

AGENDA FOR

PLANNING CONTROL COMMITTEE

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

To: All Members of Planning Control Committee

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

Dear Member/Colleague

Planning Control Committee

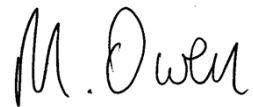
You are invited to attend a meeting of the Planning Control Committee which will be held as follows:-

Date:	Tuesday, 24 November 2015
Place:	Peel Room, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	<p>If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.</p> <p>The Head of Development Management will brief the Committee on any changes made to the Planning Applications to be considered since the issue of the Agenda. This information will be circulated to Members and made available to the public on the Council's Website on the day of the meeting.</p>
Notes:	<p>Food will be available from 5.00 pm (Balcony Bar). Pre-meeting briefing/virtual site visits at 5.45 pm (Lancaster Room). Details of site visits/Member training will be circulated separately for the information of Members and Officers.</p>

The Agenda and Reports for the meeting are attached.

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

Yours sincerely

A handwritten signature in black ink that reads "M. Owen". The letters are cursive and fluid.

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 27 OCTOBER, 2015 *(Pages 1 - 4)*

4 PLANNING APPLICATIONS *(Pages 5 - 166)*

a SUPPLEMENTARY AGENDA *(Pages 167 - 180)*

5 DELEGATED DECISIONS *(Pages 181 - 192)*

A report from the Head of Development Management on recent delegated planning decisions since the last meeting of the Planning Control Committee held on 27 October, 2015.

6 PLANNING APPEALS *(Pages 193 - 198)*

A report from the Head of Development Management on recent planning appeal decisions since the last meeting of the Planning Control Committee held on 27 October, 2015.

7 TREE PRESERVATION ORDER CONFIRMATION *(Pages 199 - 206)*

A report from the Head of Development Management providing confirmation of a temporary Tree Preservation Order on land at Walshaw Hall.

8 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: 27 October, 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, C Preston,
A Quinn, R Skillen and Y Wright

Public attendance: 8 members of the public were in attendance

**Apologies for
absence:** -

PCC.411 DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

PCC.412 MINUTES

Delegated decision:

That the Minutes of the meeting held on 29 September, 2015 be approved as a correct record and signed by the Chair.

PCC.413 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: 58866; 58985; 59111; 51913; 59202; and 59224.

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

Councillor Tariq spoke as ward representative on planning application 558866.

Prior to the Committee meeting, a Site Visit had taken place in relation to Planning Application 59051.

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:

58866 Site of former Fishpool County Infants School, Parkhills Road, Bury - Bury East - Redvales Ward
Residential development - 8 no. dwellings

Note: The decision to Approve with Conditions is subject to the amendment of the following conditions, to read as follows:-

Condition 2: This decision relates to drawings numbered 14037-LP, 14047-101, 14047-102 Rev B, 14047-103, 14047-104 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.

Condition 11: The car parking indicated on approved plan reference 14047-102 Revision B shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied and thereafter maintained at all times

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

59051 116 Bury New Road, Whitefield, Manchester - Whitefield & Unsworth - Besses Ward

Retrospective application for change of use of part of ground floor from offices (A2) to taxi booking office (Sui Generis)

59111 Bury Art Gallery, Moss Street, Bury - Bury East Ward

Listed building consent to extend the temporary consent for sculptures installed in the alcoves at the front of the sculpture centre and library entrance to 5 years

59193 Site of former Whittaker House, Parsonage Street/Whittaker Street, Radcliffe, Manchester - Radcliffe East Ward

Erection of two storey residential building comprising 6 no. supported living apartments (Class C3)

59202 111 Bury Old Road, Prestwich, Manchester - Prestwich - Sedgley Ward

Single storey extension at side; Two storey extension at rear; Entrance porch at front/side; External works and 2 no. additional parking spaces

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:

Planning Control Committee, 27 October 2015

58985 Site of Hartshead Works, Deal Street, Bury - Bury East Ward

Demolition of existing buildings and residential development comprising 39 no. dwellings (15 no. houses and 24 no. apartments), new access from Deal Street, car parking and landscaping

59224 The Hollins, Haweswater Crescent, Bury - Whitefield & Unsworth - Unsworth Ward

Substitution of house types to plots 3, 4, 11, 20 & 21 following grant of planning permission ref. 56860

PCC.414 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.415 PLANNING ENFORCEMENT

A report from the Head of Development Management was submitted which provided statistical information on Enforcement activity between 1 July, 2015 and 30 September, 2015.

Councillor Black congratulated the Enforcement team for their work and progress made given the staffing reductions within the team and the increased workload.

The Head of Development Management provided a verbal update on the two prosecution cases currently being dealt with by the Council's Legal Section. It was reported that the results of the cases would be reported in the next Enforcement report to be submitted to the Committee.

Delegated decision:

That the report be noted.

PCC.416 ANY OTHER BUSINESS

The Head of Development Management informed the meeting that, since the publication of the Agenda, a Planning Appeal had been submitted to the Planning Inspectorate in relation to Planning Application 58807, the outcome of which would be reported at the next scheduled meeting of the Committee.

Planning Control Committee, 27 October 2015

The Committee were informed that the Government were increasing the planning performance threshold for Councils to 50% and increasing the bar on the processing of major applications. The Government had asked

that the Planning Advisory Service (PAS) work with the top 10 performing Authorities on best practice to assist the least performing Authorities following the publication of the quarterly returns by the Government. Bury were second in the list of top performing Authorities and had been involved in a recent meeting with other top performing authorities. Members of the Committee discussed the outcomes of this meeting including the possibility of reviewing the current practice of Officer report's on delegated decisions.

**CHAIR
COUNCILLOR SUSAN SOUTHWORTH**

(Note: The meeting started at 7.00 pm and ended at 7.55 pm)

Title	Planning Applications
To:	Planning Control Committee
On:	24 November 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. 58832
	Location: The Hearth Of The Ram, 13 Peel Brow, Ramsbottom, Bury, BL0 0AA	
	Proposal: Extension to existing car park and landscaping of land adjacent	
	Recommendation: Minded to Approve	Site Visit: N
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02	Township Forum - Ward: Ramsbottom + Tottington - Tottington	App No. 58848
	Location: Site of former Berry's Garden Centre, Turton Road, Tottington, Bury, BL8 3QA	
	Proposal: Erection of 1 no. dwelling	
	Recommendation: Approve with Conditions	Site Visit: Y
<hr/>		
03	Township Forum - Ward: Whitefield + Unsworth - Besses	App No. 58918
	Location: Land adjacent to 15 Prestfield Road, Whitefield, Manchester, M45 6BD	
	Proposal: Erection of 33 no. apartments in 2,3 & 4 storey blocks with associated parking and a detached dwellinghouse.	
	Recommendation: Minded to Approve	Site Visit: Y
<hr/>		
04	Township Forum - Ward: Bury East	App No. 59161
	Location: Unit 1, Yarwood Street, Bury, BL9 7AU	
	Proposal: Change of use of ground/first floor from shop/workshop to community centre (Class D1); Two storey extension at front/side; External alterations to include new entrance and roller shutters; Alterations to form car park	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
05	Township Forum - Ward: Radcliffe - North	App No. 59217
	Location: Site of former garage colony off Mosley Street/Hampson Fold, Radcliffe, Manchester, M26 4PF	
	Proposal: Erection of 2 no. semi detached dwellings (resubmission)	
	Recommendation: Approve with Conditions	Site Visit: N
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06	Township Forum - Ward: Whitefield + Unsworth - Pilkington Park	App No. 59238
	Location: 5 Bleakley Street, Whitefield, Manchester, M45 7GU	
	Proposal: Rebuilding and alterations to form ancillary residential annex for use as dependent person accommodation (resubmission)	

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

07 Township Forum - Ward: Bury West - Elton **App No.** 59266

Location: Unit F Bornmore Industrial Centre, Leigh Lane, Bury, BL8 1NR
Proposal: Retrospective application for vehicle dismantling and recycling
Recommendation: Approve with Conditions **Site Visit:** N

08 Township Forum - Ward: Bury East - Redvales **App No.** 59279

Location: Bury Grammar School Playing Fields, Buckley Wells, Bury, BL9 0TZ
Proposal: Erection of 2.4m high mesh panel fence to the west and south boundary of Buckley Wells playing fields
Recommendation: Approve with Conditions **Site Visit:** N

09 Township Forum - Ward: Prestwich - St Mary's **App No.** 59311

Location: Land between 7 & 11 Prestwich Park Road South, Prestwich, Manchester, M25 9PF
Proposal: Erection of detached dwelling with new access onto Prestwich Park Road South
Recommendation: Approve with Conditions **Site Visit:** N

10 Township Forum - Ward: Bury East **App No.** 59312

Location: 609-621 Rochdale Old Road, Bury, BL9 7TL
Proposal: 3 No. internally illuminated canopy fascia signs; 6.5m high double sided internally illuminated free standing sign (retrospective)
Recommendation: Approve with Conditions **Site Visit:** N

11 Township Forum - Ward: Bury East **App No.** 59351

Location: Oxford Mews, 79 Oxford Street, Bury, BL9 7EL
Proposal: Singley storey extensions at rear
Recommendation: Approve with Conditions **Site Visit:** N

12 Township Forum - Ward: Whitefield + Unsworth - Unsworth **App No.** 59357

Location: 88 Hollins Lane, Bury, BL9 8AH
Proposal: Demolition of link detached garage and outbuilding and erection of detached dwelling

Recommendation: Approve with Conditions

Site Visit: N



Ward: Ramsbottom and Tottington -
Ramsbottom

Item 01

Applicant: Mr Euan Watkins

Location: The Hearth Of The Ram, 13 Peel Brow, Ramsbottom, Bury, BL0 0AA

Proposal: Extension to existing car park and landscaping of land adjacent

Application Ref: 58832/Full

Target Date: 04/09/2015

Recommendation: Minded to Approve

The application has been referred to the Planning Control Committee as it is a Departure from the Bury Unitary Development Plan.

It is recommended that this application is Minded to Approve subject to the signing and completion of an appropriate legal agreement for the Loss of Protected Recreation Provision in accordance with RT1/1 of the adopted Unitary Development Plan. 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 application relates to a piece of open land directly adjacent to an existing restaurant and associated car park. The land comprises a grassed area, maintained and mowed and has a number of picnic benches and public recycling bins. It is designated as Protected Recreation Land RT1/1 and as both a Wildlife Link and Corridor and River Valley in the Bury UDP and is located within the Ramsbottom Conservation Area.

The site also falls within an Employment Generating Area and to the north are a mix of commercial and industrial operations. The land behind the restaurant and site slopes upwards to form an embankment and is heavily planted with trees and vegetation to form a woodland. This land is also allocated as Protected Recreation Land, River Valley and Wildlife Corridor.

The application has been submitted in conjunction with the existing restaurant business and its associated parking area. Currently, there are 15 spaces provided in the car park. It is proposed to extend the car park to the east into the recreation land and use a small triangular piece of land to the north to provide 32 spaces in total, including dedicated disabled parking and improved servicing and access around the car park. The existing access into the site would be retained.

The existing recycling area would be relocated and the palisade fencing enclosing the bins would be removed and replaced by a timber surround. A retaining wall to the north would be built along the boundary at the back of the site to contain the land to the rear.

Background information - The application site is in mixed ownership. The applicant owns the restaurant and existing car park, with a rectangular piece of land to the east and the land to the north in the Council's ownership, and the remainder of the land to the east unknown and under a possessory title. The correct Certification has been signed and the application duly advertised to allow anyone who might have an interest in the land to come forward.

For information, any planning approval runs with the land, and not normally the applicant and the ownership of the land does not have any bearing on the grant or not of planning permission. However, it does create an issue concerning how the legal agreement is

constructed to ensure that planning provisions are met.

Relevant Planning History

54613 - A: New side entrance/porch, new fire escape stairs, replacement windows on the side and rear elevations and B: Replacement windows to the front elevation; patio doors to the side elevation. - Split Decision 29/12/2011

54982 - New patio doors and side frames to side elevation (Resubmission of 54613) - Approve with Conditions 25/04/2012

58039 - Installation of new retractable awning over existing external seating/dining area and alterations to boundary wall - Approve with Conditions 10/11/2014

Publicity

11 letters sent on 13/7/2015 to properties at 9-11, 31,33,35 Peel Brow; 103 Bury New Road; 1,2,3,4 Peel Court Peel Brow; Irwell Street Metals and Ross Vale tyres, Kenyon Street. Site notice posted 16/7/2015.

Press advert in the Bury Times 9/7/2015 and 16/7/2015.

Press advert in the Bury Times as a Departure of the Bury Unitary Development Plan 29/10/2015.

Site notice as a Departure of the Bury Unitary Development posted 30/10/2015.

One letter of objection received from PR Gibbs and Co (Chartered Surveyors) on behalf of their client who owns the adjacent land to the western boundary (name of landowner not provided). Do not have an objection to the concept in principal of an extended car park and landscaping but strongly object on the following grounds:

- That any such works will almost certainly cause further land slippage of the land of which the proposed scheme forms at least part of, resulting in another encroachment of that unstable land onto my client's land and damage to buildings;
- The land which the scheme form part of has been slipping and encroaching onto my client's land and damaging buildings for a good number of years, and a liability for that encroachment and damage has arisen and will be pursued from the proprietors of that land and/or their assigns;
- The client has been identified in 2 letters to the Director Property and Asset Management at Bury MBC, which puts on notice intended action for damages arising from the encroachments referred to against Bury MBC or its assigns. The other letter proposes remedial works to the land by the client following a possible purchase of the subject land;
- Recommend that the correspondence and history of the site is reviewed, including the extensive costly and necessary remedial works carried out by the clients to other contiguous and once forming part of the same subject site. The clients have previously instituted legal action to seek remedial works and compensation from damage caused by the slippages. The site includes a former Council waste dump, is graded and undrained. Bore hole testing has identified large collections of slurry beneath the surface of the land.

Four objections received from Nos 4, Fern Street, 31, 45, 55 Peel Brow, concerned with the following:

- The owners of this pub have not given any thought towards residents in the area who do not want more cars leaving at 1-2 am with engines revving and drivers maybe tipsy - we want less;
- The repositioning of the recycling bins would be closer to our property. Currently emptied before 5.30 and 6am which already causes noise pollution and will be more intrusive if closer to our home;
- The retaining wall of Patmos Street may also be jeopardised and potentially cause damage to our property if it were to collapse;
- Some aspects are sensible - replanting of trees and plants, utilising lawn space for parking spaces, re-siting of storage container - retaining wall to Patmos Street should be strengthened in stone;
- Request to have bin collections at a later time;

- Replanting should only use indigenous species to retain the natural flora and fauna of the area;
- The central parking block will inhibit flow for visitors - too many spaces for the area - demand is not always at capacity;
- The car park was reduced when the applicant extended the business so was there was less parking;
- The land will encroach onto the wildlife corridor, mature trees felled and hedgerows put under strain - equates to vandalism ;
- The re-position of the recycling bins not enhance the conservation area - position of the storage container?;
- Water would cause erosion and undermine the pavement on Peel Brow;
- A private car park of no assistance to local residents;
- Parking should have been considered before the business purchased;
- Our human rights could be affected by living near to a car park, which could present danger to anyone crossing the junction;
- Increase in pollution.

A standardised letter has been received from 12 properties on Fern Street, Peel Brow, Peel Court, Bury New Road which raise the following issues:

- Highway danger to pedestrians, cyclists with proposed increase in parking;
- There is a narrow entrance and exit for cars at Hearth of the Ram;
- It will create a disturbance for local residents in the Peel Brow Conservation Area;
- Patmos Street is currently supported by a stone wall which is on the brink of collapse. this could happen if the proposal is allowed or not;
- The entrance of the car parking is out of keeping with the conservation Area and River Valley corridor;
- Mature trees and wildlife will be destroyed by the proposal. Protected species such as bats and owls will be endangered.

with additional comments added to the letters with the following:

- The area around the pub is becoming to crowded and dangerous for local children and the with too many vehicles;
- It will increase the traffic on Peel Brow/Bury New Road which is already very heavy and extremely dangerous in Winter;
- Disgusting trees would be cut down just to enlarge a car park for customer's pleasure;
- Already made numerous complaints regarding noise to the Council;
- Owner extended the property into the car park which was bad planning on his part;
- Hazardous to children and elderly pedestrians.

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

Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - No objection subject to condition.

Engineering (structures) Section - No objection in principle. Condition recommended regarding the submission of the retaining structure detail.

Environmental Health Contaminated Land - No comments to make.

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

Greater Manchester Police - designforsecurity - No comment received.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EC2/1	Employment Generating Areas
EC4/1	Small Businesses
EC6/1	New Business, Industrial and Commercial
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN6	Conservation of the Natural Environment
HT6/2	Pedestrian/Vehicular Conflict
EN6/4	Wildlife Links and Corridors
EN8	Woodland and Trees
OL5/2	Development in River Valleys
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
RT1/1	Protection of Recreation Provision in the Urban Area
RT1/2	Improvement of Recreation Facilities
S2/6	Food and Drink
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 - The application involves a piece of land which is designated as Protected Recreation Provision in the Bury UDP.

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.

The UDP considers that 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.

RT1/2 - Improvement of Recreation Facilities - The Council will give favourable consideration to proposals for the appropriate improvement of existing recreational land and facilities in the Borough.

Paragraph 74 in Chapter 8 of the NPPF - Promoting healthy communities makes reference to recreation land and open spaces and states that existing provision should not be built on 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 not been identified as a surplus and is an accessible and usable piece of open land in Ramsbottom town centre, which is regularly maintained. Therefore, the loss of this site can only be considered acceptable for development subject to an appropriate

compensatory payment, and therefore it is considered that an off-site recreational contribution is justified to compensate for the loss of this land.

The area is classed as 'amenity greenspace' in the Council's 2015 Greenspace Strategy and Audit. The area of open space to be lost is calculated as 0.06 Ha and the figure of £8,217.45 has been derived at for the loss of this type of open space.

Planning obligations are required to follow the statutory requirements under the Community Infrastructure Levy Regulations 2010, which state they must be:

- Necessary to make the proposed development acceptable in planning terms;
- Directly related to the proposed development; and
- Fairly and reasonably related in scale and kind to the proposed development.

A local project at Bridge Street Gardens has been identified for the contribution and is considered to comply with the requirements of CIL.

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

UDP Policy EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control seeks to preserve or enhance the character and appearance of such 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.

The development would not involve any works to structures on the site or involve a new building that would impact on the character of the conservation area. Appropriate materials would be used for the car park extension, and the woodland and landscaped areas surrounding the site would be retained. As such, it is considered that the proposed development would preserve the character of the Green belt in compliance with EN2/1 and EN2/2.

OL5/2 - Development in River Valleys - does not permit the change of use of land within these areas except where the development would not lead to the division of the open parts of the valley into sections and, when outside the Green Belt, it meets one of five circumstances. One of these concerns where the development represents limited infilling to an established river valley settlement or industrial area.

It is considered that the proposal accords with Policy OL5/2 for the following reasons. Firstly, the land to be developed as a car park would not divide the valley into sections or restrict through access on the current routes of Peel Brow, Bury New road, Patmos Street and the footpath through Peel Brow Open Space. Secondly, the car park would be limited in nature and is closely related with existing development in the settlement of Ramsbottom.

EN6/4 - Wildlife Links and Corridors seeks to consolidate and where appropriate strengthen wildlife links and corridors, and will not permit development which would adversely affect identified area.

The proposed development would involve minimal encroachment into the woodland at the rear and an insignificant amount of vegetation clearance to facilitate this area of the car park extension. The woodland beyond would remain untouched and does not form any

part of the proposed development.

As such, it is considered that the wildlife corridor would not be compromised by the proposed development and would therefore be in compliance with EN6/4.

Car park, layout and access - The car park currently provides for 15 spaces. It is proposed to increase this to 32 spaces, including 2 disabled spaces. The spaces would be located along the north, east and southern boundaries with a row centrally positioned within the site. The plans demonstrate that the proposed layout would improve circulation and access around the car park.

The surfacing would be constructed from sustainable materials and a SuDS scheme used to manage drainage, a scheme of which would be required by a condition.

The recycling facility would be relocated in the south eastern corner of the site which would be in an accessible position for service vehicles. The existing palisade fence would be removed and replaced by timber panelling, which is considered to be visually more appropriate within the context of the conservation area.

A storage facility for the restaurant would be located in the western corner of the site, against the side elevation of the building and its position considered not to be obtrusive or prominent to views.

The proposed layout demonstrate that the extension and reconfiguration of the car park would facilitate the provision of additional spaces and improve manoeuvrability around the site without compromise to access, egress and servicing.

The highways section have raised no objection to the proposals, subject to conditions that the car park is surfaced and demarcated accordingly and would not be detrimental to highway safety. As such, the layout is considered to be acceptable and would be in compliance with EC4/1 - Small Businesses, EC6/1 - Assessing New Business, Industrial and Commercial Development and HT2/4 - Car parking and New Development.

Landscaping - The application originally sought consent to carry out landscaping works and improvements to the woodland to the north of the site. As this land is not within the ownership of the applicant, this area does not form part of the proposals.

Given that the site is already bound on 2 sides by vegetation, and that the application seeks to hardstand a relatively small area, a landscaping scheme is considered not to be necessary to make the development acceptable.

Trees - A Tree Survey has been submitted with the application which identifies that 4 trees to the north of the site are proposed for removal, with a further 2 not desirable for retention. Tree '1' is within an area which would need to be removed to facilitate the car park extension in this area.

None of the trees proposed to be removed are of particular value, either in terms of species or visual amenity benefit, being either category C or U (poor quality/unsuitable for retention). However, GMEU have identified that tree No.1 appears to have bat roosting potential, which would require surveying. To ensure there is no unauthorised removal of trees which would have a negative impact on ecological value in the area, a condition that this tree be retained until a bat survey is carried out would be included. GMEU would have no objections on this basis.

Tree protection measures are recommended for other trees in the vicinity, and this would be a condition of any approval.

Planning obligations - 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 £8,217.45 to compensate for the loss and this would ultimately be secured through a Legal Agreement.

The important consideration here is that the contribution should go towards improvements at Bridge Street Gardens (phase 1) to meet the Policy RT1/1 requirements and ultimately satisfy the tests in the CIL Regulations as being necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development.

Response to objectors -

- Any encroachment or damage to land outside the ownership of the applicant as a result of the development would be a private matter to resolve and is not a material planning consideration.
- In view of the topography of the land to the north of the site, and the proposed car park extension into part of this area, a condition to submit details for the proposed retaining wall to the northern boundary and details of the proposed boundary treatment to the eastern boundary, together with a scheme for implementation would be included as part of the decision notice if so approved.
- There is a single lane track, Patmos Street and significant tree planting which would separate No 31 from the re-positioned recycling bins, and it is considered that there would be an adequate buffer and separation not to cause significant disturbance to the occupiers of this property.
- Tree protection measures would be incorporated while works are carried out on site to ensure the trees are retained in this area.
- A drainage scheme would be required by condition;
- Whilst the development would facilitate an increase in vehicles to the site, it is considered that the numbers which would be involved, together with the journeys by customers which would be staggered throughout the trading hours, would not significantly intensify the use of the access to or from the site, nor add significant additional traffic to the area to cause highway safety issues.
- The issues raised by the objectors with regards to trees, impact on the Conservation Area, River Valley and Wildlife Corridor, have been assessed 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: 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 - Existing and proposed site plan Revision A dated 31 July 2015; car park - Land 'cut and fill' detail received 14/8/2015; Planning Statement received 10 June 2015; Tree Survey by Treestyle consultancy dated April 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. The turning facilities indicated on the approved plans shall be provided before the development hereby approved is first 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 Bury Unitary Development Plan Policies HT2/4 - Car parking and New Development and HT6/2 - Pedestrian and Vehicular Conflict.
4. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being first brought into use.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
5. 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 SuDS proposals for surface water drainage in accordance with the submitted Planning Statement 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.
6. Prior to the removal of tree No.1 indicated in the Tree Survey by Treestyle Consultancy dated March 2015 permitted by this approval, a bat survey shall be conducted, and the survey results established as to whether the affected trees are utilised by bats. The survey shall provide mitigation, where necessary. The findings shall be submitted to the Local Planning Authority for approval and shall only be carried out in accordance with approved details.
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.
7. No works to trees or shrubs shall be carried out between 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been approved 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.
8. Notwithstanding the submitted plan annotated 'Car park - Land 'Cut and fill' detail,' received 14/8/2015, no development shall commence unless and until details of the retaining wall to the northern boundary of the site and proposals for treatment of the boundary to the east of the site, together with a methodology scheme, including a timetable for implementation, have been submitted to and approved by the Local Planning Authority. The approved details only shall be implemented and thereafter retained.
Reason. Insufficient detail of the retaining wall and its acceptability have been

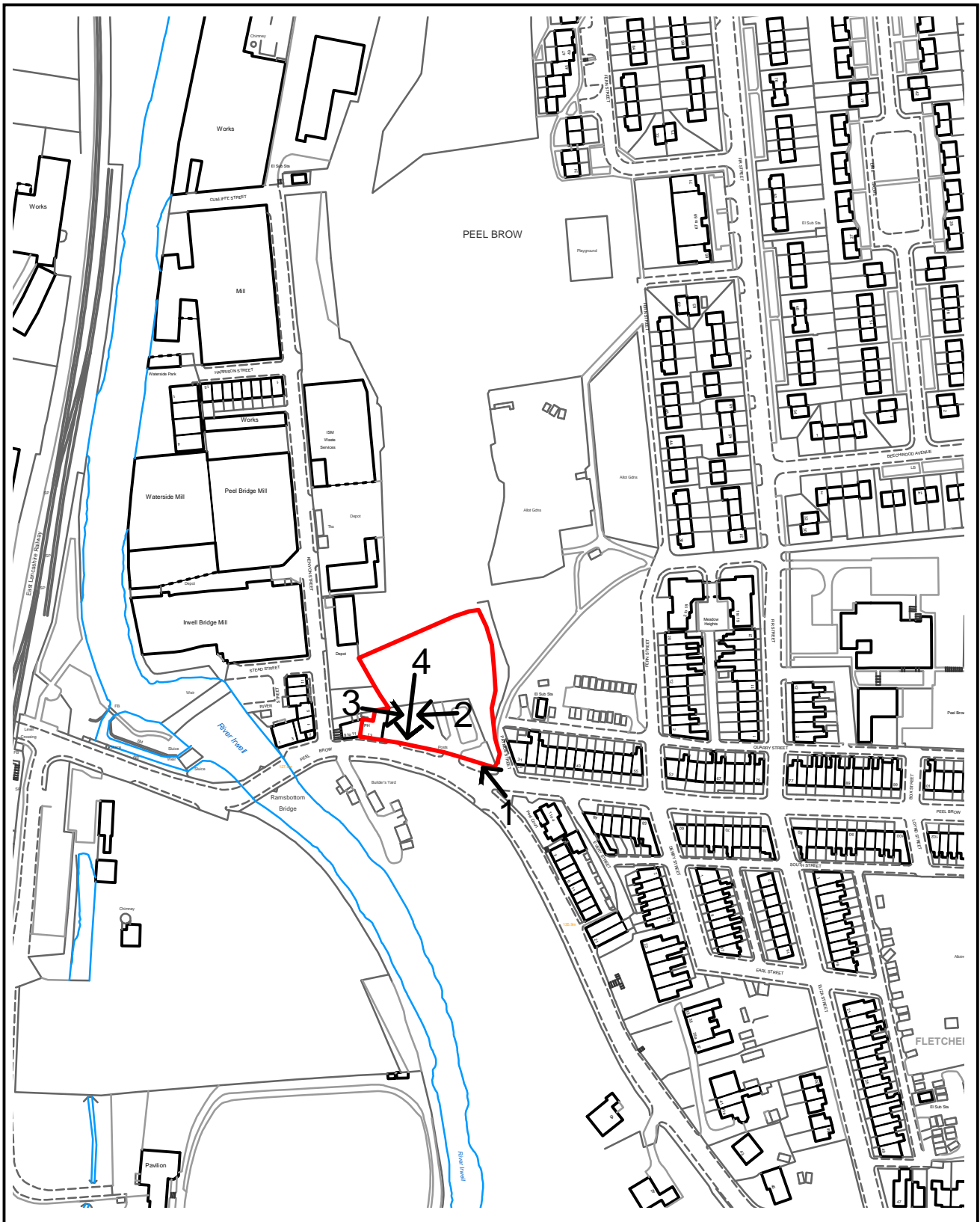
submitted with the application to ensure that there would be no land slippage or encroachment into the land beyond the northern boundary of the site, pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and EN6 - Conservation of the Natural Environment.

9. 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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58832

**ADDRESS: The Hearth Of The Ram
13 Peel Brow
Ramsbottom**

Planning, Environmental and Regulatory Services 1:1250

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58832

Photo 1



Photo 2



58832

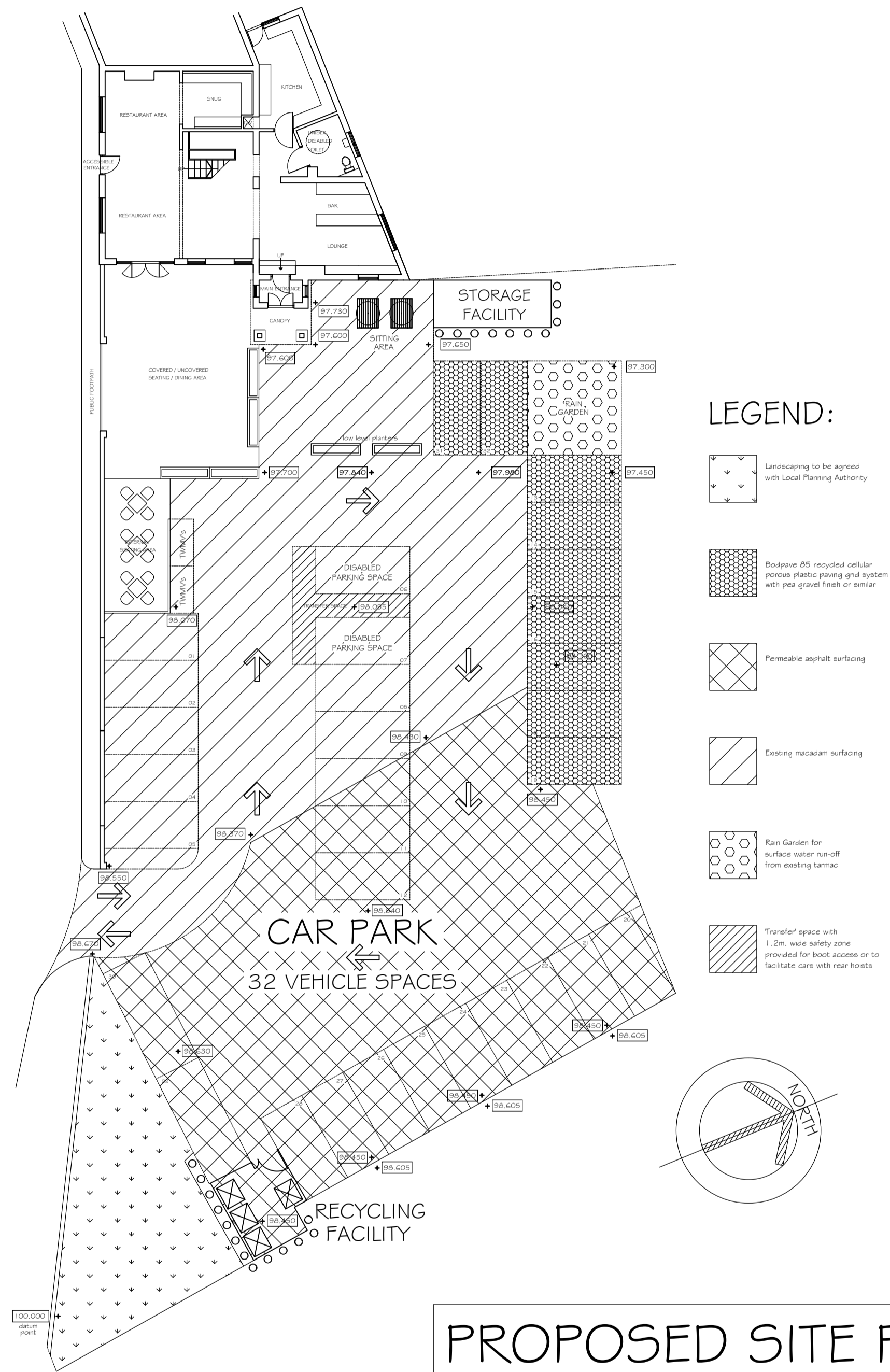
Photo 3



Photo 4



PEEL BROW

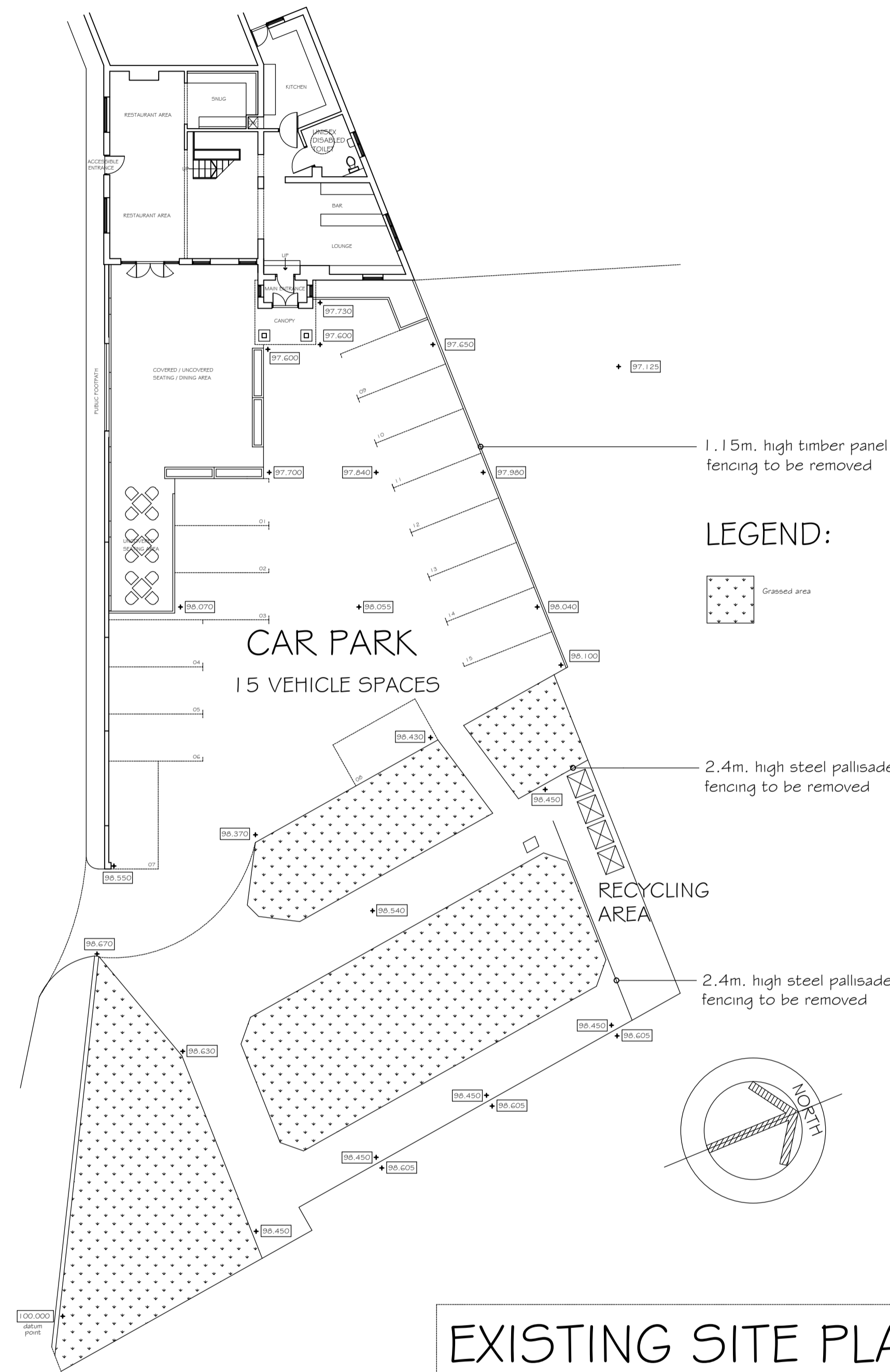


PROPOSED SITE PLAN
1:200

LEGEND:

- Landscaping to be agreed with Local Planning Authority
- Biopaver BS recycled cellular porous plastic paving grid system with pea gravel finish or similar
- Permeable asphalt surfacing
- Existing macadam surfacing
- Rain Garden for surface water run-off from existing tarmac
- Transfer space with 1.2m wide safety zone provided for foot access or to facilitate cars with eye-hearts

PEEL BROW



EXISTING SITE PLAN
1:200

LEGEND:

- Grassed area

1.15m. high timber panel fencing to be removed

2.4m. high steel palisade fencing to be removed

2.4m. high steel palisade fencing to be removed

Revision A: 31 July 2015
Bays 29 and Bay 30 increased to 6.0m. in length, and 'transfer' space defined to the rear of Bays 06 and 07

PROPOSED EXTENSION TO CAR PARK:
'HEARTH OF THE RAM'
13 PEEL BROW
RAMSBOTTOM
BURY
BLO OAA
31 July 2015

Ward: Ramsbottom + Tottington - Tottington

Item 02

Applicant: Mr Jim Hennessey

Location: Site of former Berry's Garden Centre, Turton Road, Tottington, Bury, BL8 3QA

Proposal: Erection of 1 no. dwelling

Application Ref: 58848/Full

Target Date: 10/08/2015

Recommendation: Approve with Conditions

Description

The site is on land which is designated as Green Belt and is within West Pennine Moors. To the south is a residential estate, separated by a public footpath. The land rises from the road towards the west and leads to a row of cottages on Cann Street, which are in an elevated position and overlooks the site. There is a single residential property, No 145 Turton Road, directly to the east which shares access from the main road to the north. Beyond the road is extensive open land with views across to Peel Tower and Ramsbottom.

