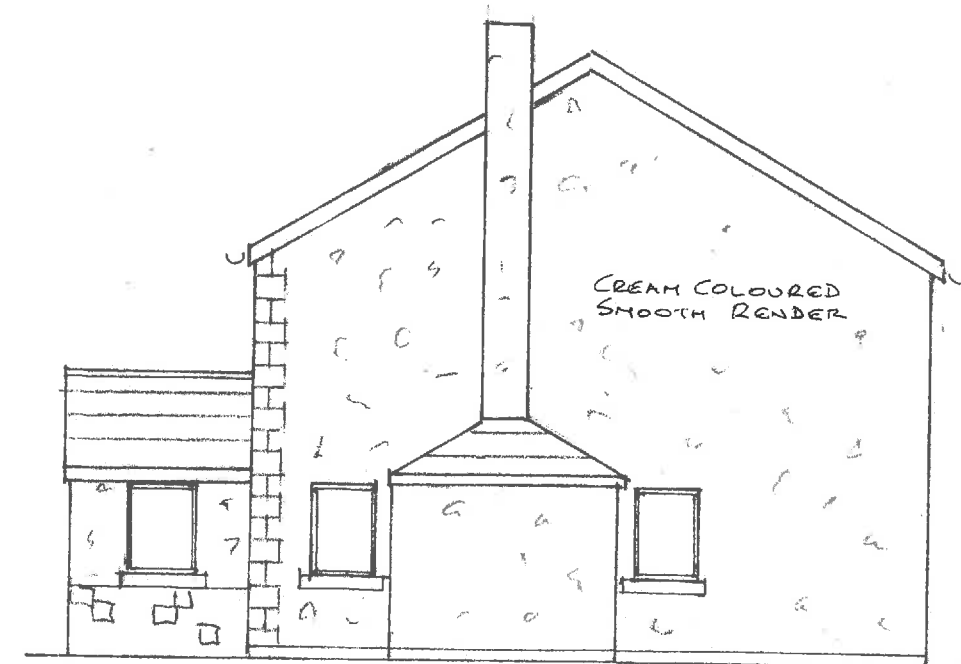
PROPOSED DETACHED HOUSE
BETWEEN LYNTON & 88 WATLING ST., AFFETTSIDE

BL8 3QW

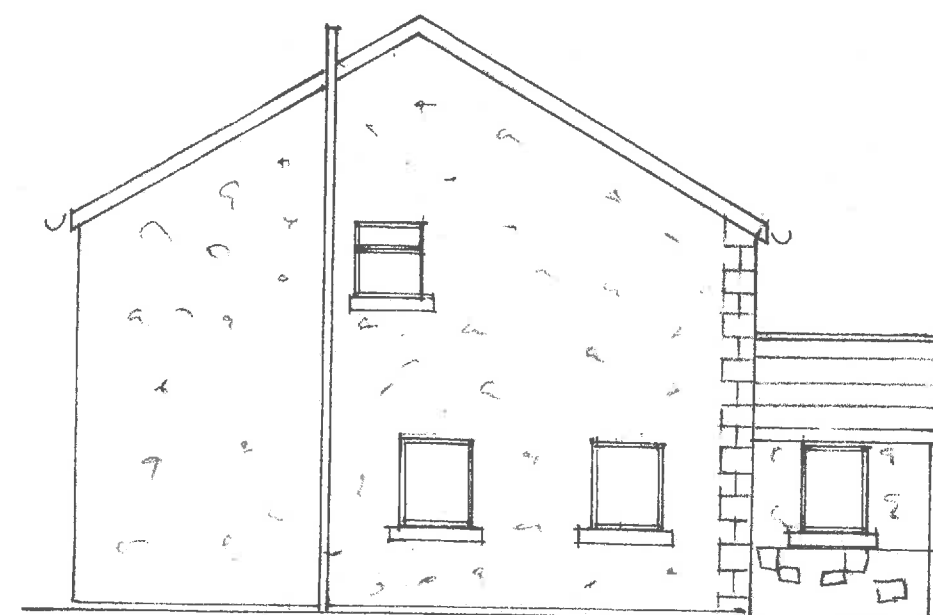
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PROPOSED
FIRST FLOOR PLAN

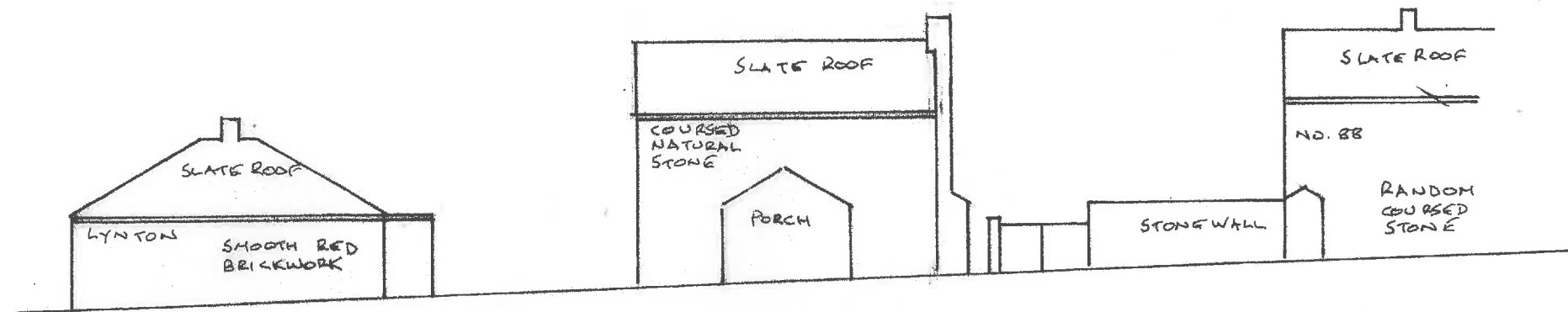


SIDE (SOUTH EAST) ELEVATION

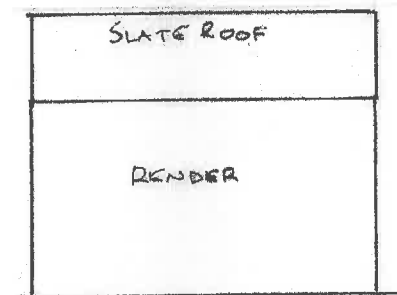


SIDE (NORTH WEST) ELEVATION

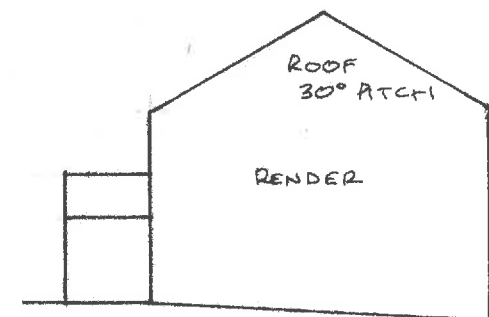
6 FIRST FLOOR PLAN & ELEVATIONS



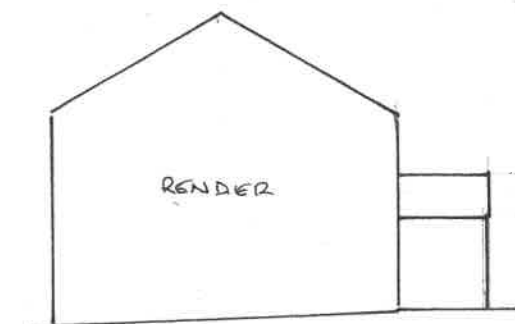
STREETSCAPE



REAR



SIDE (SOUTH EAST)



SIDE (NORTH WEST)

LA MASSING

Ward: Radcliffe - North

Item 14

Applicant: Wesley Methodist School

Location: Wesley Methodist Primary School, Forth Road, Radcliffe, Manchester, M26 4PX

Proposal: Creation of all weather synthetic sports pitch (resubmission)

Application Ref: 58882/Full

Target Date: 02/09/2015

Recommendation: Approve with Conditions

Description

The application relates to the single storey primary school situated between Forth Road and residential properties fronting Eastfields. To the south are houses fronting Turks Road and to the north is Salisbury Road.

The site of the proposed all weather sports pitch is located on the western side of the existing tarmacadam junior playground. On the south side, the nearest residential garden boundary would be 12.66m away (54/56 Turks Road) and this distance would increase to 17m (60 Turks Road). On the west side the nearest property (6 Eastfields) would be 14.3m away, increasing to 17m behind 8 Eastfields.

The area of the pitch would measure L20m by W15m. It would be surfaced in a synthetic olive green all weather compound. The boundary around the pitch would comprise timber 'hit and miss' fencing to a height of 1.2m along the north and south sides. The fencing increases to 1.87m at the western and eastern ends. To provide an basketball/netball facility, there would be a higher section at either end to a height of 4m. The play area would have a land drain running west to east taking excess surface water into the existing drainage chamber between the new pitch and the existing playground.

The pitch would be for the use of the schoolchildren attending the primary school and not for use by the general public. The games area would not have lighting.

Relevant Planning History

52600 - External alterations to school to include replacement windows and doors; Re-roofing with new fascias, monodraught ventilators and rooflights; Entrance canopy and external paving areas; Demolition of temporary modular block - Approved 07/07/2010
58103 - Retention of siting of 3 no. metal storage containers for a temporary period of 3 years - Approved 15/01/2015
58762 - Creation of a multi use games area enclosed by steel mesh rebounds, sides and ends with a synthetic playing surface - Withdrawn by applicant 23/06/2015.

Publicity

The following 37 neighbours were notified by letter dated 8/07/15.
20, 22, 44-68(even) Turks Road, 2-20(even) Eastfields, 1,3,5, 12,16,18 Forth Road, 25 Northlands and 381 Bury New Road.

Objections have been received from five properties at 8, 12 and 14 Eastfields, 56 Turks Road and one property on Forth Road. Concerns are summarised below:

- The pitch would be too close to residential properties.
- Increase in noise and disturbance.
- Reduction in privacy.
- Problem with balls going into nearby gardens.

- Increase in drainage problems.

Those making representations have been notified of the Planning Control Committee.

Consultations

Traffic Management - No objection.

Drainage Section - No objection.

Environmental Health - No objection subject to hours restriction.

United Utilities - No objection.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

CF2 Education Land and Buildings

EN7/2 Noise Pollution

RT2/4 Dual-Use of Education Facilities

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.

Policy - UDP Policy CF2 Education Land and Buildings states that the Council will, where appropriate, consider favourably proposals for the provision, improvement and dual use of educational facilities.

RT2/4 - Dual-Use of Education Facilities states that the Council will support an increased level of recreational provision by looking favourably on proposals for the dual-use of education facilities and playing fields by the community.

Policy EN1/2 Townscape and Built Design states that the Council will give favourable consideration to proposals that do not have an adverse impact on the particular character and townscape of the Borough's towns and villages.

Policy 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.
- development close to a permanent source of noise.

Sport England's advice on multi-use games areas (MUGAs) is relevant where facilities would be used more for then general public rather than the school itself. Their advice suggests that the games areas should be about 30m away from the nearest residential properties. This advice has been applied in other public facilities in parks and seems to have worked well. However it is considered that this school facility should be viewed as such and given a degree of flexibility with regard to separation distances.

Visual amenity - The proposed sports pitch would be situated on the existing grassed area, adjacent to the existing asphalt playground. With an olive green finish to the synthetic surface and a natural timber fence surround, the proposed facility would not appear particularly incongruous within the school grounds given the distances to the boundary with the surrounding residential properties. In terms of Policy EN1/2 Townscape and Built Design, it is not considered that the proposal would have such an adverse impact on the character of the area as to warrant refusal.

Residential amenity - All school grounds have the potential to be relatively noisy at particular times of the day. In this case, the crucial test is whether the use of the pitch would result in such excessive noise as to cause undue harm to the surrounding residents.

The pitch would be primarily for use of the school pupils either within school hours or for after school activities. It would not be used on a regular basis by the general public. In this respect, with it being used by primary school pupils, primarily under staff supervision, it is not considered that the noise emanating from the games area would be so excessive as to warrant refusal. Indeed would it be any higher than the noise coming from the adjacent playground. The Environmental Health Section suggest a condition be applied, restricting the use of the games area to daytime use.

Given there is an existing playing field extending up to the boundary of the surrounding residential properties and the new facility is for school use only, the issue of reduced privacy and overlooking is less of a concern, particularly given the separation distances.

With regard to balls going into neighbouring gardens, the games area would be closer than the existing playground thereby increasing the chances of this happening but balls going into residents gardens is a constant issue with the existing playing field in any case, even if that part of the field is not used on a formal basis. Given the rebound boards, staff supervision and the separation distances of between 12 and 17 metres to gardens, there is unlikely to be excessive problems in this respect.

Access - Access to the new sports pitch would be from the existing junior playground. There are no other changes to the general access and parking as the facility would not be utilised by the general public.

Drainage - The proposed drainage channel running through the games area into the existing drainage chamber would reduce drainage problems.

Objections - The concerns of the residents, listed above, have been addressed in this report.

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

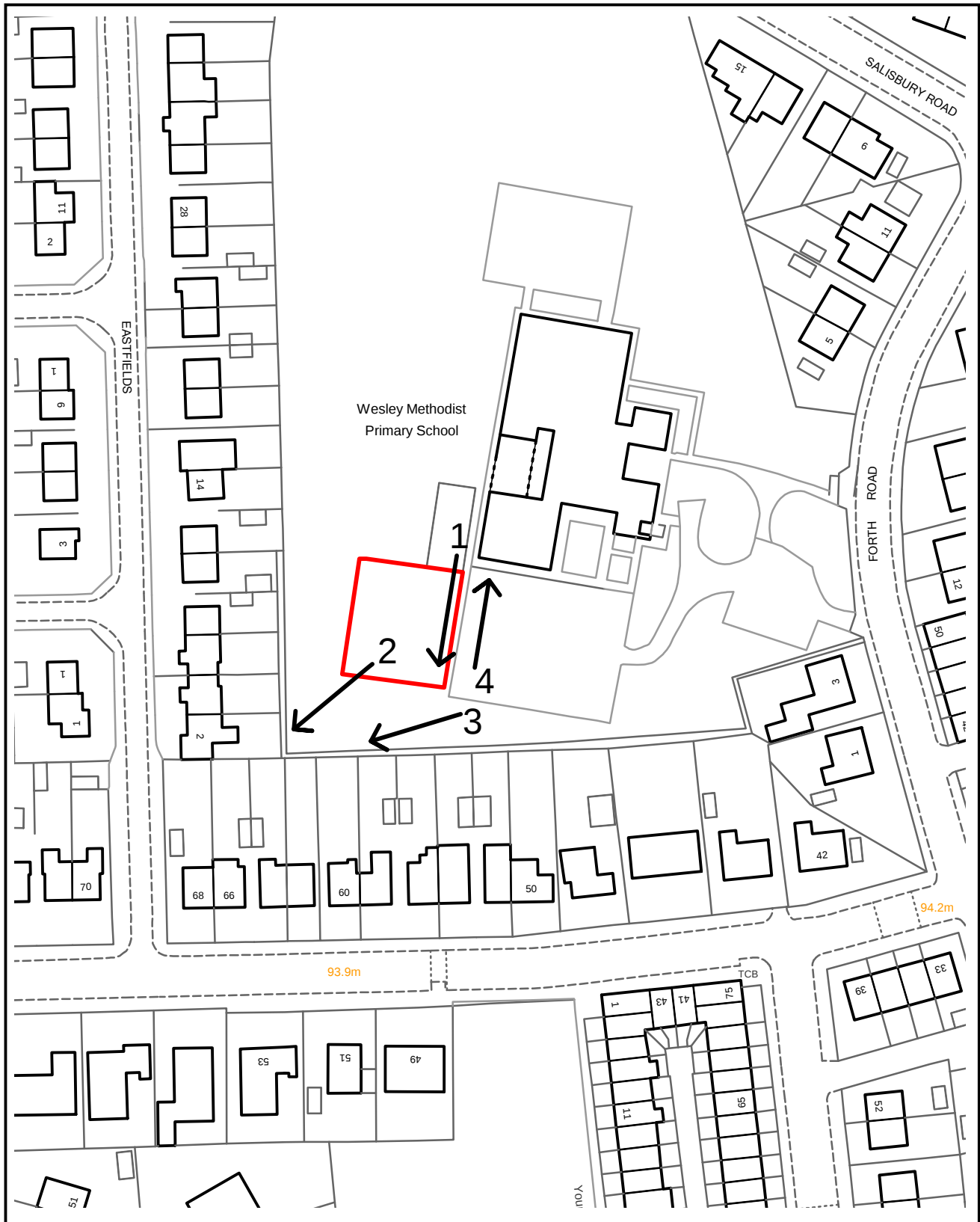
Conditions/ Reasons

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 1:1250, Block Plan 1:200, 15802/01, 02, 02/A, 03/A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

3. The use of the games area shall be confined to the following times:-
0800 hrs to 1800 hrs, Monday to Saturdays.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy EN7/2 Noise Pollution.
4. The use of the games area shall be confined to activities primarily associated with Westley Methodist Primary School.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy EN7/2 Noise Pollution.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58882