The site itself was formerly a garden centre, but has not operated for a number of years and now remains vacant and unused. The buildings have been removed from the site, but some of the existing infrastructure and hardstandings remain and the land has become overgrown with natural vegetation.

Permission was granted in 2007 (reference 48072) for a replacement garden centre and this was part implemented, due to the construction of the access off Turton Road.

This application seeks approval for a single dwelling which would be positioned towards the southern boundary of the site.

In terms of appearance, the application has been submitted under the banner of 'exceptional design,' being innovative and outstanding. The dwelling would be split into 3 'wings' in a linear form which would step up the site from east to west, connected by an axis which would run centrally through the building. The living accommodation would be split between each wing, and would comprise of living areas in the east section, 4 bedrooms in the central area and a swimming pool in the western section. A garage would be located below the living area.

Materials would comprise spruce cladding, ashlar sandstone, large glazed openings with zinc edging and a sedum roof system.

The development also aims to achieve Code for Sustainable Homes rating of 5, which includes insulated walls, roof and floor, low air permeability, photovoltaic panels, solar thermal panels, rainwater harvesting and recycling and composting systems.

Access would utilise the existing from Turton Road which is shared with No 145, and which would follow the contours of the land to the south and lead to parking at a lower ground floor level.

Landscaping proposals include native tree and shrub planting and enhancement of the existing pond. Established trees and woodland on the site would be retained.

Relevant Planning History

48072 - Replacement garden centre building and improvements to access, creation of new footway to Turton Road and car parking (amended scheme) - Approved 26/7/2007.

46786 - One dwelling to replace existing garden centre - Refused 22/9/2006.

Publicity

23 letters sent to properties at Nos 2-14 (evens), Woodstock Drive; 143,145, 316 Turton Road; 28,34,36,38,40,42 Cann Street; 12,13 Layfield Close; Red Roof Turton Road; Ferns Cottage, 1 and 2 Ferns Cottage, Ferns Farm, Turton Road.

23 letters of objection received from Nos 15, 34,36,40,14c,38,34,28,42 Cann Street, 5,24 Woodstock drive, 2 Ferns Cottage, 42 Cann Street, 30, Thornfield Road, 2 Ferns Cottage, 7 Layfield Close, 1 Claybank Cottages, 33 Charles Road West, 145 Turton Road, one address from Norfolk, Copenhagen Denmark, and Pennsylvania USA.

The following issues have been raised:

- The development would be contrary to Green Belt policy - to check unrestricted sprawl of large built up areas and to assist in safeguarding the countryside from encroachment;
- Would set a precedent in the area - ie open a garden centre then close it and apply to build a house;
- Sprawl will continue and the countryside would not be protected;
- Spoils the view for local residents;
- Should be protecting the environment for the future generations;
- Concern that any structural ground work on the site will affect the natural spring in the field owned by Ferns Cottage;
- If permission is granted for one dwelling, any number of applications will surely follow on a large piece of land;
- Impact on road safety when exiting the site onto Turton Road;
- Consider the building cannot be classed as ribbon development;
- Dwelling not in keeping with the area and too big;
- Do not need any more trees or conifers planted - views would be obscured over valleys and hills;
- A previous application (ref 46786) for a single dwelling on this site was turned down - yet this house has a published footprint of 625 sqm, a substantial increase of 49%;
- Turton Road is a main gateway onto the West Pennine Moors which should not be heralded by this futuristic design with modern materials;
- No Exceptional Circumstances to merit this application being accepted within Para 55 of the NPPF;
- The site has become a nature reserve - long may it continue - uncontaminated borderline brownfield sites do not remain as such forever. The habitat needs protection;
- Discrepancies on the application form -
 - Claim there is parking for 50 cars and 4 light vehicles - there is none on site. 5 spaces are proposed where there are now none.
 - Trees and hedges - There are mature trees within the site which would be felled - the form states none.
 - Non-residential floorspace - emphasis placed on the reduction in floorspace - yet there is none on site.
 - 2 agents names - no applicant.
 - Existing boundary treatment description - incorrect.
 - Incorrect to state that the site is not visible.
- Obstruct views from Cann Street and proximity to the shared boundary;
- Mature tree planting will deprive Cann Street of distant views - raised by Places Matter response;
- Live adjacent to the property and shared access should not be restricted;
- Impact across to Scout Moor, 'Owd Bett's and Holcombe Moor;
- A buyer would immediately worry about security and erect high fences with strong external lights and CCTV;
- Thought provoking that a developer could impede enjoyment of a total community;

- The intention to win an architectural prize for such a bizarre building does not outweigh commercial considerations - main intention is to make max profit;
- Planning Officers and Committee have a duty to the public to protect the Green Belt;
- Owner has a history of un-neighbourly behaviour;
- Places Matter described the dwelling as having 'no architectural value' in their response back to the applicant, following their consultation;
- Better drainage on site needs to be installed;
- The site has become overgrown and unsightly and needs proper maintenance;
- Invasion of Japanese knotweed and Himalayan Balsam
- The garden centre buildings were temporary structures - polytunnels and sheds;
- The development borders on immoral, unhealthy and distasteful,

Comment received from No 3 Layfield Close:

- Not planning related but overhanging tree to my property - concern about the roots and potential damage to drains and my property.

Objection received from Councillor Gartside raising the following issues:

- The proposed house is intrusive in the Green Belt, destroys open space and spoils the view for residents, walkers, cyclists, horse-riders, especially those using Cann Street on the south west boundary of the site, and all those in our community who love our local views
- Details in the plans show 'screening shrubbery and what seems to be dense woodland all over the site, which would obscure or block our views
- A buyer who could afford such a proposed house would immediately worry about security and erect high fences with strong external lights and CCTV, thus totally blocking access to our views
- The Planning officers and Committee have a duty to the wider public in protecting our Green Belt, this rural site can be seen from the moors above 'Owd Bets, to Scout and Holcombe Moors and beyond: what's left of the West Pennine Moors needs to be protected from suburban housing sprawl for future generations
- The site adjoins a special landscape area of natural beauty and this must be preserved.
- The application refers to improvements of 35% in the footprint on the planning application (Ref 48072) for a garden centre, which was approved by the Planning Committee in July 2007. However this was never implemented and permission has since lapsed. If this new application is compared to the developers last application for a house on this site (Ref 46786), which was rejected by the Planning Committee in September 2006, it can be seen that there is an increase of 49% in the footprint.
- The letter from Places Matter of 27th May 2015 in the planning documentation raises further concerns about the integrity of the designs and the lack of sufficient detail. The same letter refers to "unnecessary and un-neighbourly" proposed screening of the site which would deprive everyone locally of their distant views.
- The design and scale of the proposed house is extraordinary, quite out of keeping with our local architecture and does not blend in with the landscape, rather, it sticks out like a sore and glassy timber thumb
- The intention to win an architectural prize for such a bizarre building does not outweigh the commercial considerations involved: the main intention, as ever, is to maximise profit for the developer at the expense of the enjoyment of local people.

Letter from No 145 Turton Road requesting clarification and details of the proposed extension of the footpath.

Following a revision to the proposed development site, a letter was sent to neighbours on 26/10/15 notifying of a reduction to the revised site edge red plan.

Letters of objection received from No 34, 38 Cann Street and 7 Layfield Close which raises the following issues:

- Previous comments raised still apply;
- The supporting document asserts this is a brownfield development, which is not true as

the majority of the temporary garden centre buildings were located on the eastern part of the site, the majority remaining was open and not brownfield;

- Note that the ransom strip to the front of No 145 Turton road is to be a footpath to improve intervisibility of traffic entering/leaving the site;
- The lower speed limit on Turton Road is not adhered to and the proposal will only exacerbate risks of residents accessing driveways in the area;
- Incorrect to compare these plans with those of the garden centre consent which was never implemented. The time has now lapsed and it is claimed never intended for implementation - the aim being to achieve planning for a large scale development and future housing;
- The revised red edge now runs from No 34 Cann Street with the blue edge denoted as grazing - constituting another attempt to build yet more housing in the future. There has never been a dividing line as in the current application;
- The proposal will further close in and clutter up this lovely open site, defined as 'outstanding surrounding countryside' . Goes against the principle of the NPPF and NPPG;
- Much is made of the land being 'contaminated and derelict' which is not true, apart from permitting invasive species, Himalayan Balsam and Japanese Knotweed to invade and spread, all part of the deliberate neglect and despoliation suffered since the land was bought. Has also been identified by the Council an updated risk assessment and contaminated land assessment needs to be undertaken and provided. The site does not fulfill Green Belt aim to 'assist with urban regeneration by encouraging recycling of derelict and other open urban land';
- The proposed buildings are inappropriate in this landscape - the scale and size of that appear as a health centre or town hall not private dwelling;
- No information provided on security measures, fencing or lighting;
- Appendix 2 from Planning Policy Statement 7 from Annex A states 'It is essential that all applications for planning permission for new occupational dwellings in the countryside are scrutinised thoroughly with the aim of detecting attempts to abuse (eg through speculative proposals);
- Contrary to Paras 80 and 81 of the NPPF - to prevent urban sprawl;
- The planning Statement consists of fancy persuasion, talking up a carbuncular structure to be a wonderful asset - it is not;
- There has never been a garden centre on this site with full planning permission - it remains agricultural land - not contaminated and derelict but open within the Green Belt;
- The design of the dwelling would deprive the visual amenity of users of Cann Street;
- A previous application ref 46786 for a dwelling was refused;
- The development would effectively increase urban sprawl for the provision of one costly home.

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

Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - No objection subject to condition.

Environmental Health Contaminated Land - No objection subject to conditions.

Public Rights of Way Officer - No comment

Waste Management - No issues raised

Environment Agency - No issues

National Grid - Advisory to applicant.

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

Electricity North West Ltd - No comment received.

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

Health and Safety Executive (HSE) - Advisory to applicant.

Unitary Development Plan and Policies

NPPF National Planning Policy Framework

H1/2 Further Housing Development

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
OL1	Green Belt
OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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.

Green Belt Principle - New buildings are inappropriate in the Green Belt under National Planning Policy unless they meet one of the 6 exceptions listed within Paragraph 89 of the NPPF:

- buildings for agriculture and forestry;
- provision for appropriate outdoor sport, outdoor recreation and cemeteries, as long as it preserves the openness of the Green Belt;
- extension or alteration of the building provided it does not result in disproportionate additions over and above the size of the original building;
- replacement of a building, provided the building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing;
- 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.

The land was previously occupied by a garden centre, the buildings have been cleared although evidence of the footprints remain and a lawful start was made to commence the implementation of the permission, which involved the creation of the access off Turton Road, to rebuild the garden centre following the grant of planning permission reference 48072 in 2007. In terms of the last bullet point, the proposal involves the construction of a new dwelling on land that is previously developed.

The north elevations submitted compare the 2007 approved garden centre with the proposed dwelling and clearly demonstrate that the new structure would be low-lying and would cut into the hillside and cause significantly less harm to the openness of the Green Belt due to being half the height of the approved garden centre in some cases. The proposed dwelling would have considerably less impact in terms of volume than the garden centre buildings, the former being 2222 cubic metres compared to the latter at 5243 cubic metres, and representing a reduction of 58%.

The footprint of the new dwelling would be almost 30% smaller than the approved garden centre, and whilst the approved garden centre scheme included a long access road and other more subsidiary hard surfaced areas spread across the site, the proposal is concentrated towards roughly one third of the site with more appropriate levels of hard surfacing after a reduction from 3374 sq m to 750 sq m. In addition, approximately two thirds of the site provide soft landscaping which respect the levels of the site therefore

helping to alleviate any impacts on the openness of the Green Belt.

A comparison of the size of the approved garden centre and proposed dwelling can be found below:

Volume of approved garden centre - 5243 cubic metres
Volume of proposed dwelling - 2222 cubic metres
= 58% reduction

Footprint of approved garden centre - 950 sqm.
Footprint of proposed dwelling - 670 sq m.
=30% reduction

Individual bay height of garden centre - 6m, overall height - 9.1m.
Individual height of each wing of proposed dwelling - 3m, overall height - 5m.

Roadway and parking of approved garden centre - 2785 sqm + outdoor sales area (589 sqm)
Road way and parking of proposed dwelling - 750 sqm.
= 77% reduction.

It is therefore concluded that the scale, massing and footprint of the proposed development would be significantly less than the approved garden centre, and thereby cause considerably less harm to the openness and character of the Green Belt.

In terms of the second criterion of seeking to avoid having a greater impact on the purpose of including land within the Green Belt compared to the existing, it is considered that the proposal will serve the same purpose as the approved garden centre in assisting in regeneration by recycling derelict land and therefore it is considered that no greater impact would be caused.

In view of the above, it is considered that the proposal would meet the exception under paragraph 89 relating to previously developed land and therefore must clearly be regarded as appropriate development within the Green Belt, and therefore in compliance with the provisions of the NPPF.

Housing Principle - Following revocation of the North West Regional Strategy on 20th May 2013, there is no statutory housing target for Bury. Work has commenced on the Greater Manchester Spatial framework and this will bring forward a new statutory housing target for the Borough. This will subsequently be incorporated into Bury's future Local Plan.

In the meantime, the National Planning Policy Framework should be treated as a material 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 site is adjacent to an established residential estate, with a dwelling to the east and a row of cottages on the south western boundary, and is located in close proximity to a residential village setting. There is existing infrastructure in place to support the scale of the development and it could be comfortably accommodated within the site area not to impact on the surrounding land uses. As such, the principle in this respect is considered to be in compliance with the NPPF and UDP Policies H1/2, H2/1, H2/2 and H2/6.

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

New Isolated Homes in the Countryside - Paragraph 55 of the NPPF states that Local Planning Authorities should avoid isolated new homes in the countryside unless there are special circumstances. One of those listed relates to the exceptional quality or innovative nature of the design of the dwelling, the design of which should be truly outstanding or innovative which helps to raise standards of design more generally in rural areas, reflect the highest standards in architecture, significantly enhance its immediate setting and be sensitive to defining characteristics of the local area. The applicant has submitted that the dwelling would meet these criteria.

It is accepted that the building is architecturally innovative and it would be unique in its form in the Borough not just in design terms but also for its status as Code for Sustainable Homes level 5. This achieves a very high standard of sustainable development in terms of energy and water efficiency, reducing greenhouse gas emissions and reduced impact on the environment overall. However, this is irrelevant for the purposes of Paragraph 55 as the proposed dwelling would not be in an isolated location as it shares a boundary with the urban area of Tottington. The policy requirements of Paragraph 55 are therefore not met.

However, it is nonetheless clear that outstanding design features and landscaped areas are of some considerable merit in favour of the application, and this is analysed further in the report below.

In conclusion, and in planning policy principle terms as discussed above, the proposed scheme is considered to be in compliance with the exceptions stated in paragraph 89 of the NPPF as discussed above and therefore regarded as appropriate development within the Green Belt.

Layout - The proposed form and layout has been developed out following a number of discussions and design reviews with 'Places Matter', an independent design review panel. Their engagement on the scheme and subsequent feedback and advice have largely resulted in what is proposed here. The scheme has also sought to respond to the challenging topography, the context of the surrounding area and the constraints and limitations of the site.

The dwelling would be positioned in the same location as the previous garden centre and would utilise the footprint area and remnants of the hardstandings .

The concept of the building form has been taken from the natural stepped topography of the site, with the building arranged in 3 linear wings. The main living block would be located in the '1st' wing when viewed from Turton Road, with the main entrance and bedrooms in the central part of the build and a leisure wing on the furthest side. Views from the building

would be directed to the north, south and west to maximise solar gains to the site.

A lower basement garage would be provided under the living accommodation, which would be accessed via a drive leading from Turton Road to the southern part of the site and a hardstanding area for the parking of cars and bin store area.

Outdoor amenity and garden areas would be neatly contained within space directly adjacent to the east and west elevations and would not encroach further into the site than the building line of the dwelling itself.

Whilst the site is challenging in its topography, it is considered that the siting and layout of the proposed dwelling would successfully utilise and integrate within the contours and land, whilst also recognising and responding to the sensitive and special character of the Green Belt. The layout would not be dissimilar to the garden centre scheme in terms of its position on the site or through the utilisation of a stepped concept of buildings. From wider public views and particularly Turton Road, it is considered the layout of the development would not appear incongruous or unacceptably prominent.

As such, the proposals are considered to be acceptable and comply with UDP Policies H2/1, H2/2, EN1/1 and OL1/2.

Design and appearance and visual amenity - The application has been submitted as a dwelling of 'outstanding and exceptional' design. The design reviews with 'Places Matter' encouraged a unique approach to the design, and it was advised the proposed dwelling should follow the repetitive form of the approved garden centre build and stepped series of buildings, which would respond and acknowledge the topography of the land.

This has resulted in the proposed 3 separate 'staggered' single storey wings which would step into the site from the north to south. The wings would be connected by a main axis to provide circulation and links between the living accommodations without requiring excessive footprint area.

The applicant was also encouraged to pursue a design approach with clarity and simplicity, and this is considered to have been achieved by the use of clean linear elevations, flat horizontal rooflines and accentuated by the use of a palette of distinctive yet complementary materials. Large glazed areas would be broken up by timber panelling, zinc edging and steel panelling. The roof would comprise a sedum type, incorporating photovoltaic panels to maximise sustainable energy efficiency. The resulting fenestrations would present a horizontal expression which would be the logical solution to minimise the massing and design form of the building.

Whilst the proposed dwelling would radically diversify from the design and type of other residential properties found in the surrounding area, as a new and innovative build, it would respond to the form of the landscape and the challenging topography by its sensitive form and small scale massing.

The radical diversification in design to the other residential properties in the area is a purposeful and deliberate attempt to deliver an innovative and distinctive build. The height, scale and massing would respect the form of the surrounding landscape as well as responding sensitively to the challenging topography of the site itself.

In terms of its visual impact, the proposed dwelling would be less obtrusive than a standard 2 storey property. Views from the south of the site and from the valley and open land to the north would not be obscured by the position, height or scale of the proposed build and equally, from both approaches along Turton Road, the build would seem to 'sit' into the landscape.

'Different', 'innovative' and 'unique' to the area is not necessarily the wrong approach; the application purposefully seeks to divert from the 'norm'. It is considered the proposed

development would successfully achieve this aim, without compromise to the surrounding land form, the character of the adjacent properties, or impact on the wider context of the open countryside beyond.

As such, the design and appearance is considered to be acceptable in this location, would not be detrimental to the character or sensitivity of the Green Belt or West Pennine Moors.

Residential amenity - In comparison to a garden centre use, a single domestic dwelling would cause considerably less amenity issues for local residents in terms of scale of the development, massing of the building, intensification of use of the site and traffic, and as such is considered to be a more 'neighbourly' use of the land in terms of the surrounding area.

The nearest property would be No 145 Turton Road which is situated directly adjacent to the east of the site, fronting onto Turton Road. The proposed dwelling would be sited to the north west of this house and there would be no direct interface or overlooking implications between the two properties. The scheme proposes to utilise the existing shared access with No 145 which was also approved as part of the garden centre consent. The development would involve significantly less numbers of vehicles than if it operated as a nursery and as such considered acceptable.

The row of cottages on Cann Street are in an elevated position to the south west and would overlook the development site. The new build would be sited south of the cottages, and the only direct view of the new build from these cottages would be the 'middle wing', with the majority of the site in front of these cottages outside the red edge plan and developed area. The proposed dwelling would be single storey in height, and set within the topography of the land and in comparison to the approved garden centre buildings, would be a less intrusive and dominant built form. Given the relationship of these houses in respect to the new build, it is considered that there would not be a detrimental impact on their outlook over the valley beyond or impact on their privacy or access.

Other objections raised by local residents refer to the impact and inappropriate development in the Green Belt, inappropriate design and detrimental implications to ecology and wildlife, which have been considered in the relevant sections of this report.

Access - The scheme proposes to utilise the existing access off Turton Road which is shared with No 145, which would lead to a private gated entrance, beyond which, a drive would follow the contour of the land southwards and lead to a parking area for visitors and the driveway to the house from which a basement garage would be provided under the living accommodation.

The proposals also include the provision of a new pedestrian footway along Turton Road to connect to the existing footpath to the south east in front of No 143 Turton Road.

The Highways Section has no objections to the access position or its layout/design and the development would provide sufficient parking provision. Conditions have been recommended and as such, the proposal is considered to be accepted from this perspective.

Ecology - An extended phase I habitat survey has been provided for the site. This found no significant ecological constraints but did identify initial surveys that do not appear to have been carried out and/or require clarification. GMEU have been consulted and whilst raising no objections, have recommended the following conditions or informatives .

Bats - The applicant has confirmed that there would not be removal of trees which could potentially accommodate bats. An informative directing the applicant to contact Natural England would be included should bats be discovered on site.

Great Crested Newts - There is one pond on site that will be retained. It has however

been assessed as having more than low potential and amphibian surveys recommended. The nearest known GCN pond is over 1km away and a Borough wide survey of all pond in 2005 and 2006 found no GCN on this site and there appears to be no other ponds within 250m of this pond. Colonisation is therefore unlikely. However, given the time lapse since the last Borough wide survey, further assessments were carried out and no evidence of newts found. As such, GMEU are satisfied to recommend an informative of the steps to be taken should the species be found present.

Reptiles - The site has been assessed as having good potential for reptiles and a presence absence survey recommended, although this has not been carried out. Again however, the local distribution of reptiles whilst not as well known as great crested newts would indicate the site is low risk. No reptiles have been confirmed as occurring in the Borough of Bury over the last 20 years, and it would therefore be unreasonable to request a full survey. GMEU are satisfied to recommend an informative.

Invasive species - Both Japanese knotweed and Himalayan balsam were recorded on the wider site, with Japanese knotweed identified within the development footprint. The location of the Himalayan balsam is unclear. A condition is recommended that a method statement detailing mitigation measures be submitted prior to earthworks commencing.

Nesting birds - Potential nesting habitat will be lost as a result of the development. A condition to restrict vegetation clearance would be included.

Ecological mitigation - The development site is low to moderate ecological value. The landscape proposal and design and access statement propose to enhance the wider site ecologically including enhancement of the existing pond. There is therefore the potential to achieve no net loss as a result of the development subject to detail. Submission of a landscape management plan would be conditioned.

National Grid - There is a gas main pipeline which runs to the north west of the site. A distance of 16m from a major pipeline to a new dwelling is advocated. The applicant has submitted a plan which demonstrates that the built form would be 62m away. Notwithstanding this distance away, an advisory that the applicant contact the National Grid prior to the commencement of any development would be included as an informative.

Response to objectors -

- The objections raised with regards to the principle of the proposal, impact on the Green Belt, highways issues, size, design and appearance of the dwelling and ecology have been covered in the above report.
- Treatment of invasive species, details of proposed landscaping including boundary treatment and drainage details are to be sought by condition.
- Planning application reference 46786 for a dwelling was delegated refusal in 2006 for 3 reasons - there was a housing restrictions policy at the time which prevented housing development in the Borough; a case for Very Special Circumstances in line with Green Belt Policy had not been demonstrated by the applicant; and the scale, design and appearance would be detrimental to visual openness. This application has been assessed on its own merits and in terms of current planning policy. The reasons for refusal of the previous scheme have either been overcome or are not relevant to this application.
- The negative comments from Places Matter were to schemes which had been submitted to them prior to this final proposal. Their comments were taken on board by the applicant and the scheme presented in this application had a more favourable and supportive response from Places Matter.
- In terms of landscaping, the residents on Cann Street are concerned about the mature tree planting restricting views. The supporting narrative design statement states that boundary treatments would be kept to a minimum and this would be ensured by the implementation of a planning condition.
- The proposed dwelling would be single storey, set within the hillside/. It would be screened from Turton Road by the existing mature hedging along the frontage.

Cann Street, occupiers of the dwellings are significantly elevated above the site, with views of the dwelling restricted to the roofline of the dwelling. As such, it is considered that impact on views from outside the site boundary would be minimal and not cause significant harm.

- The materials of the approved 2007 garden centre buildings were proposed part brickwork and part composite panelling, and of a more 'permanent' structure than polytunnels which could be considered to be temporary in character.
- Very Special Circumstances are not required to be demonstrated by the applicant, as the proposal has been considered acceptable in view of compliance with paragraph 89.
- Planning permission would not be required for the erection of CCTV equipment on a residential dwelling.

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 Location plan 841 A 007 Rev B; Landscape masterplan 694_100_P Rev B; Drainage 841_101; Existing site plan 841 A 005; Landscape masterplan 694_100_P Rev E; Elevations 841 A 008 Rev D; Elevations 841 A 002 Rev A; Sections 841 A 003 Ground floor plan 841 A 001; Planning Statement October 2015; Design and Access Statement May 2015; Extended Phase 1 Habitat Survey report October 2014; Environmental DNA Sampling Report for Great crested newt July 2015; Habitat Suitability Index Survey report for Great crested newt 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. Insufficient information 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. 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. Insufficient information submitted at application stage. 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.
8. Prior to any earthworks commencing, a method statement detailing eradication and/or control and/or avoidance measures for Himalayan balsam and Japanese knotweed shall be submitted to and approved by the Local Planning Authority.

The approved method statement shall include a timetable for implementation. The approved method statement only shall be adhered to and implemented in full. Reason. To ensure that the site is free from Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and chapter 11 - Conserving and enhancing the natural environment of the NPPF.

9. No vegetation clearance shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been submitted to and approved 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.
10. No development shall commence unless and until a landscape management plan has been submitted to and approved by the Local Planning Authority. The content of the plan should include elements to mitigate for loss of biodiversity including neutral grassland, bird and nesting habitat and enhancement of the pond, details of proposed boundary treatment, and a timetable for implementation. The approved plan shall be implemented in accordance with the approved details.
Reason. Insufficient information submitted at application stage. The current application lacks sufficient detail 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.
11. No development shall commence unless and until full details of the provision of the 1800mm wide footway along the Turton Road site frontage shown indicatively on the approved plan, incorporating all necessary remedial and accommodation works in line and level required to implement the new facility and connect to the existing footway, have been submitted to and agreed by the Local Planning Authority. The details subsequently approved shall be implemented to an agreed specification prior to first occupation of the dwelling hereby approved.
Reason. Insufficient information 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 H2/2 - The Layout of New Residential development and HT6/2 - Pedestrian and Vehicular Conflict.
12. 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. Insufficient information submitted at application stage. 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 Policies EN1/2 - Townscape and Built Design and HT2/4 - Car parking and New Development.
13. 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

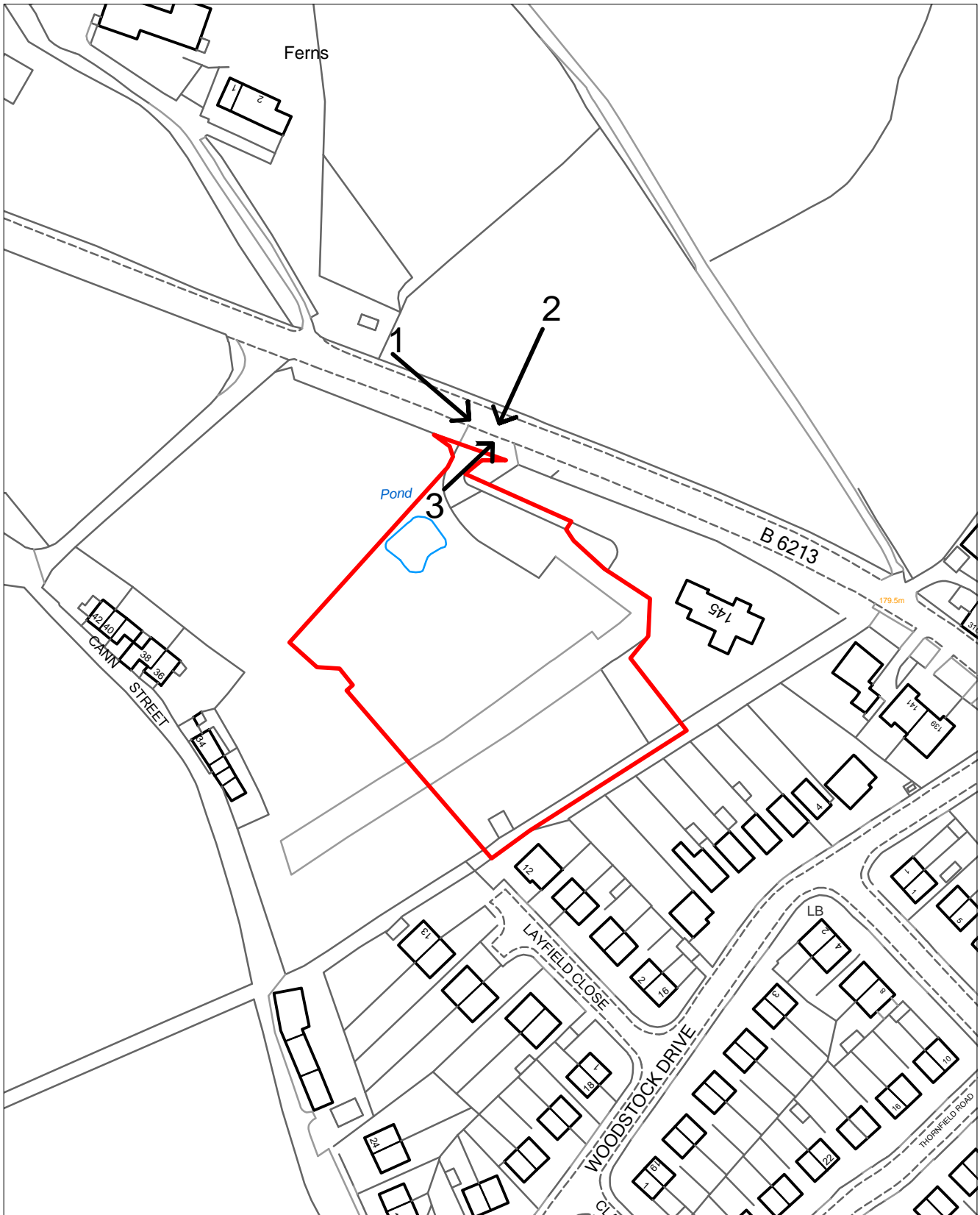
vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.