**ADDRESS: Wesley Methodist Primary School
Forth Road
Radcliffe**

Planning, Environmental and Regulatory Services 1:1250

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Bury
COUNCIL

58882

Photo 1



Photo 2



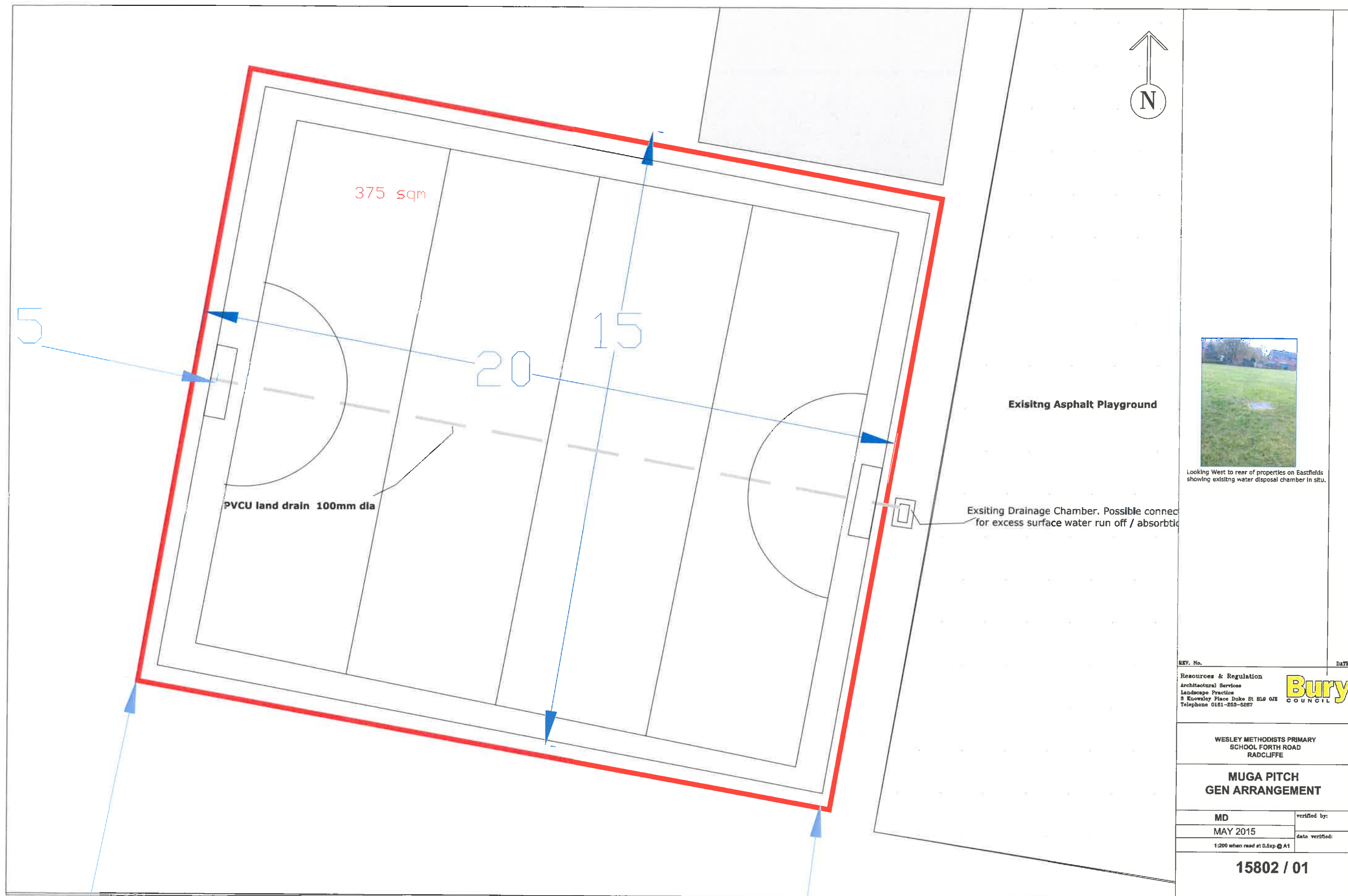
58882

Photo 3



Photo 4

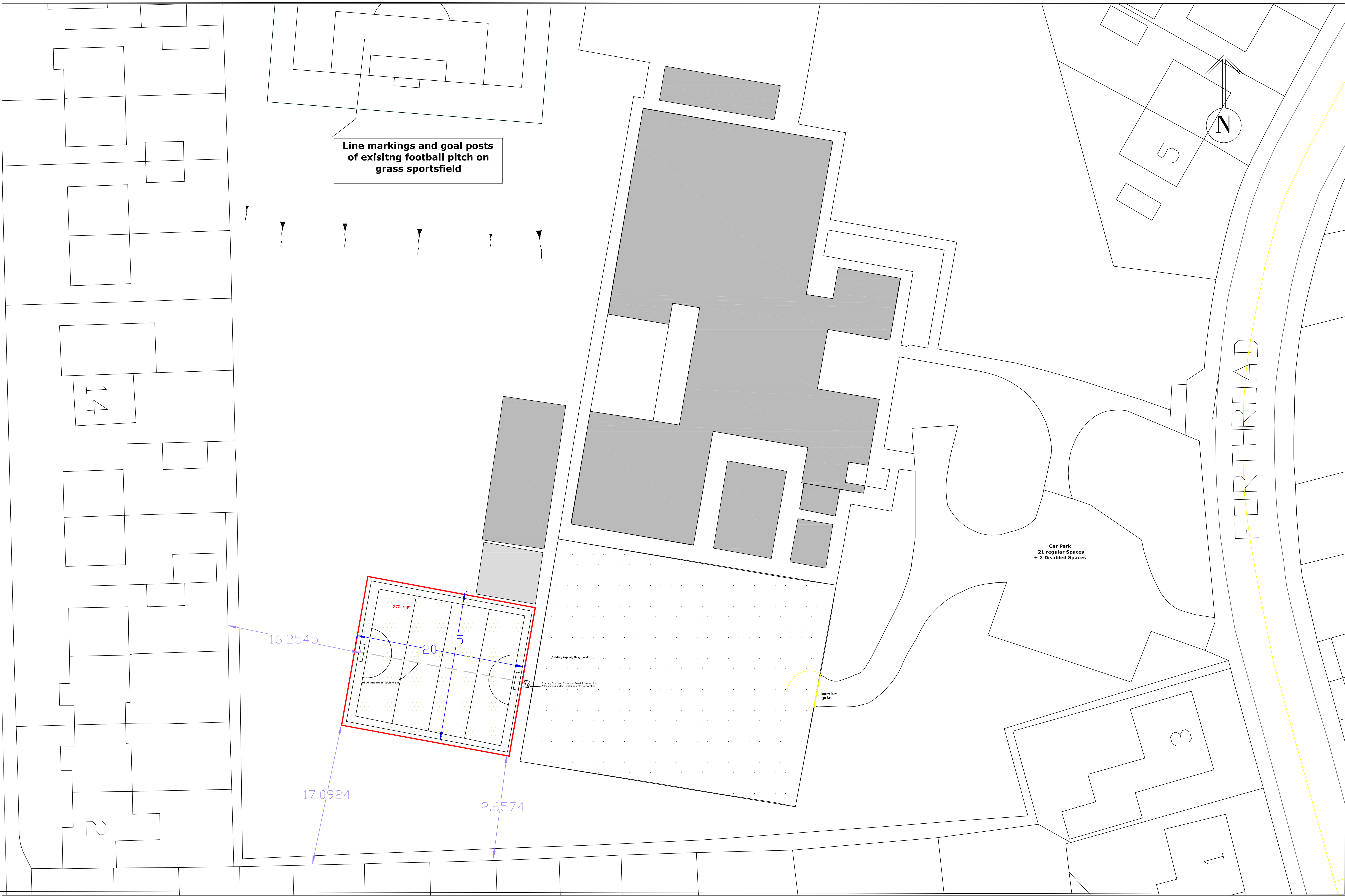




WESLEY
METHODIST
PRIMARY
SCHOOL
RADCLIFFE
PROPOSED
MUGA PITCH

BLOCK PLAN

1:200 @ A1



TIMBER BOUNDARY ALL WEATHER PITCH

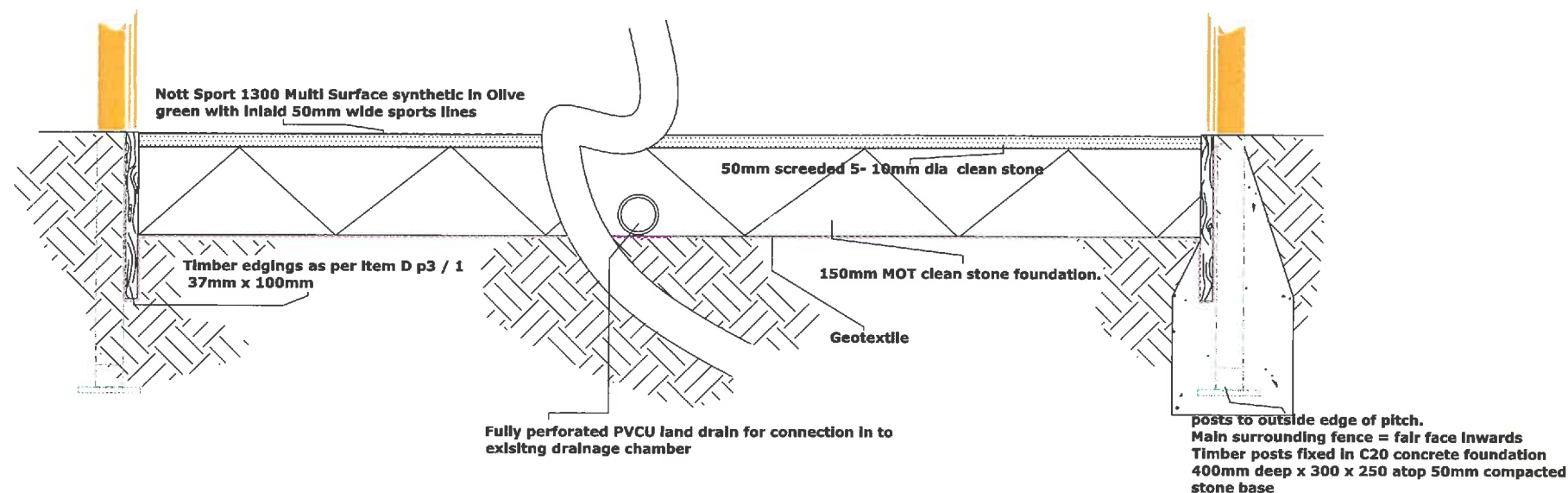
CALL: 01702 291129



Prices

EPDA

Typical section through play surface, to Q26 NBS



All fencing/ ball court to comply with NBS Q40

Fencing illustrated is by Sovereign Timber Play and will be only 1200mm tall.

Synthetic pitch all elements to Q26.

Pitch by Nott Sport Ltd.

REV. No. DATE
Resources & Regulation
Architectural Services
Landscape Practice
3 Knowley Place Duke St E19 0JE
Telephone 0161-255-0807



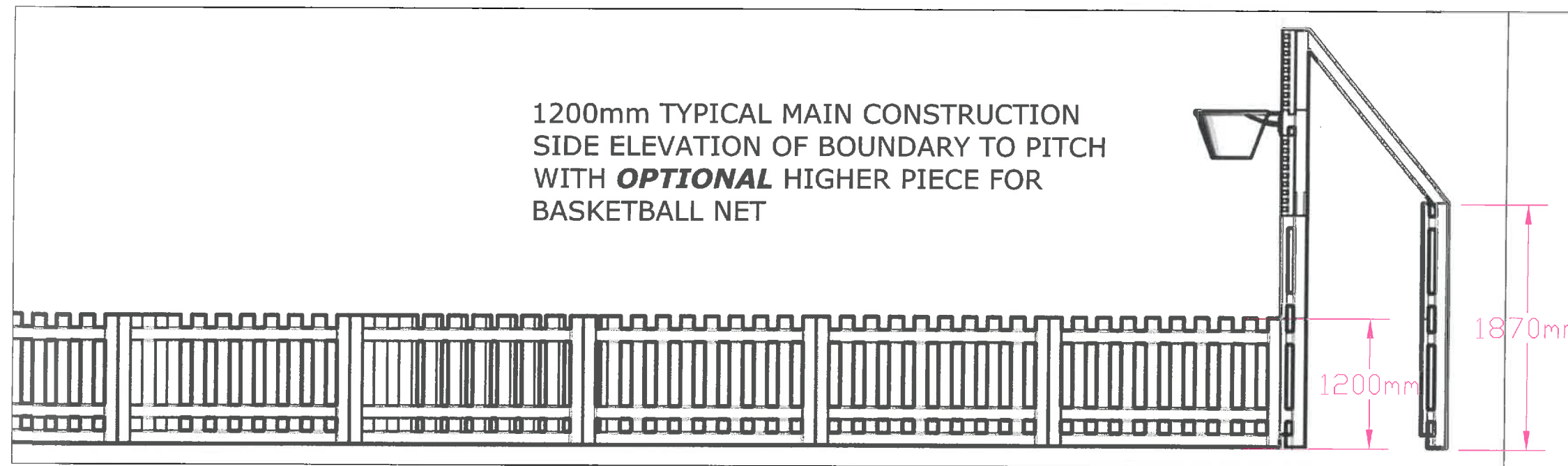
WESLEY METHODISTS PRIMARY
SCHOOL FORTH ROAD
RADCLIFFE

DETAILS

MD
MAY 2015
1:200 when read at 0.5xp @ A1

verified by:
data verified:

15802 / 02

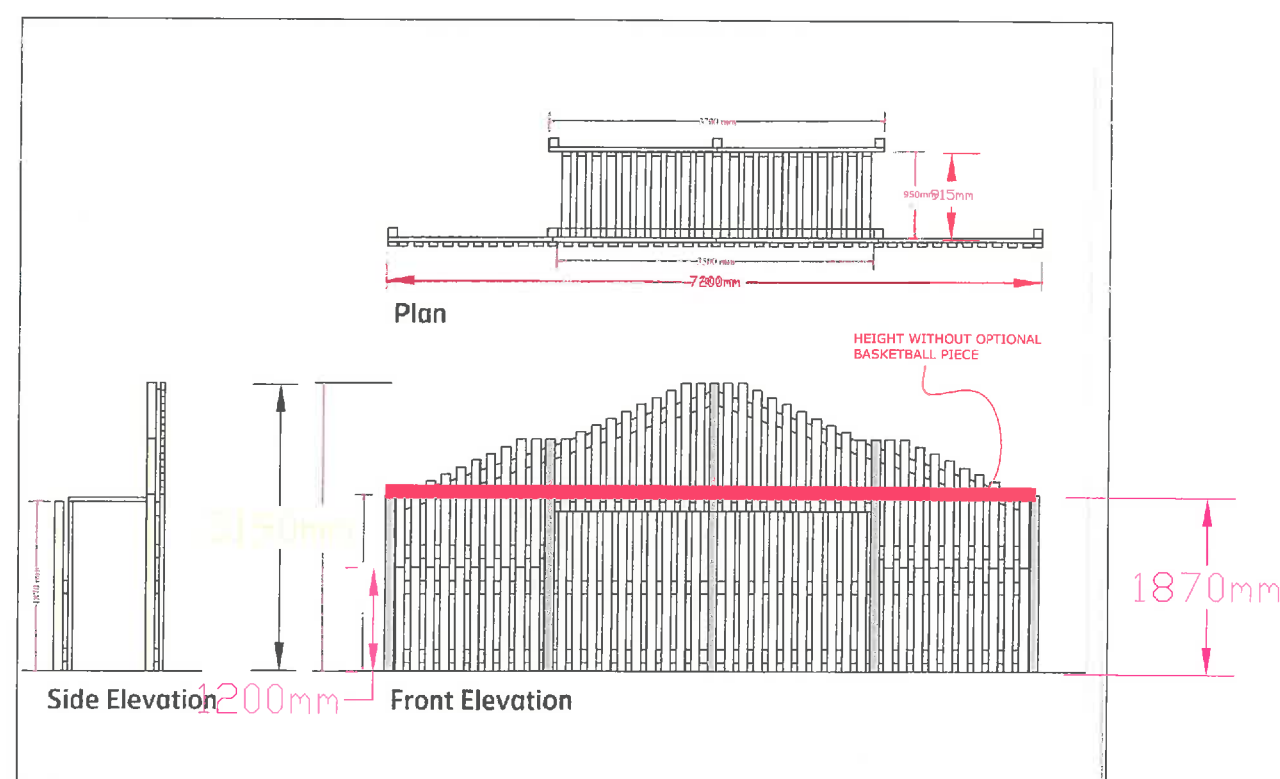


All fencing/ ball court to comply with NBS Q40

Fencing illustrated is by Sovereign Timber Play: - tanalised planed all round timber panel system. Optional further 'rebound boards' on the internal face if required.

Synthetic pitch all elements to Q26.

Pitch by Nott Sport Ltd. See Dwg 15802 / 03 / A



GOAL MOUTH ENDS ELEVATION AND PLAN
WITH **OPTIONAL** HIGHER PIECE FOR
BASKETBALL NET
1870mm WITHOUT HIGHER PIECE

REV. No. DATE

Resources & Regulation
Architectural Services
Landscape Practice
3 Knowley Place Duke St B19 0JE
Telephone 0161-253-0207

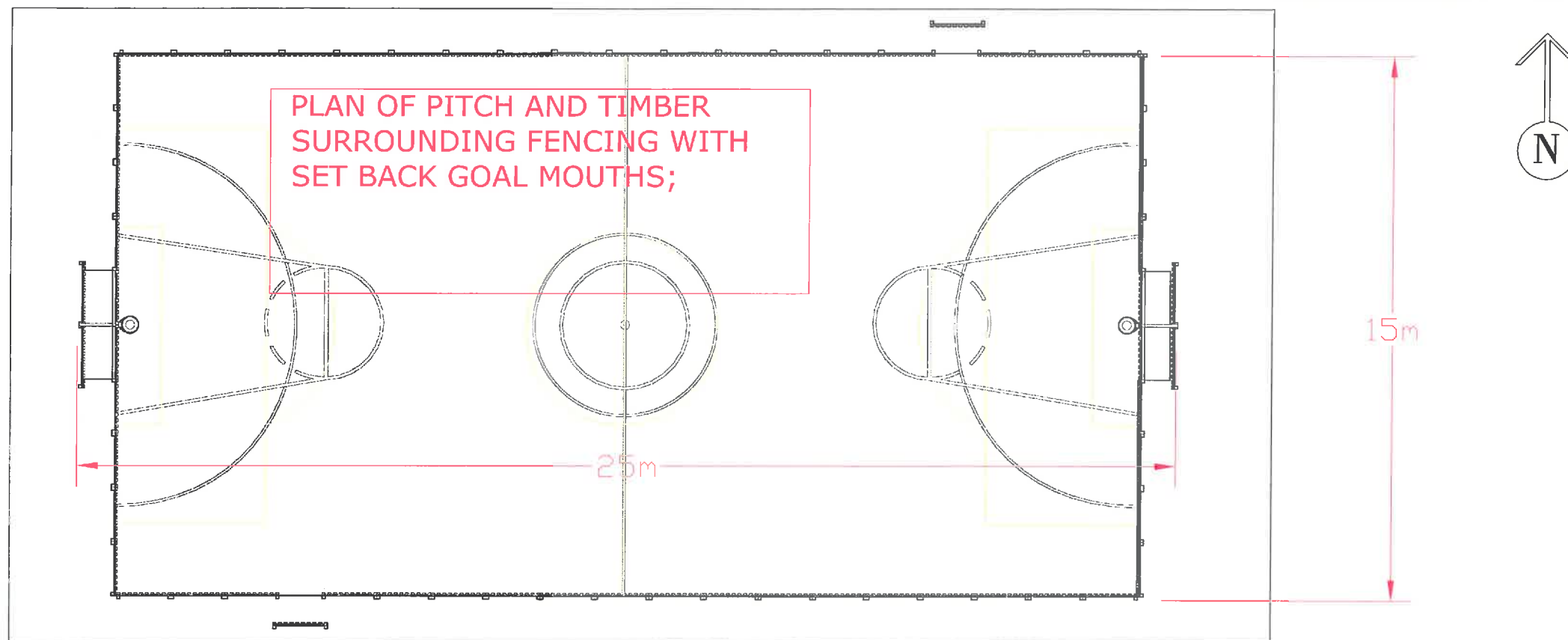
Bury
COUNCIL

WESLEY METHODISTS PRIMARY
SCHOOL FORTH ROAD
RADCLIFFE

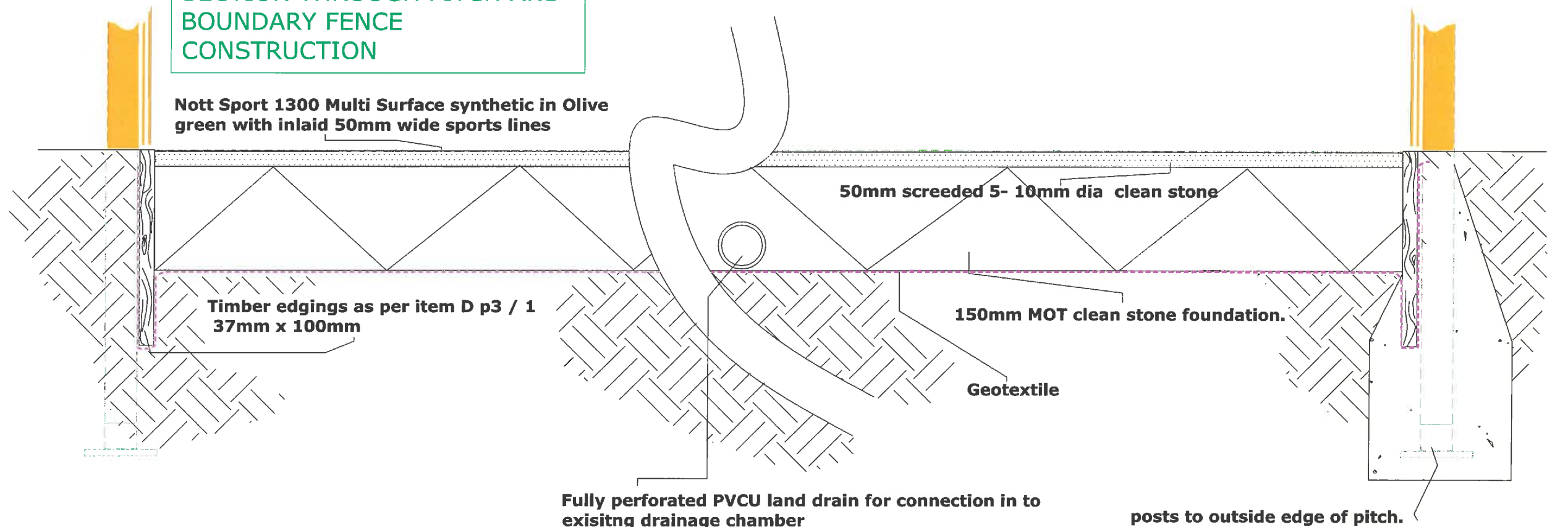
**TIMBER BOUNDARY FENCE
DETAILS**

MD verified by:
JULY 2015 date verified:
1:200 when read at 0.5xp @ A1

15802 / 02 / A



SECTION THROUGH PITCH AND BOUNDARY FENCE CONSTRUCTION



REV. No. DATE

Resources & Regulation
Architectural Services
Landscape Practice
3 Knowley Place Duke St BL9 0JE
Telephone 0161-253-5207

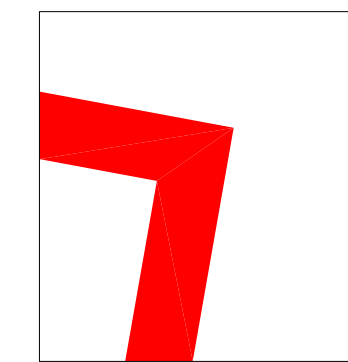
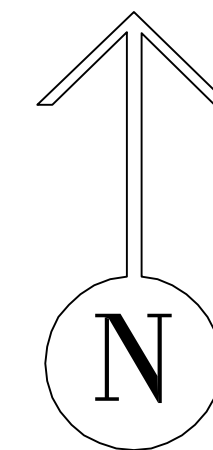
Bury
COUNCIL

WESLEY METHODISTS PRIMARY
SCHOOL FORTH ROAD
RADCLIFFE

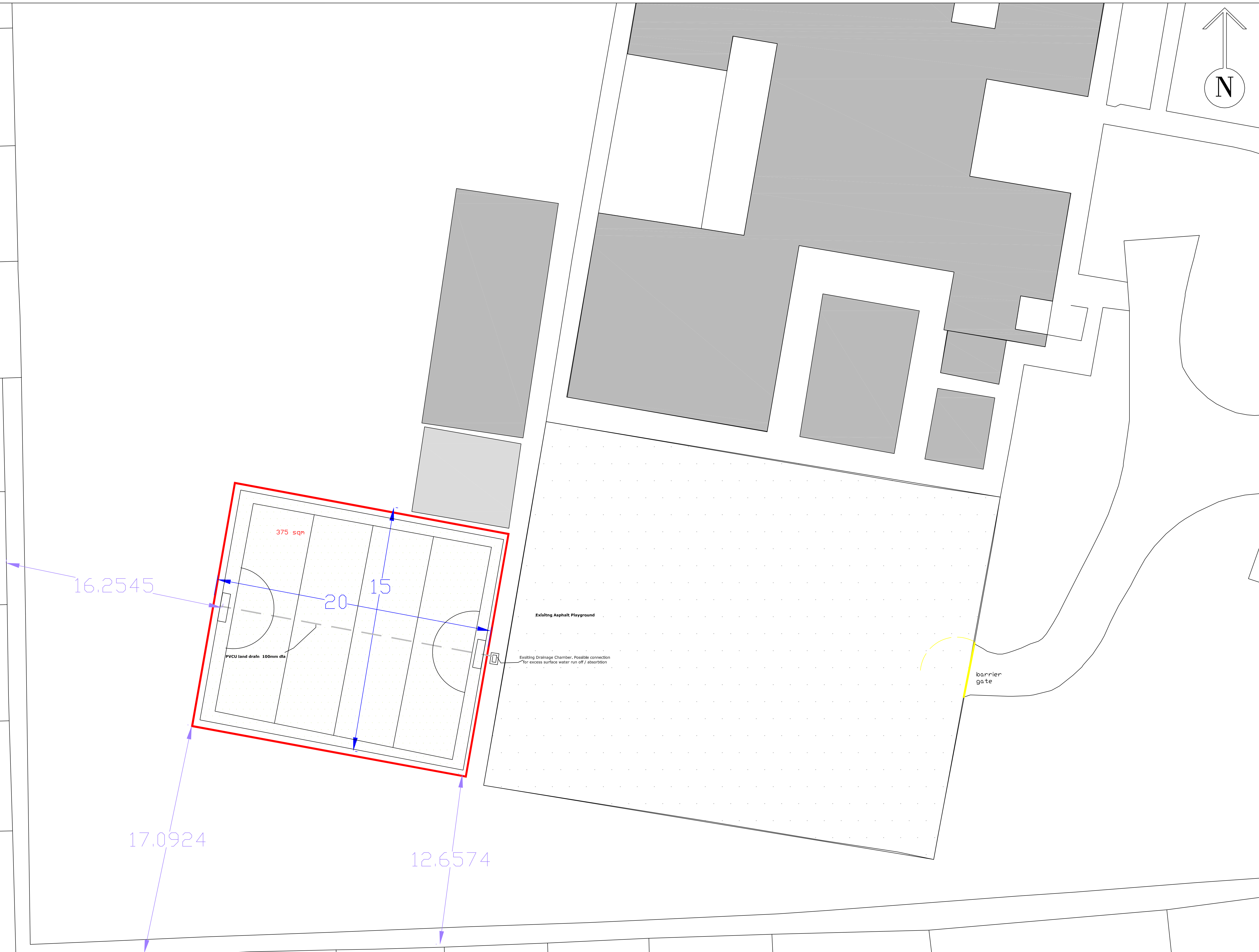
SYNTHETIC PITCH DETAILS

MD	verified by:
JULY 2015	date verified:
1:200 when read at 0.5xp @ A1	

15802 / 03 / A



8 / 6 / 8 twin mesh
boundary fencing.
1200mm high with
plastic safety
capping on top edge.
Colour: Green - see
Dwg 15802/02



REV. No.

DATE

Resources & Regulation
Architectural Services
Landscape Practice
3 Knowsley Place Duke St BL9 0JE
Telephone 0161-253-5267



WESLEY METHODISTS PRIMARY
SCHOOL FORTH ROAD
RADCLIFFE

**MUGA PITCH
GEN ARRANGEMENT /
SETTING OUT**

MD

verified by:

MAY 2015

date verified:

1:200 when read at 0.5xp @ A1

15802 / 01

Ward: Whitefield + Unsworth - Pilkington Park

Item 15

Applicant: Aldi Stores Ltd

Location: Aldi Foodstore Ltd, Higher Lane, Whitefield, Manchester, M45 7EA

Proposal: Demolition of store at rear; erection of single storey extension at front & rear; provision of new entrance portico & trolley store; amendments to car park layout and new LED lighting to existing lighting columns

Application Ref: 58890/Full

Target Date: 19/08/2015

Recommendation: Approve with Conditions

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

Description

The application relates to an established food retail outlet which is within the Whitefield District Shopping Centre. The building is located at the junction with Higher Lane and Bury New Road, and is set back into the site. To the north is a row of mixed retail units with McDonalds food restaurant directly to the south. The retail complex has parking to the frontage with 49 spaces including disabled and parent and child spaces specifically allocated to the application site.

The building is single storey with a pitched roof and has a standard retail unit appearance constructed of red/brown brick, aluminium cladding and grey roof tiles, identified by company signage and logo on the front elevation.

The application seeks development comprising the following:

- demolition of the single storey rear store area and rebuild of a new single storey extension;
- extension at the front to the sales floor area;
- new glazed entrance portico and trolley storage area;
- redesign and resurfacing of the car park with 49 spaces retained;
- new shop front, lobby and entrance doors;
- new vertical cladding to the upper front elevation;
- LED lighting to existing lighting columns and store facade.

Relevant Planning History

58885 - 1 no. internally illuminated LED Canopy Totem sign above store entrance; 1 no. LED illuminated Totem sign and 1 no. internally illuminated poster display cabinet adjacent store entrance - Approved 6/8/2015.

48879 - Extension to existing food store and alterations to parking provision and external alterations to elevations - Approved 19/12/2007.

Publicity

33 letters sent on 1/7/2015 to properties at Nos 1-16 Frankton Road; 14-44 Fountain Place; 103 Bury New Road; McDonalds Higher Lane.

Three letters of objection received from Nos 5,7,8 Frankton Road which raises the following issues:

- The original store plus extensions were only allowed a few years ago and are big and

- close enough to the flats to cause noise disturbances and air pollution;
- The back of Aldi already causes noise disruption to many neighbours living directly at the back of the business from vehicle reversing warning sounds, extra fumes and clattering of shutter doors/cages;
- There are established trees to supposedly block noise but these do nothing;
- Delivery trucks park all night with engines on which causes too much noise all night;
- Any expansion to the back would cause a lot more problems to the near neighbours;
- Increase in air pollution;
- Large extractor fans on the side create noise and bedroom windows have to be closed at night;
- Little consideration has been given to the local residents - the extractor fans and delivery bays could have been positioned at the far end of the store away from houses;
- The store should try to rectify the problems which already exist.

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

Consultations

Traffic Section - No objection

Drainage Section - No objection.

Environmental Health Pollution Control - No objection subject to conditions to control of light direction of the proposed lighting and noise output from ancillary equipment.

Environmental Health Contaminated Land - No objection subject to conditions.

Unitary Development Plan and Policies

S1/3	Shopping in District Centres
S2/3	Secondary Shopping Areas and Frontages
S3/2	New Retail Development Opportunities Within District Centres
EN1/2	Townscape and Built Design
EN7	Pollution Control
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
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 - The site is located within a District Shopping Centre and UDP Policy S1/3 seeks to support proposals for new shopping development with the main emphasis being on consolidation and enhancement of existing shopping facilities. The NPPF promotes the retention and enhancement of existing shopping centres to ensure they remain attractive and competitive.

The development proposals seek to make improvements to meet local shopping needs and facilities, as well as seeking to upgrade, modernise and enhance the external appearance of the building.

The scale of the proposals would be acceptable within the context of a District Shopping Centre and this site and building specifically, and are therefore considered to be acceptable in principle and in compliance with the NPPF and UDP Policy.

Residential amenity - The closest residential properties would be to the west on Frankton

Road which are located behind the rear of the site. The proposed extension would be 9.5m away, at the nearest point, from these dwellings which would reduce the proximity of the build by just less than 3m compared to the existing rear elevation. The extension would be single storey with the only opening being a fire door located on the south elevation. There would be no plant equipment, air conditioning or condenser units to any part of the rear elevations of the extension.

A fence separates the site and there is also mature tree planting along the western boundary on both the applicant's side and Frankton Road which provides dense screening to the site and the building itself.

The size, proximity and height of the proposed extension would not be significantly different to what is currently on site, and given the intervening boundary treatment, it is considered there would not be an adverse impact on the amenity of these occupiers.

Deliveries would continue to be carried out to the rear of the store as existing and similarly there would not be a change to the arrangements or the timings of the deliveries, which the applicant has confirmed are twice a day at 6am and 10am.

There are no nearby properties which would be affected by the proposals to the front of the store.

As such, it is considered the proposed development would not have a significant or adverse impact on the residential amenity of local residents and the proposals would accord with UDP Policy EN1/2.

Visual amenity - The application proposes external alterations and additions to the building, to include a new entrance, portico and front extension and vertical cladding on the roof frontage.

The front extension would add 35 sqm to the footprint of the sales area and would incorporate a new entrance and portico to provide a modern and strong frontage to acknowledge the entrance to the store. It would also continue to accommodate the existing trolley park which is currently located to the frontage. A new vertically clad pitched roof would complete the re-modelling and upgrade to the store front.

At the rear, the new extension would not be dissimilar in design to the existing, incorporating a pitched roof with matching materials.

The refurbishments and new additions to the store would be fairly typical of improvements to retail food outlets and are considered to be appropriate in scale and design within the setting of the shopping centre and to the existing store itself.

As such, it is considered the development would be acceptable and comply with UDP Policy EN1/2.

Parking - The car park would be re-configured to improve circulation around the site area. A total of 49 parking spaces would be retained, including the designated disabled and parent and child spaces which would be located towards the front of the store for convenient access.

The layout of the parking area would not affect the other retail units which are located within this centre.

The highways section have raised no objection to the proposals and as such it would be in compliance with UDP Policy HT2/4.

Response to objectors -

- The proposed development would not affect the existing delivery arrangements or the

operations of the store. In terms of existing noise, disturbance and pollution from delivery vehicles, this is not a material planning consideration in respect of this application and would be a matter for the Environmental Health Pollution Control Section to investigate to deal with under other legislation.

- There are no proposed extractor units, fans or ancillary equipment proposed to the external elevations of the extension.

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 M1581-MID-100-101-102 Rev A-103-104 Rev A-105-106 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. 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 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 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.
4. Ground gas and/or contamination remedial measures shall be incorporated into the proposed development that are commensurate with those currently found within the existing property. These new measures shall be carried out without compromising the effectiveness of any existing remedial measures. Any variation or modification of existing or proposed remedial measures shall be submitted to, and approved in writing by the Local Planning Authority prior to development commencing, and;
A Remediation Verification Report for the new remedial measures, including any modification of existing measures, shall be submitted to and approved in writing by

the Local Planning Authority prior to first use or occupation.

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. The lighting shall be so positioned such that the filaments of any bulbs are not directly visible from nearby dwellings (including gardens).

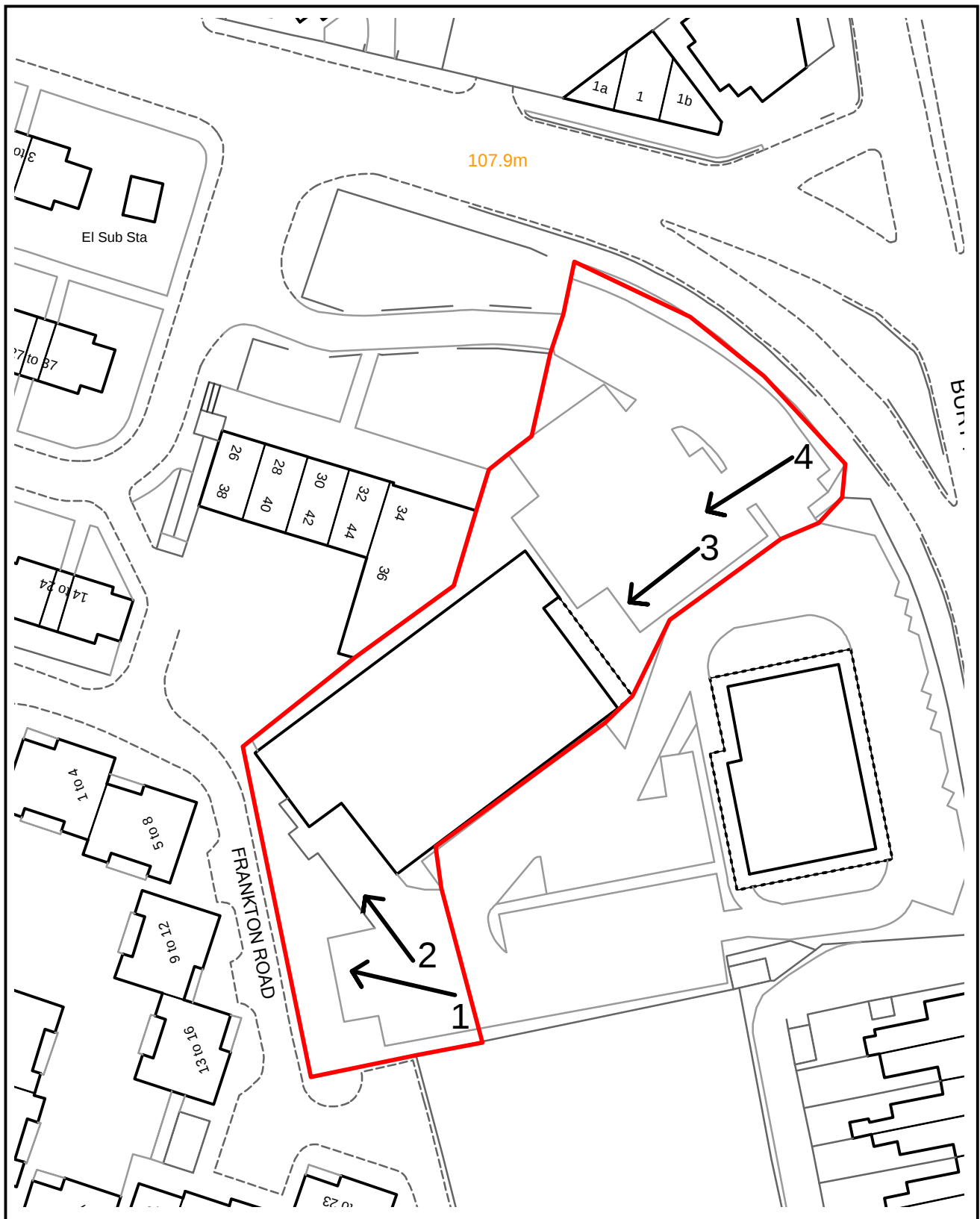
Reason. In the interests of residential amenity pursuant to Bury Unitary development Plan Policy EN7 Pollution Control.