Reason. Insufficient information submitted at application stage. To ensure that the adopted highways are kept free of deposited material from the groundworks operations pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

14. The visibility splays indicated on the approved plans shall be implemented before the dwelling is first occupied and subsequently maintained free of obstruction above the height of 0.6m
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian and Vehicular Conflict.
15. The turning facilities indicated on the approved plans shall be provided before the dwelling is first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT2/4 - Car parking and New Development.
16. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwelling hereby approved being occupied and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
17. 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 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, EN1/2 - Townscape and Built Design and OL1/2 - New Buildings in the Green Belt.
18. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within the terms of Classes A to E of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to Bury Unitary Development Plan Policy H2/3 - Extensions and Alterations and SPD6 - Alterations and Extensions to Residential Properties.
19. The development hereby approved shall be carried out in accordance with the standards of Code 5 for Sustainable Homes (Department for Communities and Local Government Publication December 2006), and the details approved by the Local Planning Authority prior to first occupation of the dwelling hereby approved. The approved details shall thereafter be maintained.
Reason. In the interests of sustainable development pursuant to the principles of the NPPF.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58848

**ADDRESS: Site of former Berry's Garden Centre
Turton Road, Tottington**

Planning, Environmental and Regulatory Services 1:1250

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Bury
COUNCIL

58848

Photo 1



Photo 2



58848

Photo 3



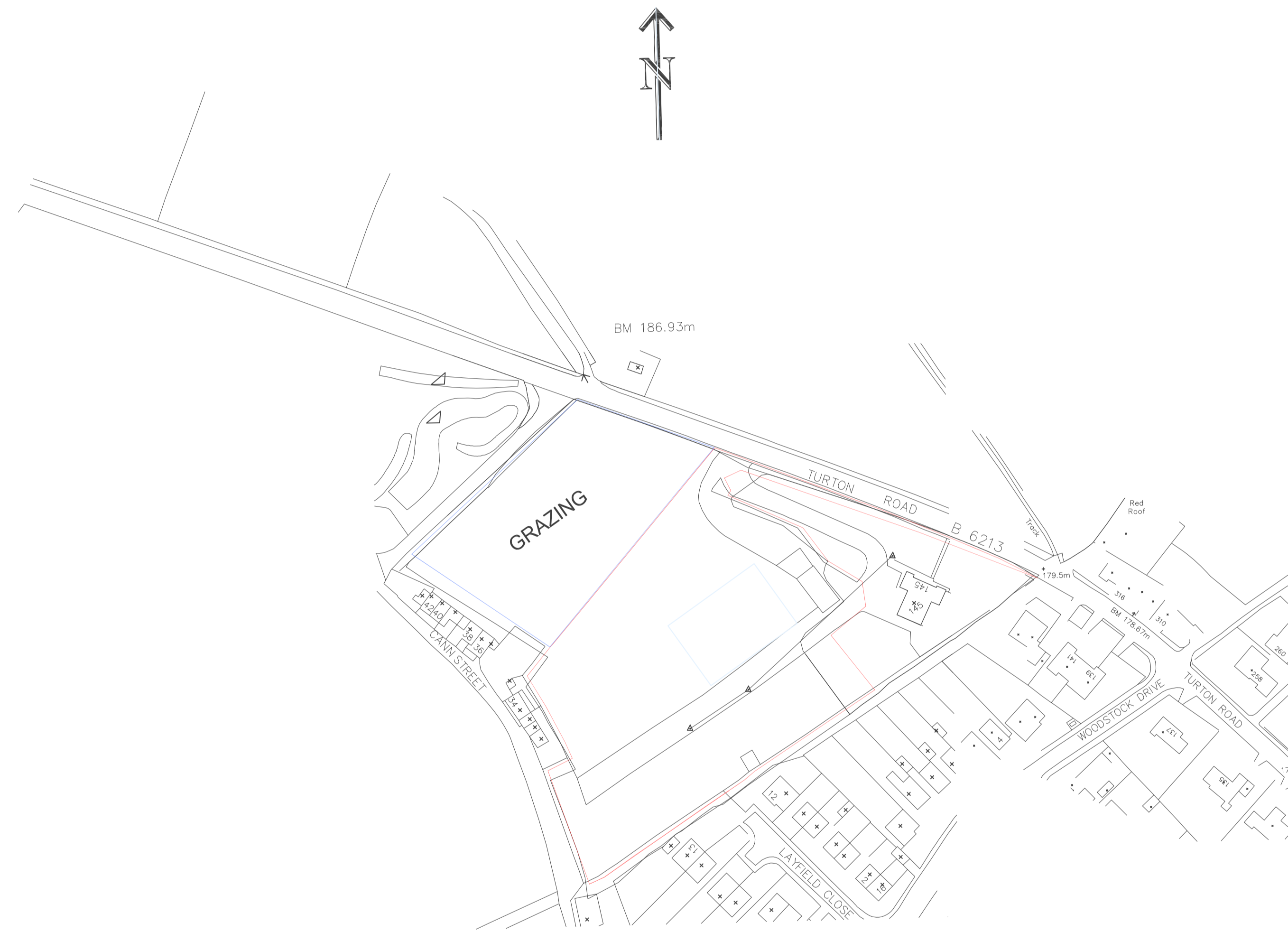
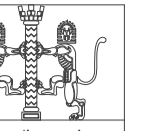


SCALE: 1:1250 DATE: 16/11/2015

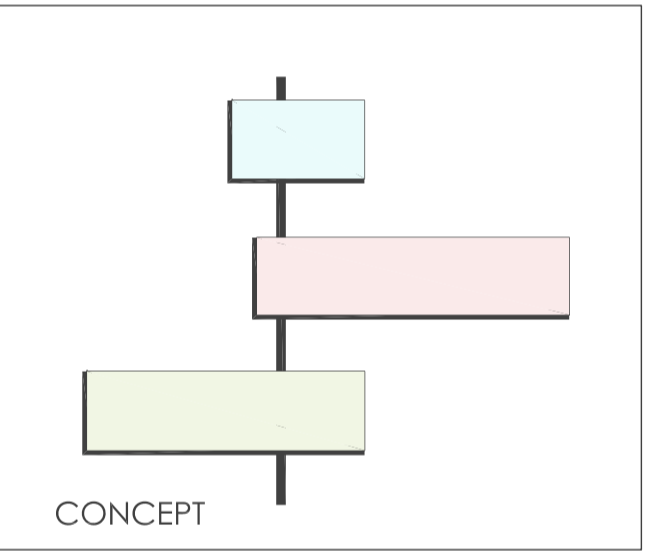


Notes

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LOCATION PLAN 1:1250



Rev	Description	Date	By
B	Redline revised	23-10-15	TK
A	Titles	12-06-15	TK

Jennings Design Associates
Architects

C	Concept	G	Tender
D	Planning	J	Construction
E	Building Regs	L	As Built
F	Production	Sk	Sketch

Architects Designers Project Managers
The Warehouse, Saxon Street, Denton, Manchester M34 3DS
T: 0161 336 5011 F: 0161 320 0512 E: jda@jda-architects.com

Client: Jim Hennessey			
Project: Turton Road			
Scale: 1:1250	As original size: A1	Date: 22/04/15	Checked by:

Job Number	Description	Rev
841 A 007	Location Plan	B



Z:\841 - Turton Road, Tottlingdon - Jim Hennessey\Drawings\Live\841\House plan-B.dwg

TURTON ROAD TOTTINGTON: LANDSCAPE MASTERPLAN

Turton Rd

Cann St

B6213


Turton Rd

Key:

-  Existing tree to be removed
-  Existing deciduous trees to be retained
-  Existing coniferous trees to be retained
-  Proposed trees including mixed woodland planting
-  Mixed ornamental grasses
-  Flat soft terraces : private garden spaces
-  Rain garden between the house wings
-  Existing pond to be enhanced with marginal planting
-  Excavated soil used to create raised area of land with wildflower meadow
-  Gabions retaining walls
-  Winding paths connecting wider spaces
-  Morning & afternoon terraces
-  Sculpture
-  Steps
-  Shelter / viewing point (on top of the hill)
-  Cor ten steel retaining elements
-  Entrance gates
-  Driveway (permeable surfaces)
-  Parking space (6 parking spaces)
-  Garage entrance
-  + 186 Existing levels
-  + 186.2 Proposed levels
-  Washing line
-  Bin storage
-  Existing fence
-  Existing walls

TURTON ROAD, TOTTINGTON
PROJECT

LANDSCAPE MASTERPLAN 03/06/15
DRAWING DATE

1:500 @A1  N
SCALE

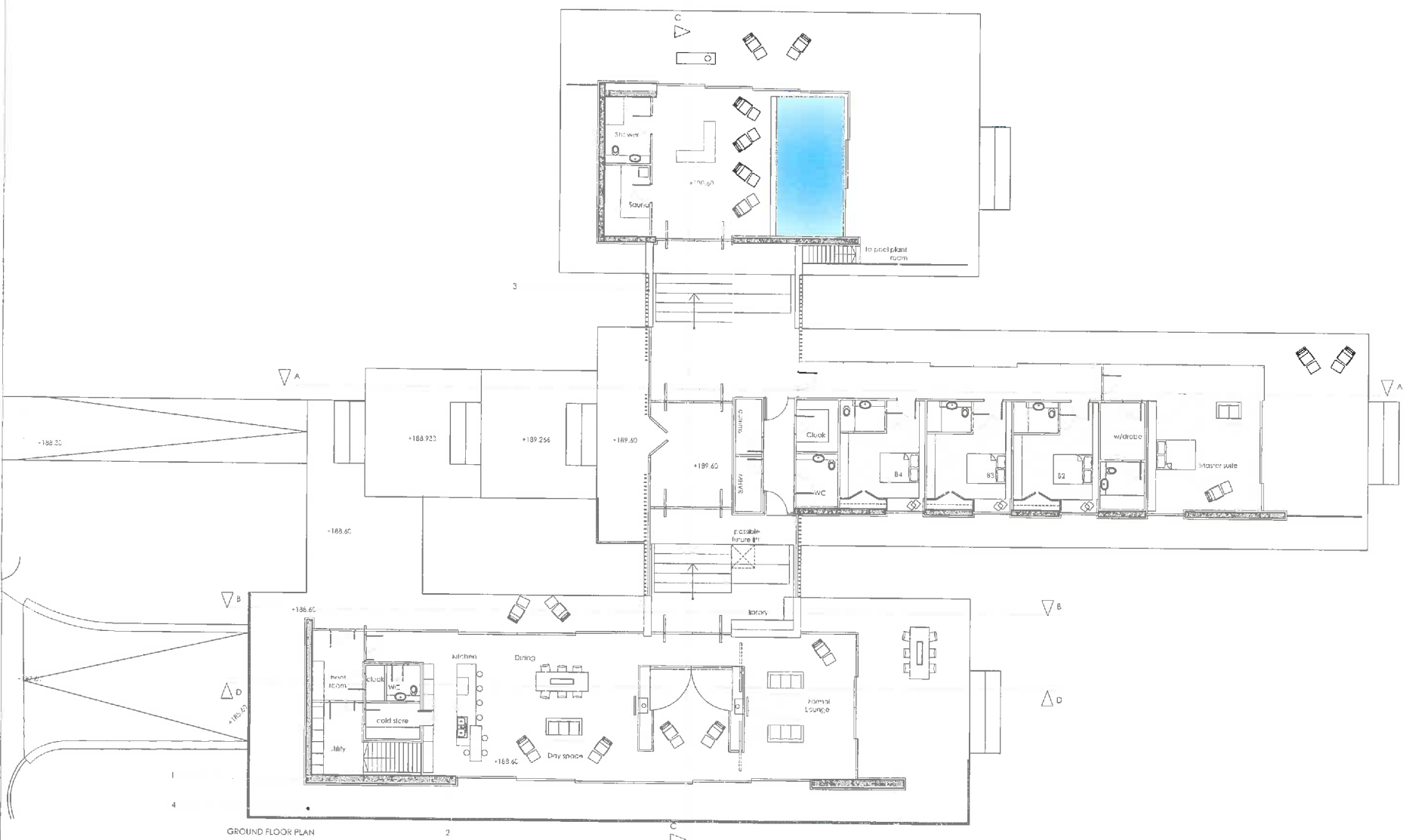
694_100_P E
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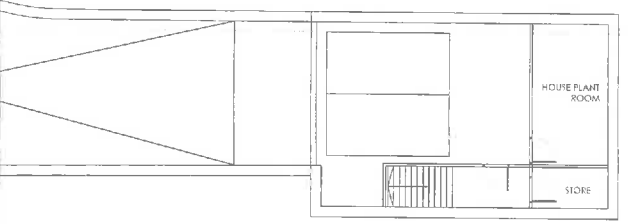
CAMLIN LONSDALE
Beechwood Studio Manchester Road Marsden H27 6JA 01484 841000
info@camlinlonsdale.com www.camlinlonsdale.com C:\Program Files\Autodesk\MapInfo\MapInfo

Notes

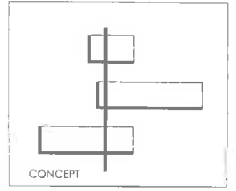
1. All dimensions are in millimetres unless otherwise stated.
 2. All levels are in millimetres unless otherwise stated.
 3. All areas are in square metres unless otherwise stated.
 4. All areas are to be finished to the level of the finished floor unless otherwise stated.
 5. All areas are to be finished to the level of the finished floor unless otherwise stated.



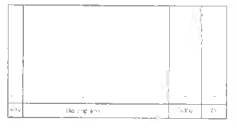
GROUND FLOOR PLAN



GARAGE PLAN



CONCEPT



Jennings Design Associates
 ARCHITECTS

C	Officer	G	Junior
E	Planner	J	Consultant
L	Building Equip.	L	Architect
S	Project Manager	SR	Senior

Architects Designers Project Managers
The Warehouse, Saxon Street, Denton, Manchester, M24 3DS
 T: 0161 275 1111 F: 0161 275 1112 E: info@jda.co.uk

Author: Jim Hennessey
 Project: Tufon Road

Scale:	1:100	1:200	1:500	1:1000
Date:	11/01/11	22/04/15		

Sheet:	B41	A 001	Ground Floor Plan
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Page 44
 Spruce Cladding



2 - Vitroscra



3 - Ashlar sandstone



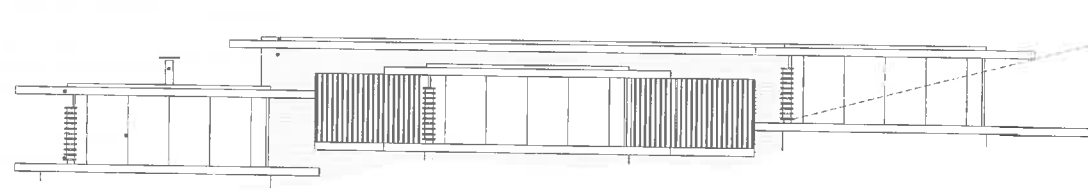
4 - Large formal lites
 Nero by Coshwood



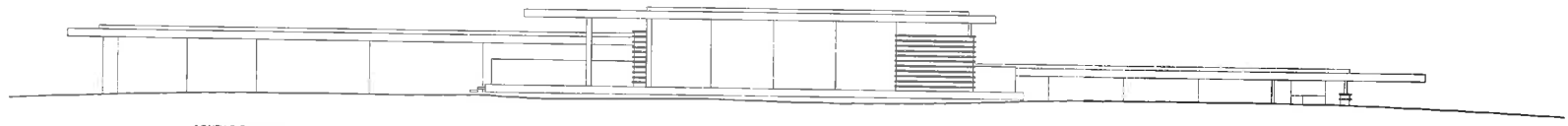
1. 001 - Upper - Main - Entrance - Drawings - Jim Hennessey - Denton - Warehouse - 2011

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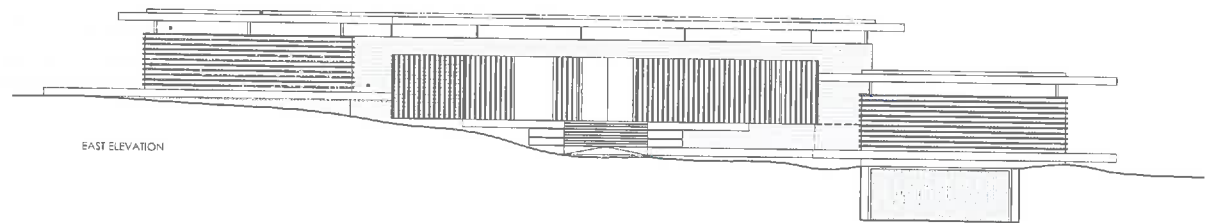
WEST ELEVATION



SOUTH ELEVATION

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3



EAST ELEVATION

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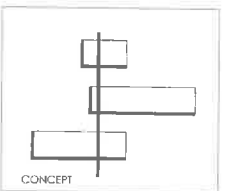


NORTH ELEVATION

Notes



1. All work shall be in accordance with the current edition of the Building Regulations and the Building Act 2000.
 2. The client is responsible for obtaining all necessary planning and building control approvals.
 3. The architect is not responsible for the design of any specialist equipment or fittings.
 4. The architect is not responsible for the design of any specialist equipment or fittings.
 5. The architect is not responsible for the design of any specialist equipment or fittings.



1	2	3	4	5	6
1	2	3	4	5	6

Jennings Design Associates

C	Control	U	Unit
E	Exterior	S	Structure
F	Finishing	W	Work
P	Particulars		

Architects, Designers, Project Managers
 The Woodhouse, 100, 101, 102, 103, 104, 105
 Manchester, M14 5DS
 Tel: 0161 275 1111 Fax: 0161 275 1112

Jennings Design Associates	
Sutton Road	
1:100	22/04/15
84	A 100 Elevations



1 - Spruce cladding



2 - Vitrocas glazing



3 - Ashlar sandstone



4 - powder coated steel



5 - solum roof



A - chimney cow

Ward: Whitefield + Unsworth - Besses

Item 03

Applicant: Berkshire Homes Northern Ltd

Location: Land adjacent to 15 Prestfield Road, Whitefield, Manchester, M45 6BD

Proposal: Erection of 33 no. apartments in 2,3 & 4 storey blocks with associated parking and a detached dwellinghouse.

Application Ref: 58918/Full

Target Date: 21/12/2015

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 UDP Policy RT2/2 and SPD1 and for the provision of affordable housing in accordance with UDP Policy H4/1 and SPD5 Affordable Housing. Should the agreement not be signed and completed within a reasonable period, it is requested that the application not determined by the Development Manager.

This item has been recommended for a site visit.

Description

The application site comprises a piece of undeveloped land (0.35ha) between the M60 motorway and established housing fronting on to Prestfield Road, Ashby Grove and Glendevon Place. The site is relatively flat apart from the treed embankment along the southerly boundary to the motorway. The site was a left over parcel of land resulting from the development of the M60 motorway, which subsequently was not required.

The application is seeking full planning permission for the development of 34 units comprising 33 apartments and a single dwellinghouse. The apartments would be within a single building that would vary between two, three and four storeys in height. The apartment block would run adjacent to the treed boundary with the M60 Motorway while the the detached two storey dwellinghouse would be located next to No.15 Prestfield Road.

The scheme indicates 49 parking spaces, and includes areas of landscaping and amenity space. The applicant states that the form of the development is driven not only by the shape of the land but also as a 'noise barrier' structure that would reduce the noise levels to the northerly side of the site and to the existing residential properties that back on to the site.

The new build would be substantially red/brown brickwork to the lower floors with render above. The roofs would be shallow pitched with a grey tile. Windows would be dark grey coated aluminium.

In support of the application the following reports have been submitted:

Assessment of Road Traffic Noise Impact - This recommends noise mitigation measures, including upgraded acoustic glazing and acoustically treated ventilation systems.

Assessment of Trees & Habitat & Activity Survey in Relation to Bats and an Arboricultural Method Statement and Implications Assessment have also been submitted.

The application follows a previous scheme that obtained outline approval in 2012 for 40 residential units - see Relevant Planning History.

Relevant Planning History

55369 - Outline - Erection of 40 no. apartments in 2, 3 & 4 storey blocks with basement parking (reserved matters for access, layout and scale) - Approved 19/12/2012

42571 - New residential development - 3 and 4 storey blocks of 65 no. apartments -
Refused 28/07/2004.

Publicity

Site notice and press notice in Bury Times 10/09 and the following 95 neighbours were notified by letters dated 02/09, 21/09 and 02/11.

30, 77, 79, 81, 83, 62-110 (even) Thatch Leach Lane,
2-18 (even), 1-15 (odd) Prestfield Road
1-15 (odd) and 2-40 (even) Glendevon Place
49, 59-63 (odd) Balmoral Avenue
1-12 Ashby Grove

Objections have been received from 3, 11, 13, 14 and 15 Prestfield Road, 66 Thatch Leach Lane, 9 and 11 Ashby Grove. Concerns are summarised below:

- In terms of size and design, the proposal would be out of character with the area and represent overdevelopment.
- The development would be too high in relation to existing housing.
- Loss of trees and impact upon wildlife habitat, particularly bats.
- Impact upon amenity and the gardens of existing properties from overshadowing.
- Impact upon privacy from overlooking.
- Increased traffic would causing disturbance, pollution, traffic congestion and noise. The roads around this area cannot accommodate increased levels of traffic.
- Concerns about the impact upon ground water and drainage arising from the development as there has been localised flooding in the area.
- The development would block light and views from neighbours.
- Inconvenience from construction traffic and the loss of on street parking.
- The detached house/maisonette would be too close to 15 Prestfield Road.
- Existing street lighting on Prestfield Road is insufficient.
- The occupier of 15 Prestfield Road claims adverse possession of land to the side of his property.
- The occupier of 13 Prestfield Road claims adverse possession of land to the rear of his property and enclosed within his garden.

Those making representations have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - No objection subject to condition relating to drainage.

Environmental Health - No objection subject to conditions.

Waste Management - No objection.

Whitefield & Unsworth Township Forum - No comment.

Environment Agency - No objection.

Greater Manchester Police - No objection in principle subject to Crime Impact Assessment.

United Utilities (Water and Waste) - No objection.

G M Archaeological Advisory Service - No objection.

Highways Agency - No objection.

Greater Manchester Ecology Unit - No objection subject to conditions re bats and trees.

Unitary Development Plan and Policies

H2/1 The Form of New Residential Development
H2/2 The Layout of New Residential Development
H4/1 Affordable Housing
EN1/3 Landscaping Provision
EN1/5 Crime Prevention
EN3 Archaeology

EN5/1	New Development and Flood Risk
EN6/4	Wildlife Links and Corridors
EN7/2	Noise Pollution
EN7/1	Atmospheric Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT2/10	Development Affecting Trunk Roads
SPD1	Open Space, Sport and Recreation Provision
SPD3	DC Policy Guidance Note 3: Planning Out Crime
SPD2	DC Policy Guidance Note 2: Wildlife Links & Corridors
H1/2	Further Housing Development
NPPF	National Planning Policy Framework
RT2/2	Recreation Provision in New Housing Development
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.

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.

Principle. The principle of residential development on the site has been established by the previous outline consent for access, scale and layout granted by the Planning Control Committee in December 2012 under reference 55369.

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.

The site is located within a predominantly residential area and as such the proposal would not conflict with the surrounding land uses. Whilst the site is a greenfield site, there are sufficient material reasons for bringing the site forward to meet a real and identified need for the borough to deliver housing, without placing pressure upon more peripheral open land or land within the Green Belt. As such it is considered that the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

However, there is a need for any development of the land to properly address issues such as layout, access, noise and other factors relating to residential amenity. The main policies relating to these factors are:

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:

- a) the external appearance and design of the proposal in relation to its height, scale, density and layout;
- b) the relationship of the proposal to the surrounding area;
- c) the choice and use of materials;
- d) access and other design features for the mobility impaired;
- e) the design and appearance of access, parking and service provision;
- f) landscaping, including the use of natural landscape features, and open space provision;
- g) the use of lighting.

H2/1 The Form of New Residential Development - All new residential development will be expected to make a positive contribution to the form and quality of the surrounding area. Factors to be considered when assessing proposals will include:

- a) the height and roof type of adjacent buildings;
- b) the impact of developments on residential amenity;
- c) the density and character of the surrounding area;
- d) the position and proximity of neighbouring properties;
- e) the materials to be used in proposed developments, especially their colour and texture.

H2/2 The layout of New Housing Development - New residential development will be required to demonstrate acceptable standards of layout. Factors to be considered when assessing proposals will include:

- a) car parking provision;
- b) access for both vehicles and pedestrians, and provision for public transport;
- c) the possible need for traffic calming measures;
- d) density;
- e) space about and between dwellings;
- f) landscaping and screening;
- g) protection/provision of trees and hedgerows;
- h) open space/children's play areas;
- i) design for safety and security;
- j) access/facilities for the disabled;
- k) the existence of any public rights of way.

Siting, scale and appearance - The main apartment building is a mix of 2, 3 and 4 storeys and runs along the south east boundary, adjacent to the motorway and returns along the north east boundary.

As with the previously approved outline scheme, the proposals have moved away from the previous 'monolithic' appearance within the refused scheme of 2004. It now proposes a series of connected blocks, with smaller connecting elements to break up the massing and allow some gapping and articulation. The proposal has actually been reduced in size from the outline approval which was for 40 apartments with basement parking approved in 2012.

The development steps down from the north-east end of the site towards the south-west entrance in an attempt to scale the development down as it moves towards Prestfield Road which is characterised by two storey houses.

Chapter 6 of the NPPF - Delivering a Wide Choice of High Quality Housing, states that "housing applications should be considered in the context of the presumption in favour of sustainable development" and that there is a need "To deliver a wide choice of high quality housing...and create sustainable, inclusive and mixed communities". The proposed development is of a differing type to the surrounding properties. However, the site is in a sustainable, urban location, would offer a different types of living accommodation to the area and has indicated in its design that the development can 'break down' the massing of

the building to assimilate more successfully into the area.

Given the above, it is considered that the development, in terms of siting and design, would not significantly detract from the character of the area and complies with national planning policy context, would contribute to the delivery of housing in the area, responds to current policy thinking and would therefore be compliant with UDP Policy H2/1.

Aspect Standards and Residential Amenity - The aspect distances provided from the corner of the block at the north east end of the site to the corner of No.7 Ashby Grove would be 13m. As the rear elevation and windows on No.7 Ashby do not face directly towards the new block, the separation distances are acceptable.

The main rear elevations of Nos.9 and 11 Ashby Grove would face the main block itself and would be some 26/27m away. The main block facing towards these properties would be four storey in parts and in these circumstances the Local Planning Authority would normally seek an additional 3m separation for each storey difference in height over the minimum 20m separation distance between two storey properties. As such, the minimum distance would be achieved and thus meet Council requirements.

Towards the south west /entrance end of the site, the three storey block would, at its closest point be 9m (approx) from the corner of the rear garden of No.15 Prestfield Road. This distance, with new boundary planting is considered to be acceptable.

In terms of overshadowing, given the separation distances and aspect in terms of the sun's trajectory, the development would not have a seriously detrimental impact on the surrounding properties.

The scheme also includes a two storey detached house/maisonette sited adjacent to the side of No.15 Prestfield Road. The existing property has been extended by a two storey side extension, with numerous windows in the side gable. None of the gable windows on the approved plans for the extension are principal room windows. They are either secondary windows or serve utility room, garage or landing windows. Given that these windows are not primary windows, it is not reasonable for this property to prevent development of another's land solely for this reason. This was confirmed to the householder on the decision notice following the granting of planning permission.

Part of the landscaping scheme for the development includes planting along the shared boundary with properties on Ashby Grove and Prestfield Road. This planting would help screen the development from these properties and further mitigate overlooking. Specific details of the landscaping scheme would be required by condition 23.

In view of the above issues, it is considered that the proposal would be acceptable, would not cause any undue impact upon privacy, overshadowing and would comply with UDP Policies H2/1 and H2/2 in terms of residential amenity.

Noise and Ventilation - The NPPF provides general guidance to LPA's on how noise issues should be taken into account in reaching their planning decisions. It states that LPA's should aim to avoid development where noise would have significant adverse impacts upon health and quality of life.

UDP Policy EN7/2 Noise Pollution states that in seeking to limit noise pollution the Council will not permit development which could lead to noise nuisance or allow development close to a permanent source of noise.

As with the previously approved scheme, the application states that the siting and scale of the block along the south east boundary helps to provide a noise barrier, shielding the north and west parts of the site and residents to the immediate north of the site from noise created by the motorway traffic.

The acoustic report describes that, with appropriate mitigation measures such as no opening windows to motorway elevation, specialised glazing, insulation and ventilation (to reduce the need to open windows) incorporated into the structure, the internal spaces within the building would be within British Standard tolerances for habitation of 35 and 45 decibels in living rooms and bedrooms respectively.

In terms of the impact on external areas, the siting of the building adjacent to the motorway together with its height would be such that the site would help reduce the external noise levels to an acceptable degree. The acoustic report included an assessment of the car parking and it concluded that noise levels would be acceptable and indeed well below noise levels from the M60 motorway at the nearest dwelling (39-41 decibels).

It is recommended that planning conditions should be imposed to ensure that the proposal meets all the current noise standards for residential development and all the noise mitigation measures are fully implemented and maintained. On this basis, the proposals would meet the guidance contained within the NPPF and UDP Policy EN7/2.

Ecology - The main value of the site in terms of ecology are the trees around the boundary, in particular those along the boundary with the motorway which provide both amenity and ecological value. There are two Poplars on the northern boundary, to the rear of No.9 Ashby Grove that are subject to a Tree Protection Order (TPO).

Tree reports were submitted with the application conclude that the development, with tree protection measures and an appropriate landscaping plan including new tree planting, would not have a seriously detrimental impact on the remaining trees. Whilst the trees along the motorway and north east boundaries would be retained and other boundaries would be enhanced with new tree planting, one of the TPO protected Poplars (T1) would be removed as it would be within the building zone at the top end of the site. Whilst the loss of the tree is unfortunate, the landscaping scheme and new tree planting would mitigate this loss. Conditions would be attached to ensure tree protection measures are implemented and compliance with the tree retention and landscaping proposals pursuant to UDP Policy EN8/2 Woodland and Tree Planting.

The Assessment of Trees & Habitat & Activity Survey in Relation to Bats submitted with the application concludes that there is an absence of roost potential in trees and there are no structures on site. There is however evidence of Common Pipistrelle bats commuting into the site. The development has the potential to reduce the amount of foraging habitat available to bats by way of tree removal and causing light spillage on to remaining and newly planted trees. However the existing swathe of trees along the south-east boundary would remain.

The report recommends tree planting to compensate for the loss of trees and vegetation. It also suggests that lighting should be designed to reduce light spillage onto natural features. Bat roosts can also be incorporated into the development in appropriate locations.

Greater Manchester Ecological Unit (GMEU) has no objections to the proposal, subject to the inclusion of conditions relating to Japanese Knotweed, Himalayan Balsam, bird nesting, and the provision of a landscaping plan and bat protection measures.

The proposed development would, with the incorporation of certain measures to protect both trees, bats and other wildlife, not cause undue harm to the ecology of the area and therefore would be acceptable and in accordance with UDP policies and guidance.

Drainage and Flood risk - The site is not within any known area of flooding and given the size of the site, there is no requirement to consult the Environment Agency. Paragraph 101 of the NPPF states that "the aim of the Sequential Test is to steer development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding." Standing advice from the Environment Agency states that

the main considerations will rest upon how surface water drainage is dealt with. Government policy strongly encourages a sustainable drainage system (SuDS) approach to achieve these objectives. Following consultation with United Utilities and the Council's own drainage engineer, a conditional approach on the basis described above is considered appropriate.

Highways issues - The scheme is such that it is not of a scale to require the submission of a transport assessment. UDP Policies HT6/1, HT6/2, H2/1, H2/2 and HT2/4 require proposals to ensure that there are no conflicts between pedestrians, cyclists and vehicles; safe access is provided and parking provision is also provided.

The proposed development would use the existing access point into the site but would improve it to provide a suitable vehicular and pedestrian access in to and out of the site, onto Prestfield Road. The access point would be designed to achieve appropriate intervisibility provision at the junction with Prestfield Road and Balmoral Avenue.

Unrestricted views of vehicles approaching from Balmoral Avenue can be provided and clear intervisibility along Prestfield Road can also be achieved from the site access point. There are no objections in principle to the means of access and the Traffic Section has no objections to the proposals, subject to the inclusion of conditions relating to footway provision, visibility splays, car parking being laid out and measures to prevent mud passing onto the highway.

Parking - The site is within a high access area as described within the Council's adopted SPD11. It states that parking maximum provision for 2 bed dwelling is 1.5 spaces and 1 bed dwelling is 1 space. The scheme proposes 53 parking spaces, which gives sufficient comfort of the proposals in detail being able to provide sufficient parking to meet the development's needs at least 1 space per dwelling with visitor provision. The site is located on a main bus route, close to the Besses station therefore, it is considered that the parking provision would be acceptable in this instance and the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

TV Reception - As the development includes a 4 storey element it is a requirement to consider whether there would be any potential impact upon TV reception. A baseline assessment was submitted with the previous outline application and indicated that there would not be any impact upon TV reception to the properties on Prestfield Road, Ashby Grove or the southerly side of Thatch Leach Lane. The report considered that as the signal comes from Winter Hill, it would be received by the neighbouring properties before it reaches the proposed new build. There are therefore no significant concerns on this issue.

Affordable Housing - As the application proposes a total of 34 properties it 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 8 properties.

The applicant proposes to provide 5 apartments and 3 maisonettes, which would be located across the development. This is considered to be acceptable and would comply with the requirements of UDP Policy H4/1 SPD5 relating to affordable housing.

Recreation Provision - UDP Policy RT2/2 together with the Council's SPD1 adopted in June 2015, requires developers of new housing on sites of 10 or more dwellings to provide for the recreational needs of the prospective residents. Recreation provision in this case would take the form of off-site provision for projects in the vicinity.

The developer contribution secured by a S106 legal agreement in this case would be £54,469.89. The following projects have been highlighted for funds to be spent:

- Thatch Leach Lane Play Area and Ballzone Improvements (Phase 1)
- Boz Park Play Area Improvements (Phase 1)
- Cycling Infrastructure Improvements (Phase 1), Philips Park

Objections - The main planning related issues raised by objectors have been addressed in the above report. The issues relating to land ownership and adverse possession are a private matter. Issues relating to traffic and disturbance during the construction phase of development are matters that would be controlled by a combination of existing Health and Safety, Environmental Health and traffic legislation

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

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

Recommendation: 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 2319/PL/loc, 1f, 2, 2a, 3a, 4a, 5 and 6 and supplementary documents:
Assessment of Road Traffic Noise Impact,
Assessment of Trees & Habitat & Activity Survey in Relation to Bats
Arboricultural Method Statement and Implications Assessment.
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. 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.
5. No development shall commence unless and until a scheme of traffic calming measures on Prestfield Road and Balmoral Avenue and a programme for their implementation has been submitted to and agreed in writing with the Local Planning Authority. The details subsequently approved shall be implemented to the written satisfaction of and to a programme approved by the Local Planning Authority.
Reason. To mitigate the impact of the traffic generated by the proposed development on the adjacent residential streets, in the interest of highway safety pursuant to UDP Policy H2/2 The Layout of New Residential Development.
6. No development shall commence unless and until full details of the formation of the proposed site access onto Prestfield Road, incorporating the full refurbishment

of the footway abutting the site, reinstatement of the redundant access and all necessary highway remedial works, including the provision of any additional highway drainage that may be required and provision of give way markings at the junction with the adopted highway, have been submitted to and agreed in writing with the Local Planning Authority. The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.

Reason. Insufficient details have been provided and to ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to UDP Policy H2/2 The Layout of New Residential Development.

7. No development shall commence unless and until a Construction Traffic Management Plan (CTMP) has been submitted to and agreed in writing with the Local Planning Authority. The approved plan shall be adhered to throughout the construction period and shall ensure that there is provision to be made for the turning and manoeuvring of vehicles within the curtilage of the site, parking on-site of operatives and construction vehicles together with storage on-site 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 turning and parking of vehicles and storage of construction materials respectively.
Reason. Insufficient details have been provided and to ensure that adequate turning facilities, car parking provision and materials storage arrangements are provided for the duration of the construction period, in the interest of highway safety pursuant to UDP Policy H2/2 The Layout of New Residential Development.
8. A visibility splay measuring 2.4 metres by 33 metres shall be provided at the junction of the site access with Prestfield Road/Balmoral Avenue to the written satisfaction of the Local Planning Authority before the site access is brought into use and shall subsequently be 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 UDP Policy H2/2 The Layout of New Residential Development.
9. The turning facilities indicated on approved plan reference 2319/PL/1C 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 ensure adequate off street car parking provision in the interests of road safety pursuant to UDP Policy H2/2 The Layout of New Residential Development.
10. The car parking indicated on approved plan reference 2319/PL/1C shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained 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.
11. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.
Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to UDP Policy H2/2 The Layout of New Residential Development.

Residential Development.

12. 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 assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution.
Reason. Insufficient details have been provided and to ensure the proposed drainage scheme is appropriate and complies with UDP Policies EN5/1 New Development and Flood Risk and EN7/5 Waste Water Management.
13. Prior to the commencement of development, details relating to the proposed boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development.
Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
14. 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.
15. Following the provisions of Condition 14 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.
16. There shall be no direct vehicular access of any kind between the site and the M60 Motorway. To this end a close boarded fence not less than 2m high shall be erected along the frontage of the site with the motorway to the satisfaction of the Local Planning Authority. The fence shall be erected behind the existing motorway boundary fence, be on the developer's land and be independent of any existing motorway boundary fence.
Reason. In order to prevent trespassing from the development site onto Highways England land.
17. There shall be no development on or adjacent to any motorway embankment or retaining wall that shall put any such embankment, retaining wall or earthworks at risk.
Reason. In order to protect the integrity of the Highways England asset by

ensuring that any new development adjacent to the Strategic Road Network (SRN) does not negatively impact upon the asset.

18. No drainage from the proposed development shall run off into the motorway drainage system, nor shall any such new development adversely affect any motorway drainage.
Reason. In order to protect the integrity of the Highways England asset by ensuring that any new development adjacent to the Strategic Road Network does not negatively impact upon the asset.
19. A minimum of 5 working days written notice shall be provided to the LPA of intended commencement of the development. The notification of commencement shall include a timetabled schedule of the intended tree protection measures and tree works. Any subsequent variation of the timetable shall be subject to further written notice.
Reason - To ensure that the development is carried out in accordance with the approved plans, to protect trees which are of amenity value on the site and pursuant to Policies EN8/1 – Tree Preservation Orders and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
20. No trees, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before or during the construction period without the previous written consent of the Local Planning Authority.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
21. 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.
22. 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.
23. Prior to the commencement of the development, a landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority. It shall include details of all tree replanting, a timetable for the implementation of the scheme and programme for its maintenance. The approved landscaping scheme shall be completed not later than 12 months from the date the buildings are first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of

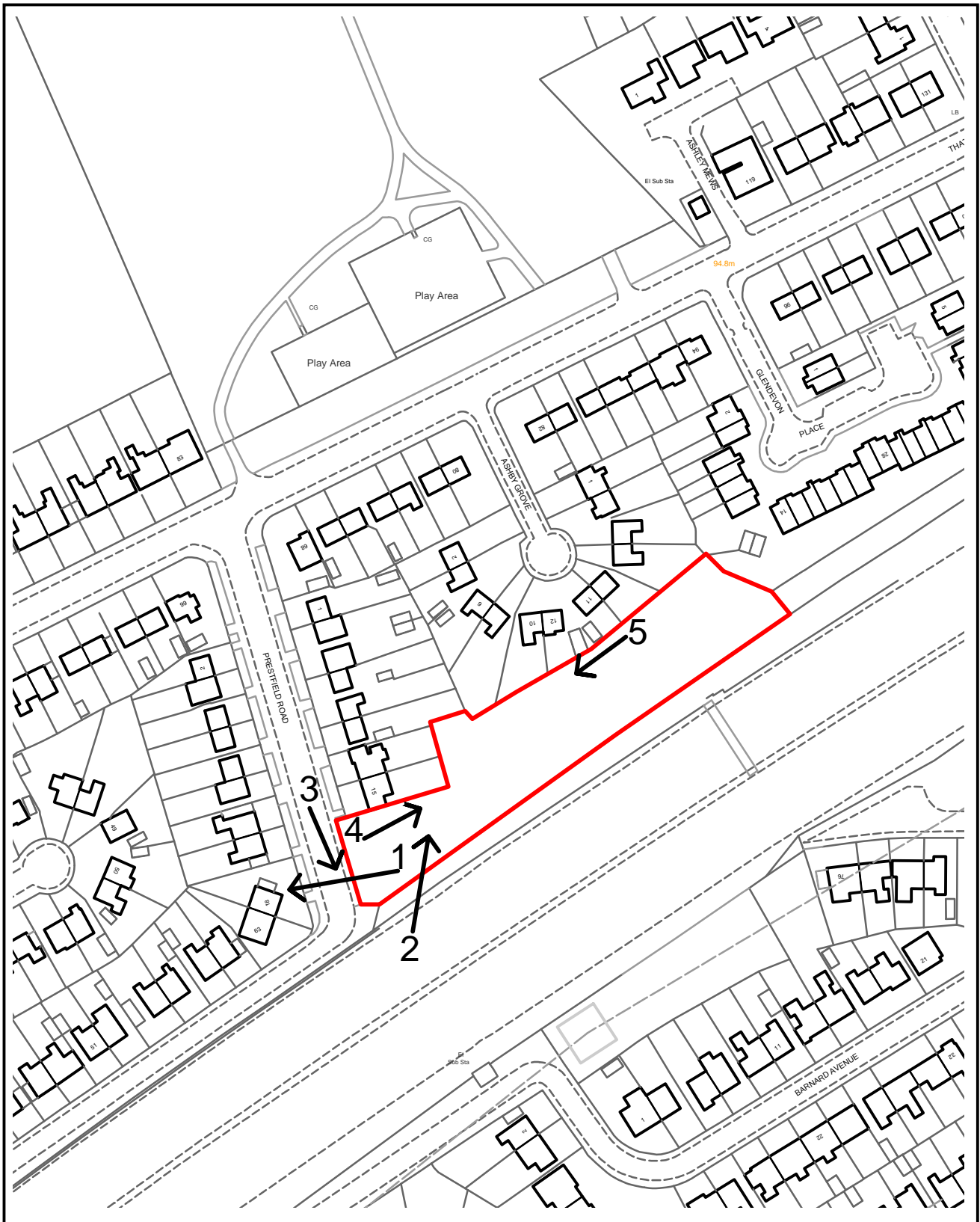
visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

24. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonica 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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 58918

**ADDRESS: Land adj 15 Prestfield Road
Whitefield**



Planning, Environmental and Regulatory Services 1:1250

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58918

Photo 1



Photo 2



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Photo 3



Photo 4



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Photo 5





M62 Motorway

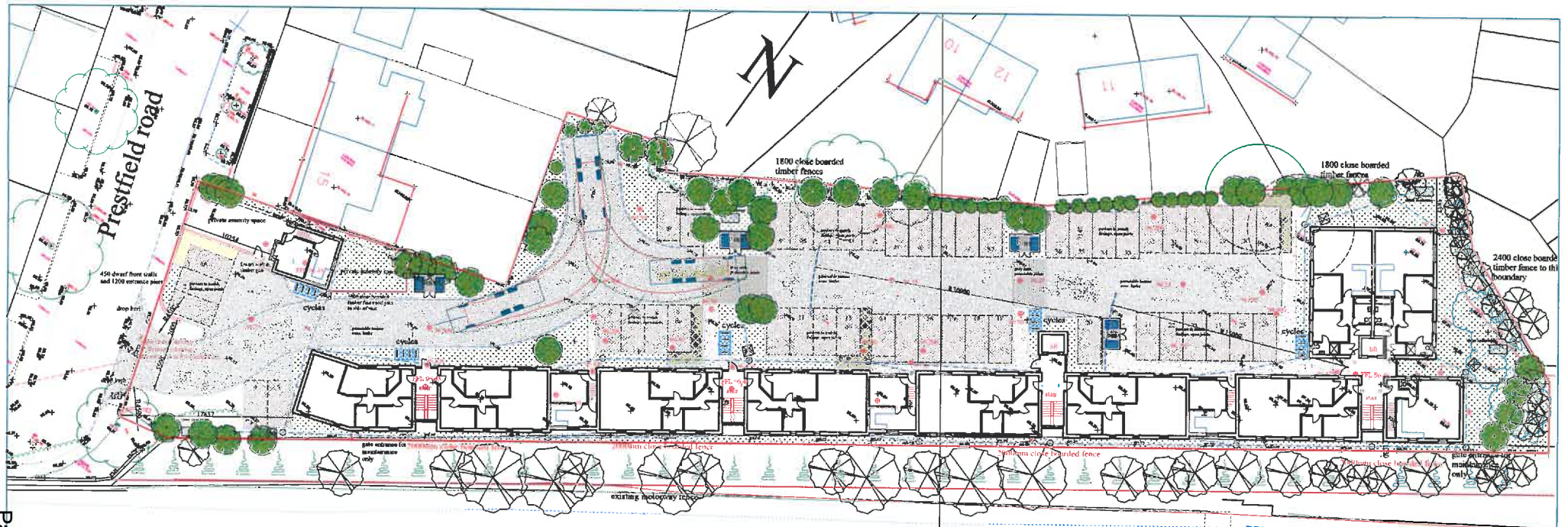
Prestfield road

Site @ Prestfield Road
Bury



CCGladding Architects
75 Ormskirk Business Park
New Court Way
Ormskirk
Lancs L39 2YT
Phone 01695 577701
Fax 01695 574861
E Mail ccg.gladding@virgin.net

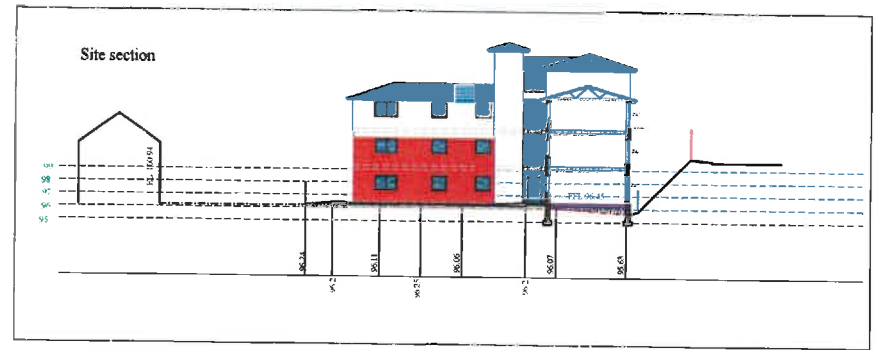
scale	1:1250@A4
date	07/12
drawing	2319/PL/loc



M62 Motorway



- 2319/PL/1f - 2m fence to Mway, revs to No.1
- 2319/PL/1e - move bin store to meet requirements
- 2319/PL/1d - buffer to 11.12 ashby, amenity space to 1.
- 2319/PL/1c - oct 15 - turning head moved, parking & tree revs, TPO tree retained
- 2319/PL/1b - oct 15 - access updated as outline, turning head for bio-parking rev'd
- 2319/PL/1a - sept 15 - planning request info added

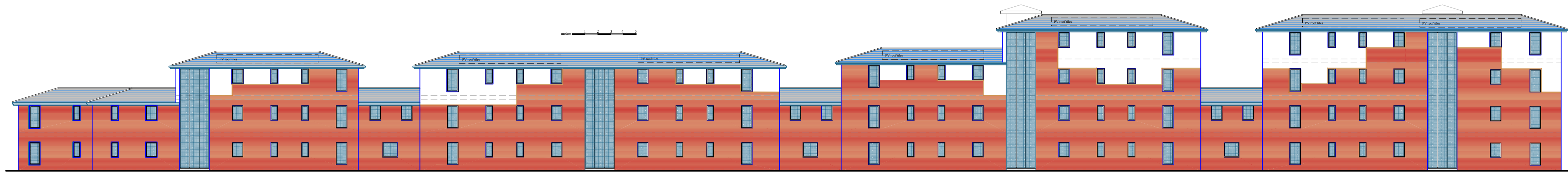


34no Proposed Apartments Prestfield Road Bury

Sheet 1 - Site Plan/Streetscene/Site section

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date	10/15
drawing	2319/PL/1f



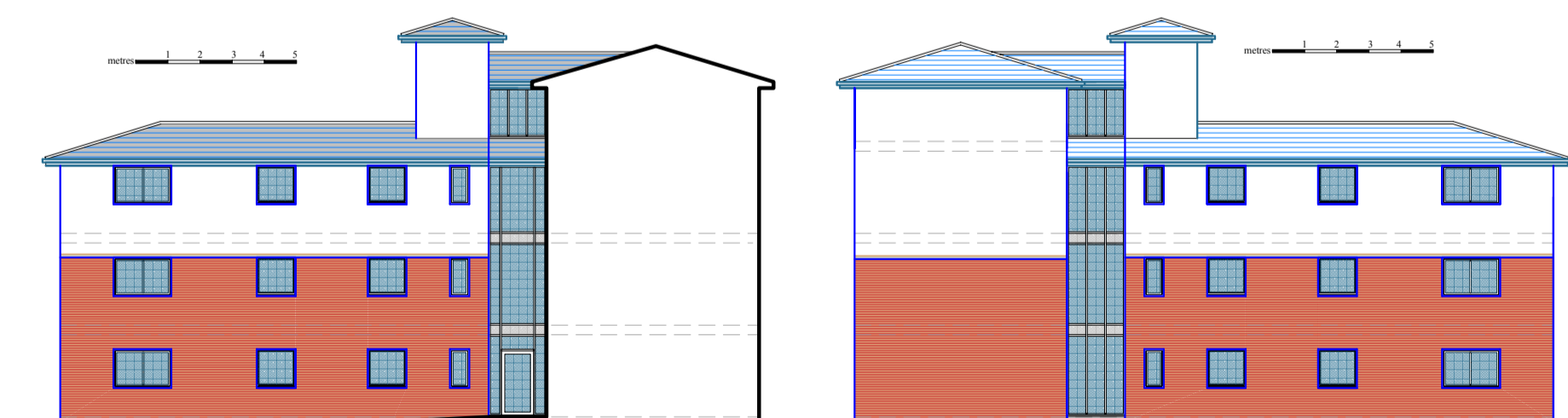


MOTORWAY ELEVATION

MATERIALS
 Roof - blue/grey flat concrete tiles
 Brickwork - red/brown rustic multi facings
 Render - K Rend, or equal, off white render
 Windows/Doors - Dark grey colourcoated aluminium window/glazing system



MAIN SITE ELEVATION - NORTH



SIDE ELEVATIONS - EAST

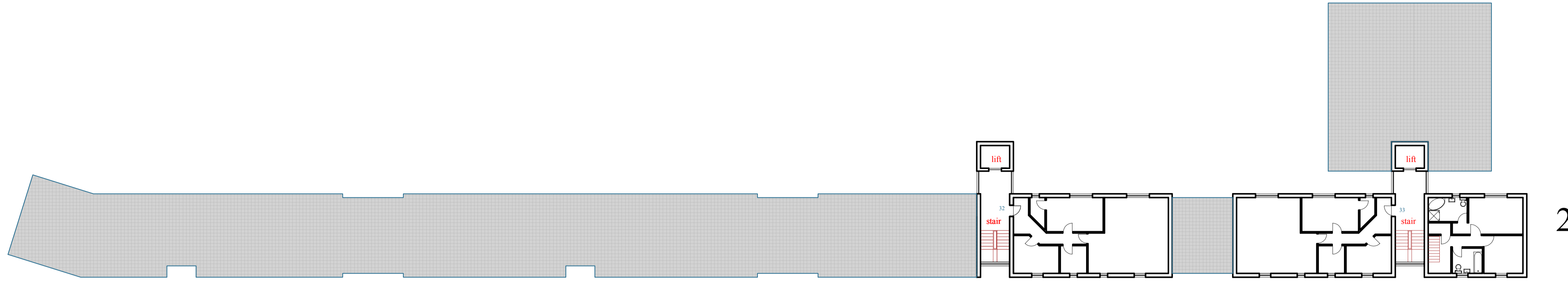
SIDE ELEVATION - EAST

rev	date	description
a	09/15	PV tiles added

34no Proposed Apartments
 Prestfield Road
 Bury

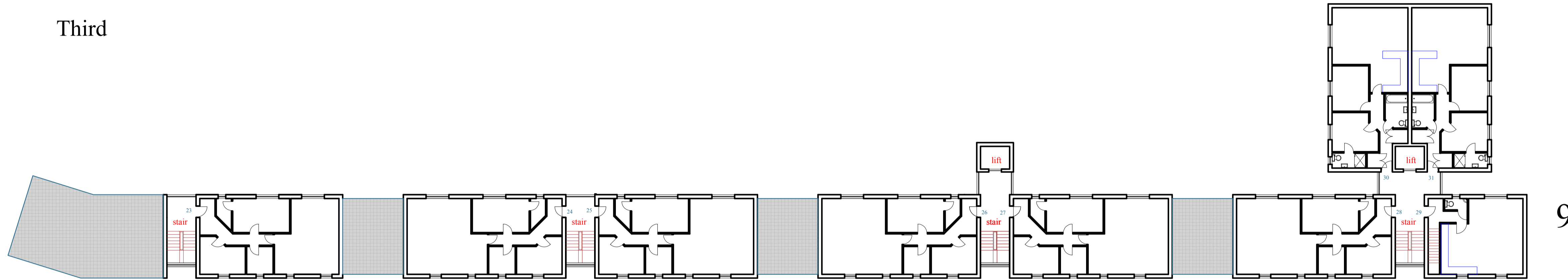
Sheet 3 - Elevations

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drawing	2319/PL/3a



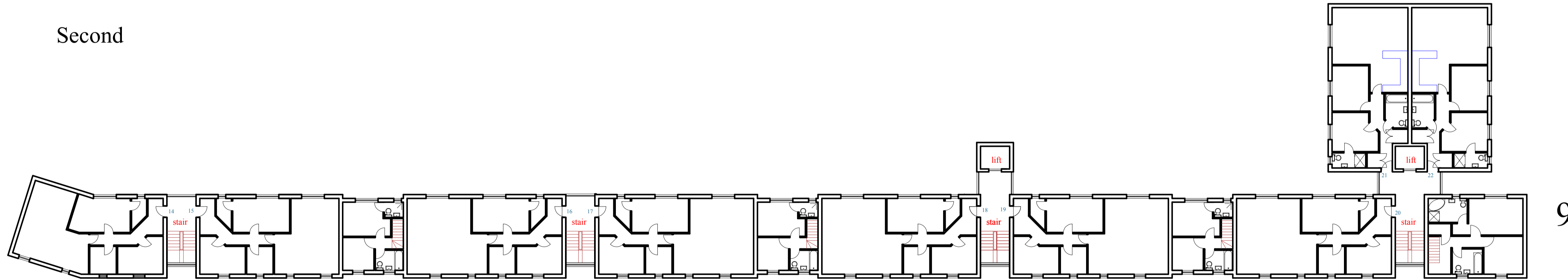
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Third



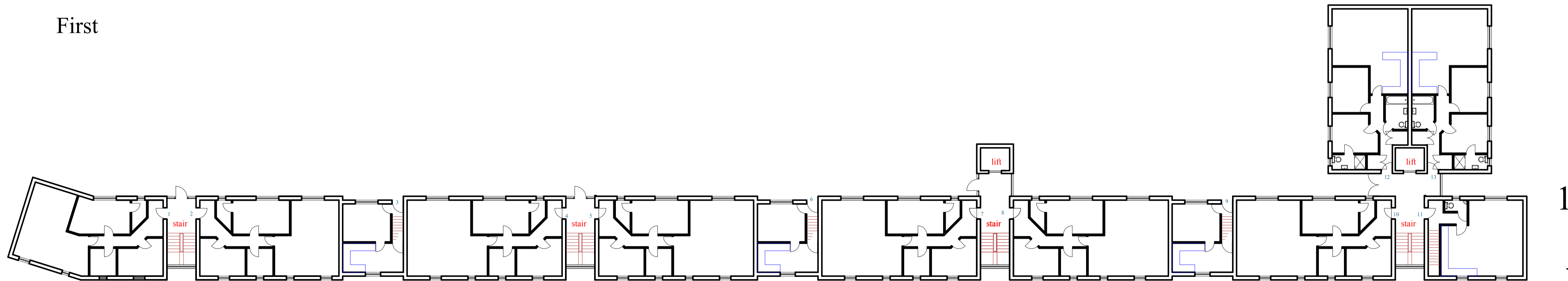
9

Second



9

First



13

Ground

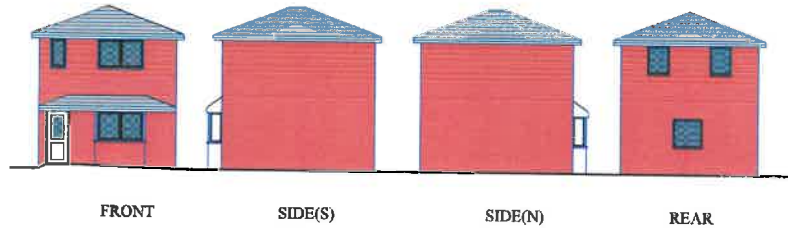
+detached
maisonette
= 34

rev	date	description

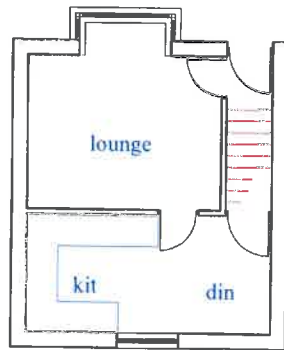
34no Proposed Apartments
Prestfield Road
Bury

Sheet 2 - Floor Plans

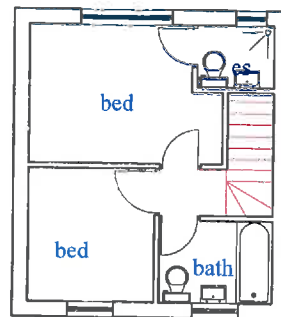
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drawing	2319/PL/2



MATERIALS
 Roof - blue/grey flat concrete tiles
 Brickwork - red/brown rustic multi facings
 Windows/Doors - Dark grey colourcoated aluminium window/glazing system



GROUND



FIRST

no	date	description
10/15	10/15	bay to front

34no Proposed Apartments
 Prestfield Road
 Bury

Sheet 4 - Detached Maisonette

scale	1:50/1:100@A1
date	09/15
drawing	2319/PL/4a



Ward: Bury East

Item 04

Applicant: Mr Saheed Rashid

Location: Unit 1, Yarwood Street, Bury, BL9 7AU

Proposal: Change of use of ground/first floor from shop/workshop to community centre (Class D1); Two storey extension at front/side; External alterations to include new entrance and roller shutters; Alterations to form car park

Application Ref: 59161/Full

Target Date: 07/12/2015

Recommendation: Approve with Conditions

Description

The application relates to a two storey commercial building fronting directly onto Yarwood Street, on the eastern edge of Bury Town Centre. The building has had a number of different uses in the past, including retail, motorbike sales and repairs but is currently vacant and has been for the past 12 months. A small second hand car business sales is operating from the car park on the north side of the building. With terraced houses along Fletcher Street and commercial properties fronting Rochdale Road, the area is characterised by a mix of commercial and residential uses. On street parking is at a premium and as such Fletcher Street has a residents parking scheme in operation and Yarwood Street has a 2 hour limited waiting restriction.

It is proposed to extend and convert the premises (87sqm) into a community centre related to the Noor Ul Islam Mosque located across Yarwood Street . The supporting statement states that that the building would allow the community functions currently operating from the mosque to be moved to a more appropriate space. The centre would open from 10am to 10pm, although a 9pm finish would be considered.

The two storey extension would be at the front and run along the back of the footway, 'squaring off' the building at the north end. The front elevation would continue from the existing frontage and be rendered to match. The roof would be continued from the existing roof and finished in slate tiles to match. The existing entrance on the front would be closed and two new entrances formed at either end of the frontage. The entrances and windows would have roller shutters. The current plans indicate solid rollers shutters to match the ones on the existing building.

The proposal includes providing a 10 space car park for use by those using the community centre immediately to the north of the building.

Relevant Planning History

52935 - Change of use from retail (Class A1) to 24 hour private hire operator - Approved 15/10/2010

Publicity

The following 45 properties were notified by letter 14/10/15.

2-4 Yarwood Street, Units 2 and 4 and 1-33(odd) Fletcher Street, 55, 63-69 Rochdale Road, bus depot.

One objection from the occupier of 11 Fletcher Street and the occupier of Unit 4 Fletcher Street.

The resident at 11 Fletcher Street is concerned about the following:

- General noise and disturbance from vehicles and the building itself. Although there is a lot of industry in the area, this does not impact on the residential area in the evening. Residents should be entitled to some quiet periods for rest, relaxation and undisturbed sleep.
- Traffic congestion at specific times is tremendous and although the proposed 10 parking spaces would alleviate this on general days, this would only be if there were no extra people attending the centre.
- The proposed car park entrance is between double yellow lines and residential parking. The turning-in area is very narrow and due to the position of the first residential building, it will be a blind spot for people leaving the car park.

Representations have also been received from the occupiers of unit 4 Fletcher Street and Unit 2 and 2c Yarwood Street. They state that the proposal will free up on-street parking in the area.

Those making representations have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection in principle subject to details of car parking being clarified and roller shutter boxes not impeding footway.

Drainage Section - No objection.

Environmental Health - Contaminated Land - subject to condition re gas protection.

Environmental Health - Pollution - No comment to date.

Greater Manchester Police - No objection.

Unitary Development Plan and Policies

Area	Rochdale Road/Lord Street/York Street
BY10	
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN7	Pollution Control
CF1/1	Location of New Community Facilities
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
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.

Use - The use of the building as a community centre associated with the nearby mosque would be considered an appropriate use in this locality. The building has been vacant for over 12 months and a new community based use for it would be welcomed. As a new community facility, the proposal is acceptable and complies with UDP Policies CF1 and CF1/1 relating to community facilities as this policy considers which uses should be located within the area that they serve..

Visual amenity - The extension, in continuing the existing frontage in the same style with a render to match, would be in keeping with the existing building and would appear appropriate within the streetscape. The security shutters over the new windows and doors would be rather more stark than would be expected at the end of what is a residential street,

albeit with commercial properties also situated on it. It has been requested by the Local Planning Authority that the shutter design be amended so they appear more open. Subject to an amended design for the roller shutters, the proposal is acceptable and complies with UDP Policy EN1/2 Townscape and Built Design. The shutter details will be reported in the Supplementary Report.

Residential amenity - A small community centre has the potential to cause a degree of noise and disturbance to nearby residents from the general comings and goings of those using the centre and any activities within it. The question is whether this would be serious enough to warrant refusing the proposal given the nature and scale of the use and its semi-commercial location close to the town centre.

The applicant has stated that the activities that would be taking place in the building are already taking place in the mosque across the road and as such would not create any more disturbance than happens currently, indeed it may help alleviate past problems by moving the function away from the houses on Fletcher Street and by providing creating additional off-road parking that frees up space for residents on-street. The car park will help alleviate some of the parking problems and there would also be controls over noise and disturbance provided by existing environmental health legislation.

It is considered reasonable to attach a condition restricting the hours of opening for the centre to 9pm. This would help mitigate the impact of the proposal on nearby residents.

Access and parking - The proposed parking area is welcomed and would provide much needed off street parking in the immediate vicinity for those using the community centre and the mosque. The surfacing and marking out of the car park need to be detailed but would be subject to an appropriate condition. A condition requiring details of the roller shutters would also ensure they do not interfere with pedestrians using the footway. The proposal is therefore acceptable in principle and complies with UDP Policy HT2/4 Parking and New Development and associated SPD11 Parking.

Objection - The issues raised by all those making representations have been addressed 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

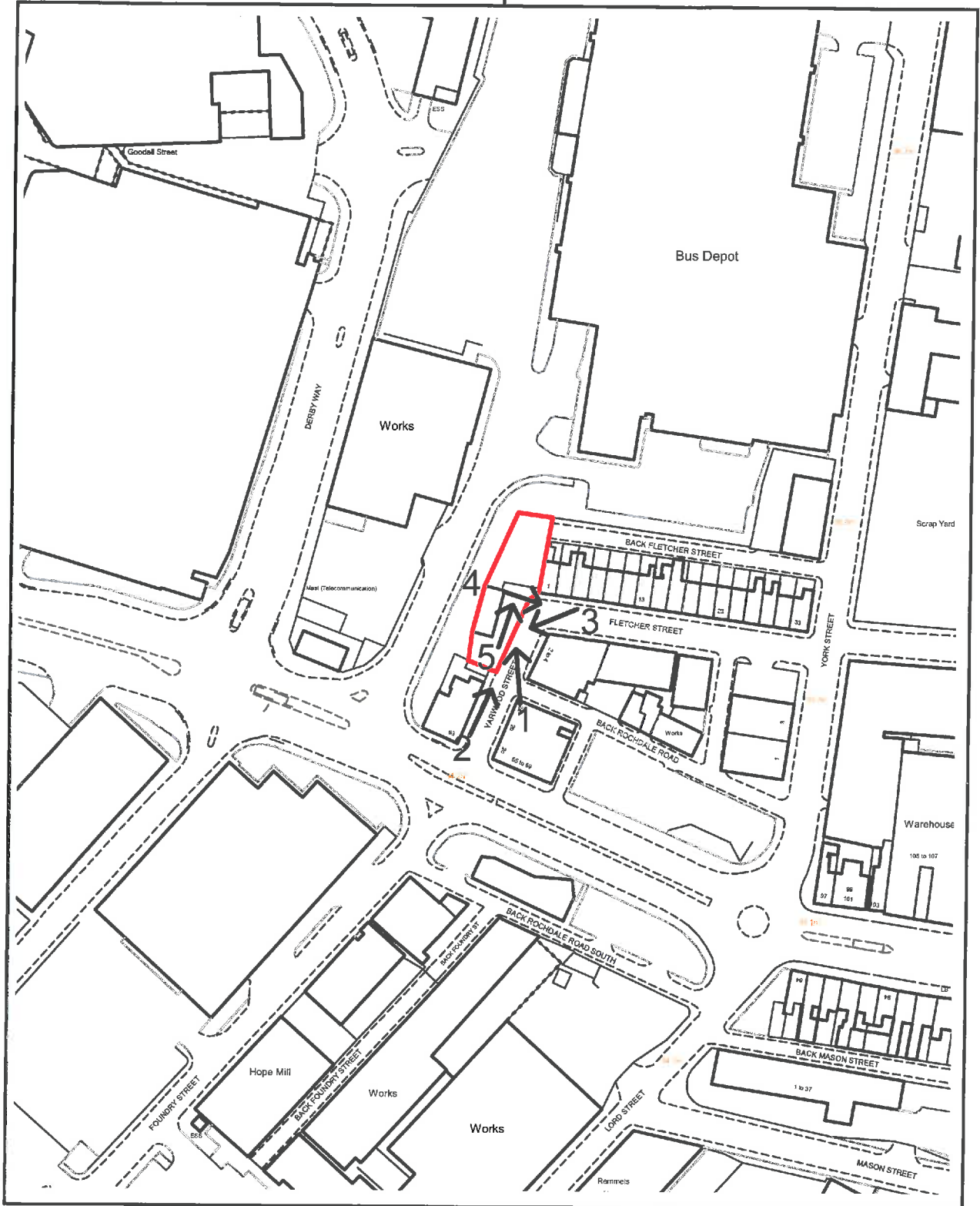
Conditions/ Reasons

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 01-04 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 external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The use hereby permitted shall not be open outside the following times: 0800 to 2100hrs daily.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy CF1/1 Location of New Community Facilities.
5. Prior to commencement of works details of gas protection measures shall be submitted to and approved in writing by the Local planning Authority. The approved measures shall be
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. Prior to commencement of development, full details of all the proposed security shutters shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained thereafter to the satisfaction of the Local planning Authority.
Reason. In the interests of visual amenity and pedestrian safety pursuant to UDP Policies EN1/2 Townscape and Built Design, HT2 Highway Network and CF1/1 Location of New Community Facilities.
7. Prior to commencement of development, full details of the proposed car park, including details of the surfacing and drainage, shall be submitted in writing to the Local Planning Authority. The car parking shall be surfaced and demarcated and made available for use in accordance with the approved details prior to the proposed use of building first commences and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant HT2/4 Car Parking and New Development.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59161