6. Noise from or associated with the proposed activity/development hereby approved shall not increase the prevailing ambient noise levels.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Bury Unitary Development plan Policy EN7/2 - Noise pollution.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58890

**ADDRESS: Aldi Foodstore Ltd
Whitefield**



Bury
COUNCIL

Planning, Environmental and Regulatory Services 1:1250

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58890

Photo 1



Photo 2



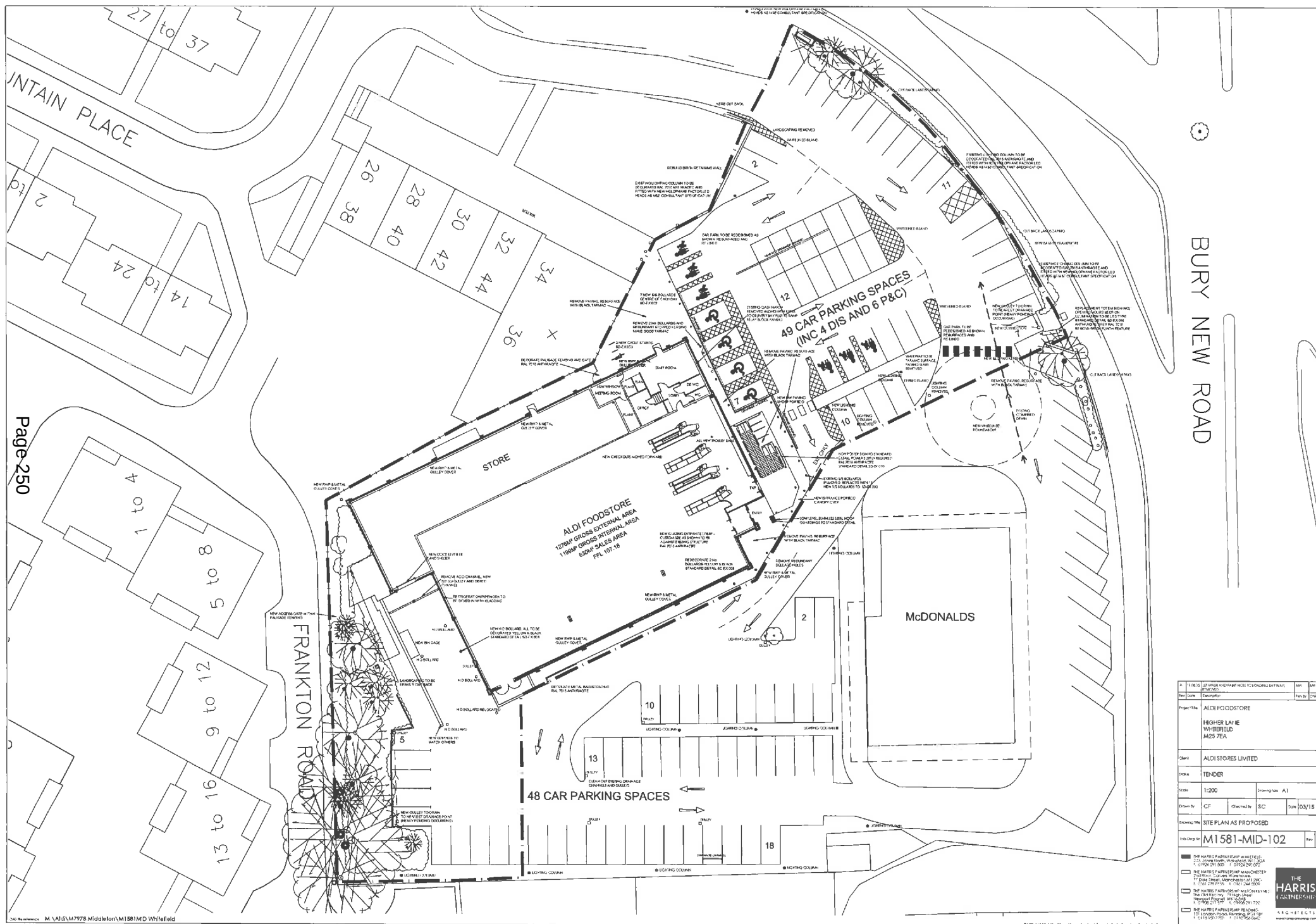
58890

Photo 3

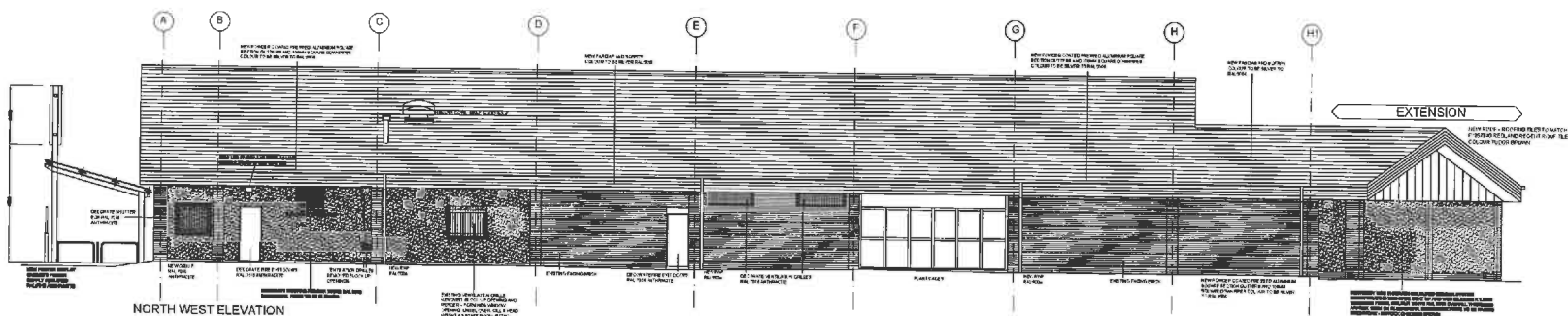
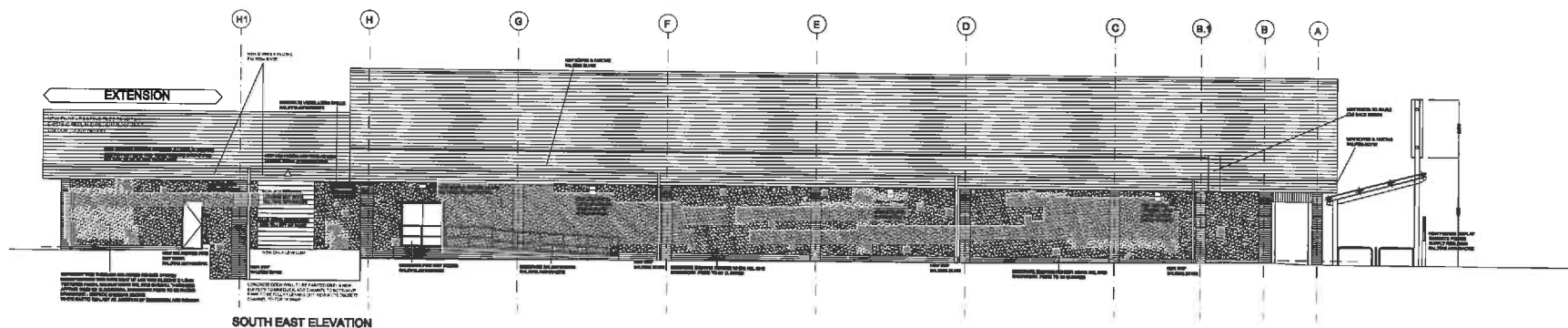
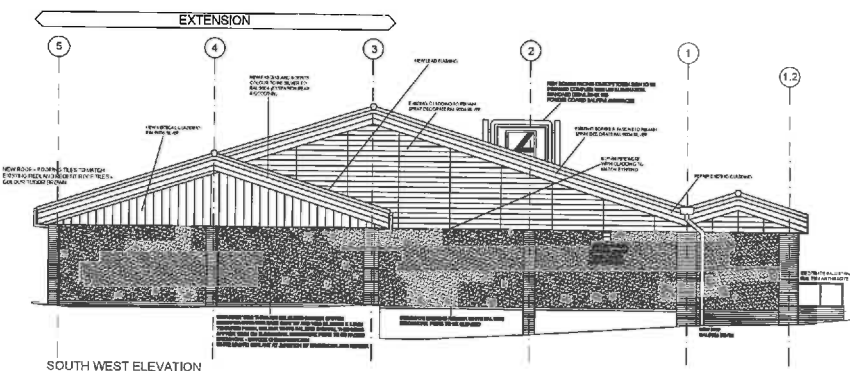


Photo 4





[illegible]

[illegible]

Ward: Whitefield + Unsworth - Pilkington Park

Item 16

Applicant: Mr Julian Niman

Location: 3 The Meadows, Old Hall Lane, Whitefield, Manchester, M45 7RZ

Proposal: Retention of amateur radio mast (max 12.2m) and associated antenna

Application Ref: 58947/Full

Target Date: 31/08/2015

Recommendation: Approve with Conditions

A site visit has been recommended by the Development Control Manager.

Description

The application relates to a two storey detached property on the western edge of Whitefield. There are residential properties to the north, south and east with open fields to the west. The rear garden is bounded by evergreen hedging (2m) along the shared side and rear boundaries with No.2 The Meadows to the north and Oak Barn and Laburnum Cottage to the east.

Properties on either side at Nos.2 and 4 The Meadows have main elevations and habitable room windows facing into their rear gardens. Oak Barn, the property adjacent to the rear garden boundary gained approval to be converted from an outbuilding into a dwelling in 1998 under planing reference 33779/98. The approved dwelling has ground floor kitchen and lounge windows facing the shared boundary at a distance of approximately 3.5m. At first floor level, overlooking the applicant's garden there are two bedroom windows.

The applicant obtained planning permission for a mast and antenna to be located in the rear garden in 1990 under reference 24256/90. The approved mast was a steel lattice frame extending to a maximum height of 40 feet (12.2m). In its unextended position, the mast was 20 feet high (6.1m). It was positioned in the southern side of the garden, close to the conservatory, now removed. The mast and antenna fell over during bad weather about 3 years ago. This extended period without the mast being replaced in its original position means that the planing permission effectively lapsed and as such there is no 'fallback' position.

The applicant erected the current mast and antenna in January 2015 without planning permission. Following complaints and enforcement investigations, this retrospective planning application was submitted in July.

The new extendable lattice mast is constructed of galvanised steel and is positioned in the northern half of the rear garden, approximately 4m from the rear elevation of the house. In its unextended state, the mast would be 6.1m and extend to 12.2m, similar to the previous mast. The antenna on top of the mast are interchangeable, depending on communication distances required. The base of the structure is 1.7m deep and secured in concrete.

The mast can be lowered to a horizontal position by way of a hinge mechanism in order to change or repair the antenna.

Relevant Planning History

Enforcement - 15/0036, 15/0046 and 15/0281 - Installation of aerial/antenna in rear garden - application received 08/07/2015

24256/90 - Erection of Radio mast and antenna - Approved

Publicity

The following four neighbours notified by letter dated 10/07/15. Nos.2 and 4 The Meadows,

Oak Barn and Laburnum Cottage, Old Hall Lane. Objections have been received from Nos.2 and 5 The Meadows, Oak Barn and Laburnum Cottage and are summarised below:

- The proposal is contrary to Council policy.
- The mast is an eyesore, very intrusive and inappropriate in this residential setting.
- It is too high and extends above the surrounding houses, dominating the skyline.
- It may not be safe - the previous mast fell over, damaged property and nearly caused injury.
- Serious health concerns.
- Interference to TV/telephone reception.
- Privacy concerns.
- The structure 'whistles' when it is windy.
- The plans are not accurate and the mast is higher with the antenna attached.
- Property prices will be detrimentally affected.
- Approving the mast will set a dangerous precedent.
- Loss of views from neighbouring properties.
- The previous mast was approved when the neighbouring houses were not there.

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

Consultations

None relevant.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
EN1/10	Telecommunications
EN7/2	Noise Pollution
EN1	Built Environment

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.

Policy and Guidance - Unitary Development Plan Policy EN1/10 Telecommunications states that the Council will give favourable consideration to proposals for new telecommunications developments. In assessing such proposals the Council will have regard to the following;

- the operating requirements
- legal requirements of code systems operators
- siting and design -including the opportunity for mast sharing or siting on existing buildings, height, ancillary development, landscaping, screening and the type and colour of materials.
- visual and physical impact on Green Belt and other environmentally sensitive areas.

EN1/2 Townscape and Built Design - The 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 will include:

- the external appearance and design of the proposal in relation to its height, scale, density and layout;

- the relationship of the proposal to the surrounding area;
- the choice and use of materials.

H2/3 Extensions and Alterations - Applications for house extensions and alterations will be considered with regard to the factors including:

- the size, shape, design and external appearance of the proposal;
- the character of the property in question and the surrounding area;
- the amenity of adjacent properties.

The National Planning Policy Framework states that there should be a presumption in favour of development unless material considerations indicate otherwise. In this case the material considerations focus on the impact of the mast and antenna on visual amenity and wider character of the area and residential amenity.

Section 5 of the NPPF relates to telecommunications infrastructure and focuses on the support for the more high speed broadband technology and other established communications networks rather than amateur radio operators.

However government guidance acknowledges that radio masts need to be high enough to be technically efficient. It is also recognised that applicants generally will not have the opportunity for using alternative sites or for sharing sites and masts will often need to be located on the premises.

Visual amenity and streetscape - In terms of views from the surrounding public realm, when retracted to its 6.1m height, the mast and antenna would be less visible from the surrounding roads than when it would be fully extended to over 12m which would be significantly above the surrounding houses. In its lowered position the mast, located relatively close to the rear elevation of the house would not be particularly visible from Old Hall Lane or Sergeant's Lane, to the south as it would be screened by surrounding houses and trees.

As it is extended above the houses, the upper sections of the lattice mast would be thinner and more transparent against the skyline which does feature other aerials, telegraph and street lighting poles. Whilst it clearly would be noticeable from surrounding roads, given its slender form, it is not considered that the mast would have a seriously detrimental impact on the character and appearance of the wider area.

The mast and aerial would have most impact on the immediate neighbours due to its proximity with the neighbours gardens and views from habitable rooms. In terms of the impact on the neighbour at No.2 The Meadows, whilst the structure would be clearly seen from the garden when looking south, views from habitable rooms are more oblique. The situation would be similar to neighbours on the other/south side. Longer distance views from flats at Rivington Court, further to the north would be tempered by the mast being set against the surrounding buildings and trees.

The house at Oak Barn, adjacent to the rear boundary has first floor bedroom windows facing towards the mast. Kitchen and lounge windows facing the boundary on the same elevation have views partly obscured by the existing fence and hedging. The relationship between Oak Barn and the applicant's house is unusual in that it has these habitable room windows in very close proximity to the boundary and increase overlooking.

Although the windows are not on a primary elevation, they are classed as habitable room windows and should be given suitable weight in any assessment of the application. The ground floor windows look onto the boundary which has significant screen planting in the form of an evergreen hedge to a height of approximately 2m with further planting extending above this on the Oak Barn side. Views from the bedrooms at first floor are direct and cannot be screened although the mast would be viewed against the backdrop of the applicant's house.

Interference and residential amenity - The government body, Ofcom controls licensing and governs the operation of radio telecommunications, including issues of interference. Notwithstanding this, the neighbour at No.2 The Meadows appeared to have some issue of interference but this has been overcome by moving the satellite dish along the rear elevation.

The operation to raise the mast, and the mast itself, does not result in any serious noise issues. In terms of residential amenity there are no serious issues of concern.

Health and safety and privacy - The main legislation governing the use of amateur radio apparatus is the Wireless Telegraphy Act 2006. The health and safety aspects relating to the radio mast, together with the potential issues regarding privacy, are not material planning considerations and are covered by other regulators and the licensing authority. It is noted that the applicant qualified as a licensed radio operator in 1972.

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

On balance, having given consideration to all the material considerations and representations from neighbours, it is considered that there are no overriding reasons to refuse permission for the retention of the mast and antenna in this location.

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.