**ADDRESS: Unit 1, Yarwood Street
Bury**



Planning, Environmental and Regulatory Services 1:1250

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

59161

Photo 1



Photo 2



59161

Photo 3



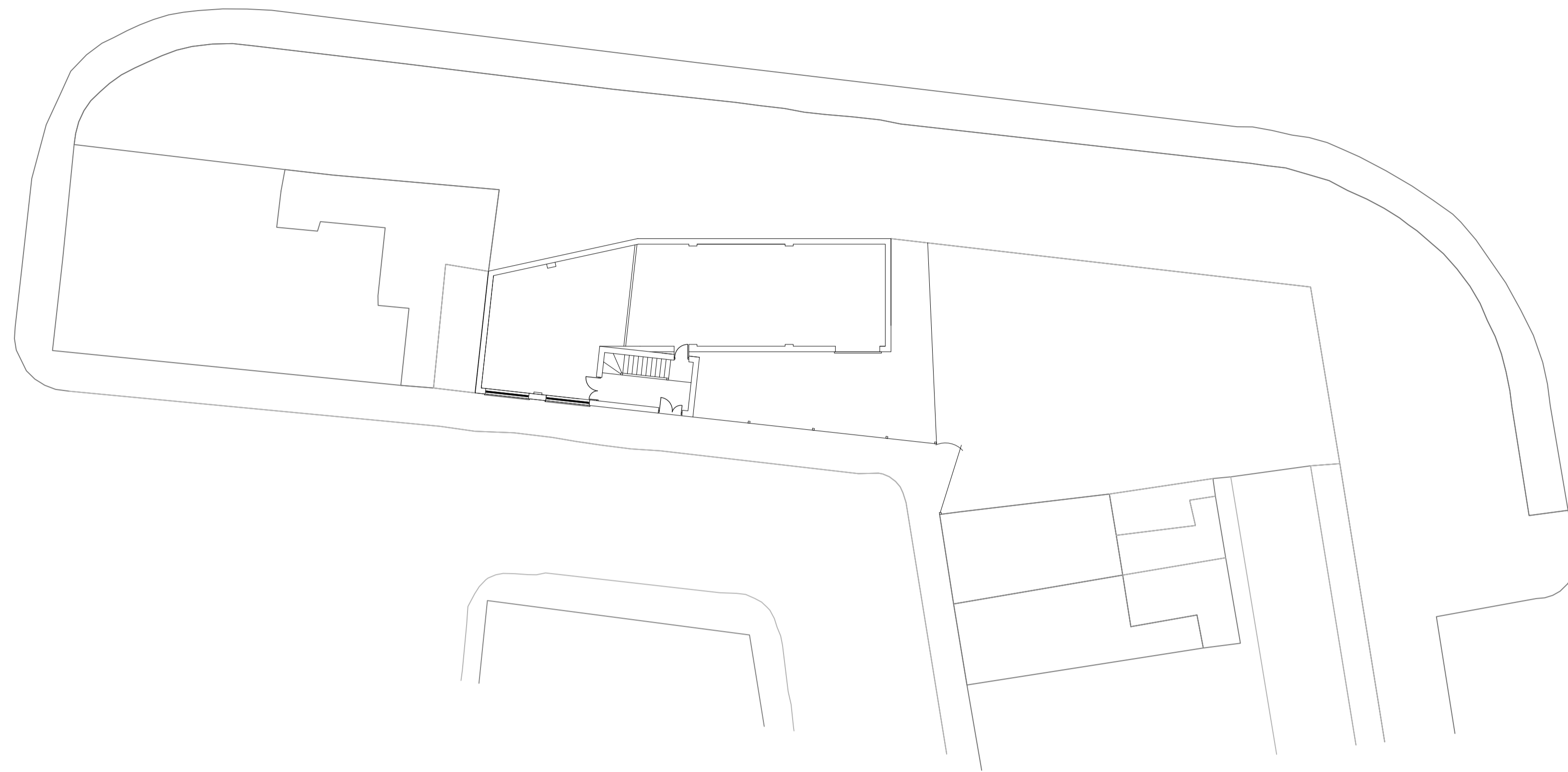
Photo 4



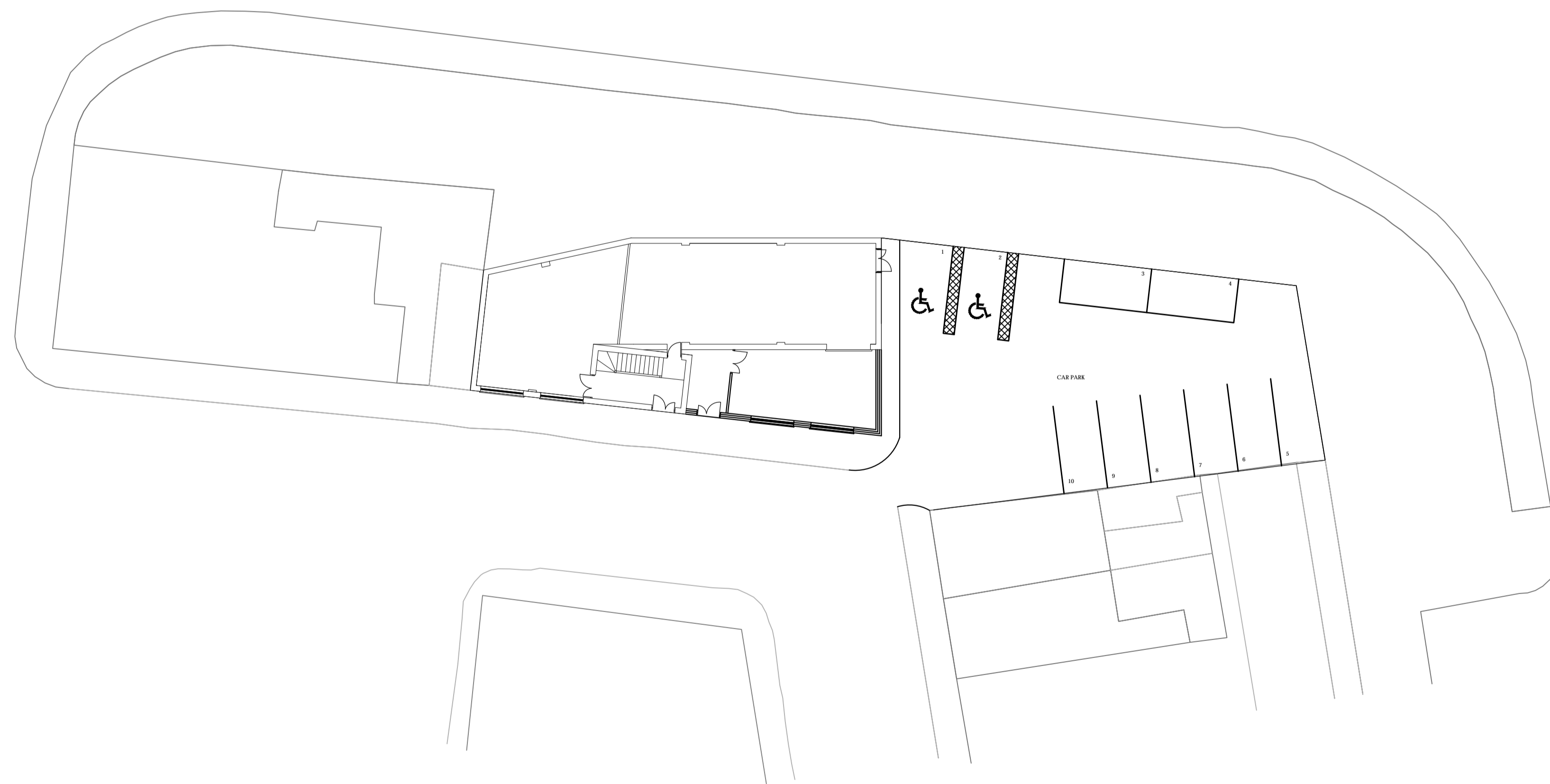
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Photo 5

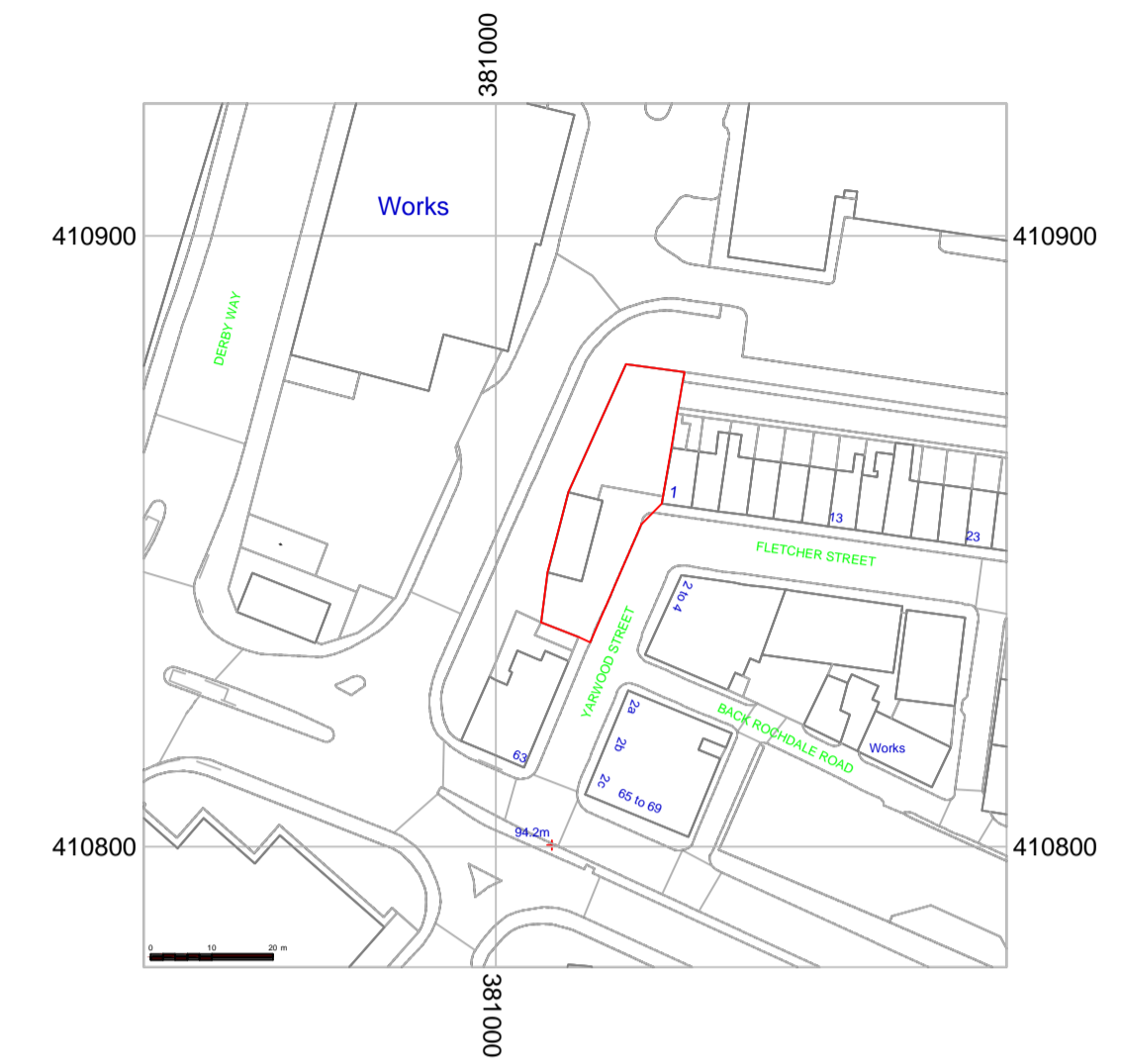




EXISTING SITE PLAN



PROPOSED SITE PLAN



S1 ISSUED FOR PLANNING AG 07.07.15

No.	Revision	Drwn.	Date	Chkd.

Client
NOOR UL ISLAM MOSQUE

Contract
YARWOOD ST BURY

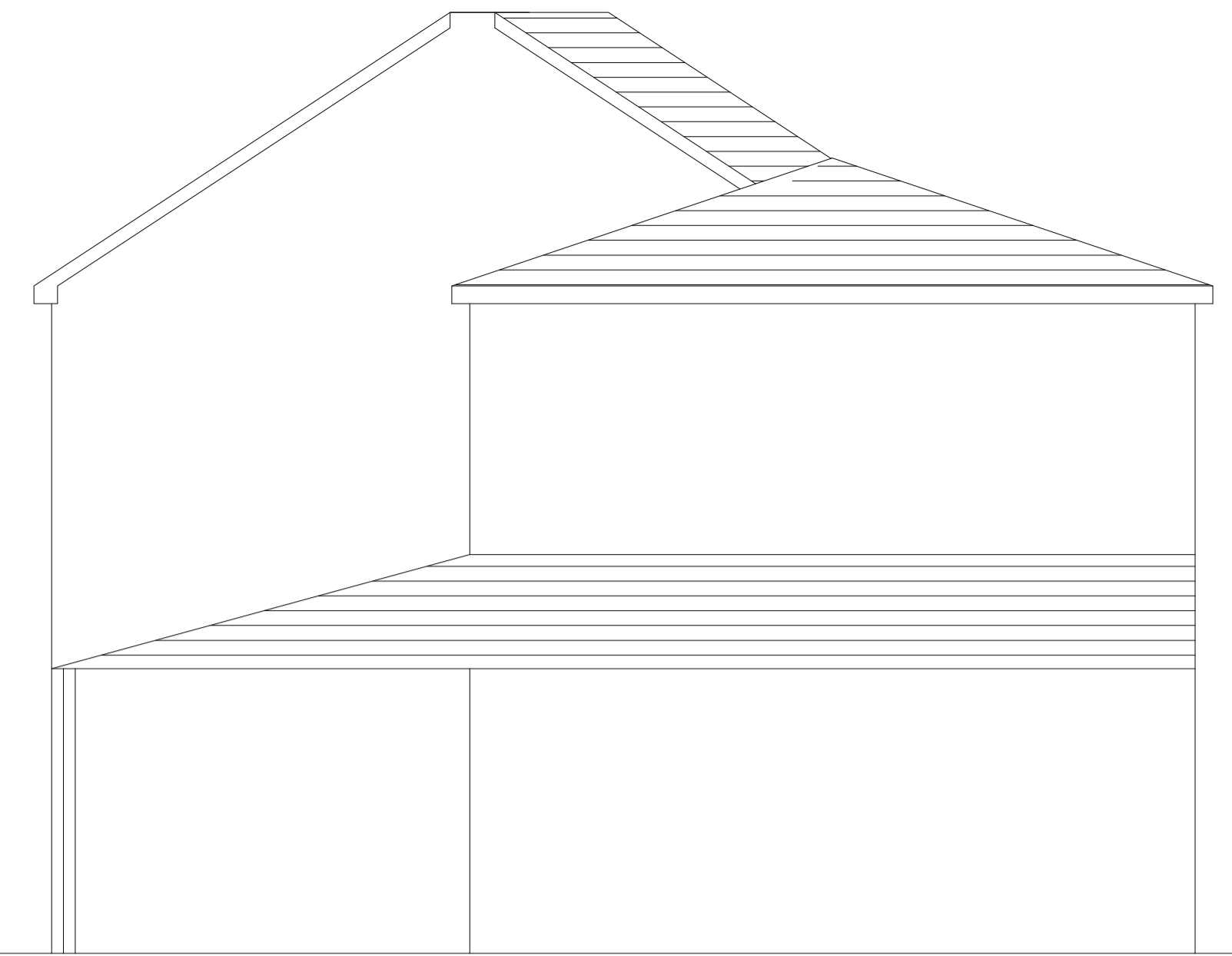
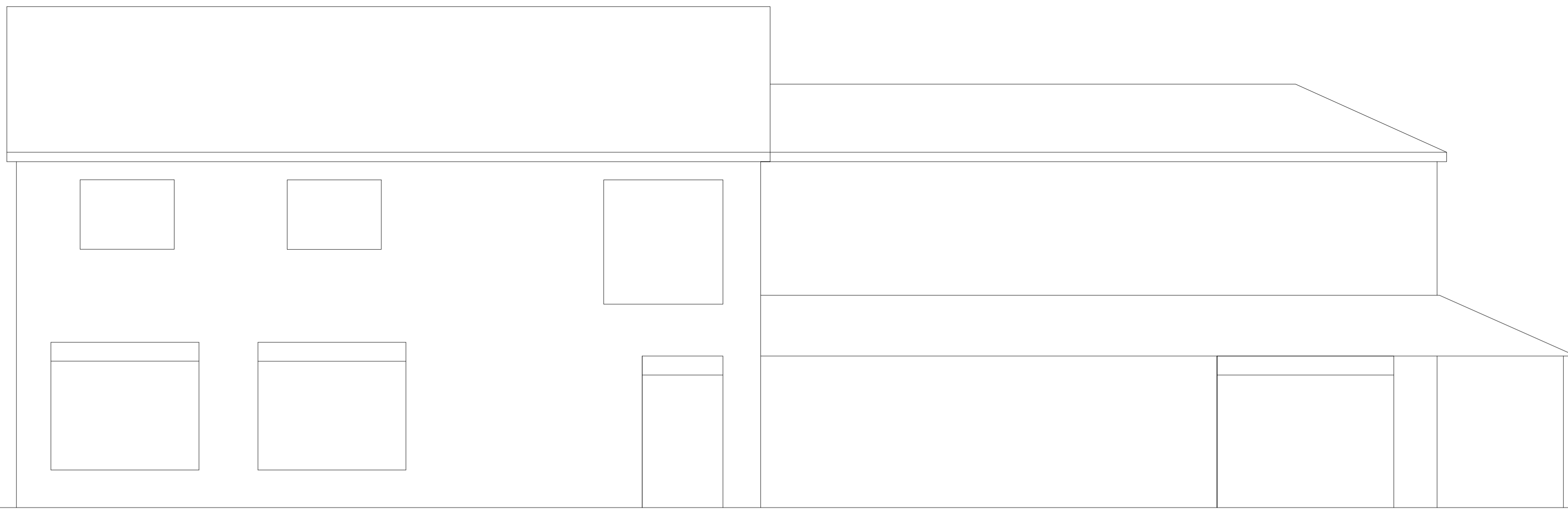
Title
SITE LAYOUT

Drawn by	Scale	Checked by	Date
AG	A1@1:200		07.07.15

<h1>ARG DESIGN</h1>	2 Atlas Fold Bury, Lancs. BL8 1PD
	Telephone 0161 764 1018 Facsimile 0161 764 1018 E-Mail info@argprojects.co.uk

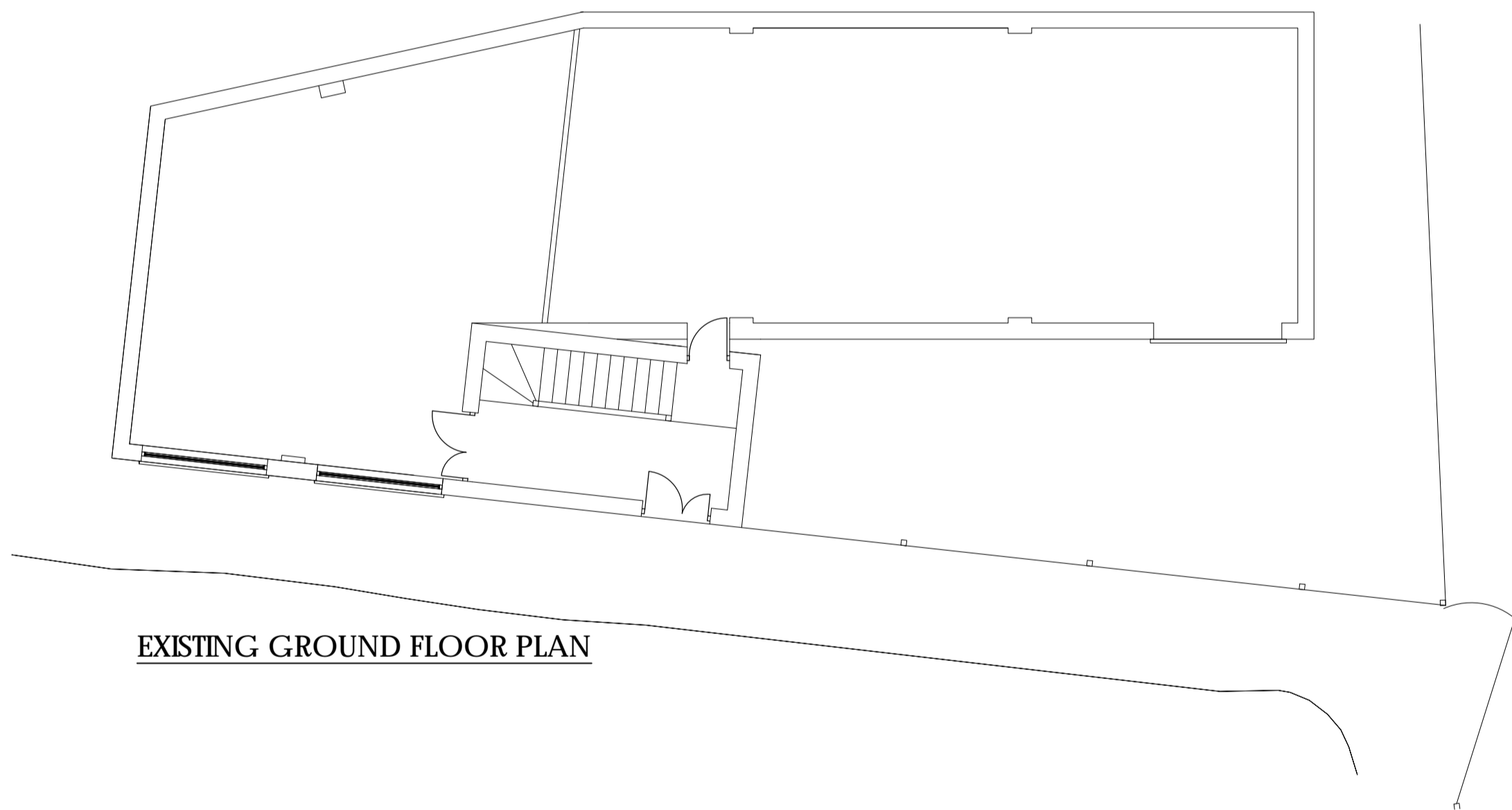
Preliminary Tender Construction As Built

Drawing Number	Revision
01	S1

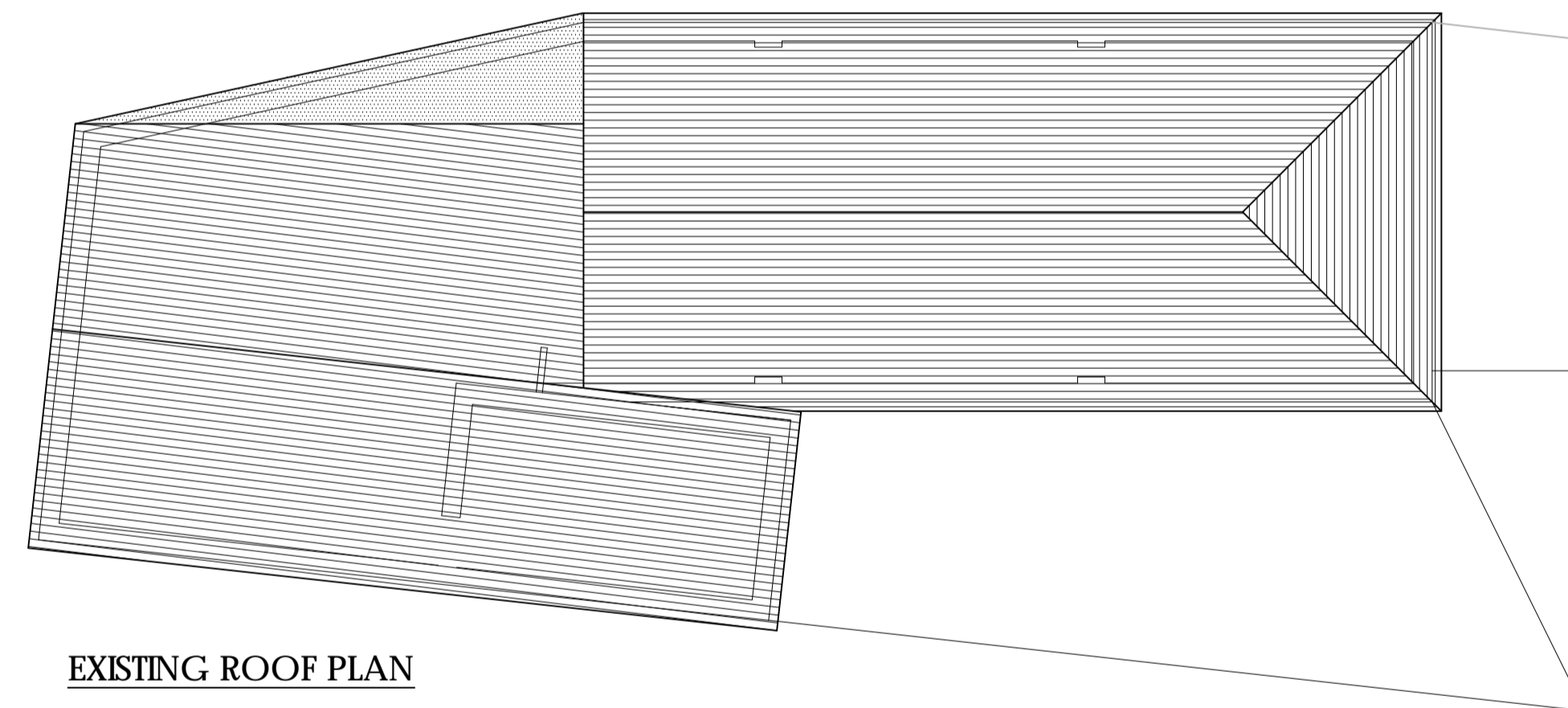


EXISTING FRONT ELEVATION

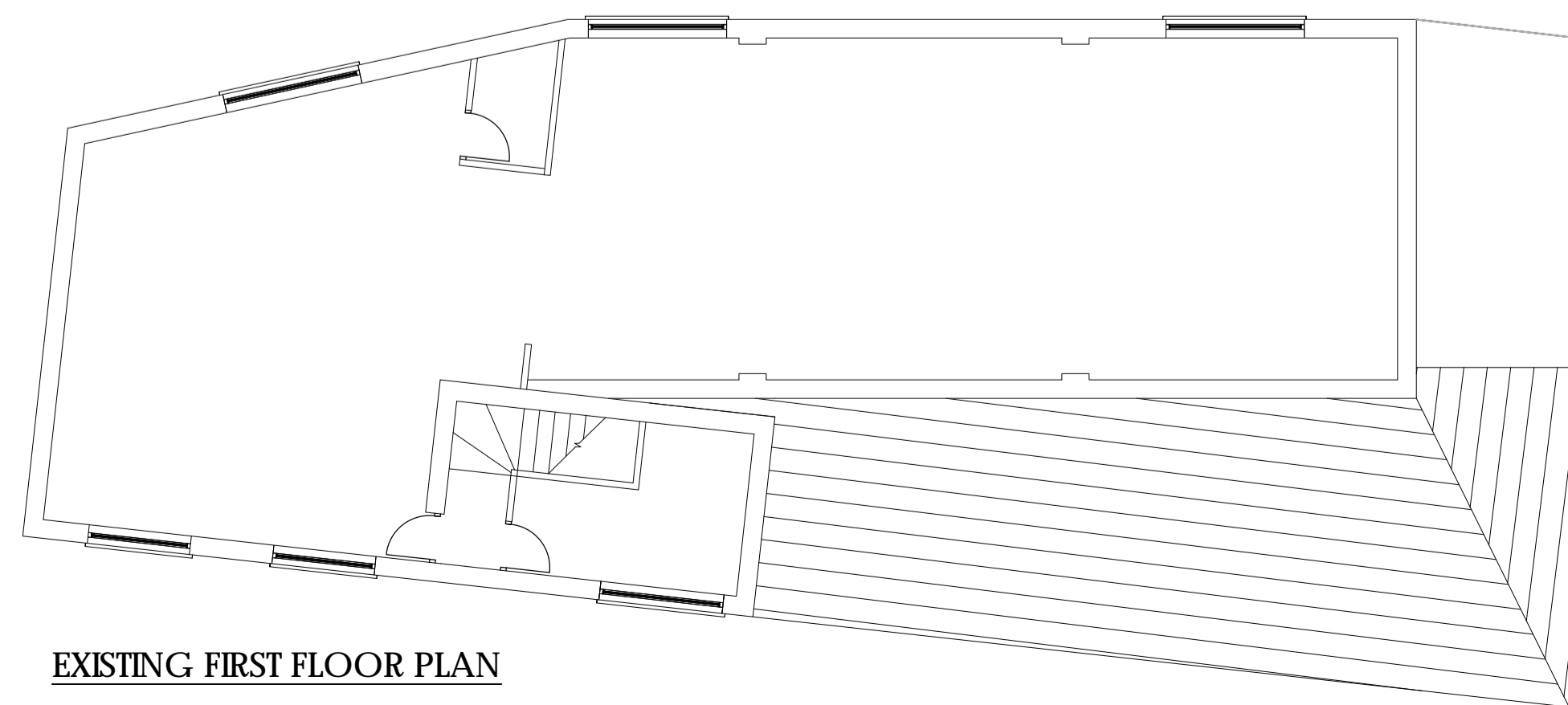
EXISTING SIDE ELEVATION



EXISTING GROUND FLOOR PLAN



EXISTING ROOF PLAN



EXISTING FIRST FLOOR PLAN

S1	ISSUED FOR PLANNING	AG	07.07.15
No.	Revision	Drwn.	Date

Client
NOOR UL ISLAM MOSQUE

Contract
YARWOOD ST
BURY

Title
EXISTING PLANS &
ELEVATIONS

Drawn by AG	Scale A1@1:50	Checked by	Date 07.07.15
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ARG DESIGN	2 Atlas Fold Bury, Lancs. BL8 1PD
	Telephone 0161 764 1018 Facsimile 0161 764 1018 E-Mail info@argprojects.co.uk

Preliminary <input checked="" type="checkbox"/>	Tender <input type="checkbox"/>	Construction <input type="checkbox"/>	As Built <input type="checkbox"/>
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Drawing Number	Revision	S1	
02			

Ward: Radcliffe - North

Item 05

Applicant: KBL Developments (North West) Ltd

Location: Site of former garage colony off Mosey Street/Hampson Fold, Radcliffe, Manchester, M26 4PF

Proposal: Erection of 2 no. semi detached dwellings (resubmission)

Application Ref: 59217/Full

Target Date: 05/11/2015

Recommendation: Approve with Conditions

Description

The site relates to a derelict and unused piece of land that was originally a former garage colony. The buildings have since been removed and the site has now been vacant for a number of years.

There is an established vehicular access from Mosey Street/Hampton Fold which leads to the former parking area and tarmac hardstanding. The remainder of the site, to the north is irregular in shape and has become overgrown with self seeded trees and vegetation. A footpath crosses the site from Hampton Fold to Park Grove, and whilst this is not a definitive right of way, has been an established route through the site for more than 20 years.

The site is surrounded by residential properties consisting of terraces and semi detached houses and bungalows, and is bounded by concrete post and timber fencing.

The application seeks the redevelopment of the site to provide 2 semi-detached three bed houses. The properties would be accessed via the existing drive from Mosey Street which would lead to 4 parking spaces in total. The houses would be sited in the northern part of the site, orientated with the front elevations facing the parking area and access. Each would have front and private rear gardens bounded by timber fencing and a path leading to their main entrance from the parking area.

The dwellings would be modest in design, with hip roofs, symmetrical window positions and simple fenestration treatment with materials comprising facing brickwork and grey concrete roof tiles. The applicant states that the design approach would reflect the current Lifetime Homes built standards in response to best practice.

It is proposed to re-route the existing footpath through the site and this would follow the southerly boundary of the side and rear garden of plot 1.

Relevant Planning History

58075 - Erection of 2 no. semi detached dwellings - Withdrawn by Applicant 12/01/2015

Publicity

20 letters sent to properties at Nos 2,4 Mosey Street, 22,23,24,25,26,27,28 Hampton Fold, 19,21,23,25,27,29 Red Bank Road, 15,18,20 Park Grove, 49 Lever Street, 91 London Street.

Site notice posted 2/10/2015.

One letter of objection received from No. 49 Lever Street, which raises the following issues:

- The original application was objected to by the Coal Authority and Highways and there seems to be no difference in the re-application to justify these objections being lifted;
- Contrary to the documentation that the garage colony was recently removed, it has been

vacant council land for approx 18 years - during this time the pathway to Park Grove has been used daily and established as a right of way in law;

- This right of way cannot be re-routed and the development will block this and run the risk of users establishing a right to walk through the properties;
- The narrow access to the site would be a Health and Safety issue for access by plant and equipment - this was established in respect of the Redbank development where access at the rear was off limits;
- The application should be refused.

Amended letter sent on 12/10/2015 to residents informing them of receipt of revised plans to show the dwellings orientated facing east, proposed footpath width of 1.2m, boundary fence lowered to 900mm along part of the proposed footpath and notification of the temporary closure of the footpath during construction works.

Further letter of objection received from No. 49 Lever Street raising the following issues:

- The routing of the footpath in a series of dog legs and hemmed in by fencing makes this a security issue for pedestrians - at present the pathway is open plan with a clear view;
- The proposal should be rejected outright for continued reasons of safety and security;
- What plans are there for site access for construction equipment. Not an issue for turning the application down, but is a concern for residents - Back Redbank Road is unsuitable for access.

Further comments received from No 49 Lever Street:

- Cannot simply dismiss requests for an access statement from the applicants or that there may or may not be issues regarding possible damage;
- Similar to the Red bank Scheme, damage caused could be liable to criminal prosecution;
- Health and safety is the responsibility of all concerned;
- Still need assurances of access intent and restrictions placed on using Red bank Road as was the case with the Red bank development.

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

Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - No objection subject to condition.

Environmental Health Contaminated Land - No objection subject to conditions

Public Rights of Way Officer - No objection.

Waste Management - No issues for waste collections.

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

The Coal Authority - No objection subject to conditions.

Greater Manchester Police - Design for Security - No objections in principle. The proposed parking arrangement, boundary treatment and defensible planting should be considered.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
EN1/5	Crime Prevention

Issues and Analysis

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

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

Principle - Following revocation of the North West Regional Strategy on 20th May 2013, there is no statutory housing target for Bury. Work has commenced on the Greater Manchester Spatial Framework and this will bring forward a new statutory housing target for the Borough. This will subsequently be incorporated into Bury's future Local Plan.

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

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

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

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

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

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

Layout and siting - The siting of the dwellings has been largely dictated by its irregular shape and the surrounding houses which are orientated in different directions. As a result, it would not be possible for the dwellings to follow any of the established building lines in the area. The solution put forward proposes 2 dwellings to be positioned fairly centrally within the site, with similar separation distances to all of the surrounding houses.

The existing access to the site would be utilised from Mosey Street with the drive leading directly to 4 parking spaces ahead, behind Nos 18 and 20 Park Grove. Two footpaths to the dwellings from the parking area would lead to the front of the houses, with private rear gardens to the west bounded by 1.8m high timber fencing.

The properties would provide modest family accommodation, comprising living areas at the

ground floor and 3 bedrooms at first floor.

The existing footpath which runs through the site would be re-diverted and would follow the southern boundary of the new development adjacent to No 20 Park Grove.

Whilst not uniform or a typically linear plot, it is considered that the proposal makes best use of the available land to provide 2 dwellings and adequate parking provision, without compromising the amenity of either future occupiers or surrounding residential properties.

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

Design and appearance - The proposed dwellings would be semi detached and 2 storey in height and would reflect the scale and massing of the surrounding house types in the area in general.

In terms of appearance, the dwellings would be modest in design, comprising balanced fenestration treatment, hipped tiled roof and brick window headers. The dwellings would not be dissimilar in appearance to the existing housing stock in the area, and as such considered to sit comfortably within the established residential area.

Materials of facing brick and brick soldier courses, grey roof tiles and cast stone window cills are proposed and considered to be reflectant of the area and therefore acceptable, subject to submission of further details.

As such, it is considered the design and appearance of the proposed dwellings would be appropriate to the character of the area and as such acceptable and in compliance with UDP Policies H2/1 - The Form of New Residential Development and EN1/2 - Townscape and Built Design.

Impact on residential amenity - SPD6 advises that a distance of 20m should be maintained between habitable room windows in 2 properties and 13m between ground floor habitable room windows and a 2 storey blank wall. It also advises that there be a minimum distance of 7m between first floor habitable rooms and a directly facing boundary with a neighbouring property.

There would be a distance of 12.6m at the shortest point between the rear elevations of the proposed dwelling and the gable end of No 15 Park Grove. The properties would be set at oblique angles and not have a direct interface or relationship with No. 15, and as such the position of the new dwellings would be acceptable in this respect.

At the front, there would be a separation distance of 18.6m to the rear elevation of No 4 Mosey Street. Again, the proposed dwellings would not directly face the existing properties and there would be no direct relationship between habitable room windows.

Rear gardens of the dwellings would be in excess of 8m and as such would be acceptable.

Parking would be within the site boundary and utilising the existing access. Given the site once accommodated a garage colony, which would likely generate significantly more traffic and noise to the area than 2 residential dwellings, it is considered there would not be a detrimental impact to the amenity of the surrounding occupiers.

The proposed layout demonstrates that the dwellings, gardens and associated parking provision could be accommodated on the site without issues of privacy or overlooking and would be compliant with SPD6.

Footpath - There is currently public access through the site from Mosey Street to Park Grove, and whilst not a definitive right of way, it has been established over a number of

years, and more than 20 years according to a local resident.

The scheme proposes to retain pedestrian access through the site by re-providing a formal route, which would follow the southerly edge of the site via a 1.2m wide footpath. It would be separated from the new dwellings by a 1.2m high fence to the front gardens to ensure users of the path would have a view of the route through. A 2.1m high fence dividing the side of the properties would be erected where sightlines along the path would be straight through to Park Grove.

As such, it is considered that users of the footpath would be provided with a secure and safe route through the site. There has been no objection from the Secure by Design Team to the provision of the footpath (see below).

Whilst the works are being carried out on site, the footpath would have to be temporarily closed as there would be no safe route through the site and no provision to provide an alternative route. Whilst this may cause some inconvenience to users of the area, it would be unsafe to remain open. The Highways Section have recommended a condition that once the works have been completed, the footpath is re-provided, and this is considered to be an acceptable solution.

There is currently no lighting within the site and none proposed as part of the development. In terms of pedestrian safety, the formalised and more direct route through the site on a properly surfaced path is considered to improve the current situation. However, the applicant is invited by way of condition to provide a lighting scheme in this area of the site.

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

A parking area for 4 cars would be provided to the south of the dwellings, accessed directly from Mosey Street. There would be ample turning area to manoeuvre in and out of the site.

The Highways Section have raised no objection to the proposed development.

As such, parking and access requirements would be fulfilled and the application would accord with HT2/4 and SPD1.

Designforsecurity - The DesignforSecurity response advises that the parking be provided within the residential curtilage for surveillance purposes, but due to the irregular shape of the site, this could not be achieved. Whilst it would be in a more remote position, the parking would still be at the front, with some overlooking. The proposed parking would also be more secure than if the site operated solely as a garage colony as previously, where there would be relatively less overlooking of this particular area.

It has been recommended that the boundary to the front of the properties be 1.2m high to enable visibility when on route through the footpath, with a higher boundary fence down the side of the houses to ensure security of the properties from this area. These requirements have been incorporated into the scheme and shall be conditioned as such.

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

Coal Authority - The previous application which was withdrawn, was partly due to the lack of a Coal Report. This planning application is supported by a Coal Mining Risk Assessment. It concludes there is a potential risk to the development from past activities. Intrusive site investigations are recommended to be carried out to inform if any remedial measures are required. The Coal Authority therefore recommend that planning conditions are imposed requiring these works prior to commencement of development

Response to objector -

- The Coal Authority and Highways Section have raised no objection to the proposed development.
- The established footpath through the site has been acknowledged in the application and proposes a re-diverted route through the site.
- Safety for users of the footpath has been considered by reducing the height of part of the boundary fence to 900mm to enable views over the footpath.
- Details of the site access for construction traffic and access to the site would be covered by conditions.

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 Red edge location plan; Existing site plan 2810914; Proposed site plan 2820914 Rev C; Proposed landscaping plan 2840914 Rev C; 2830914 Rev A; Supporting Information and Design and Access Statement; Coal Mining Risk Assessment dated march 2015; daylight and Sunlight Study 28th August 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. 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.
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. No development shall commence unless and until: -

- A scheme for intrusive site investigations to establish the situation regarding coal mining issues on the site, has been submitted to, and approved by the Local Planning Authority;
- The approved scheme only shall be carried out and a report of the findings arising from the intrusive site investigations shall be submitted to the Local Planning Authority for approval;
- Where remediation works are required, a detailed strategy shall be submitted to, and approved by the Local Planning Authority.

Reason. The reason for pre-commencement conditions is that the information was not adequately provided at application stage. To secure the safety and stability of the proposed development of the site pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

8. Following the provisions of Condition 7 of this planning permission where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales. 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 by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the safe and satisfactory development of the site pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

9. No development shall commence unless and until a tree protection plan for all trees to be retained on site has been submitted to and approved by the Local Planning Authority, and in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The approved scheme only shall be implemented and 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. Information not submitted to application stage, to ensure the avoidance 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 and chapter 11 - Conserving and enhancing the natural environment of the NPPF.
10. No development shall commence unless and until a lighting scheme has been submitted and approved by the Local Planning Authority. The approved scheme only shall be implemented and be available for use before the occupation of the first dwelling.
Reason. Information not submitted at application stage for assessment. In the interests of residential amenity and security of the future occupiers of the dwellings and users of the public footpath pursuant to Bury Unitary Development Plan Policy H2/2 - The Layout of New Residential Development and EN1/5 - Crime prevention.
11. Details/Samples of the materials (bricks, roof tiles) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.
Reason. 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 EN1/2 Visual Amenity and H2/1 - The Form of New Residential Development.
12. No development shall commence unless and until full details of measures to provide a temporary diversion of the non-definitive right of way during the course of the construction of the development and a programme of implementation have been submitted to and agreed in writing with the Local Planning Authority. The details subsequently approved shall be implemented to the agreed programme and to the written satisfaction of the Local Planning Authority.
Reason. Insufficient information submitted at application stage for assessment. To ensure that adequate provision is made to accommodate users of the existing non-definitive right of way that crosses the site during construction of the development pursuant to UDP Policies H2/1 - The Form of New residential Development, HT2/2 - The Layout of New Residential Development.
13. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority. The approved plan shall be adhered to throughout the construction period and shall provide for:
 - Access route for construction traffic from the adopted highway;
 - Temporary warning/speed limit signage on the access route;
 - Hours of operation and number of vehicle movements;

- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site.

Reason. Insufficient information submitted at application stage to ensure mitigation of the the impact of the construction traffic generated by the proposed development on the adjacent residential streets, in the interest of highway safety pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

14. 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. Insufficient information submitted at application stage 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.

15. The development hereby approved shall not be first occupied unless and until the following works indicated on the approved plans have been fully implemented to the satisfaction of the Local Planning Authority:

- Provision of the realigned non-definitive right of way through the site, a minimum of 1.2m in width measured between fencelines and from the retained vehicular access, to be maintained in perpetuity;
- Provision of a fence line and gates not exceeding 1.2m in height to the north of the pedestrian route from the south-easterly corner of Unit 1 to the easterly site boundary;
- Resurfacing of the site access and parking/turning area and any remedial works required at the interface with the adopted highway.

Reason. To ensure that the existing non-definitive right of way that crosses the site is replaced and to ensure good highway design in the interests pedestrian safety pursuant to Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development.

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 brought being occupied and thereafter maintained.

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

17. The turning facilities indicated on the approved plans shall be provided before the development is first occupied 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 H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development.

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

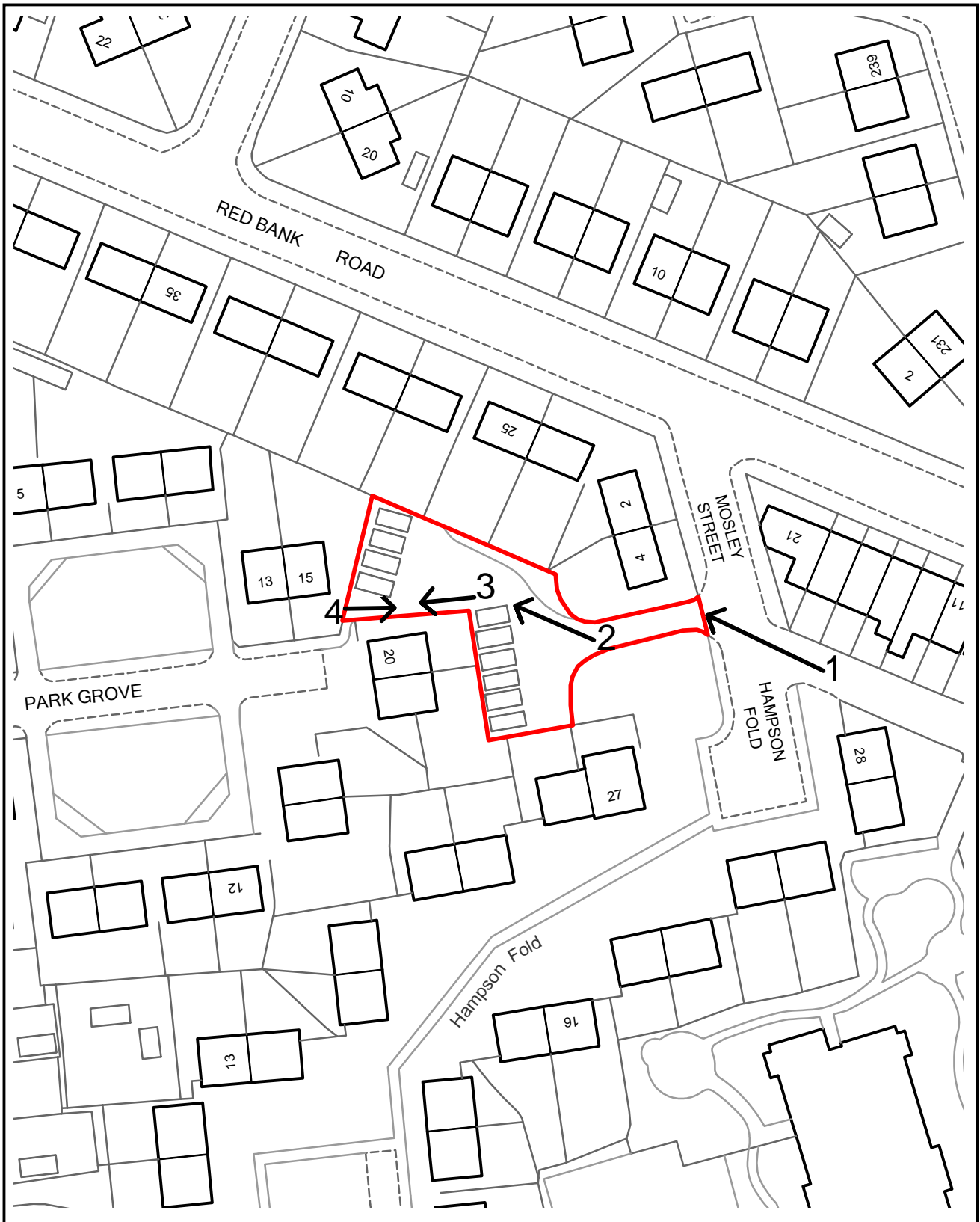
Reason. Sufficient information submitted at application stage, to secure the

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.

19. No development shall commence unless and until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. the proposed scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. the approved scheme only shall be implemented and thereafter maintained.
Reason. The current application contains insufficient information regarding the proposed drainage scheme to promote sustainable development and to fully assess the impact pursuant to chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
20. The boundary treatment annotated 'B' to 'C' on plan 'Proposed landscaping plan' ref 2840914 Rev C, shall be maintained no higher than 1.2m in height.
Reason. In the interests of pedestrian safety pursuant to Bury Unitary Development Plan Policies EN1/5 - Crime Prevention, H2/1 - The Form of New Residential Development, H2/2 - The layout of New Residential Development and H2/6 - Garden and Backland Development.
21. notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within the terms of Classes A to E of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to Bury Unitary Development Plan Policy H2/3 - Extensions and Alterations and SPD6 - Alterations and Extensions to Residential Properties.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59217

**ADDRESS: Mosley Street/ Hampson Fold
Radcliffe**



Planning, Environmental and Regulatory Services 1:1250

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59217

Photo 1



Photo 2



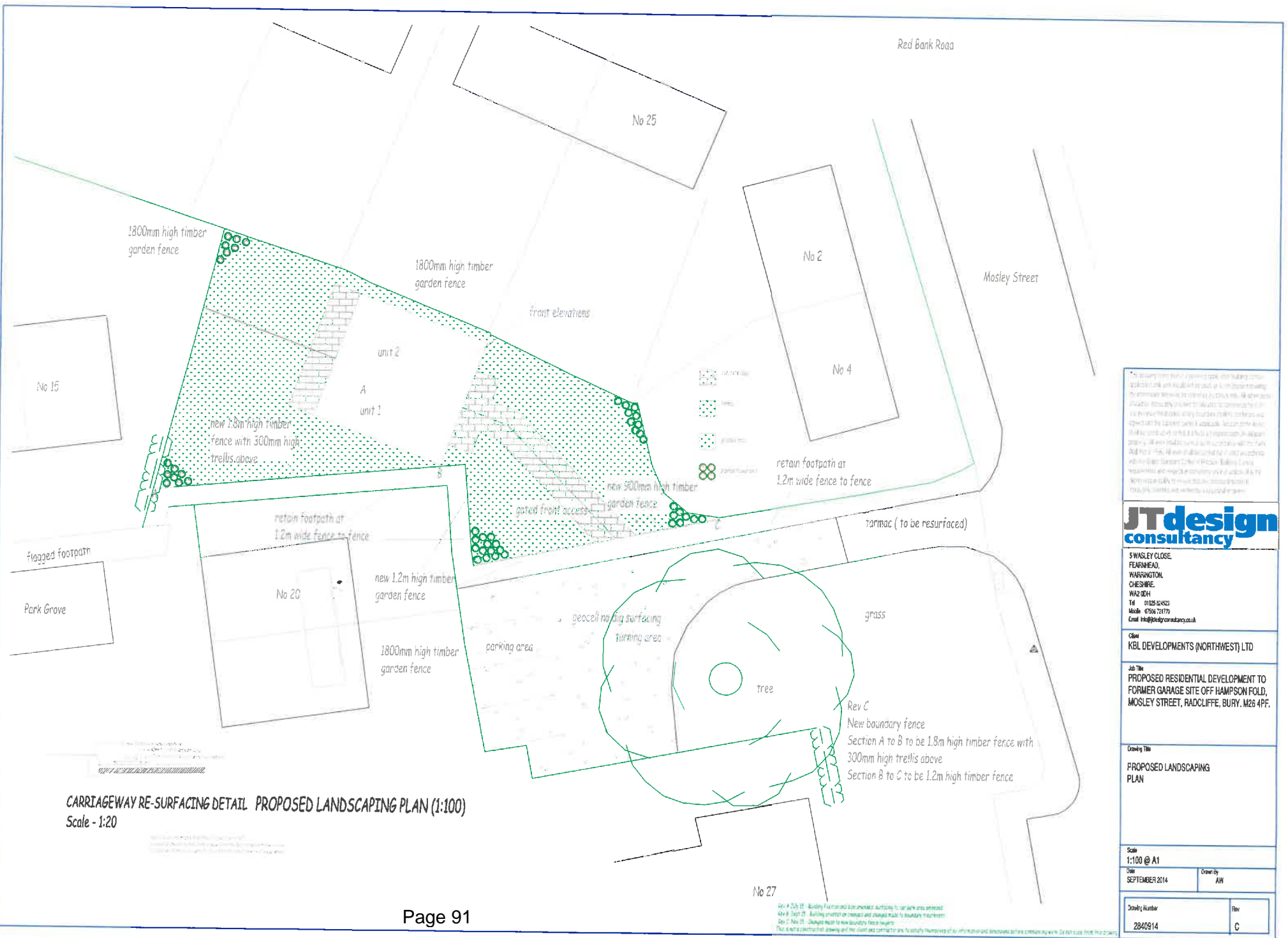
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Photo 3



Photo 4





The boundary shown on this plan is proposed and should not be taken as a guarantee of the accuracy of the information shown. It is the responsibility of the client to ensure that the information shown on this plan is accurate and to ensure that the information shown on this plan is accurate and to ensure that the information shown on this plan is accurate.

JTdesign
consultancy

5 WASLEY CLOSE,
FEARNEAD,
WARRINGTON,
CHESHIRE,
WA2 6JH
Tel: 01525 624523
Mobile: 07564 721770
Email: info@jtdesignconsultancy.co.uk

Client:
KBL DEVELOPMENTS (NORTHWEST) LTD

Job Title:
PROPOSED RESIDENTIAL DEVELOPMENT TO
FORMER GARAGE SITE OFF HAMPSON FOLD,
MOSLEY STREET, RADCLIFFE, BURY. M26 4PF.

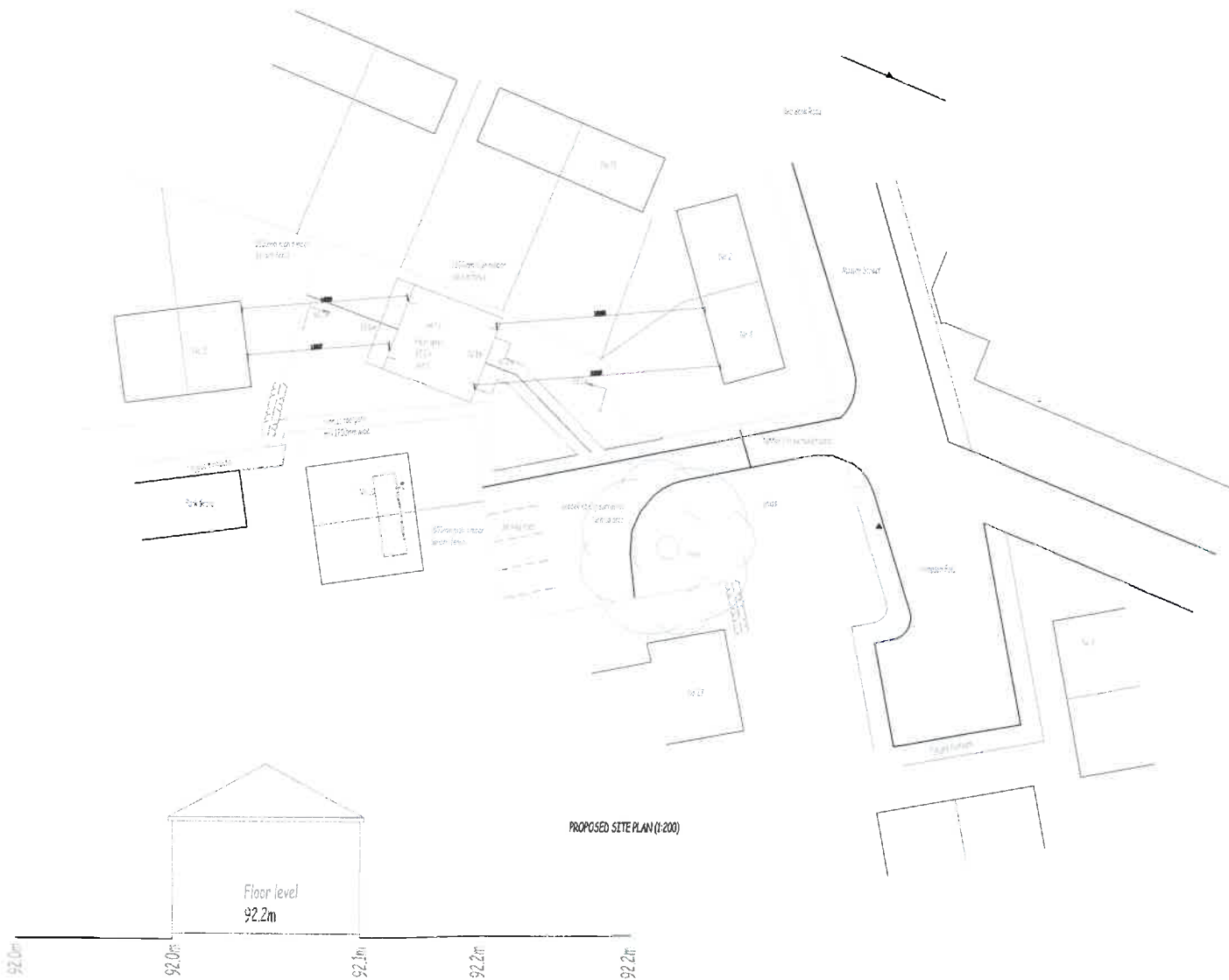
Drawing Title:
PROPOSED LANDSCAPING
PLAN

Scale:
1:100 @ A1
Date:
SEPTEMBER 2014
Drawn By:
AH

Drawn By	Rev
2840914	C

CARRIAGEWAY RE-SURFACING DETAIL PROPOSED LANDSCAPING PLAN (1:100)
Scale - 1:20

Rev A: 05/10 - Boundary fence and parking surfacing to garden area added.
Rev B: 08/10 - Building printed on ground and changed road to boundary treatment.
Rev C: 09/10 - Changes made to new boundary fence heights.
This is not a professional drawing and the client and contractor are to satisfy themselves of its information and dimensions before commencing work. Do not copy from this drawing.



PROPOSED SITE PLAN (1:200)

PROPOSED SECTION A - A
1:100

This drawing is intended to provide a preliminary indication of the proposed development and is not to be used for any other purpose. It is not intended to be used for any other purpose. It is not intended to be used for any other purpose. It is not intended to be used for any other purpose.



5 WASLEY CLOSE,
FEARNEHEAD,
WARRINGTON,
CHESHIRE,
WA2 0DH
Tel: 01524 434321
Mobile: 07534 721770
Email: info@jtdesignconsultancy.co.uk

Client:
KBL DEVELOPMENTS (NORTHWEST) LTD

Job Title:
PROPOSED RESIDENTIAL DEVELOPMENT TO
FORMER GARAGE SITE OFF HAMPSON FOLD,
MOSLEY STREET, RADCLIFFE, BURY, M26 4PF.

Drawing Title:
PROPOSED SITE
PLAN

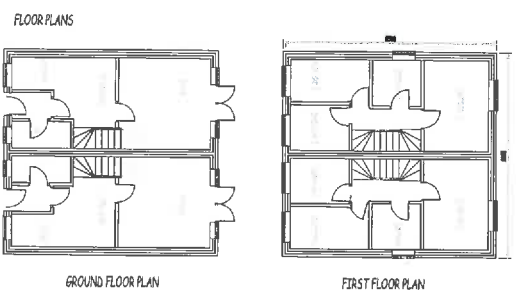
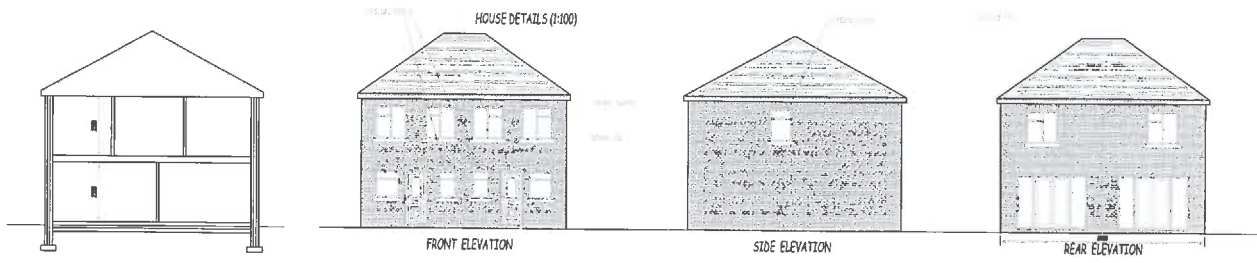
Scale:
1:200, 1:100 @ A1

Date:
SEPTEMBER 2014

Drawn By:
AW

Drawing Number	Rev
2820314	C

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5 WINSLEY CLOSE
 FEARNFIELD
 WARRINGTON
 CHESHIRE
 WA2 8JH
 Tel: 01845 626623
 Mobile: 07968 031710
 Email: info@jtdesign.co.uk

Client:
 KBL DEVELOPMENTS (NORTHWEST) LTD

Job Title:
 PROPOSED RESIDENTIAL DEVELOPMENT TO FORMER GARAGE SITE OFF HAMPSON FOLD, MOSLEY STREET, RADCLIFFE, BURY, M26 4PF.

Drawing Title:
 PROPOSED BUILDING INFORMATION

Scale:
 1:100 @ A1
 Date:
 SEPTEMBER 2014
 Drawn by:
 AM

Drawing Number:
 2830914
 Rev:
 A

Ward: Whitefield + Unsworth - Pilkington Park

Item 06

Applicant: Ms S M Murphy

Location: 5 Bleakley Street, Whitefield, Manchester, M45 7GU

Proposal: Rebuilding and alterations to form ancillary residential annex for use as dependent person accommodation (resubmission)

Application Ref: 59238/Full

Target Date: 10/11/2015

Recommendation: Approve with Conditions

Description

The application is a resubmission following a previous scheme that was not constructed according to the approved plans. It relates to a brick built outbuilding, part single and part two storey, at the rear of 5 Bleakely Street. It was formerly a stable/store/workshop and has almost been completely rebuilt after some external walls were declared dangerous by the building inspector.

The site is within a residential area and surrounded by housing. To the north is the yard area of the applicant's house (5 Bleakely Street). To the south and east are the back streets that allow access for refuse and rear garages/parking areas. To the east are the rear gardens of houses fronting Lily Hill Street and to the south are the rear gardens of houses fronting Radcliffe New Road.

The proposed building is part built and would be ancillary residential accommodation for the applicant's son. The proposal involves creating a lounge and kitchen/diner at ground floor and a bedroom with en suite above.

Relevant Planning History

01056/E - Conversion of stables to a dwelling - Enquiry completed 12/04/2012

57235 - Alterations to existing two storey building and change of use to form an ancillary residential annex - Approved 23/04/2014

14/0084 - Alterations to existing two storey annex building - 28/05/2014

15/0162 - Breach - not to plan - 19/06/2015

15/0361 - Not built to plan - 15/09/2015

Publicity

The following 22 neighbours were notified by letter dated 22/07/15 and the objector was renotified by email on 03/11/15.

One objection received from the occupier of 9 Bleakely Street.

- The proposal with major rebuilding has become much more than the initial conversion and alteration that was originally proposed.
- The building now appears to be a new dwelling.
- Increased overlooking - rooflights have handles for opening.
- The new building would be larger and more imposing within the rear yard area.
- The new building does not enhance the neighbourhood.

The objector has been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
EN1/2	Townscape and Built Design
H2/4	Conversions
SPD6	Supplementary Planning Document 6: Alterations & Extensions

Issues and Analysis

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

Use - The former stables/store is at the end of the rear yard area and the proposed use as ancillary accommodation related to the main dwelling would be considered to be appropriate within what is a residential area.

There are no doors opening out onto the side/rear access roads. The only entrance would be into the rear yard area thus making it difficult to create a separate dwelling. A condition restricting the use of the outbuilding to being ancillary to the use of the main dwelling is also considered appropriate.

Visual amenity - The building, although rebuilt, would not be significantly larger than the original outbuilding as shown on the plans. Much of the building has been reconstructed in recycled bricks and would not be seriously detrimental to the overall appearance of the structure within its setting. The proposal, in terms of visual amenity, would be acceptable and complies with UDP Policies H2/3 and EN1/2.

Residential amenity - The bedroom window facing across the side access road, towards 31/33 Lily Hill Street would be obscure glazed and fixed. The roof lights on the other side, facing the attached neighbour's yard would also be obscure glazed and fixed. The other windows on the ground floor are either high level or facing into the applicant's own rear yard area. As such there would be no serious overlooking issues arising from the proposal. It is considered appropriate to attach a condition to any approval requiring the upper windows to be maintained in obscure glass and unopenable. Given the ancillary domestic use of the building, there would be no serious noise or disturbance issues.

In terms of residential amenity, the proposal would not have so serious an impact on the immediate neighbours as to warrant refusal. The proposal therefore, on balance complies with UDP Policy H2/3 Extensions and Alterations with regard to residential amenity.

Access - Once the buildings works have been completed, the access down the side and rear of the property would be clear and unobstructed. There are no concerns about access and the proposal is acceptable and complies with UDP Policy H2/3 Extensions and Alterations.

Objections - The concerns raised by the neighbours have been addressed in revised plans and the impact on neighbours would be mitigated by appropriate conditions regarding windows, restricting use to that ancillary to the main dwelling and the removal of 'permitted development rights' for the property.