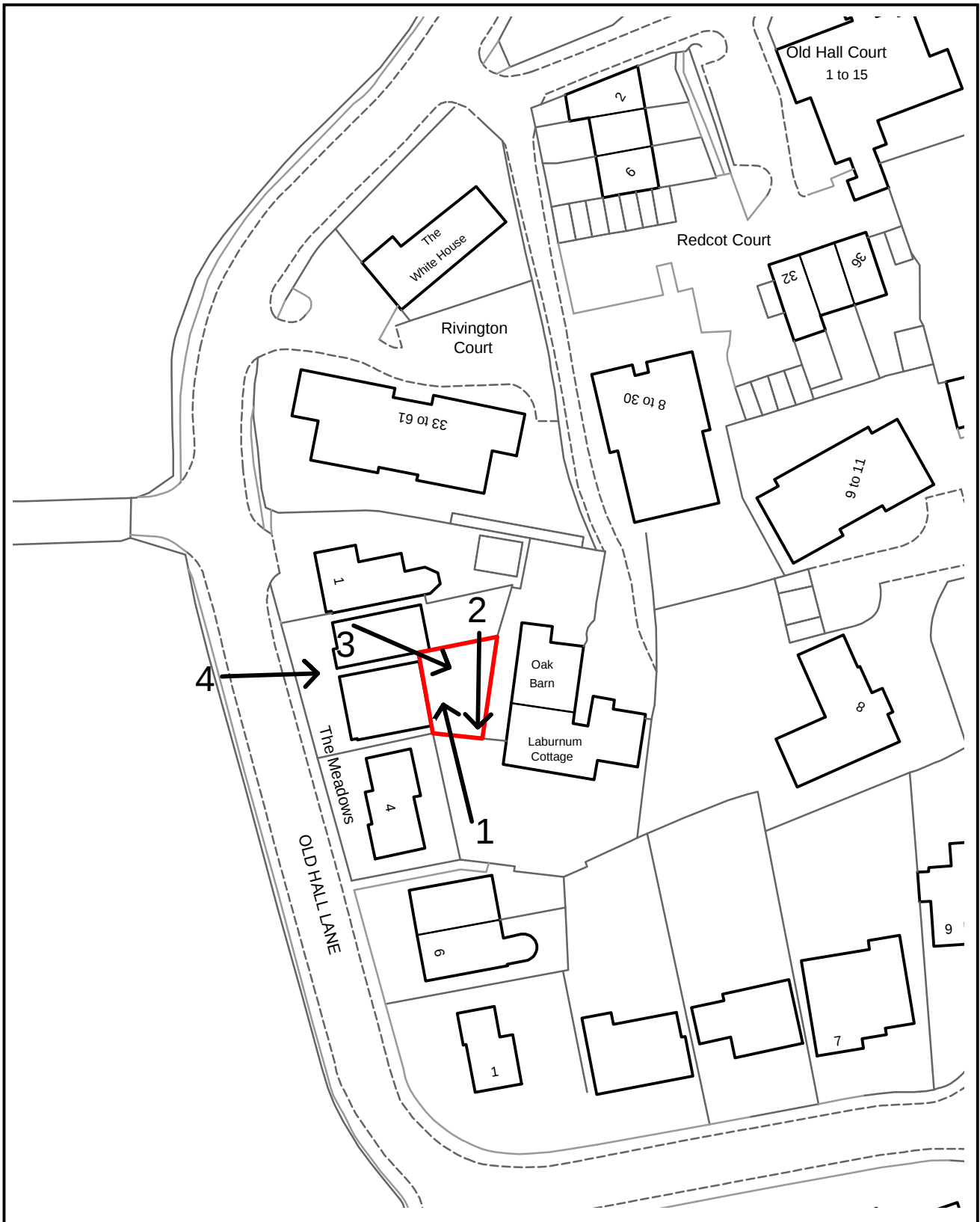
Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered T001, and P11 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 mast shall be maintained in its retracted state whilst the radio antenna are not in use.
Reason: In the interests of visual amenity pursuant to UDP Policy EN1/2 Townscape and Built Design.
3. The mast and antenna hereby approved shall be removed from site to the written satisfaction of the Local planning Authority within 1 month of it ceasing permanent operation.
Reason: In the interests of the visual amenity pursuant to 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 58947

**ADDRESS: 3 The Meadows
Old Hall Lane
Whitefield**

Planning, Environmental and Regulatory Services 1:1250



Bury
COUNCIL

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

58947

Photo 1



Photo 2



58947

Photo 3



Photo 4

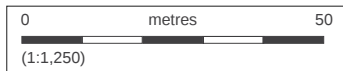




Site boundary



Ownership boundary



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This drawing is for illustrative purposes only and should not be used for any construction or estimation purposes. To be scaled for planning application purposes only.

No liability or responsibility is accepted arising from reliance upon the information contained within this drawing.



Project: **3 The Meadows, Old Hall Lane, Manchester**

Client: **Julian Niman**

Title: **Site Location Plan**

Project No: **NIMM3001** Scale: **1:1,250 @ A4**

Drawing No: **T001** Status: **Final**

Revision: **-** Date: **July 2015**

Turley

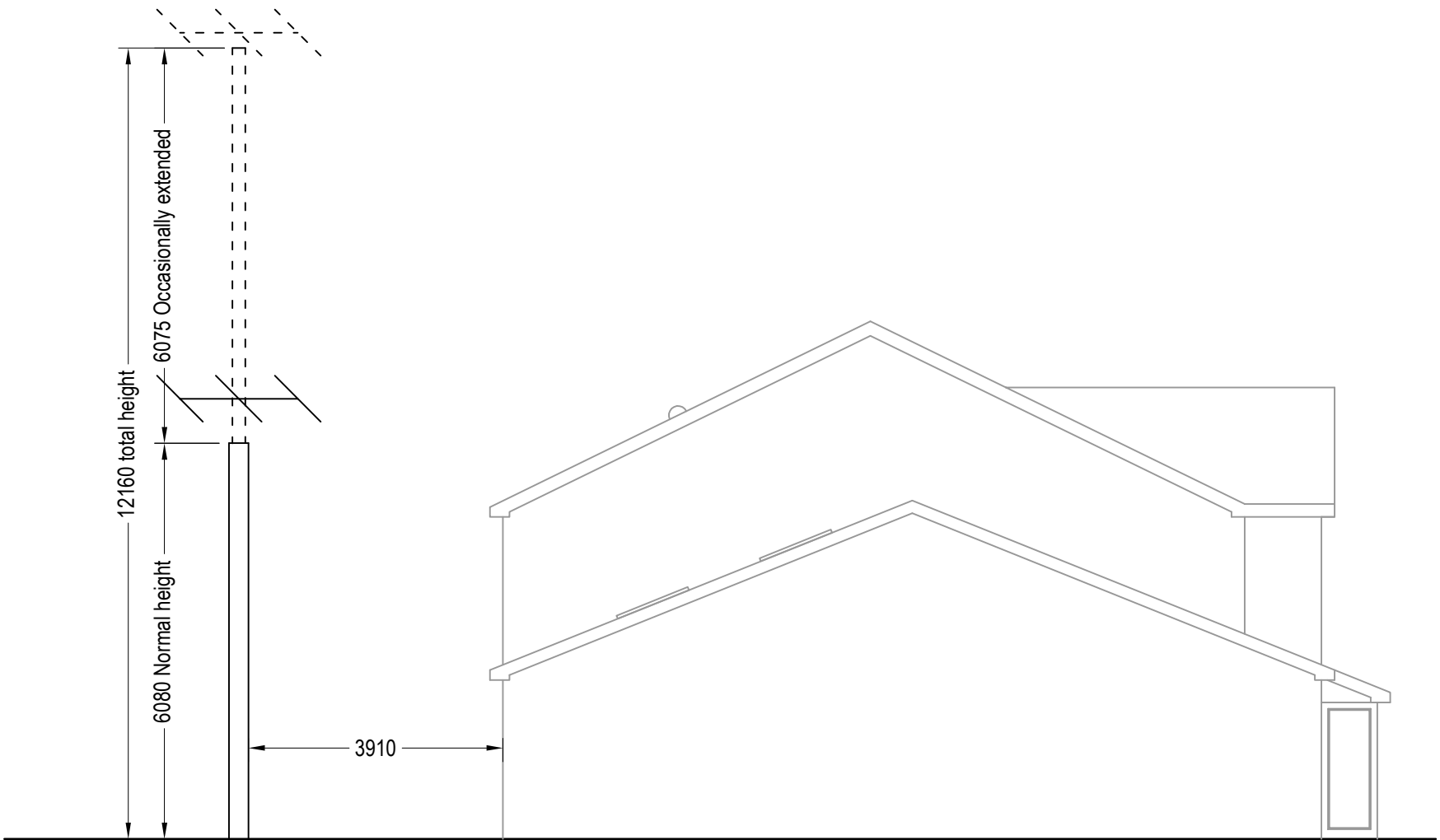
Construction (Design and Management) Regulations 2015

Designer Considerations

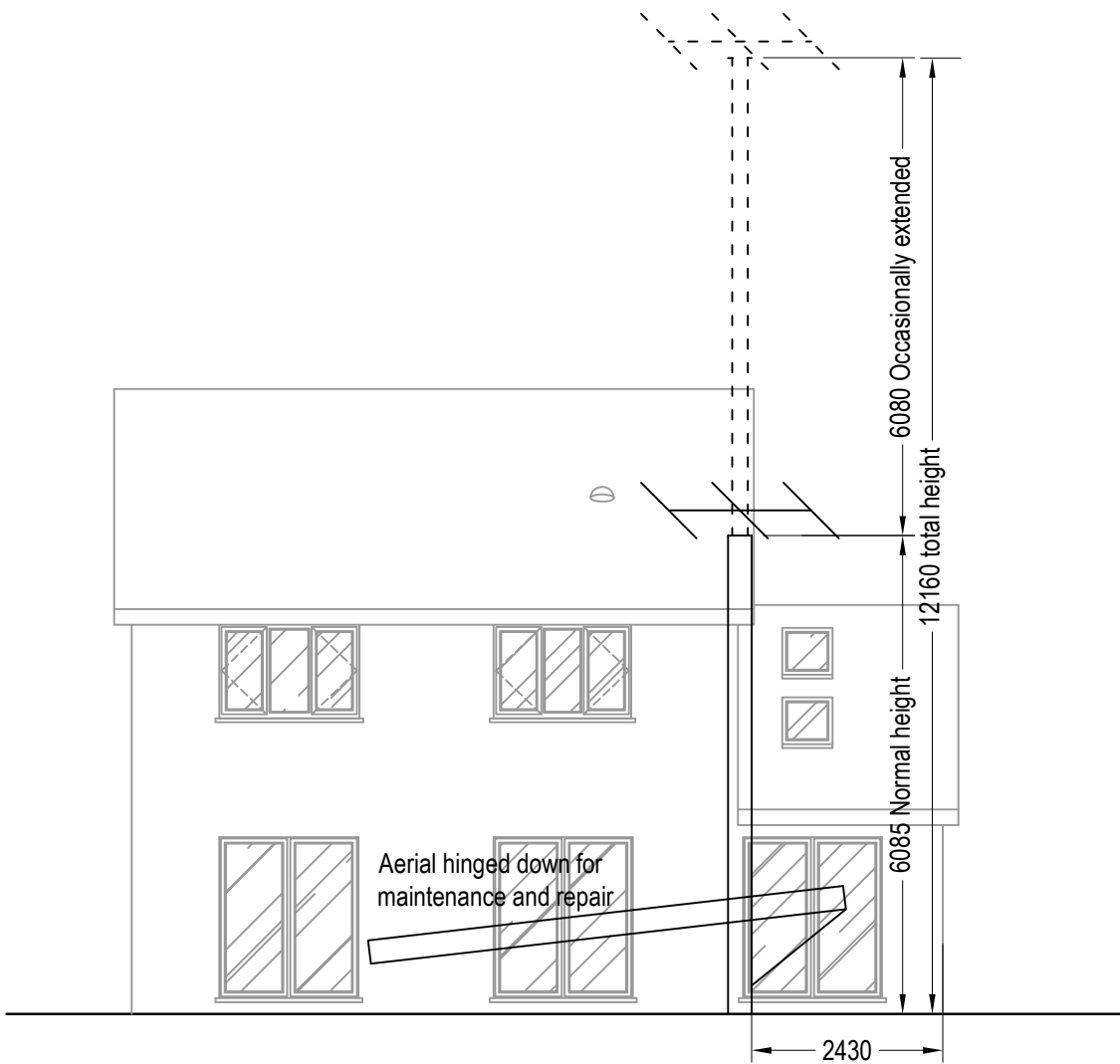
Walker Building Consultants Ltd (trading as Walker Design) rely on the project in that of "Designer" as defined by Regulation 2, and have avoided foreseeable risks to those involved in the construction and future use of the structure and in so doing identified hazards (as far as is reasonably practical, taking account of other design considerations) and reduced risks associated with those hazards.

The Designer has provided adequate information about any significant risks associated with the design and to coordinate the work with others in order to improve the way in which risks are managed and controlled.

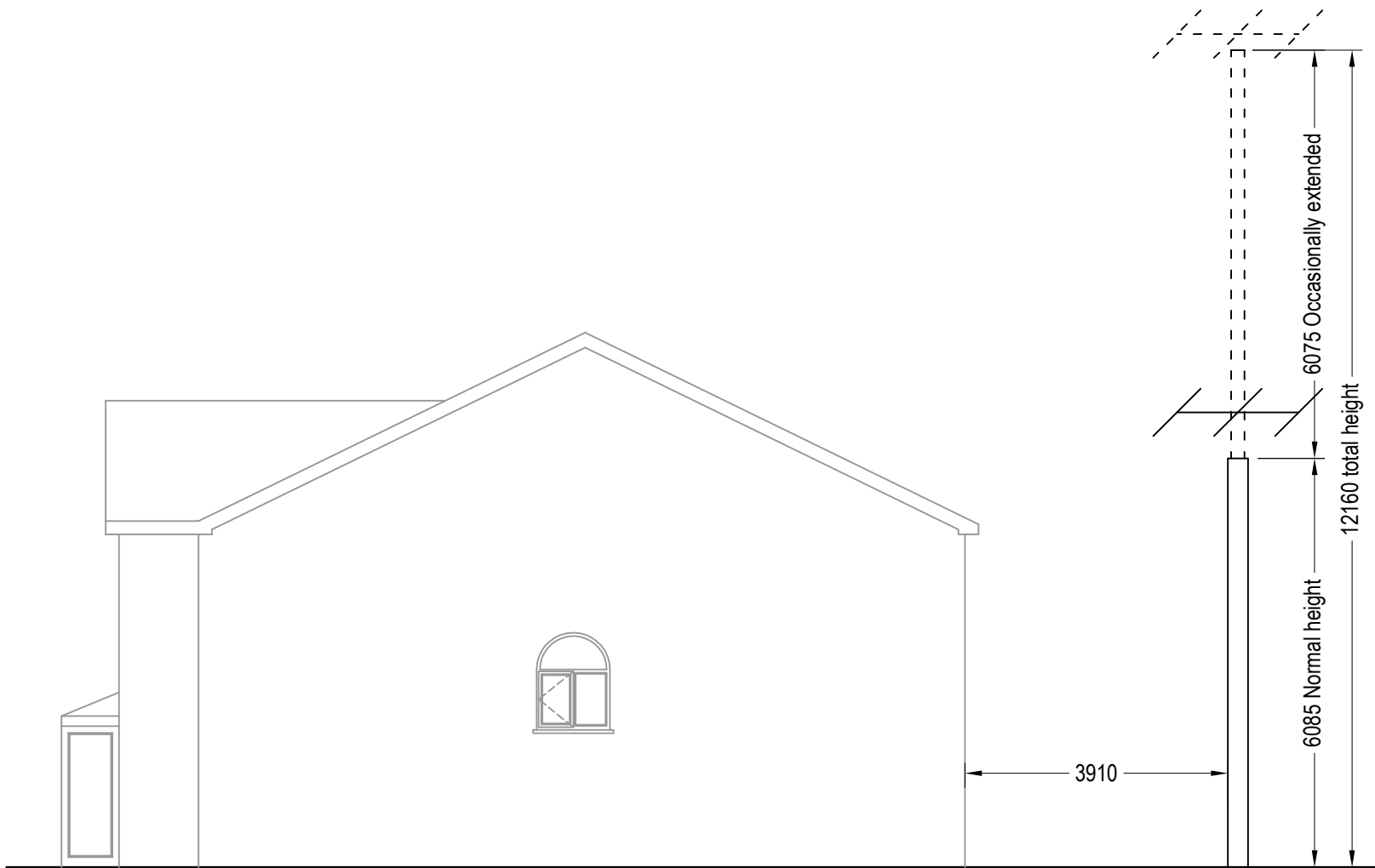
The associated risks are restricted to site or project specific risks and as such are not considered as a complete and final list of all hazards that may exist.