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered 001, 003, 010/A and 021/C 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 external finishing materials for the outbuilding hereby approved shall match those of the existing structure as built.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
3. The development hereby approved shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as 5 Bleakley Street and shall not be a separate dwelling.
Reason. To ensure the proposed use remains ancillary to the principle use on the site.
4. Before the first occupation of the annex hereby permitted the first floor bedroom window on the east elevation (Elevation B on plan 021/C) and the rooflights in the west elevation (Elevation D on plan 021/C) shall be fitted with obscured and unopenable glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
5. Notwithstanding the terms of the General Development Order 1995, or as subsequently amended, no window or door openings shall be inserted or enlarged within the terms of Part 1, Class E of the Order.
Reason: To protect the residential amenities of the occupants of neighbouring properties pursuant to UDP Policy H2/3-Extensions and Alterations and SPD6 Policy Guidance Note 6: Alterations & Extensions

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

59238

Photo 1



Photo 2



59238

Photo 3

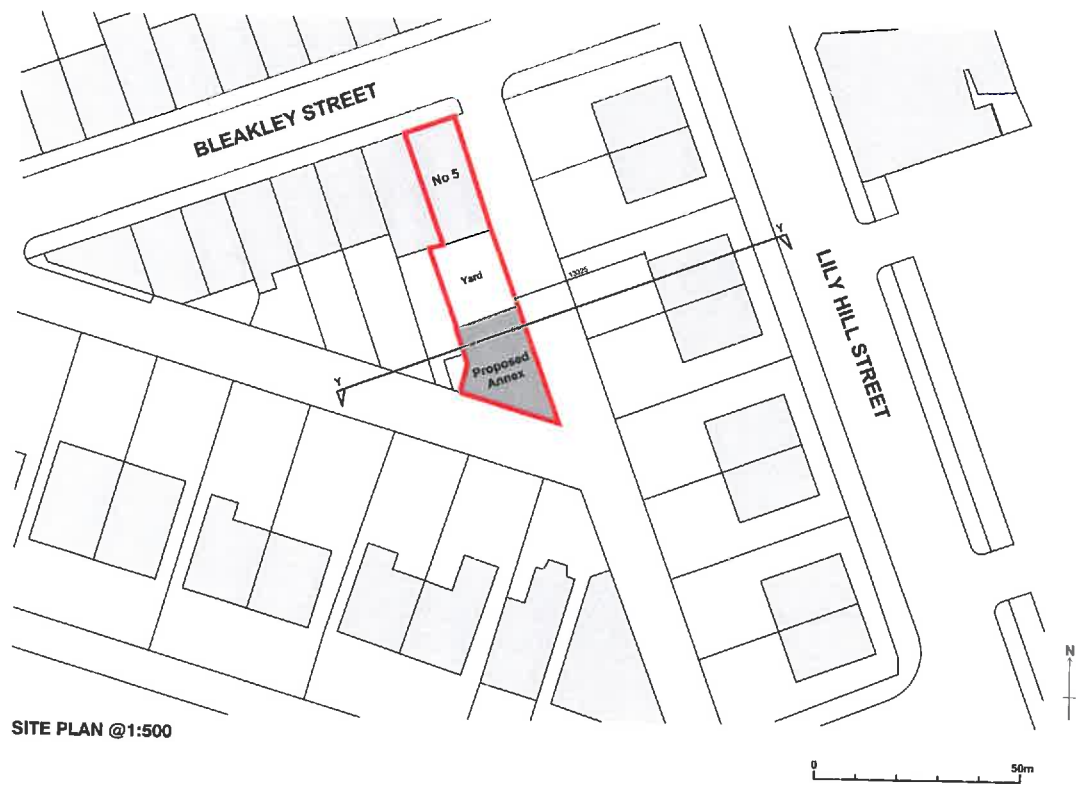


Photo 4

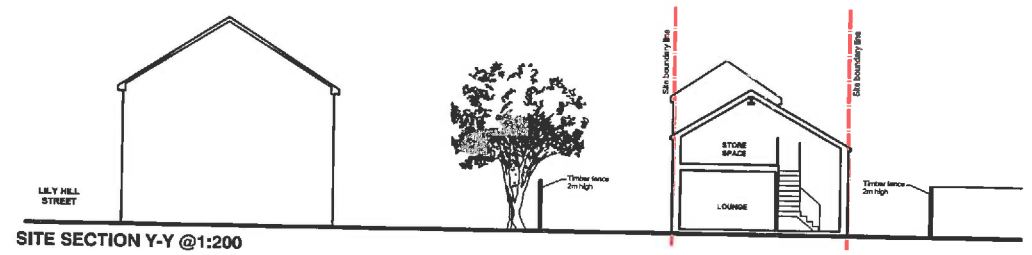


Do not scale drawings. All dimensions to be varied on site before proceeding with the work. All dimensions given in millimetres unless stated otherwise. All drawings to be read in conjunction with other consultants drawings and specifications.

revision	drawn	date



SITE PLAN @1:500



SITE SECTION Y-Y @1:200

PLANNING

PROJECT TITLE:
ALTERATIONS TO EXISTING TWO STOREY BUILDING & CHANGE OF USE TO FORM AN ANCILLARY RESIDENTIAL ANNEX, 5 BLEAKLEY STREET, WHITEFIELD, M45 7GU

PROJECT NO:
1508_01

DRAWING TITLE:
SITE PLAN

DRAWING NO:
003

SCALE:
varies@A3

DATE:
13.08.15

DRAWN BY:
AEP

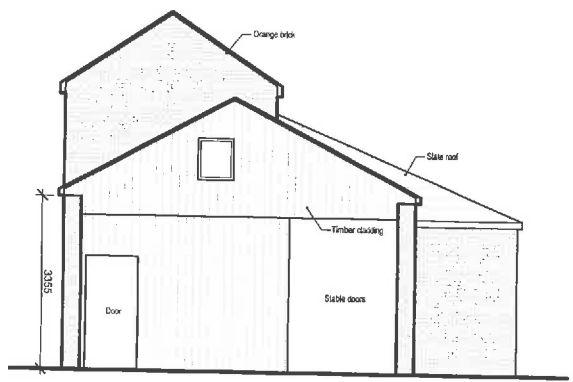
pettifer architecture

tel: 07073629150
 email: sashley@pettiferarchitecture.com
 www.pettiferarchitecture.com

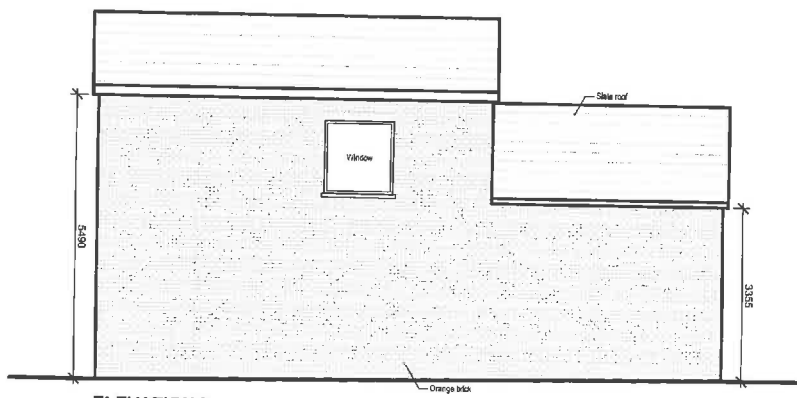
Do not scale drawings. All dimensions to be verified on site before proceeding with the work. All dimensions given in millimetres unless stated otherwise. All drawings to be read in conjunction with other consultants drawings and specifications.

revision	drawn	date
A	AEP	14.10.15

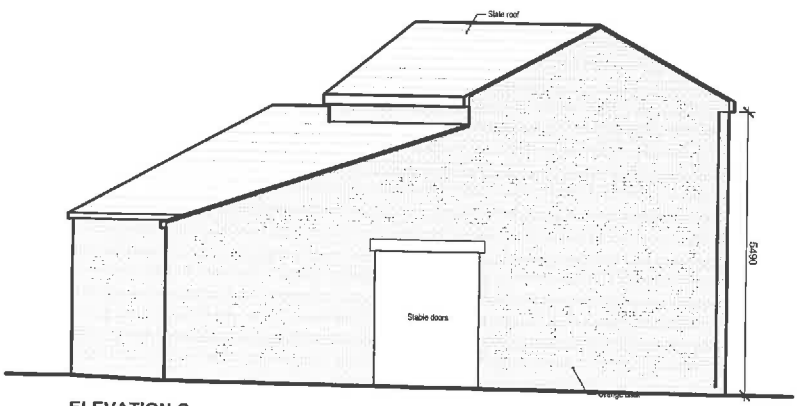
Drawings revised following planner's comments



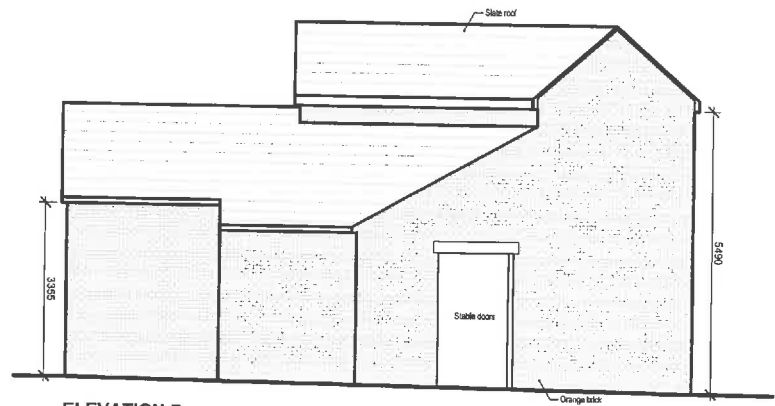
ELEVATION A



ELEVATION B



ELEVATION C



ELEVATION D

PLANNING

PROJECT TITLE:
ALTERATIONS TO EXISTING TWO STOREY BUILDING & CHANGE OF USE TO FORM AN ANCILLARY RESIDENTIAL ANNEX, 5 BLEAKLEY STREET, WHITEFIELD, M45 7GU

PROJECT NO:
1508_01

DRAWING TITLE:
EXISTING ELEVATIONS

DRAWING NO:
020

REVISION:
A

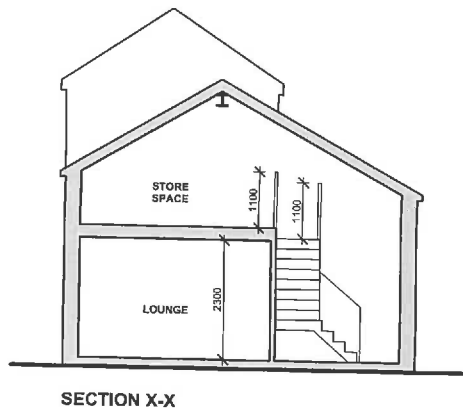
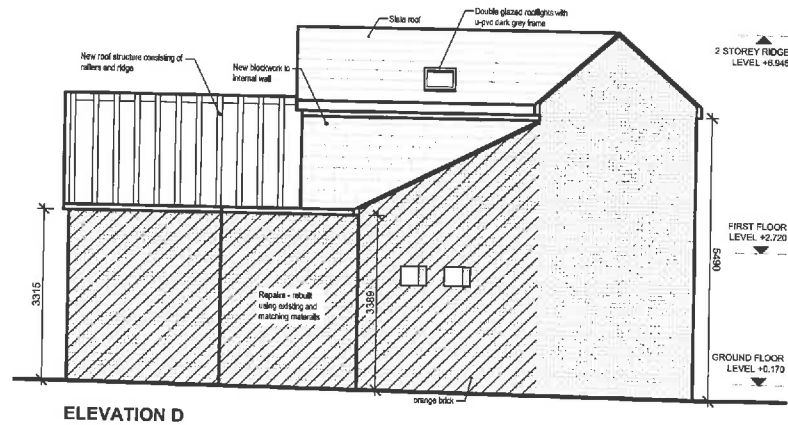
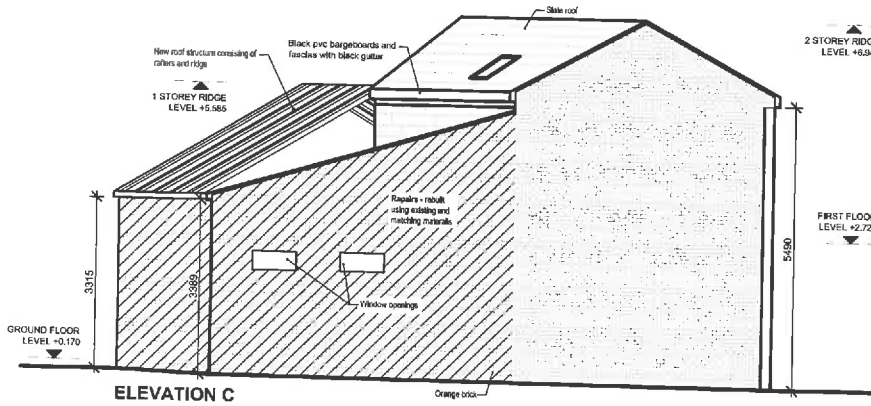
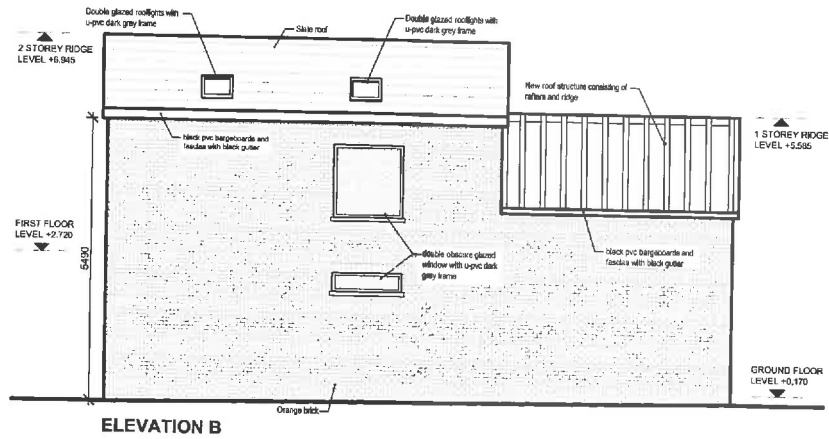
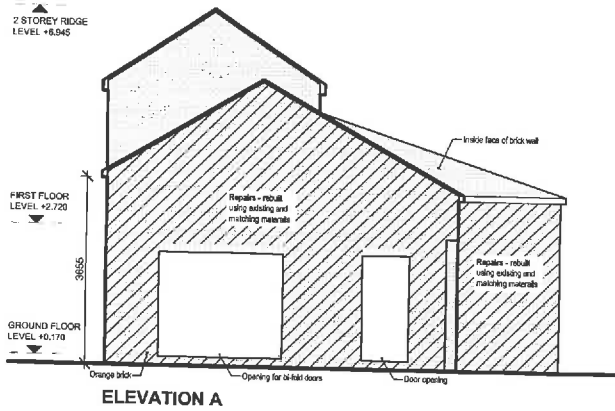
SCALE:
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DATE:
13.08.15

DRAWN BY:
AEP

pettifer architecture

tel: 07973629158
 email: ar@pettiferarchitecture.com
 www.pettiferarchitecture.com



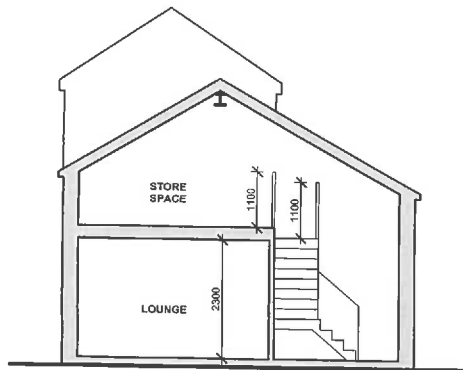
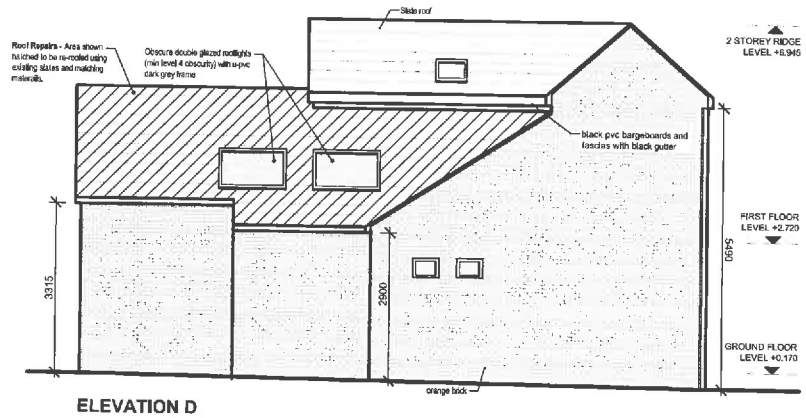
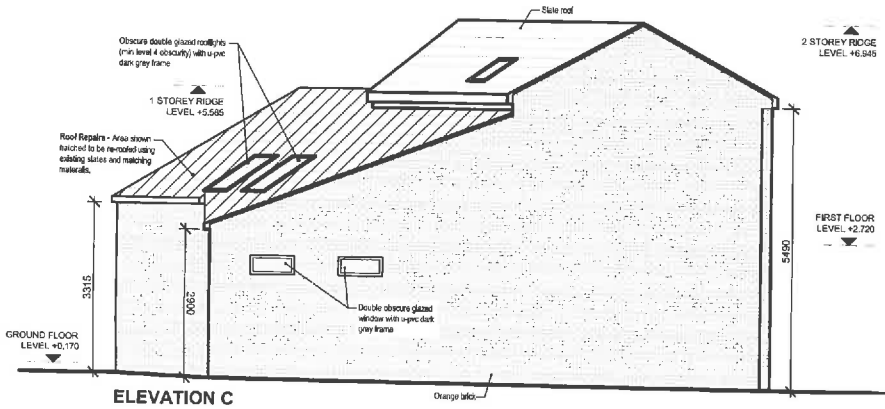
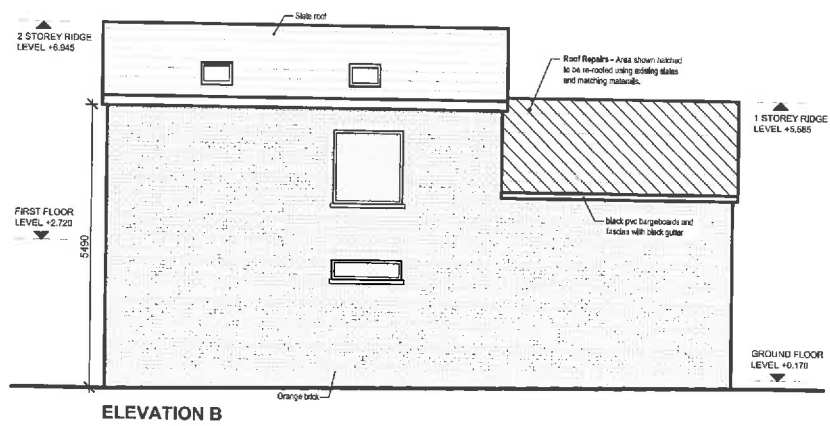
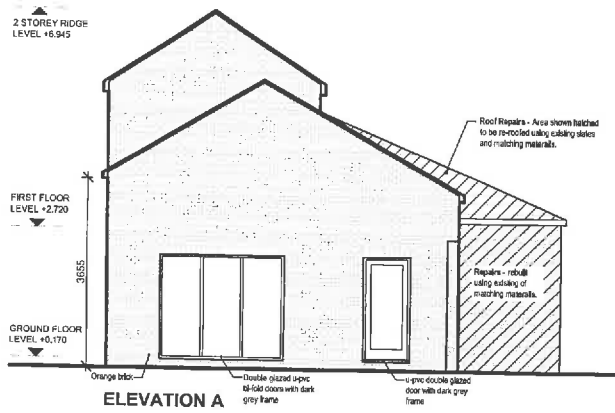
Do not scale drawings. All dimensions to be varied on site before proceeding with the work. All dimensions given in millimetre units unless stated otherwise. All drawings to be read in conjunction with other consultants drawings and specifications.

revision	drawn	date

PLANNING

PROJECT TITLE:
ALTERATIONS TO EXISTING TWO STOREY BUILDING & CHANGE OF USE TO FORM AN ANCILLARY RESIDENTIAL ANNEX, 5 BLEAKLEY STREET, WHITEFIELD, M45 7GU
 PROJECT NO: 1508_01
 DRAWING TITLE: AS BUILT ELEVATIONS & SECTION
 DRAWING NO: 021
 REVISION: -
 SCALE: 1:100@A3 DATE: 13.08.15 DRAWN BY: AEP

pettifer architecture
 tel: 07979629156
 email: andrew@pettiferarchitecture.com
 www.pettiferarchitecture.com



Do not scale drawings. All dimensions to be verified on site before proceeding with the work. All dimensions given in millimetres unless stated otherwise. All drawings to be read in conjunction with other consultants drawings and specifications.

revision	drawn	date
A	AEP	14.10.15
Drawings revised following planners comments		
B	AEP	27.10.15
Drawings revised following planners comments		

PLANNING

PROJECT TITLE:
ALTERATIONS TO EXISTING TWO STOREY BUILDING & CHANGE OF USE TO FORM AN ANCILLARY RESIDENTIAL ANNEX.
 5 BLEAKLEY STREET, WHITEFIELD, M45 7GU

PROJECT NO:
1508_01

DRAWING TITLE:
PROPOSED ELEVATIONS & SECTION

DRAWING NO:
021

REVISION:
B

SCALE:
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DATE:
13.08.15

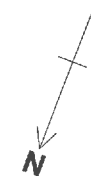
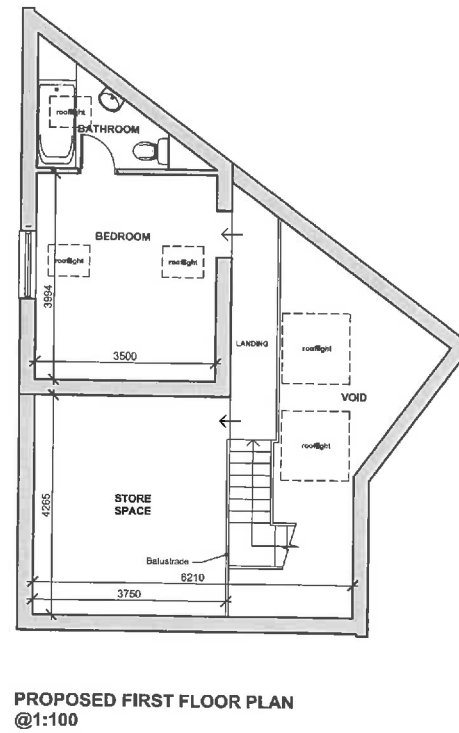
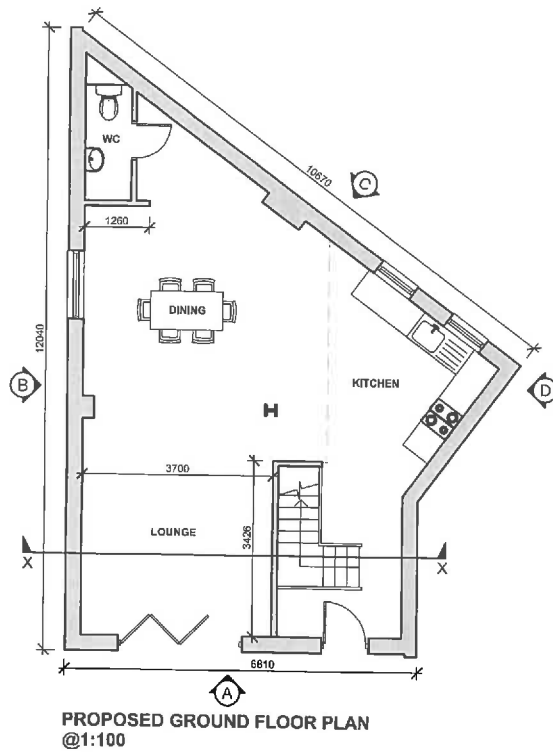
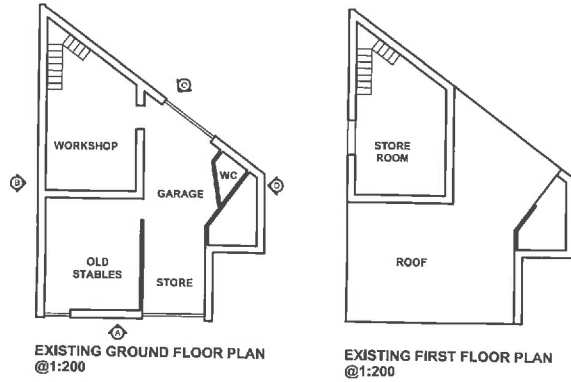
DRAWN BY:
AEP

pettifer architecture
 tel: 07973629183
 email: aap@pettiferarchitecture.com
 www.pettiferarchitecture.com

SECTION X-X

Do not scale drawings. All dimensions to be verified on site before proceeding with the work. All dimensions given in millimetres unless stated otherwise. All drawings to be read in conjunction with other consultants drawings and specifications.

revised drawn date



PLANNING

PROJECT TITLE:
ALTERATIONS TO EXISTING TWO
STOREY BUILDING & CHANGE OF
USE TO FORM AN ANCILLARY
RESIDENTIAL ANNEX,
5 BLEAKLEY STREET, WHITEFIELD,
M45 7GU

PROJECT NO:
1508_01
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DATE:
13.08.15
DRAWN BY:
AEP

pettifer architecture
tel: 07973620158
email: a@pettiferarchitecture.com
www.pettiferarchitecture.com

Ward: Bury West - Elton

Item 07

Applicant: Club 500 Italia

Location: Unit F Bornmore Industrial Centre, Leigh Lane, Bury, BL8 1NR

Proposal: Retrospective application for vehicle dismantling and recycling

Application Ref: 59266/Full

Target Date: 25/11/2015

Recommendation: Approve with Conditions

Description

The application relates to an industrial unit which is located in a building with other commercial units. It is a single storey brick built unit with a footprint of 102 sqm. The building is accessed off Leigh Lane through a roller shutter door on the front elevation.

There are residential properties to the east on Harvey Street and a Church directly opposite to the south. Further to the west on Leigh Lane is a primary school.

There is on street parking directly in front of the site and along Leigh Lane.

The unit previously operated as a vehicle repair business, but in the last 12 months has operated as a vehicle dismantling and recycling business without the appropriate planning permission. This application is therefore retrospective and seeks to regularise the change of use of the unit to a dismantling and recycling use.

The business deals with one model of car in particular, which has either been in an accident or fire damaged. The vehicles are delivered to the site, typically one per week, and are deposited inside the building. The vehicles are then dismantled using hand tools and the body shells of the cars and any other unusable parts are collected for recycling and taken to the local depot. The remaining recyclable parts are sold via the internet, usually collected from the premises by courier. Any fluids from the vehicles are collected by a specialist and disposed off site. The works are carried out entirely within the confines of the building.

The hours of operation are 8am to 6pm Monday to Saturday and there are 2 employees.

Relevant Planning History

None relevant

Publicity

35 letters sent on 2/10/2015 to commercial and residential properties at Elton Fold Chase; Camp Street; Bornmore Industrial Centre; Harvey Street and Wood Street.

Two letters of objection received from Nos 65 and 67 Harvey Street which raise the following issues:

- Concerns about parking and the extra traffic congestion during the day, including larger vehicles, and especially at busy times when the school crossing nearby is used;
- Access is needed to the Church opposite;
- Noise and air pollution to local residents;
- Another unit would add to an already busy residential area.

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

Consultations

Drainage Section - Comments awaited.

Environmental Health Contaminated Land - No comments to make.

Env Health Pollution Control - Comments awaited

Environment Agency - No response received. The applicant would require a separate license from the EA for the operation of the business.

Greater Manchester Police - designforsecurity - No comments to make.

Minerals and Waste Planning Unit - Recommends issues of traffic and highways, noise and health and safety are considered as part of the application.

Unitary Development Plan and Policies

NPPF National Planning Policy Framework

EC4 Small and Growing Businesses

EC4/1 Small Businesses

EC6 New Business, Industrial and Commercial Development

EC6/1 New Business, Industrial and Commercial

EN1/2 Townscape and Built Design

EN7 Pollution Control

EN7/1 Atmospheric Pollution

EN7/2 Noise Pollution

HT2/4 Car Parking and New Development

MW3/2 Waste Recycling and Bulk Reduction

Issues and Analysis

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

Principle - UDP Policy MW3/2 - Waste Recycling and Bulk Reduction seeks to give favourable consideration to proposals which facilitate the economic recycling and reclamation of waste materials and bulk reduction of waste.

EC6/1 - Assessing New Business, Industrial and Commercial Development takes into account factors of design and appearance, surrounding environment, amenity impacts and parking and servicing.

The proposed use involves a recycling facility which is widely accepted as being light/general industrial in nature and is therefore compatible with the established commercial uses in the surrounding units. The premises previously operated as a vehicle repair business and it is considered that the use as a recycling operation would not be significantly dissimilar in character.

The scale of the business is small, being limited by the size of the building and capable of accommodating 9 cars at a time at the most. There is adequate access into the building to facilitate deliveries and collections.

As such, the proposal is considered acceptable in principle and complies with UDP Policies MW3/2 and EC6/1.

Environmental Issues - The applicant is seeking to obtain an appropriate license from the Environment Agency, which is subject to the grant of planning permission. The business operator would be required to operate within the limitations of the permit which would include limiting the scale of the development and the control of environmental pollutions.

The development relates to the dismantling of vehicles only and there are no industrial

processes or heavy duty machinery which are required, and there is little if any air born environmental pollutants in the form of dust or litter as a result of the process.

As such, the proposal complies with UDP Policies MW3/2 and EC6/1.

Impact on the surrounding area -

Noise - Vehicles would be delivered to the front of the building and deposited inside via the roller shutter door. All the recycling activities would be fully contained within the building. The vehicles are dismantled with hand tools and there is no machinery involved in the process. The nearest residential properties are on Harvey Street, which are more than 50m away. Given the scale of the operation, the commercial nature of the building, together with the control measures which are regulated and monitored by the EA, it is considered that there are no significant noise levels associated with the business.

Odour - The recycling materials and the processes involved would not create odour. The business does not recycle fluids or waste.

Litter and dust - The operations are contained wholly within the building. Again, the recycled goods would not produce any, if at all, amounts of litter or dust.

It is considered that there is no more noise associated with the use as a vehicle dismantle/recycling operation compared with the previous vehicle repair business, nor any related litter, odour or dust problems. The site and associated activities would also be monitored and regulated under the EA permit. As such, the proposal is considered to comply with UDP Policies MW3/2 and EC6/1.

Highways issues - The unit fronts Leigh Lane and is accessed directly through the roller shutter doors which form the entrance to the building. The unit has a footprint of 102 sqm and as such, the applicant states that it cannot accommodate more than 9 cars at a time. As a consequence, deliveries of vehicles to the site are relatively infrequent, usually one car purchased a week.

As there are no customers, or delivery of parts required, the use generates less traffic compared with a vehicle repair operation.

As such, it is considered that the arrangements as existing are acceptable and in compliance with UDP Policy EC6/1.

Response to objectors -

- The proposal relates to an existing business unit and would not involve the use of any other additional units.
- No more traffic is generated in comparison to the previous vehicle repair business.
- There is no heavy plant machinery involved in the process and air pollutants are minimal.

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

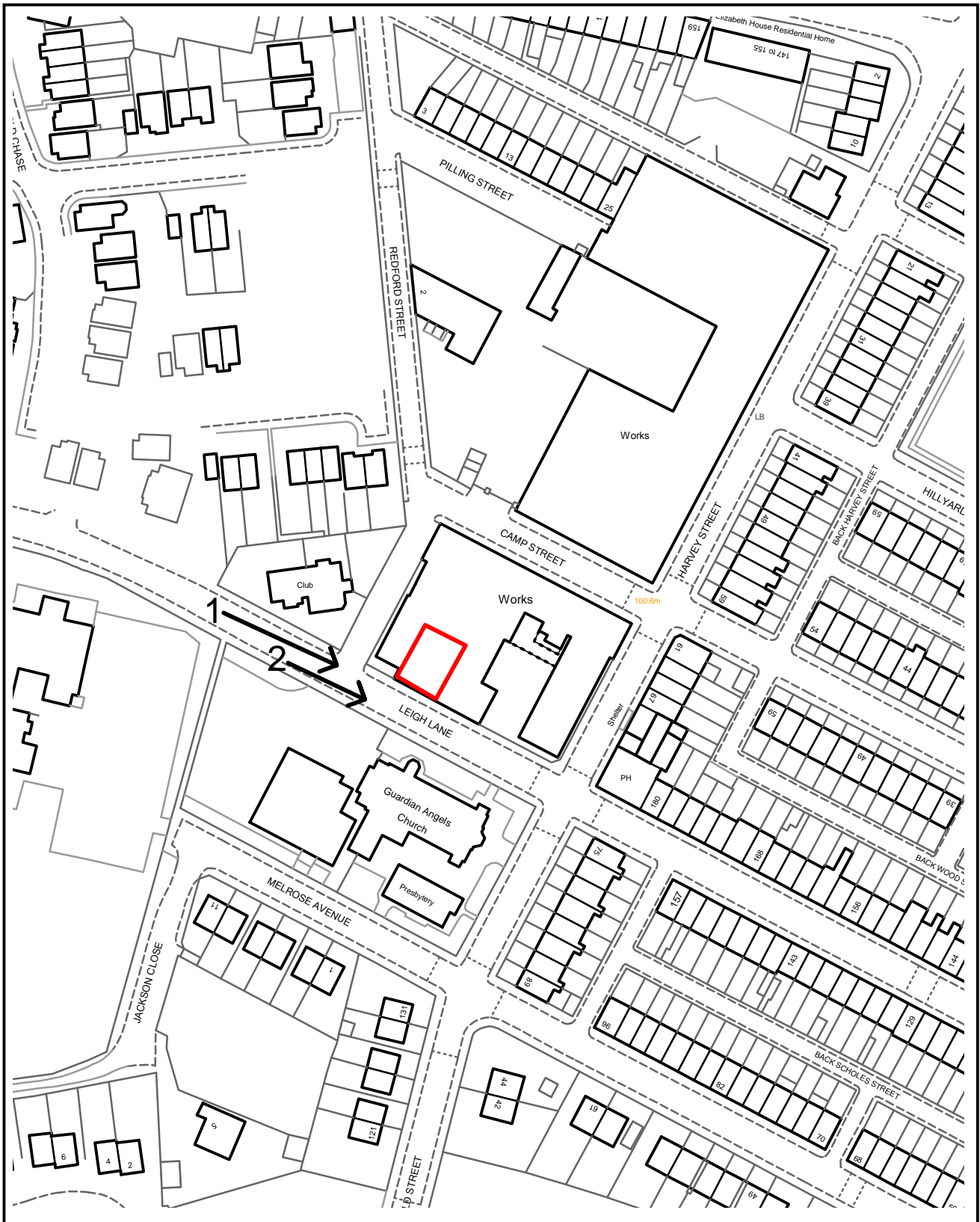
Conditions/ Reasons

1. This decision relates to drawings numbered Plans and elevation 2015/158/01A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

2. The use hereby permitted shall only operate between the following times:
08.00 to 18.30 Monday to Saturday.
There shall be no working on Sundays or Bank Holidays.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EC6/1 - Assessing New Business, Industrial and Commercial Development of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59266