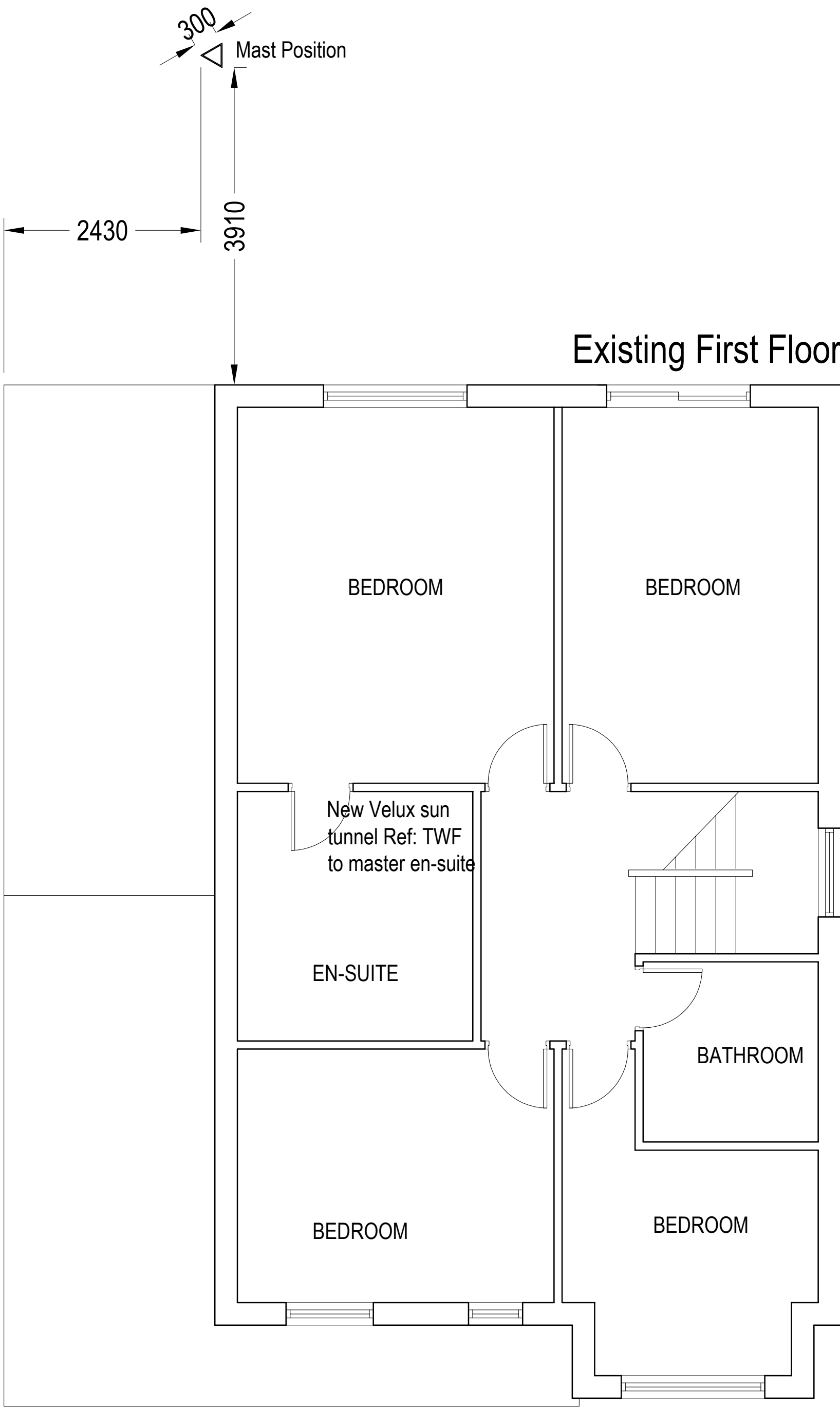
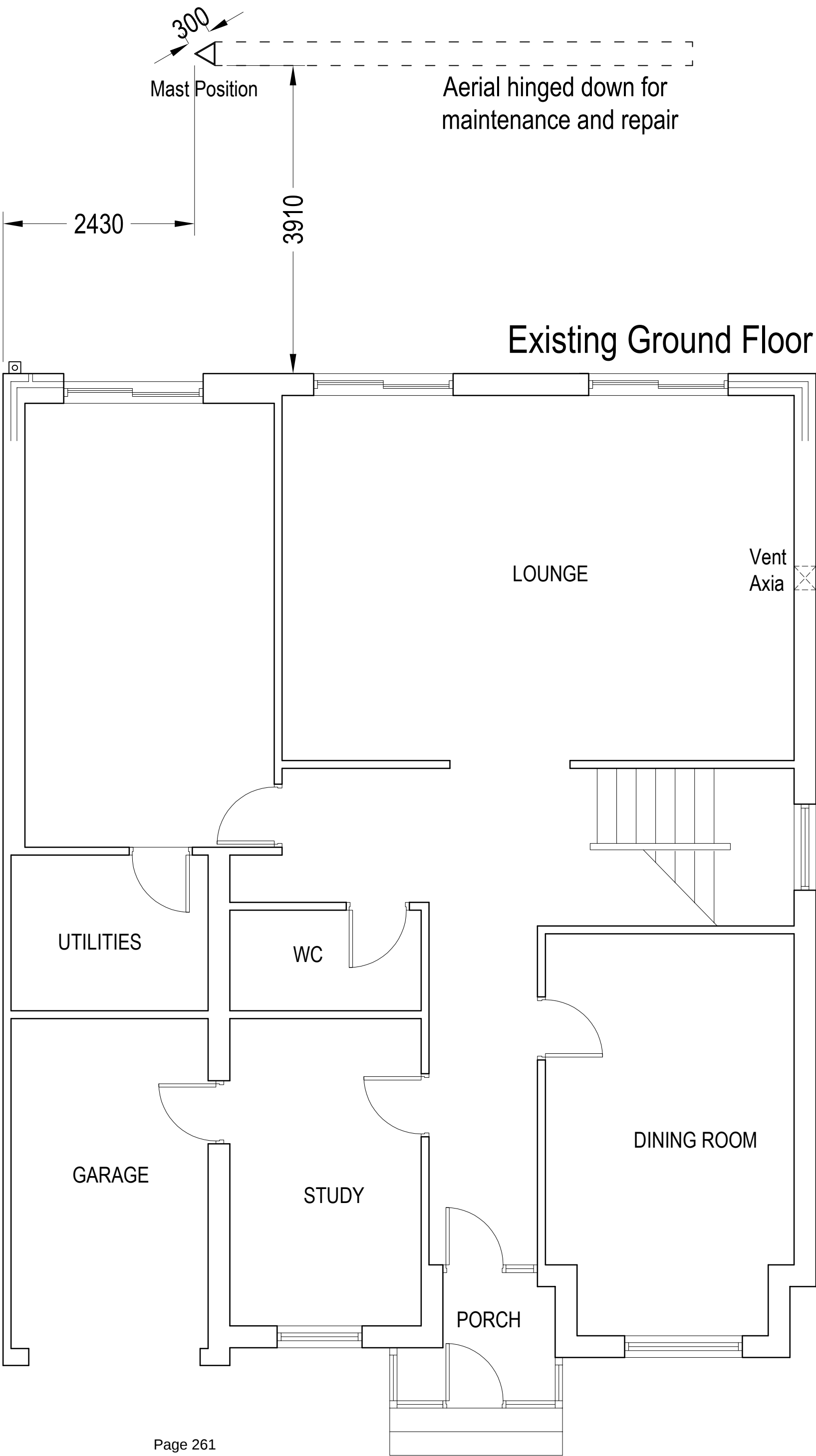
Left Elevation



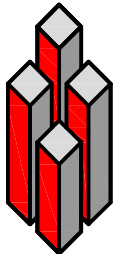
Rear Elevation



Right Elevation



Revision		Date	Initials
client:	project:	drawing:	
Mr. J Niman Whitefield	3 The Meadows Old Hall Lane Whitefield	Aerial Positioning Plans & Elevations	
project no:	drawing no:	revision:	drawn: checked: date: scale @ A1
1516	P.11	-	PJO - May 15 1:100 & 1:50



5.

Model 52-4S 4 Element Yagi



This is a direct scale of our 4 Element 2 meter Yagi.

Elements are 3/8" Solid Aluminum

Boom is 1" sq. Tube, Length is 115 inches (2 piece)

In Line (Direct Feed) Gamma Match with SO239 Connector

Instructions show how to adjust for a center frequency from 50 MHz. to 54 MHz.

(2:1 Bandwidth is over 4 MHz.)

(Maximum power is 150 Watts.)

Mounting Hardware included. (Stainless Steel and Zinc coated.)

Mounts horizontally or vertically on a mast up to 1 1/2 inches using our original saddle design or on a mast up to 2 inches using modified mounting plate and zinc u-bolts.

If you are mounting to a 1.5" mast or smaller, please order the antenna with saddles below. The u-bolts won't work as well for smaller mast diameter.

	Reviews: 15	Average rating: 4 1/5	MSRP: \$100.00
	Description: Covers 6 Meter Ham Band Maximum Gain 9 dBd Front / Back 20dB SWR > 1.5:1 * Easy to set up and use. Delivers outstanding results * Computer designed, SWR tunable * Can be horizontally or vertically polarized. * Uses standard 50 ohm coax with PL-259 terminals * Heavy Duty, weatherproof construction. * Boom is machined from 6061 T-6 Structural Square Aluminum Tube. * Elements are machined from 3/8" Solid aluminum round 6061 T-6 stock and attached to the boom with stainless steel hardware. * Clamps to masts up to 1 1/2" in diameter * Adjust for any frequency from 50 MHz. to 54 MHz. * Mounts Horizontal or Vertical * Elements grounded for lightning protection * Approx. Turning Radius 80 inches * Power Legal Limit * Approx. Wind Surface 2 SQ Feet Antenna is optimized for number of elements and size Use for 50-54 Mhz. Ham radio, or Packet Radio		
	Product is in production		

More info <http://bluestarantennas.com/sales/catalog/index.php>

More info <http://bluesantennas.com/sales/catalog/index.php>

You are purchasing (1) New Hy-Gain VB-64DX 50-54 MHz 6-Meter 4 Elements Beam Antenna.

This Antennna is a four element, 6 meter Beam optimum spaced for maximum forward gain. The beta match system allows the best possible match to coaxial cable with the broadest possible pass band.

This antenna includes stainless steel hardware for all electrical and most mechancial connections, and a boom-to-mast bracket that will fit masts up to 2-1/16 inches in diameter.

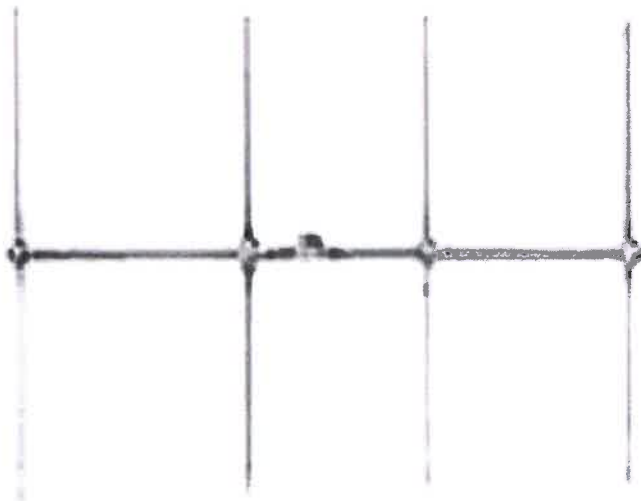
Specifications:

Electrical

Gain	10.35 dBi (8.2 dBd)
Front-to-Back Ratio	20-25 dB
Maximum Power Input to Antenna	500 W Avg., 1 kW PEP
VSWR (at resonance)	Less than 1.5:1
Impedance	50 ohms
Frequency Range	50-54 MHz
Electrical Boom Length	0.61 wavelength
Stacking Distance (H Plane)	0.64 wavelength (12' 6")

Mechanical

Longest Element	9' 11" (3.2 m)
Boom Length	12' (3.6 m)
Turning Radius	8' (2.4 m)
Net Weight	10 lbs. (4.5 kg)
Maximum Wind Survival	100 mph (161 kmph)
Mast Diameter	1-5/8" to 2-1/16" OD (41mm to 52 mm)
Boom Diameter	1-1/4"
Surface Area	1.1 sq. ft (0.102 sq. m)
Wind Load at 80 mph	28.1 lbs (12.7 kg)



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REPORT FOR DECISION

Agenda Item 5



Agenda
Item

5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	1 September 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 20/07/2015 and 23/08/2015



Ward: **Bury East**

Application No.: 58695 **App. Type:** FUL 27/07/2015 Approve with Conditions
Location: 140 Willow Street, Bury, BL9 7PS
Proposal: Change of use of part of residential dwelling (Class C3) to hairdressing business (Class A1)

Application No.: 58834 **App. Type:** FUL 14/08/2015 Approve with Conditions
Location: 42 Palace Street, Bury, BL9 7HQ
Proposal: Two/single storey extension at rear

Application No.: 58852 **App. Type:** LDCE 28/07/2015 Refused
Location: Units 1 & 2 Argos/Poundstretcher, Angouleme Retail Park, George Street, Bury, BL9 0QT
Proposal: Lawful development certificate for existing retail use (Class A1) without limitation

Application No.: 58864 **App. Type:** ADV 04/08/2015 Approve with Conditions
Location: Side elevation of Minden Parade, Millgate Centre, Bury, BL9 0QQ
Proposal: 1 no. internally illuminated fascia sign; 1 no. internally illuminated projecting sign; 1 no. non-illuminated car park sign; 1 no. non illuminated banner sign

Application No.: 58869 **App. Type:** LDCEP 20/07/2015 Lawful Development
Location: 381 Rochdale Road, Bury, BL9 7DB
Proposal: Lawful development certificate for proposed conversion of the hipped roof into a gable roof

Application No.: 58880 **App. Type:** ADV 14/08/2015 Approve with Conditions
Location: 36 The Rock, Bury, BL9 0NT
Proposal: 2 No. internally illuminated suspended chevron signs, 1 no. A0 suspended poster sign, 2 no. privacy window vinyls, 1 no. chevron window vinyl above ATM

Application No.: 58925 **App. Type:** FUL 14/08/2015 Approve with Conditions
Location: 75 Fourth Avenue, Bury, BL9 7RH
Proposal: Single storey extension at side and rear

Application No.: 58927 **App. Type:** AG 20/07/2015 Prior Approval Required and Refused
Location: 72 Shepherd Street, Bury, BL9 0RT
Proposal: Prior notification of proposed single storey extension at rear

Application No.: 58933 **App. Type:** FUL 14/08/2015 Approve with Conditions
Location: 2 Cook Street, Bury, BL9 0RP
Proposal: Change to front and side elevations; new shop fronts to new retail units (resubmission)

Application No.:	58960	App. Type:	FUL	20/08/2015	Approve with Conditions
Location:	7 St Thomas Court, Bury, BL9 7PW				
Proposal:	Two storey extension at side; extension of front canopy and extension of boundary wall at front.				

Application No.:	59015	App. Type:	TEL	17/08/2015	Prior Approval Not required
Location:	30 Oxford Street, Bury, BL9 7EL				
Proposal:	Prior notification for proposed single storey extension at rear				

Ward: Bury East - Moorside

Application No.:	58990	App. Type:	FUL	10/08/2015	Approve with Conditions
Location:	Next, Unit 2, Woodfield Retail Park, Peel Way, Bury, BL9 5BY				
Proposal:	Installation of additional glazing to ground floor and new glazing at first floor level				

Ward: Bury East - Redvales

Application No.:	58858	App. Type:	FUL	21/08/2015	Approve with Conditions
Location:	184 Alfred Street, Bury, BL9 9EG				
Proposal:	Two/single storey extension at side and rear and front porch (resubmission)				

Application No.:	58878	App. Type:	FUL	12/08/2015	Refused
Location:	102 Alfred Street, Bury, BL9 9ED				
Proposal:	Single storey extension at rear				

Application No.:	58896	App. Type:	FUL	12/08/2015	Approve with Conditions
Location:	14 Keswick Drive, Bury, BL9 9LT				
Proposal:	Demolition of existing outhouse and erection of single storey extension at side				

Application No.:	58904	App. Type:	FUL	04/08/2015	Approve with Conditions
Location:	626 Manchester Road, Bury, BL9 9SU				
Proposal:	Installation of extraction system at rear				

Application No.:	58958	App. Type:	FUL	21/08/2015	Approve with Conditions
Location:	24 Horne Street, Bury, BL9 9BW				
Proposal:	Single storey extension at rear				

Ward: Bury West - Church

Application No.:	58606	App. Type:	FUL	20/07/2015	Approve with Conditions
Location:	RTK Grab Hire Limited, Wellington Street, Bury, BL8 2BD				
Proposal:	Change of use of land to M.O.T service area and erection of single storey steel framed building with roller shutters doors for M.O.T testing/inspection and repairs				

Application No.:	58726	App. Type:	FUL	14/08/2015	Approve with Conditions
Location:	RTK Grab Hire, Wellington Street, Bury, BL8 2BD				
Proposal:	Erection of single storey warehouse and storage building with two storey office (Class (B1(a), B1(c), B8 uses) with parking and service yard				

Application No.:	58825	App. Type:	FUL	28/07/2015	Approve with Conditions
Location:	8 Dow Lane, Bury, BL8 2UT				
Proposal:	Two storey extension at side				

Application No.:	58849	App. Type:	FUL	31/07/2015	Approve with Conditions
Location:	8 Eccleston Close, Bury, BL8 2JF				
Proposal:	Variation of condition no.2 of approved planning permission 58479 to amend the approved plans to include a single storey rear extension				

Application No.:	58850	App. Type:	FUL	21/08/2015	Approve with Conditions
Location:	Icon Kitchen Studio Ltd, 115 Bolton Road, Bury, BL8 2NW				
Proposal:	Change of use from car showroom (Sui Generis) to kitchen showroom (Class A1)				

Ward: **Bury West - Elton**

Application No.:	58812	App. Type:	FUL	24/07/2015	Approve with Conditions
Location:	261 Brandlesholme Road, Bury, BL8 1DH				
Proposal:	Two storey extension at side and single storey extension at side/rear with raised decking area at front				

Application No.:	58847	App. Type:	FUL	10/08/2015	Approve with Conditions
Location:	28 Woodbank Drive, Bury, BL8 1DR				
Proposal:	Erection of garage at rear with new vehicular access (retrospective)				

Application No.:	58914	App. Type:	FUL	14/08/2015	Approve with Conditions
Location:	1 Oakham Close, Bury, BL8 1XJ				
Proposal:	Pitched roof to existing flat garage roof and front porch				

Application No.:	58930	App. Type:	GPDE	28/07/2015	Prior Approval Not required
Location:	3 Falmer Close, Bury, BL8 1YD				
Proposal:	Prior notification for single storey extension at rear				

Application No.:	58934	App. Type:	FUL	31/07/2015	Approve with Conditions
Location:	Walshaw Motor Bodies, Boholt Industrial Park, Walshaw Road, Bury, BL8 1PL				
Proposal:	Variation of condition no.2 (approved plans) of planning permission 57669 to move the spray booth one metre into the site				

Ward: **North Manor**

Application No.:	58735	App. Type:	FUL	21/07/2015	Approve with Conditions
Location:	Holcombe Brook Sports Club, Hazel Hall Lane, Ramsbottom, Bury BL0 9UP				
Proposal:	Variation of condition No.27 following grant of planning permission 53247 - variation of materials to be surfaced in areas of the car park (retrospective)				
Application No.:	58782	App. Type:	FUL	21/07/2015	Approve with Conditions
Location:	Holcombe Brook Sports Club, Hazel Hall Lane, Ramsbottom, Bury, BL0 9UP				
Proposal:	Variation of condition no. 3 of planning permission ref. 53247 to substitute drawing no. 11/227-22A Site Layout (retrospective)				
Application No.:	58798	App. Type:	FUL	14/08/2015	Approve with Conditions
Location:	19 Quarlton Drive, Tottington, Bury, BL8 4JY				
Proposal:	First floor extension at side above garage; Single storey extension at rear				
Application No.:	58816	App. Type:	FUL	28/07/2015	Approve with Conditions
Location:	17 Newton Drive, Tottington, Bury, BL8 4DH				
Proposal:	First floor extension over garage; dormer to side elevation; 3 no. windows to front and rear elevations; 4 no. rooflights to side elevation and decking to rear				
Application No.:	58856	App. Type:	FUL	31/07/2015	Approve with Conditions
Location:	415 Holcombe Road, Tottington, Bury, BL8 4HB				
Proposal:	Single storey extension at side to create double garage				
Application No.:	58873	App. Type:	FUL	31/07/2015	Approve with Conditions
Location:	Holcombe Brook Post Office, 59B Longsight Road, Ramsbottom, Bury, BL0 9TE				
Proposal:	First floor extension at side and two storey extension to sides and rear (resubmission)				
Application No.:	58892	App. Type:	FUL	12/08/2015	Approve with Conditions
Location:	35 Byron Road, Tottington, Bury, BL8 4EN				
Proposal:	First floor extension at side				
Application No.:	58897	App. Type:	FUL	12/08/2015	Approve with Conditions
Location:	39 Byron Road, Tottington, Bury, BL8 4EN				
Proposal:	First floor extension at side, front and rear				
Application No.:	58912	App. Type:	LDCP	20/07/2015	Refused
Location:	32 Larkfield Close, Tottington, Bury, BL8 4QJ				
Proposal:	Certificate of lawfulness for proposed first floor balcony to front/side to replace existing lean - to roof				
Application No.:	58994	App. Type:	AG	31/07/2015	Prior Approval Required and Granted
Location:	Windacre, Mather Road, Bury, BL9 6RB				
Proposal:	Prior Notification for the proposed erection of an agricultural building for the storage of agricultural equipment and machinery				

Application No.: 59023 **App. Type:** FUL 20/08/2015 Approve with Conditions
Location: 945 Walmersley Road, Bury, BL9 5LL
Proposal: Loft conversion with roof extension at side; Single storey extension at rear

Ward: **Prestwich - Holyrood**

Application No.: 58689 **App. Type:** FUL 21/07/2015 Approve with Conditions
Location: 5 Glebelands Road, Prestwich, Manchester, M25 1NE
Proposal: Replacement of timber windows with new UPVC windows to existing conservatory

Application No.: 58766 **App. Type:** FUL 27/07/2015 Approve with Conditions
Location: 23 Tamworth Avenue, Whitefield, Manchester, M45 6UH
Proposal: Single storey extension at front and side

Application No.: 58813 **App. Type:** FUL 24/07/2015 Approve with Conditions
Location: 1 Pine Grove, Prestwich, Manchester, M25 3DR
Proposal: Single storey extension at side and rear; Porch at front

Application No.: 58814 **App. Type:** LDCP 31/07/2015 Lawful Development
Location: 8 Ferndene Road, Prestwich, Manchester, M25 2RB
Proposal: Lawful development certificate for proposed single storey rear and side extension

Application No.: 58920 **App. Type:** FUL 14/08/2015 Refused
Location: 29 Mount Pleasant, Prestwich, Manchester, M25 2SD
Proposal: Dormers at front and rear; Single storey extension at rear

Application No.: 58928 **App. Type:** FUL 20/08/2015 Approve with Conditions
Location: 4 Lime Grove, Prestwich, Manchester, M25 3DX
Proposal: Two storey extension at side; Single storey extension at rear; Dormer at rear; Canopy at front

Application No.: 58983 **App. Type:** FUL 12/08/2015 Approve with Conditions
Location: 19 Hastings Road, Prestwich, Manchester, M25 1PF
Proposal: Two storey extension at side and conservatory at rear

Application No.: 58991 **App. Type:** LDCP 31/07/2015 Lawful Development
Location: 359 Heywood Road, Prestwich, Manchester, M25 2RW
Proposal: Certificate of lawfulness for proposed single storey rear extension

Ward: **Prestwich - Sedgley**

Application No.:	58677	App. Type:	FUL	28/07/2015	Refused
Location:	Land between 2 & 2a Mather Avenue, Prestwich, Manchester, M25 0ND				
Proposal:	Erection of two storey office building (Class B1)				
Application No.:	58796	App. Type:	FUL	20/07/2015	Approve with Conditions
Location:	51 Bishops Road, Prestwich, Manchester, M25 0HS				
Proposal:	Single storey extension at rear				
Application No.:	58804	App. Type:	FUL	28/07/2015	Approve with Conditions
Location:	144 Albert Avenue, Prestwich, Manchester, M25 0HE				
Proposal:	Single storey extension at front/side; Two storey extension at side/rear; Single storey extension at rear; Loft conversion with roof extension and dormers at front/rear; Raised area at rear with handrail and steps to garden level				
Application No.:	58837	App. Type:	FUL	31/07/2015	Refused
Location:	1 Links Crescent, Prestwich, Manchester, M25 0GG				
Proposal:	Part single/part two storey side extension and two storey rear extension and loft conversion including the creation of a front pitched roof dormer and a rear flat roof dormer.				
Application No.:	58842	App. Type:	FUL	31/07/2015	Refused
Location:	22 Hartley Avenue, Prestwich, Manchester, M25 0AT				
Proposal:	Two storey extension at side and rear; New roof to existing flat roof at rear; Loft conversion with roof extension at side and rear dormer; Front porch				
Application No.:	58861	App. Type:	FUL	04/08/2015	Approve with Conditions
Location:	1 Danesway, Prestwich, Manchester, M25 0ET				
Proposal:	Single storey extension at side				
Application No.:	58877	App. Type:	FUL	20/08/2015	Approve with Conditions
Location:	5 Heywood Road, Prestwich, Manchester, M25 1FB				
Proposal:	Creation of new vehicular access at front				
Application No.:	58883	App. Type:	FUL	28/07/2015	Approve with Conditions
Location:	76 Kings Road, Prestwich, Manchester, M25 0FY				
Proposal:	Creation of single storey shelter building to house ritual utensil cleansing tank				
Application No.:	58899	App. Type:	FUL	14/08/2015	Approve with Conditions
Location:	50 Parksway, Prestwich, Manchester, M25 0JB				
Proposal:	Single storey side and rear extension; Construction of brick garden shed				
Application No.:	58911	App. Type:	FUL	10/08/2015	Approve with Conditions
Location:	9 Windsor Road, Prestwich, Manchester, M25 0DZ				
Proposal:	Two storey side extension and single storey side extension with succah roof				

Application No.: 58917 **App. Type:** FUL 10/08/2015 Approve with Conditions
Location: 89 Windsor Road, Prestwich, Manchester, M25 0DB
Proposal: Single storey extension at rear; new shop front and external alterations to front elevation

Application No.: 58941 **App. Type:** FUL 20/08/2015 Approve with Conditions
Location: 3 Harrogate Avenue, Prestwich, Manchester, M25 0LT
Proposal: Single storey extension at rear

Application No.: 58942 **App. Type:** FUL 20/08/2015 Approve with Conditions
Location: 1 Harrogate Avenue, Prestwich, Manchester, M25 0LT
Proposal: Single storey extension at rear

Application No.: 58943 **App. Type:** FUL 13/08/2015 Approve with Conditions
Location: 8 Windsor Crescent, Prestwich, Manchester, M25 0DD
Proposal: Conservatory at rear

Application No.: 59001 **App. Type:** FUL 20/08/2015 Approve with Conditions
Location: 14 East Meade, Prestwich, Manchester, M25 0JJ
Proposal: Single storey extension at front/side and rear

Application No.: 59007 **App. Type:** FUL 20/08/2015 Approve with Conditions
Location: 24 Danesway, Prestwich, Manchester, M25 0FS
Proposal: Single storey side extension and reduction of existing two storey and single storey rear extensions

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

Application No.: 58320 **App. Type:** FUL 10/08/2015 Approve with Conditions
Location: Heathlands Residential Home, Heathlands Drive, Prestwich, Manchester, M25 9SB
Proposal: Single storey extension; New timber decking and associated landscaping; Erection of posts and fencing

Application No.: 58795 **App. Type:** ADV 20/07/2015 Approve with Conditions
Location: 492 Bury New Road, Prestwich, Manchester, M25 7AN
Proposal: Replacement signage including 3 no. non-illuminated fascia signs and 1 no. window plaque

Application No.: 58817 **App. Type:** FUL 31/07/2015 Refused
Location: 30 Shakespeare Road, Prestwich, Manchester, M25 9GW
Proposal: Two storey extension at side, single storey extensions at side and rear, first floor extension at rear and front porch

Application No.: 58838 **App. Type:** FUL 04/08/2015 Approve with Conditions
Location: 1 Vernon Drive, Prestwich, Manchester, M25 9RA
Proposal: Single storey rear extension with new roof at rear

Application No.:	58875	App. Type:	FUL	10/08/2015	Refused
Location:	4 Gardner Road, Prestwich, Manchester, M25 3HS				
Proposal:	First floor extension at rear				
Application No.:	58888	App. Type:	FUL	24/07/2015	Approve with Conditions
Location:	2 Sherbourne Street, Prestwich, Manchester, M25 3BB				
Proposal:	Change of use of first floor from offices (Class B1) to tattoo studio (Sui Generis)				
Application No.:	58908	App. Type:	FUL	10/08/2015	Approve with Conditions
Location:	Dun A Ri, Poplar Drive, Prestwich, Manchester, M25 9XE				
Proposal:	New front porch and single storey side extension				
Application No.:	58949	App. Type:	FUL	20/08/2015	Approve with Conditions
Location:	159 Bury New Road, Prestwich, Manchester, M25 9PJ				
Proposal:	Single storey extension at rear; Ground floor veranda with glass roof at rear; Loft conversion with dormer at rear				
Application No.:	58951	App. Type:	FUL	20/08/2015	Approve with Conditions
Location:	28 Duckworth Road, Prestwich, Manchester, M25 9QH				
Proposal:	Raised decking at rear (part retrospective)				
Application No.:	58959	App. Type:	FUL	21/08/2015	Refused
Location:	49 Agecroft Road East, Prestwich, Manchester, M25 9RQ				
Proposal:	Two storey extension at side/rear and single storey extension at rear				
Ward:	Radcliffe - East				
Application No.:	58308	App. Type:	REG3	07/08/2015	Approve with Conditions
Location:	Radcliffe Hall Primary School, Bury Street, Radcliffe, Manchester, M26 2GB				
Proposal:	Demolition of link corridor, staff accommodation, prefabricated teaching block structure and dining/kitchen block; Construction of 3 no. classrooms and associated accommodation, new main hall/dining, new main school kitchen and toilets; General external works including construction of new bin store and enlargement of car park area; Creation of new pitched roof and canopy to form focal point for new main school entrance				
Application No.:	58802	App. Type:	FUL	20/07/2015	Approve with Conditions
Location:	25 Sycamore Drive, Radcliffe, Manchester, M26 4SA				
Proposal:	Extension of existing garage to form double detached garage				
Application No.:	58821	App. Type:	FUL	20/07/2015	Approve with Conditions
Location:	72 Water Street, Radcliffe, Manchester, M26 4DF				
Proposal:	Change of use of first floor from store to residential accommodation; Alterations to shop front				

Application No.: 58831 **App. Type:** FUL 20/07/2015 Approve with Conditions
Location: Radcliffe Hall Kindergarten And Day Nursery, 2/4 Sandford Street, Radcliffe, Manchester, M26 2PT
Proposal: Re-roofing of building

Ward: Radcliffe - North

Application No.: 58217 **App. Type:** FUL 04/08/2015 Approve with Conditions
Location: Bradley Fold Garden Centre, Bradley Fold Road, Radcliffe, Bolton, BL2 5QD
Proposal: Erection of building for use as warehouse and bio-mass boiler house and fuel store; Creation of new vehicular access onto Radcliffe Moor Road

Application No.: 58720 **App. Type:** FUL 14/08/2015 Approve with Conditions
Location: 299A Ainsworth Road, Radcliffe, Manchester, M26 4HA
Proposal: Change of use of offices and flat to form 3 no. self contained flats at first floor (resubmission)

Application No.: 58791 **App. Type:** FUL 20/07/2015 Refused
Location: 32 Cockey Moor Road, Bury, BL8 2HB
Proposal: Widening of existing driveway with boundary wall and gates at front

Application No.: 58793 **App. Type:** FUL 20/07/2015 Approve with Conditions
Location: 6 Kentsford Drive, Radcliffe, Manchester, M26 3XX
Proposal: First floor extension at side with ground floor roof link across to garage

Application No.: 58900 **App. Type:** FUL 12/08/2015 Approve with Conditions
Location: 48 Burghley Drive, Radcliffe, Manchester, M26 3XY
Proposal: Erection of front porch

Application No.: 58926 **App. Type:** AG 21/07/2015 Prior Approval Required and Refused
Location: Arthur Lane Nurseries, Arthur Lane, Radcliffe, Bolton, BL2 5PW
Proposal: Prior Notification for the proposed extension to existing shed for the storage of horticultural products

Application No.: 58957 **App. Type:** FUL 20/08/2015 Approve with Conditions
Location: 49 Browns Road, Radcliffe, Bolton, BL2 6RQ
Proposal: Erection of timber summerhouse at rear

Application No.: 59029 **App. Type:** FUL 20/08/2015 Approve with Conditions
Location: 78 Boundary Drive, Radcliffe, Bolton, BL2 6RU
Proposal: New front porch and removal of first floor bay window

Ward: Radcliffe - West

Application No.:	58753	App. Type:	FUL	21/07/2015	Approve with Conditions
Location:	Land on South Side of Stopes Road, Radcliffe, Bolton, BL3 1NP				
Proposal:	Proposed new access to existing trailer park; resurfacing of existing trailer park and erection of 2.4 metres high boundary fencing				

Application No.:	58806	App. Type:	FUL	21/08/2015	Approve with Conditions
Location:	136 Stand Lane, Radcliffe, Manchester, M26 1GS				
Proposal:	Change of Use of 1st floor to residential (4 apartments); 2 storey extension at rear; Alterations to access at front and side (Ramp, steps and handrails); New parking arrangements; New Shop front				

Application No.:	58815	App. Type:	FUL	28/07/2015	Approve with Conditions
Location:	1 Wood Hey Close, Radcliffe, Manchester, M26 3XN				
Proposal:	Two storey extension at front/side				

Application No.:	59084	App. Type:	LDCP	14/08/2015	Lawful Development
Location:	105 James Street, Radcliffe, Manchester, M26 1LP				
Proposal:	Certificate of lawfulness for proposed single storey rear extension				

Ward: Ramsbottom + Tottington - Tottington

Application No.:	58794	App. Type:	FUL	24/07/2015	Approve with Conditions
Location:	Elton High School, Walshaw Road, Bury, BL8 1RN				
Proposal:	Erection of new substation and enclosure to the substation and bin store				

Application No.:	58839	App. Type:	FUL	28/07/2015	Approve with Conditions
Location:	25 Cotswold Crescent, Bury, BL8 1QJ				
Proposal:	First floor side extension				

Application No.:	58841	App. Type:	FUL	31/07/2015	Approve with Conditions
Location:	Beechwood House, Bury Road, Tottington, Bury, BL8 3DS				
Proposal:	Two storey extension to west elevation; Single storey extensions to south elevation; Porch to north elevation; Detached double garage and render to the northern elevation and elements of the western elevation.				

Application No.:	58853	App. Type:	FUL	11/08/2015	Approve with Conditions
Location:	Elton High School, Walshaw Road, Bury, BL8 1RN				
Proposal:	Variation of condition no.13 of approved planning application 58279 to read "The development hereby approved shall be carried out in accordance with the surface water drainage scheme on Drawing Number (52)001 Rev P10 and implemented prior to the first occupation of the development hereby approved and thereafter maintained in accordance with the approved details. Reason. To reduce the risk of flooding and ensure the satisfactory treatment of surface water drainage 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 Flood Risk."				

Application No.: 58887 **App. Type:** FUL 04/08/2015 Approve with Conditions
Location: Bleakholt Animal Sanctuary, Bury Old Road, Ramsbottom, Bury, BL0 0RX
Proposal: Variation of condition no. 2 (approved plans) of planning permission 57591 to use prefabricated corrugated roofing sheet to match other roofs

Application No.: 58891 **App. Type:** FUL 06/08/2015 Approve with Conditions
Location: 16 Laburnum Avenue, Tottington, Bury, BL8 3NQ
Proposal: Front and rear dormer roof extensions

Application No.: 58944 **App. Type:** GPDE 31/07/2015 Prior Approval Not required
Location: 6 Wentworth Avenue, Bury, BL8 1PZ
Proposal: Prior notification for a proposed single storey extension at the rear

Application No.: 58953 **App. Type:** GPDE 31/07/2015 Prior Approval Not required
Location: 17 Hilda Avenue, Tottington, Bury, BL8 3JE
Proposal: Prior notification for proposed single storey extension at rear

Application No.: 58961 **App. Type:** LDCEP 20/07/2015 Lawful Development
Location: 34 Moyse Avenue, Tottington, Bury, BL8 3BL
Proposal: Lawful development certificate for proposed single storey extension to rear of property

Application No.: 58984 **App. Type:** FUL 20/08/2015 Approve with Conditions
Location: 41 Wellbank Street, Tottington, Bury, BL8 3HX
Proposal: Loft conversion with dormers at front and rear; Single storey extension at rear; Porch extension at front

Ward: Ramsbottom and Tottington - Ramsbottom

Application No.: 58678 **App. Type:** FUL 24/07/2015 Approve with Conditions
Location: Tower View, Lumb Carr Road, Ramsbottom, Bury, BL8 4NN
Proposal: Demolition of existing brick out-building and erection of stone out-building to contain a gymnasium

Application No.: 58755 **App. Type:** FUL 20/07/2015 Approve with Conditions
Location: 174 Whittingham Drive, Ramsbottom, Bury, BL0 9NY
Proposal: New detached garage at the front; Garage conversion

Application No.: 58851 **App. Type:** FUL 31/07/2015 Approve with Conditions
Location: 11 Dalton Close, Ramsbottom, Bury, BL0 9SG
Proposal: Single storey extension at rear

Application No.: 58867 **App. Type:** FUL 14/08/2015 Approve with Conditions
Location: Hoof Farm, Bury Old Road, Bury, BL9 6SY
Proposal: Single storey extension at rear/side with decking area at rear

Application No.: 58870 **App. Type:** FUL 24/07/2015 Approve with Conditions
Location: Carr Wood, 58 Carr Bank Avenue, Ramsbottom, Bury, BL0 9DW
Proposal: Erection of 1 no. detached dwelling (resubmission of 56385)

Application No.: 58881 **App. Type:** FUL 06/08/2015 Refused
Location: 49 Dundee Lane, Ramsbottom, Bury, BL0 9HL
Proposal: Loft conversion with side and rear dormers and external alterations (resubmission)

Application No.: 58916 **App. Type:** FUL 20/08/2015 Approve with Conditions
Location: 236 Whalley Road, Shuttleworth, Ramsbottom, Bury, BL0 0EF
Proposal: Roof extension with front and rear dormers to form attic room; External alterations to include new window/door openings and balcony at side

Application No.: 58931 **App. Type:** ADV 20/08/2015 Approve with Conditions
Location: Site of Ramsbottom Cottage Hospital, Nuttall Lane, Ramsbottom, Bury, BL0 9JZ
Proposal: 2 No. non-illuminated free standing signs

Application No.: 58999 **App. Type:** CON 11/08/2015 Raise No Objection
Location: Gate House Farm, Bamford Road, Shuttleworth, Bury, BB10 0RT
Proposal: Article 18 consultation from Rossendale BC (ref. 2015/0241) for installation of 1 no. endurance X-35 wind turbine with a height to blade tip of 48m

Ward: Whitefield + Unsworth - Besses

Application No.: 58826 **App. Type:** REG3 24/07/2015 Approve with Conditions
Location: Ribble Drive County Primary School, Ribble Drive, Whitefield, Manchester, M45 8TD
Proposal: Single storey extension at front & alterations to pedestrian access

Application No.: 58872 **App. Type:** FUL 21/08/2015 Approve with Conditions
Location: 144 Bury Old Road, Whitefield, Manchester, M45 6AT
Proposal: Single storey rear store room extension

Application No.: 58940 **App. Type:** FUL 12/08/2015 Approve with Conditions
Location: 47 Albert Drive, Whitefield, Manchester, M45 8AG
Proposal: Two storey extension at side

Ward: Whitefield + Unsworth - Pilkington Park

Application No.: 58780 **App. Type:** FUL 24/07/2015 Approve with Conditions
Location: 1 Lower Croft, Whitefield, Manchester, M45 7NS
Proposal: Single storey extension at side and pitched roof to existing flat roof extension at side/rear

Application No.: 58797 **App. Type:** FUL 24/07/2015 Approve with Conditions
Location: 7 Ashbourne Grove, Radcliffe, Manchester, M45 7NL
Proposal: Single storey extension and extension/pitched roof to existing garage to elevation facing Ashbourne Grove

Application No.: 58808 **App. Type:** FUL 04/08/2015 Approve with Conditions
Location: 72 Ashbourne Grove, Radcliffe, Manchester, M45 7WL
Proposal: Single storey extension at rear

Application No.: 58885 **App. Type:** ADV 06/08/2015 Approve with Conditions
Location: Aldi Foodstore Ltd, Higher Lane, Whitefield, Manchester, M45 7EA
Proposal: 1 no. internally illuminated LED Canopy Totem sign above store entrance; 1 no. LED illuminated Totem sign and 1 no. non illuminated poster display cabinet adjacent store entrance.

Application No.: 58901 **App. Type:** TEL 22/07/2015 Prior Approval Not required
Location: 100 Radcliffe New Road, Whitefield, Manchester, M45 7WQ
Proposal: Prior notification for single storey extension at rear

Application No.: 58932 **App. Type:** FUL 20/08/2015 Approve with Conditions
Location: 3 Ashbourne Grove, Radcliffe, Manchester, M45 7NL
Proposal: First floor and single storey extension at rear

Application No.: 58937 **App. Type:** FUL 14/08/2015 Approve with Conditions
Location: 28 Church Lane, Whitefield, Manchester, M45 7NF
Proposal: Single storey extension at rear

Application No.: 58966 **App. Type:** FUL 21/08/2015 Approve with Conditions
Location: 10 Ringley Road, Whitefield, Manchester, M45 7LB
Proposal: Installation of gates and widening of entrance to path

Application No.: 59010 **App. Type:** LDCP 20/08/2015 Lawful Development
Location: 11 Ashbourne Grove, Whitefield, Manchester, M45 7NL
Proposal: Certificate of lawfulness for proposed dormer loft conversion with gable end build-up.

Ward: Whitefield + Unsworth - Unsworth

Application No.: 58811 **App. Type:** FUL 28/07/2015 Approve with Conditions
Location: 117 Rufford Drive, Whitefield, Manchester, M45 8PD
Proposal: Single storey extension at side; New porch and canopy at front; New pitched roof to existing detached garage and conversion to playroom(resubmission)

Application No.: 58830 **App. Type:** FUL 24/07/2015 Approve with Conditions
Location: Whitefield Methodist Church, Elms Street, Whitefield, Manchester, M45 8GQ
Proposal: Installation of accessible ramp at side; New accessible door in existing doorway

Application No.: 58894 **App. Type:** FUL 14/08/2015 Refused
Location: 16 Alnwick Drive, Bury, BL9 8BZ
Proposal: Single story extension to Granny Annexe at rear

Application No.: 58924 **App. Type:** FUL 14/08/2015 Approve with Conditions
Location: Jackson Fold Farm, Pilsworth Road, Bury, BL9 8QZ
Proposal: Redevelopment of existing cottage/stables into 1 no. dwelling and 11 no. replacement stables with gardens, shared access and car parking

Application No.: 58964 **App. Type:** GPDE 31/07/2015 Prior Approval Not required
Location: 13 Bramall Close, Bury, BL9 8LQ
Proposal: Prior notification for proposed single storey extension at rear

Application No.: 58977 **App. Type:** FUL 20/08/2015 Approve with Conditions
Location: 1 Goodison Close, Bury, BL9 8JY
Proposal: Single storey extension at side/rear

Total Number of Applications Decided: **125**

REPORT FOR DECISION

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	1 September 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:	Planning Appeals: - Lodged - Determined Enforcement Appeals - None to report
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims / Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality / Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING / PROCESS

DIRECTOR:

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

1.0 BACKGROUND

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

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

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-

Contact Details:-

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**Planning Appeals Decided
between 20/07/2015 and 23/08/2015**



Application No.: 57082/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr George Bretherton

Location: Gorsey Brow Farm, Fern Grove, Bury, BL9 6SS

Proposal: Erection of 1 no. dwelling

Appeal Decision: Dismissed

Date: 29/07/2015

Appeal type: Informal Hearing

Appeal Decision

Hearing held on 16 June 2015

Site visit made on 16 June 2015

by Tom Cannon BA DIP TP MRTPI

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

Decision date: 29 July 2015

Appeal Ref: APP/T4210/W/14/3001924

Gorsey Brow Farm, Chesham Road, Bury BL9 6SS

- 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 George Bretherton against the decision of Bury Metropolitan Borough Council.
 - The application Ref 57082, dated 8 January 2014, was refused by notice dated 14 August 2014.
 - The development proposed is the erection of a new farmhouse.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. As confirmed in the Statement of Common Ground (SCG), the Council are no longer seeking a financial contribution towards the provision of recreational facilities. This accords with national policy, published on 28 November 2014 in the Written Ministerial Statement (WMS), and guidance in the Planning Practice Guidance (PPG) that affordable housing and tariff style obligations should not be sought for small scale residential schemes. I have determined the appeal on this basis.

Background

3. Gorsey Brow Farm is located in the Green Belt to the north of Bury. Access to the site is via an existing driveway and public right of way, linking the farm to Ferngrove East, which runs parallel to the M66 motorway. The existing farmhouse forms part of a range of traditional former agricultural buildings, which are arranged around a central courtyard and have been converted into residential dwellings. Gorsey House, a large detached stone property to the south of this cluster of development is currently in use as a children's home. All of these buildings are within Mr Bretherton's ownership along with the surrounding land at Gorsey Brow Farm. I understand that the residential conversions are all currently occupied, with the properties rented out to tenants with leases ranging between 12 months and 5 years in length.
4. In total the agricultural holding comprises of approximately 27.83 hectares of land, which is predominately used for haylage and 'contract bailing'. The appellant and his teenage daughter have also introduced a rare pig breeding enterprise involving imported 'Belgian Pietrain' pigs. Currently there are approximately 30 pigs on site associated with this aspect of the business,

which has recently expanded through investment in new, and improvements to existing buildings at the farm. In addition, 150 sheep are bought every autumn, over wintered on the land and then sold at auction the following spring. The appellant confirmed at the Hearing that his family have worked the land at Gorsey Brow Farm for some time.

5. It is proposed to site the new agricultural workers dwelling on an area of rough hardstanding, to the east of the existing residential properties, and to the south of three modern steel framed agricultural buildings.

Main Issues

6. Based on all that I have seen, read and the discussion at the Hearing, I consider that the main issues in this case are:
 - Whether the proposal is inappropriate development in the Green Belt;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect on the character and appearance of the countryside; and
 - If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm is clearly outweighed by other considerations, so as to amount to very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

7. Paragraphs 89 and 90 of the National Planning Policy Framework (the Framework) sets out the forms of development which are not inappropriate within the Green Belt. The Framework establishes in paragraph 89 that new buildings within the Green Belt are inappropriate unless, amongst other things, they are buildings for agriculture and forestry. Saved Policy OL 1/2 of the UDP closely aligns with the Framework, advising that development is inappropriate, unless it is for one or more of the listed purposes, including agriculture and forestry.
8. The appellant suggests that the appeal development involves the erection of an agricultural workers dwelling and should therefore be considered as a new building for agricultural purposes. However, to my mind the proposal has been designed as a dwelling and is intended to be used primarily for residential purposes. Moreover, the principal requirement for the new dwelling is to meet the needs of the appellant's partner who suffers from a degenerative medical condition. Consequently, the proposal would not therefore constitute a new building for agriculture or forestry. As such, the new dwelling would represent inappropriate development in the Green Belt, which according to paragraph 87 of the Framework is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness

9. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. The land despite being roughly covered in hardcore and informally used to store agricultural machinery is currently free

from built development. The appeal scheme would introduce a spacious four bedroom property with rooms in the roof space. With external dimensions of 12 metres by 15 metres the footprint of the property would be particularly large. Thus, due to the undeveloped nature of the existing land, and its extensive footprint, bulk and mass, the new dwelling would reduce the openness of the Green Belt. As such, the proposed dwelling causes some material harm to the openness of the Green Belt and would conflict with paragraph 79 of the Framework.

Character and appearance of the Countryside

10. The proposed dwelling would be sited to the south and east of large, steel farmed agricultural buildings and the two storey residential conversions. It would therefore be viewed as part of a group of buildings rather than an individual structure within the countryside. Although the development would partially obscure views of the countryside to the east, from the public right of way which extends through the farm, this would only occur for a small section of the footpath, with clear and interrupted vistas available along the remainder of the route. Glimpses of the dwelling would also be available from the M66 motorway and countryside to the south and west of the site. However, the visual impact of the new property could be further mitigated from this direction through additional landscaping, a matter which could be secured by condition.
11. Thus, the appeal development would not have a detrimental impact on the visual amenity of the countryside or the Special Landscape Area. In this respect the scheme would accord with Saved Policy EN1/1 of the UDP and one of the core planning principles that planning should recognise the intrinsic character of the countryside.

Other Considerations

Essential need

12. In the interests of sustainable development, paragraph 55 of the Framework indicates that isolated homes within the countryside should be avoided. The Framework states that one of the few special circumstances for permitting such homes within the countryside is to meet an essential need for a rural worker to live permanently at, or near, their place of work in the countryside.
13. The Framework does not provide any guidance on what constitutes an essential need. It seems to me that in order to determine whether a need is both essential and permanent it is necessary to establish whether there is a physical need for someone to be on site most of the time (e.g. to care for animals or work the land), but also whether the operation itself has reasonable long term prospects such that it can be regarded as permanent.
14. The Council accept that there is a functional need for a full-time worker to reside on site in connection with the agricultural enterprise at Gorsey Brow Farm. They also agree that the business operated by Mr Bretherton is financially viable, and the proposed dwelling would be of an appropriate size. Given the scale of the existing enterprise, the financial information provided and the size of the appellant's family, I see no reason to disagree with the Council's stance on the above matters.
15. Annex A of Planning Policy Statement 7: *Sustainable Development in Rural Areas* (PPS7) states that permanent agricultural dwellings shall only be allowed

if the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned. The Council's Development Control Policy Guidance Note 8 – *New Buildings & Associated Development in the Green Belt* 2007 (DCGN8) also refers readers to the tests contained in Annex A to PPS7, including the above requirement.

16. Although, as pointed out by the appellant, PPS7 is no longer extant, this consideration, in my judgement, can still be regarded as a material consideration and has some pertinence in relation to this case. The potential availability of alternative accommodation to meet the 'essential need' of the appellant and his family is also fundamental to assessing whether very special circumstances have been demonstrated to outweigh the identified harm to the Green Belt from the proposed new dwelling.

Alternative accommodation

17. The appellant, his partner and two children, aged 14 and 19 currently reside in a converted barn at Gorsey Brow Farm. The property is situated facing the courtyard and comprises of a lounge, kitchen/diner, sun room, office, utility/boot room and WC on the ground floor, with two bedrooms and a bathroom at first floor level. It is agreed that prior to the appellant's partner being diagnosed with a degenerative medical condition, this property met the 'essential need' of Mr Bretherton as a rural worker, to live permanently at his place of work in the countryside.
18. I recognise that the proposed new dwelling would be sited immediately adjacent to the barns housing the rare breed pig enterprise. I also understand that the appellant on one occasion has lost piglets shortly after birth due to delays in reaching the animals from the existing farmhouse. However, this property is only about 65 metres away from the main farm buildings housing the pigs, and in my view is therefore in a location which fulfils the functional requirements of the holding.
19. The other converted barns at Gorsey Brow Farm are currently rented out by the appellant. Mr Bretherton also lets out the substantial detached property, Gorsey House to the south of the main complex. It was confirmed at the Hearing that some of these units are on 12 month leases. Consequently, alternative accommodation could potentially become available on site within a relative short time frame which could meet the needs of the appellant and his family.

Personal circumstances and suitability of the existing farmhouse

20. Ms Taylor, the appellant's partner suffers from autoimmune disease, a condition where the immune system attacks healthy cells within the body. Ms Taylor confirmed that she has good and bad days. On a bad day she is unable to climb the stairs within the existing house and uses a wheelchair to get about. When outside the house Ms Taylor requires a stick or mobility scooter to move around. Currently, Mr Bretherton, their two teenage children and the couples' older daughter and her husband, who also reside at Gorsey Bank Farm, provide support with Ms Taylor's medical needs. Whilst she does not currently receive regular care at home from medical professionals, I understand it is inevitable, that due to the nature of Ms Taylor's condition she will require a live in carer in the future.

21. As a consequence of Ms Taylor's medical condition the lounge of the farmhouse is used as a bedroom. Although the property has a ground floor WC this is restricted in size and therefore unable to be adapted for use by Ms Taylor. I also observed that the staircase is steep, making access difficult to the first floor bathroom. The installation of a stair lift would also restrict access for other occupiers of the house, due to the narrow width of the staircase. Consequently, the existing layout of the property presents difficulties for Ms Taylor, a situation, given the nature of her condition that is only likely to increase in the future.
22. I am mindful that an occupational health assessment has not been undertaken to establish whether the property could be adapted to meet Ms Taylor's needs. Moreover, whilst the appellant has pointed to issues with the construction and layout of the building which could make alterations to the farmhouse difficult, I have also not been provided with a detailed structural report to confirm this.
23. It has been suggested by the Council that the property could potentially be extended to the rear to provide the necessary accommodation. I was able to observe during my site visit that the farmhouse has a single storey utility/boot room to the side of the main two storey element of the property. By enlarging the doorway to this room, it would be possible to provide access wide enough to accommodate a wheel chair. This would also enable access to a potential rear extension without affecting the main part of the property. I therefore see no reason why an appropriately designed single storey rear extension could not be constructed providing the two additional ground floor bedrooms and a bathroom which could be required for Ms Taylor and a carer in the future. Level access to the existing kitchen/diner and lounge could also be available from a rear extension. Furthermore, such an extension could potentially be constructed under permitted development rights without requiring planning permission.
24. Concerns have been raised by the appellant regarding how materials used in the construction of any future extension would be transported to the rear of the farmhouse. Whilst I accept there is no external access to the property, Mr Bretherton owns the surrounding land and could therefore make temporary access arrangements to the rear of the farmhouse.
25. For the above reasons, and based on the evidence put before me in this appeal, I conclude that the existing house could be adapted to meet both Ms Taylor's existing and future needs. Thus, whilst I am sympathetic to Ms Taylor's personal circumstances, the unsuitability of the existing farmhouse does not weigh in favour of the scheme.

Human rights

26. The appellant and his partner clearly have a right to a comfortable life as possible. The provision of a new purpose built dwelling would clearly provide benefits to Ms Taylor. Nevertheless, in view of my conclusions on the potential alternative accommodation and suitability of the existing farmhouse at Gorsey Brow Farm, the dismissal of this appeal would not breach the requirements of Article 1 of the First Protocol of the Convention, as incorporated by the Human Rights Act 1998. In such circumstances, it is also unlikely that it would be necessary for the appellant to sell the farm and abandon the business.

Other matters

27. Conditions limiting the occupation of both the existing and new dwelling to a person solely or mainly working, or last working in the locality in agriculture or forestry, or a widow or a widower of such a person, or any resident dependants have been suggested by the parties. The appellant has indicated that his 14 year old daughter would occupy the farmhouse in the future, with the remainder of the family living in the proposed new dwelling. However, as his daughter is a minor she would not currently comply with the proposed condition. As such, the proposed condition would not be reasonable and fail to satisfy the tests in paragraph 206 of the Framework.

Conclusions

28. The proposal would be inappropriate development and the Framework establishes that substantial weight should be given to any harm to the Green Belt. The scheme would also result in some harm to the openness of the Green Belt, to which I attach some weight.
29. On the other hand, some limited weight is attached to the personal circumstances of Ms Taylor and her right to a comfortable life as possible. However, as I have found that the existing farmhouse could potentially be adapted to meet her needs, alternative accommodation on the farm could become available within the short to medium term, and in view of the harm I have identified above to the public interest, when applying the proportionality test, the dismissal of the appeal would not disproportionately impact on Ms Taylor's human rights. Such considerations do not therefore clearly outweigh the totality of harm which is the test that they have to meet. Consequently, very special circumstances do not exist. For the reasons given the overall conclusion is that the appeal should fail.

T Cannon

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr John Hodkinson	Agent
Mr George Bretherton	Appellant
Ms Suzette Taylor	Appellant's Partner
Mr Stuart Rothwell	Thompson Designs, agent for original planning application

FOR THE LOCAL PLANNING AUTHORITY:

Mr Tom Beirne	Senior Planning Officer Bury Council
Mr Michael Whitehead	Senior Planning Officer Bury Council
Mr Paul Knight	Planning Technical Support Bury Council

DOCUMENTS SUBMITTED AT THE HEARING

1. Signed and dated Statement of Common Ground