**ADDRESS: Unit F Bornmore Industrial Estate
Leigh Lane
Bury**

Planning, Environmental and Regulatory Services 1:1250

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59266

Photo 1

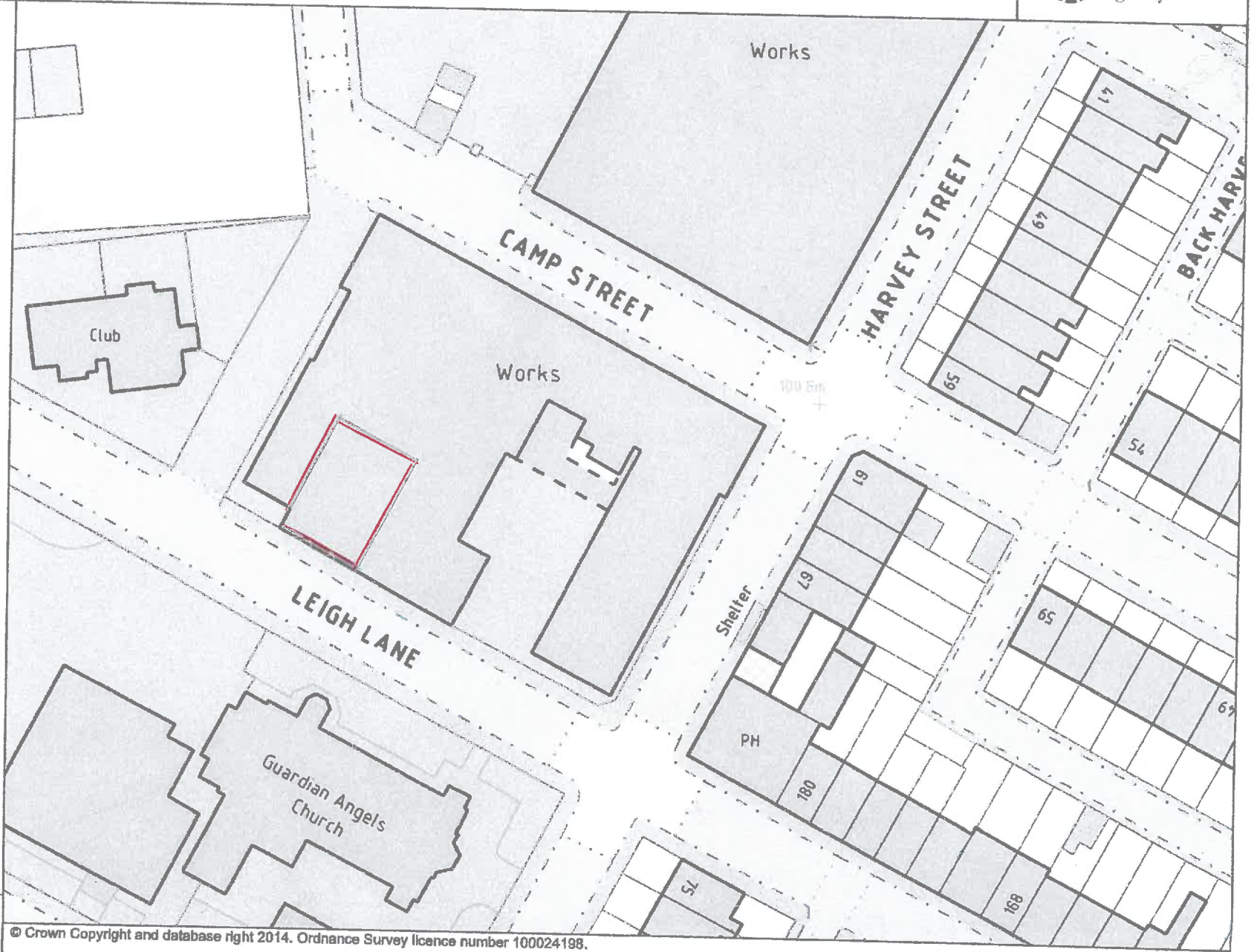


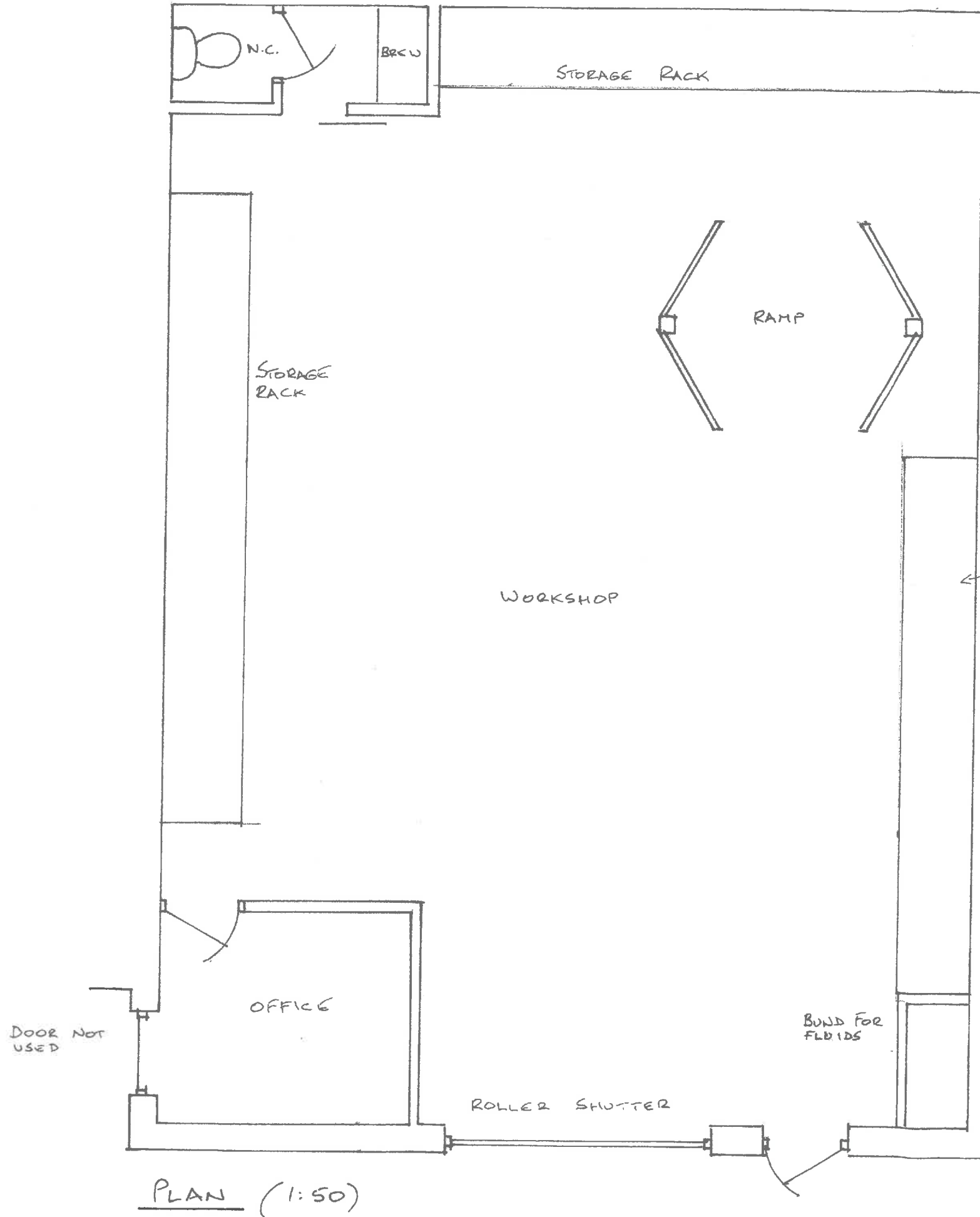
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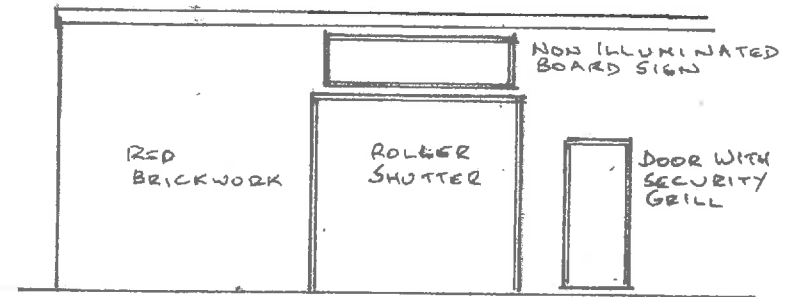
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Page 111

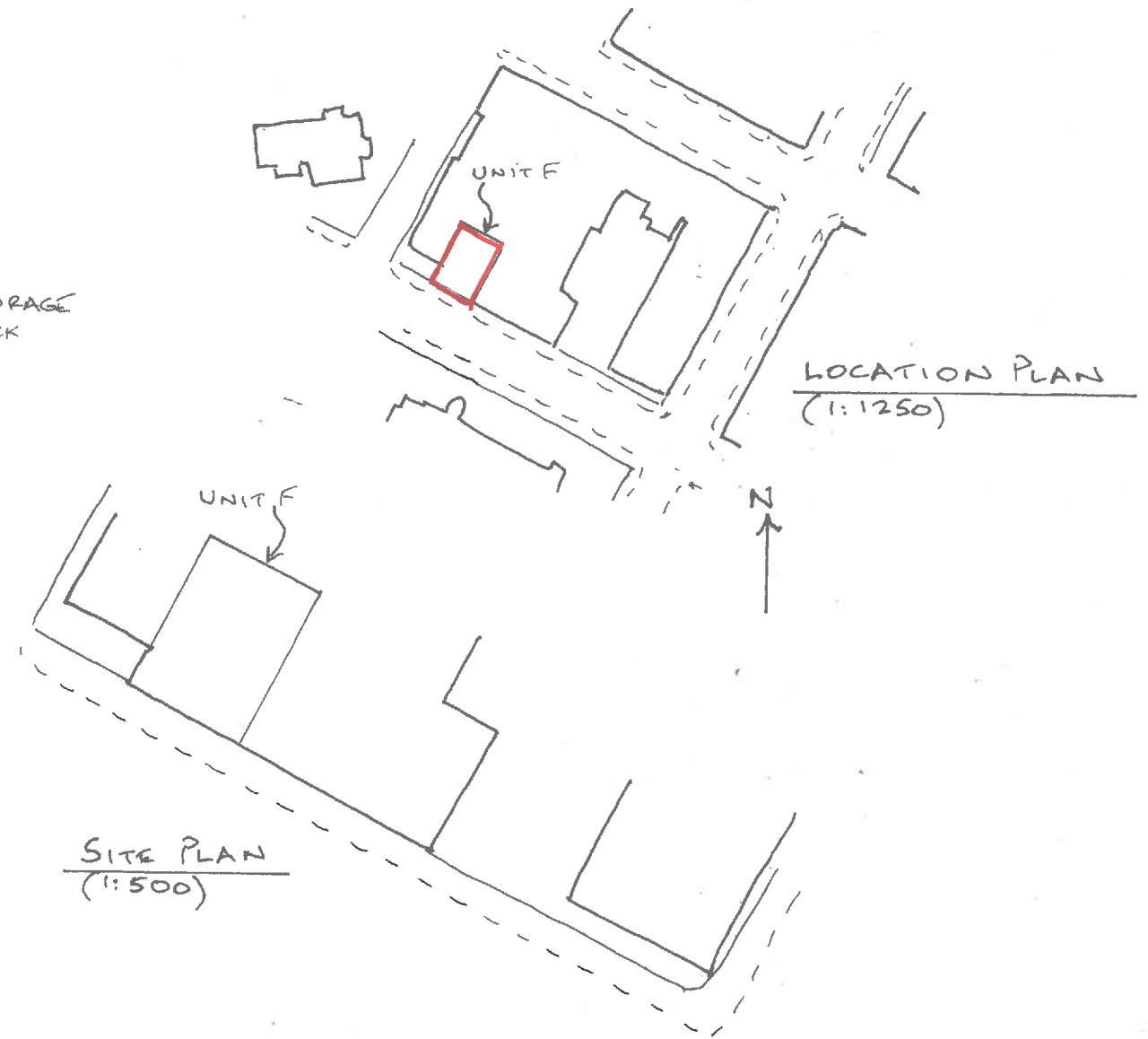




PLAN (1:50)



FRONT ELEVATION (1:100)



SITE PLAN (1:500)

LOCATION PLAN (1:1250)

1A PLANS & ELEVATION

29/09/2015 STORAGE DETAILS ADDED
17/08/2015

2015/158/01A

PROPOSED VEHICLE RECYCLING
UNIT F, LEIGH LANE, BURY BL8 1NR

Ward: Bury East - Redvales

Item 08

Applicant: Bury Grammar Schools

Location: Bury Grammar School Playing Fields, Buckley Wells, Bury, BL9 0TZ

Proposal: Erection of 2.4m high mesh panel fence to the west and south boundary of Buckley Wells playing fields

Application Ref: 59279/Full

Target Date: 18/11/2015

Recommendation: Approve with Conditions

Description

The site consists of a playing field belonging to Bury Grammar School and is located to the south of St Gabriels High School playing fields. To the west side runs the River Irwell and public footpath 105BUR. There are trees and shrubs that screen the fields along the northern, southern and western boundaries. The East Lancashire Railway is located to the east.

The application proposes profiled mesh fencing panels 2.4m high and 2.5m wide to be located along the boundary to the west and south of the playing field totalling 506 metres. The panels would be fixed to 60mm by 60mm steel posts and both panels and posts powder coated green.

The fencing is required to prevent unauthorised access on to the land as there have been previous issues with motorbikes, dog faeces and syringes on the pitches.

Relevant Planning History

None.

Publicity

26 notification letters were sent to surrounding properties and businesses on 02/10/15, a full list is available on the public file. 3 site notices were posted on 06/10/15 and a press notice placed in the Bury Times on 15/10/15.

One response has been received from 56 Manchester Old Road their concerns in summary are:-

- Strongly object as far as they are concerned this is a public right of way
- The area is used for dog exercising and people use the fields for circuit training and other exercise activities.
- Children use it to play sports such as football kickabout in a safe and secure environment.
- The area is tree lined and the habitat of various wildlife the impact on this is immeasurable.
- The groundsman has recently tried to block entry by installing gates, barricades, barriers, movement of soil and stretching rusty wire that is a safety issue during dark days and what looks like trip wire which is certainly illegal and a safety issue. Would also suggest illegal if they are now requesting planning permission.

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

Consultations

Public Rights of Way Officer - No objection.

Unitary Development Plan and Policies

CF2 Education Land and Buildings

EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
OL5/2	Development in River Valleys
EN6/4	Wildlife Links and Corridors
RT3/4	Recreational Routes

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 - The proposed mesh fencing is a type commonly used around school sites. It provides a secure boundary whilst allowing a high level of visibility through. The trees and shrubs that border the site would also provide a level of screening of the fencing and the green colour would see it blend well with the surroundings.

The fencing would be on the inside of the site and would not require the removal of any trees or hedges.

The proposal complies with UDP Policy EN1/2 - Townscape and Built Design.

Public Right of Way - Public Footpath Number 105 Bury runs immediately to the south and west of the proposed fencing. As a result, the fence can be erected without obstructing or narrowing the public right of way. No public rights of way are recorded running into the site. Therefore, the proposed development would not impact upon public rights of way and in accordance with Policy RT 3/4.

Residential amenity - There are no residential properties located close enough for the development to have any serious impact.

Response to objection - The fencing would enclose the playing field which is not a public open space. The applicant has confirmed that the land is 50% freehold owned by the schools and the other 50% leased to the school by the Council.

The public footpath runs alongside the site and the fencing would not impact on public access along this.

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

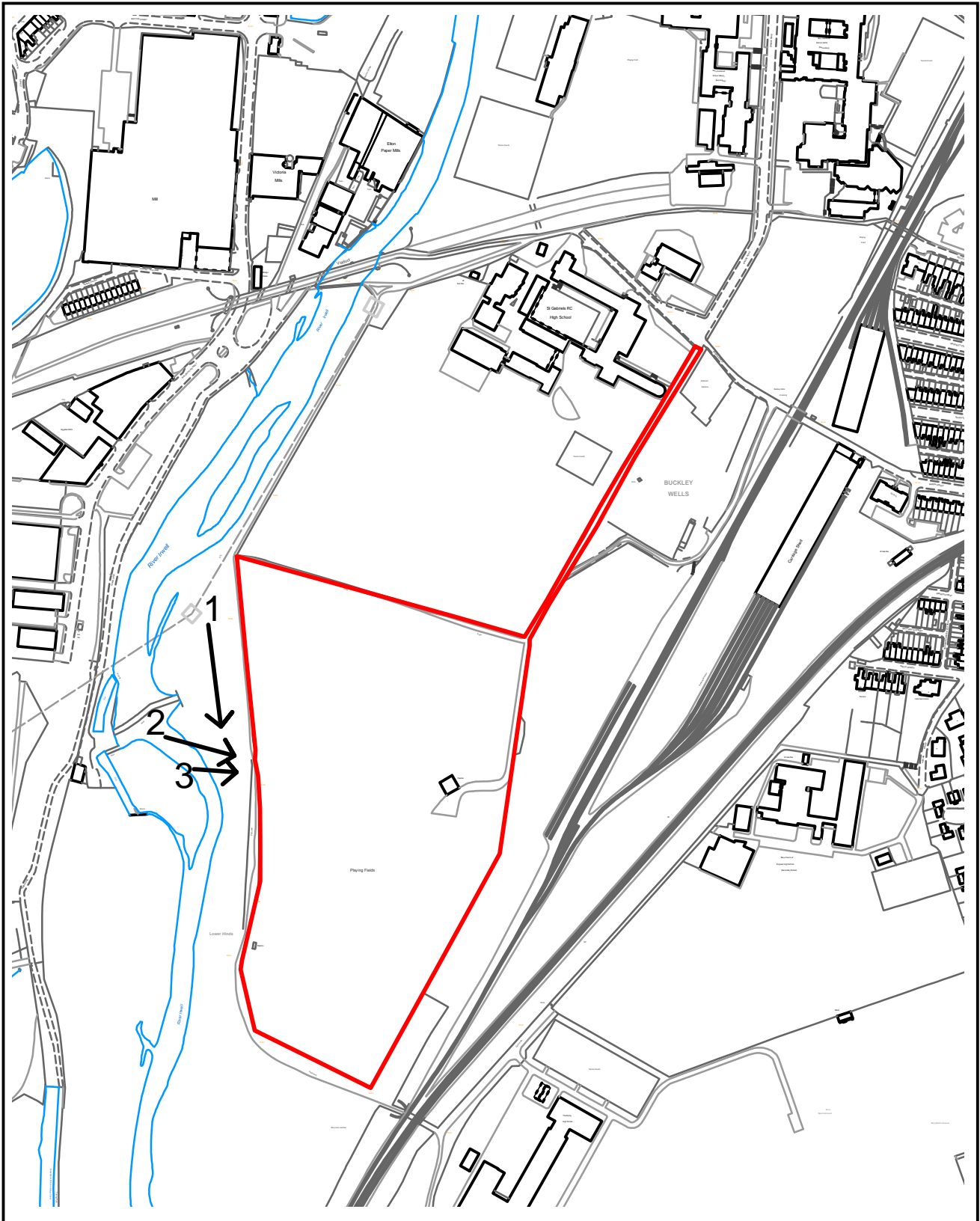
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to the drawings received on 23 September 2015 and the

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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59279

**ADDRESS: Bury Grammar School Playing Fields
Buckley Wells**

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



Bury
COUNCIL

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59279

Photo 1



Photo 2



59279

Photo 3







SITE PLAN

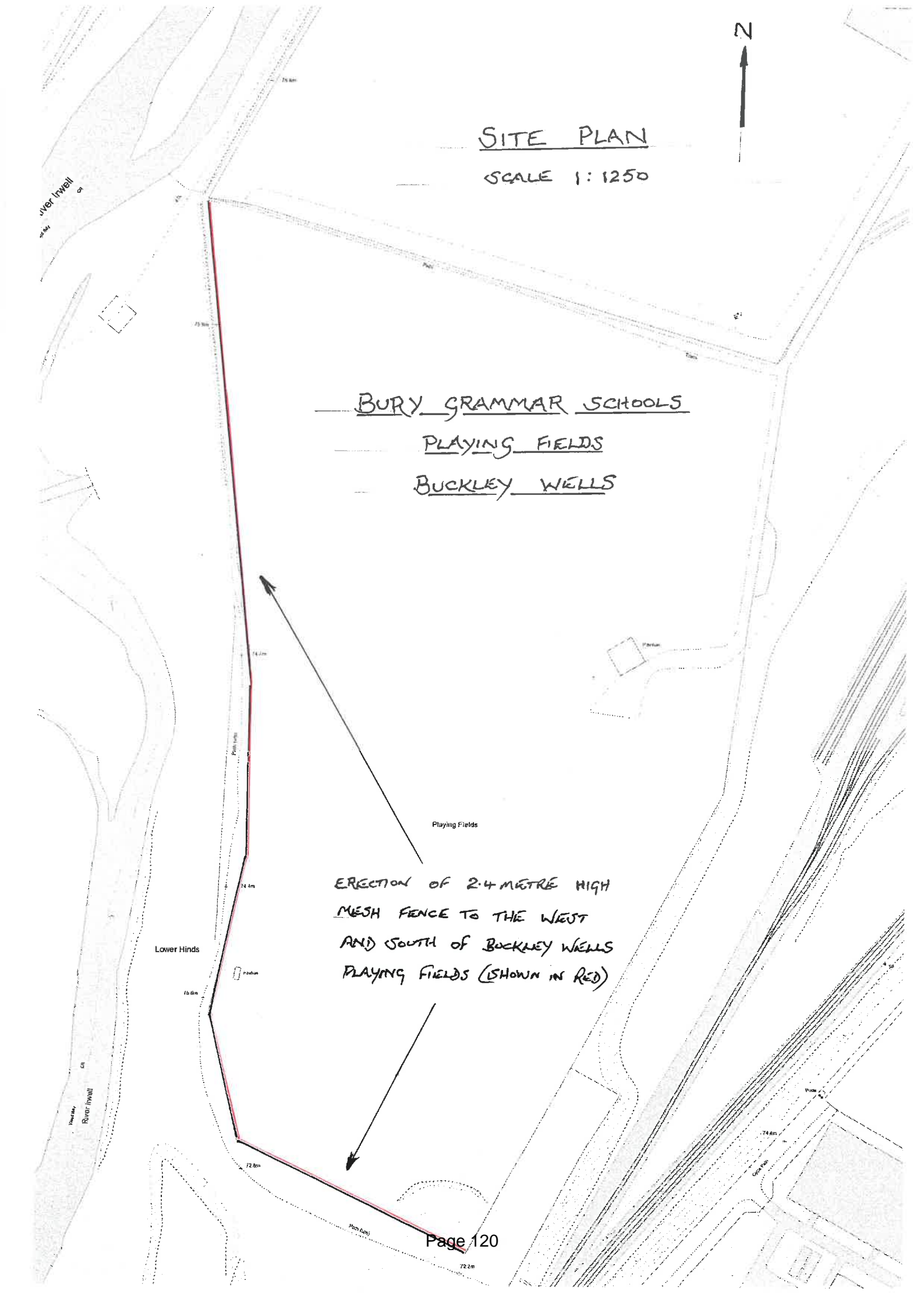
SCALE 1:1250

BURY GRAMMAR SCHOOLS

PLAYING FIELDS

BUCKLEY WELLS

ERECTION OF 2.4 METRE HIGH
MESH FENCE TO THE WEST
AND SOUTH OF BUCKLEY WELLS
PLAYING FIELDS (SHOWN IN RED)



Ward: Prestwich - St Mary's

Item 09

Applicant: Mr Mushtaq Ahmad

Location: Land between 7 & 11 Prestwich Park Road South, Prestwich, Manchester, M25 9PF

Proposal: Erection of detached dwelling with new access onto Prestwich Park Road South

Application Ref: 59311/Full

Target Date: 15/12/2015

Recommendation: Approve with Conditions

Description

The application is a resubmission following a previous refusal for a similar scheme in July this year. The site, measuring approximately 940sqm, lies within St Mary's Conservation Area, between Prestwich Park Road South on the north side and Shrewsbury Road to the south. It is situated between the dormer bungalow at No.7 and a two storey semi-detached Victorian house at No.11 Prestwich Park Road South. The land until recently comprised the side garden area of No.7. The area is residential in nature and slopes down from Shrewsbury Road, levelling off half way into the site. There are trees within the site but those along the Prestwich Park Road frontage have been felled. Historical maps show that there was a house on the site of No. 9, as part of a pair of semi's forming 7 and 9, although this was demolished around 1994/5. The property now known as No.7 was built in its present position, closer to Prestwich Park Road South in the late 1960's.

It is proposed to construct a four-bed house in the central section of the site. The house would be split level in design due to the sloping nature of the site. At the back, the Shrewsbury Road side, the house would have the appearance single storey property with accommodation in the roof, whilst from the Prestwich Park Road South side it would comprise three storeys with garaging and forecourt at ground level. The house would have a contemporary design with a high degree of glazing on the front and rear elevations and a mix of finishing materials.

The house, including the garages would have a large footprint, extending over 30m from front to rear and a substantial proportion of the frontage would comprise a forecourt hardstanding. In terms of height, the new house would have a ridge height just above No.7 but below the eaves of No.11.

A new access would be formed into the courtyard from Prestwich Park Road South with a new boundary wall and gates.

Relevant Planning History

00450/E - New House - Enquiry completed.

54993 - Erection of one new dwelling with access from Shrewsbury Road - Approve with Conditions 30/08/2012

58712 - Erection of detached dwelling with new access onto Prestwich Park Road South - Refused 01/07/2015

Publicity

Site notice posted and press notice within the Prestwich and Whitefield Guide on 29/10. The following 12 neighbours were notified by letter dated 21/10/15. 7-12 Prestwich Park Road South, 10 Butterstile Lane, 1 and 2 Barnhill Road, 4 Hornby Gardens.

One representation from No.7 Prestwich Park Road South has concerns regarding the

impact the new building will have on light into his property. Although the house has moved it hasn't been reduced in height. Could the height be adjusted and moved towards the top of the plot?

The objector has been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health - No objection.

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN7	Pollution Control
EN8/1	Tree Preservation Orders
SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
EN6	Conservation of the Natural Environment
EN7	Pollution Control
EN8	Woodland and Trees
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.

Housing Policies - 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 urban area of Prestwich 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,

Policy H2/6 Garden and Backland Development states that proposals that result in the loss of garden for infill should be resisted unless it is shown that the development would not adversely affect the character and amenity of the area.

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.

Conservation Area Policies 2/1 Character of Conservation Areas and EN2/2 Conservation Area Control set out various criteria by which proposals affecting conservation areas are assessed.

The Council's Management Plan for St Mary's Conservation Area and associated document 'Conservation Areas of Bury' (2004) are also considered relevant. Work on the appraisal and management plan for St Mary's Conservation Area began in 2006. There have been a number of consultations with area residents and reports to the area board, and to the local area partnership, and the Council's Planning Control Committee. The management plan was completed and issued in October 2009. These documents set out guidance and assess the characteristics of the Conservation Area and is important with regard to any development it.

Visual Amenity and Impact on Conservation Area - The Planning and Listed Buildings and Conservation Areas Act imposes a duty upon Local Planning Authorities to consider the impact of development upon listed buildings and Conservation Areas with the aim of ensuring the desirability of preserving their intrinsic quality. In addition to the NPPF, local plan policies seek that development proposals affecting such buildings, settings and designated Conservation Areas are considered when assessing proposals. To supplement these policies and to guide development, the Council has adopted a Conservation Area Management Plan.

The Conservation Area Appraisal and Management Plan for St Mary's Conservation Area states that the main quality of the Prestwich Park Road South/St Ann's Road area is the character created by the large period buildings in generous grounds. The mix of Georgian, Victorian and Edwardian styles combine, together with a mature street and garden landscape, to produce an area of significant character. This reflects the reasons behind original designation of the Conservation Area and the demonstrable character that each plot presents itself and has developed over time. These factors together with the treescape, represents important characteristics of the conservation Area.

Historically, the plot, together with the adjacent land at No.7 used to have a pair of Victorian Semi-detached houses on, before their demolition in the early 90's. These were situated at the Shrewsbury Road end of the site, allowing the landscaped gardens to run down to Prestwich Park Road South, as many of the properties still do along the road.

The proposed site is of considerable length, but is narrow is capable of accommodating a single dwelling without appearing to constitute overdevelopment or be out of character

within the locality. Indeed, the proposed new plot compares well in terms of size to the neighbouring garden plots along Prestwich park Road South.

Although the site is within the Conservation Area, the principle of a house of a contemporary design and appearance may be considered to be acceptable if it were to be sensitive to the character of the area. The previous scheme included a rather fussy frontage which would detract from the existing garden area and erode the sense of space somewhat. This element of the scheme neither preserved or enhanced the conservation area in which it is located. This element of the scheme has been amended to simplify the frontage and it is now considered to respect the intrinsic character of the Conservation Area to a greater extent.

The trees along the side boundary with No.11, and likewise those on the rear boundary with Shrewsbury Road, would remain in situ. These trees add to the sense of place by providing a visual backdrop and degree of seclusion when viewed from Prestwich Park Road South. The trees and hedges would have the benefit of helping to soften the new build within the streetscape and retaining the site's mature character. The tree survey concludes that the new building would not have an impact on these trees. Although the presence of the new building may put pressure of the trees in terms of future lopping or even removal, the fact that they are protected within the Conservation Area, should ensure their future.

Residential Amenity and Layout - Given the position of the proposed house in relation to the neighbours, it is not considered that there would be any serious issues with regard to direct overlooking of neighbouring gardens and habitable room windows. The velux rooflights on the side of the proposed house, facing both No.7 and No.11 are high level or could be obscure glazed bay a suitable planning condition.

In terms of outlook from neighbouring houses, although the height of the new house has been kept down by partly sinking it into the existing slope, the sheer size and mass of the new building is a concern. The previous scheme had the new dwelling set further back in the site, up the slope towards Shrewsbury Road. The latest scheme sets the house a little further down the slope, towards Prestwich Park Road South so reducing the length of the elevation when viewed from the rear of No.7.

As the new house would be to the south west of the rear elevation of No.7, there may be some overshadowing, but given that the roof slopes away from the neighbour, this is not considered to be so serious as to warrant refusal.

In terms of residential amenity, for the reasons stated above, the proposal is considered to conflict with UDP policies H2/1, H2/2 and H2/6 and associated guidance.

It is noted that for the approved scheme (54993), a daylighting survey was produced to demonstrate the impact on the new house on neighbouring properties. No such survey has been submitted with this application.

Parking and Access - The proposed access point from Prestwich Park Road South is acceptable in principle and with regard to numbers of parking spaces, the integral garage and large forecourt would be adequate for a house of this size. The turning space would allow cars to enter and exit in forward gear. The Traffic Section has no objection to the proposal which is now considered to be acceptable and complies with UDP Policies H2/2 and HT2/4 relating to parking and residential development.

Trees and Wildlife - As the site is within a Conservation Area, the trees are protected. The arboricultural statement from Urban Green was submitted with the application. The report recognised the significance of the trees (T1 Lime and T3 Ash) along the Prestwich Park Road frontage but confirmed that they required removal due to major decay. An application for the removal of the trees was submitted and approved under application LP-CA/00117. The report states 'Although the recommended tree removals are made from a health and safety perspective and regardless of current proposals, the subject trees are prominent in

the local landscape and when healthy contributed to the landscape character of the conservation area. It is therefore recommended that their loss should be mitigated by replacement plantings as part of landscape proposals and secured by conditions.

Objector - The issues raised by the neighbour have been addressed in the above report. The proposed house could, in theory be moved further up the site, but the current scheme is being assessed on the basis of its proposed siting.

Permission should be granted having regard to the policies and proposals listed and the reason for granting permissions can be summarised as follows:-
The proposed dwellinghouse would be in keeping with the existing streetscene and would not have a seriously detrimental impact on the character of the conservation area or amenity of surrounding residents. The access and parking is considered to be acceptable and the proposal complies with UDP Policies and guidance listed. There are no other material considerations that outweigh this finding.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 12100/04A, 05A, 06D, 07D, 08D and 09A 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. 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 and materials for all hardsurfaces 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 UDP Policies EN1/2 - Townscape and Built Design, EN2/1 Character of Conservation Areas and EN2/2 Conservation Area Control.
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. Prior to the commencement of development, details relating to the proposed boundary wall and gates along the Shrewsbury Road frontage shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development.
Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
6. 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.

7. Following the provisions of Condition 6 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.

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

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

9. A minimum of 5 working days written notice shall be provided to the LPA of intended commencement of the development. The notification of commencement shall include a timetabled schedule of the intended tree protection measures and tree works. Any subsequent variation of the timetable shall be subject to further written notice.

Reason - To ensure that the development is carried out in accordance with the approved plans, to protect trees which are of amenity value on the site and pursuant to Policies EN8/1 – Tree Preservation Orders and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

10. No trees, other than those indicated to be removed on the approved plans, shall be felled, lopped or topped before, during or after the construction period without the prior written consent of the Local Planning Authority.

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

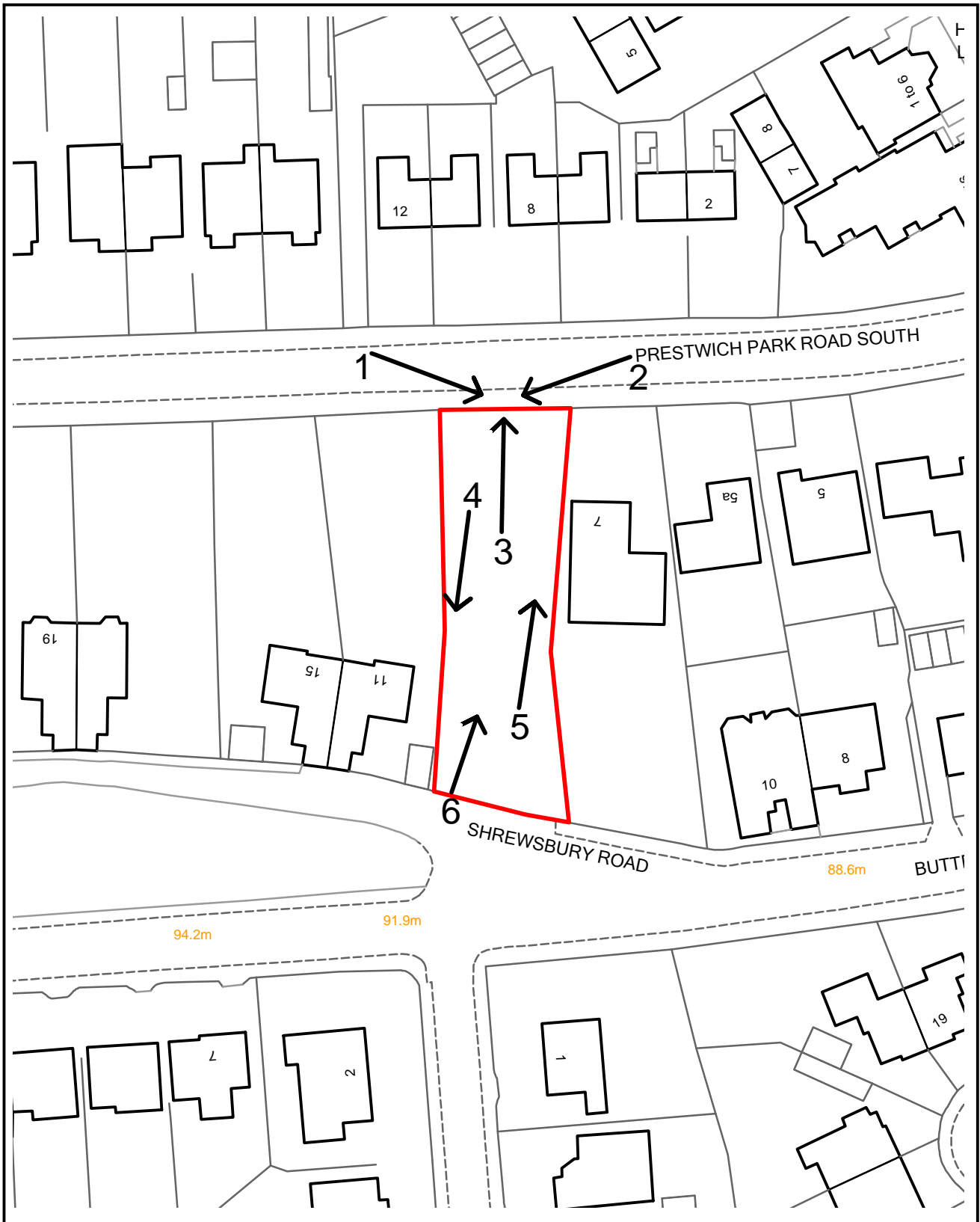
11. No vegetation clearance shall be carried out on site between 1st March and 31st August inclusive in any year unless otherwise approved in writing by the local authority.

Reason. In order to protect nesting birds pursuant to the Wildlife & Countryside Act, 1981.

12. No development shall commence unless and until full details of the construction and maintenance of the proposed retaining wall, adjacent to the boundary with No.7 Prestwich Park Road South, shall be submitted to and approved by the Local Planning Authority. The retaining wall shall be constructed in strict accordance with the approved details and maintained in a safe and stable condition thereafter.
Reason. To ensure the structural integrity of the proposed retaining wall in the interests of public safety and appearance, pursuant to UDP Policies EN1/2 Townscape and Built Design and H2/2 The Layout of New Residential Development.
13. Before the first occupation of the proposed dwelling hereby permitted the rooflights at level 3, over the dining area on the west elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/2 The Layout of New Residential Development.
14. Development shall not commence until details of surface water drainage aspects have been submitted to and approved by the Local Planning Authority. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution.
Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact pursuant to UDP Policies EN5/1 New Development and Flood Risk and EN7/5 Waste Water Management.
15. The car parking and turning facility indicated on the approved plan 12100/06D shall be made available for use prior to the first occupation of the dwellinghouse and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision and turning in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
16. The turning facilities indicated on the approved plans shall be provided 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.
17. The highway improvements indicated on the submitted plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is commenced / *[delete as appropriate]* brought into use.
Reason. To ensure good highway design in the interests of road safety.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59311

**ADDRESS: Land between 7 & 11 Prestwich Park Road South
Prestwich**



Planning, Environmental and Regulatory Services 1:1250

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59311

Photo 1



Photo 2



59311

Photo 3



Photo 4



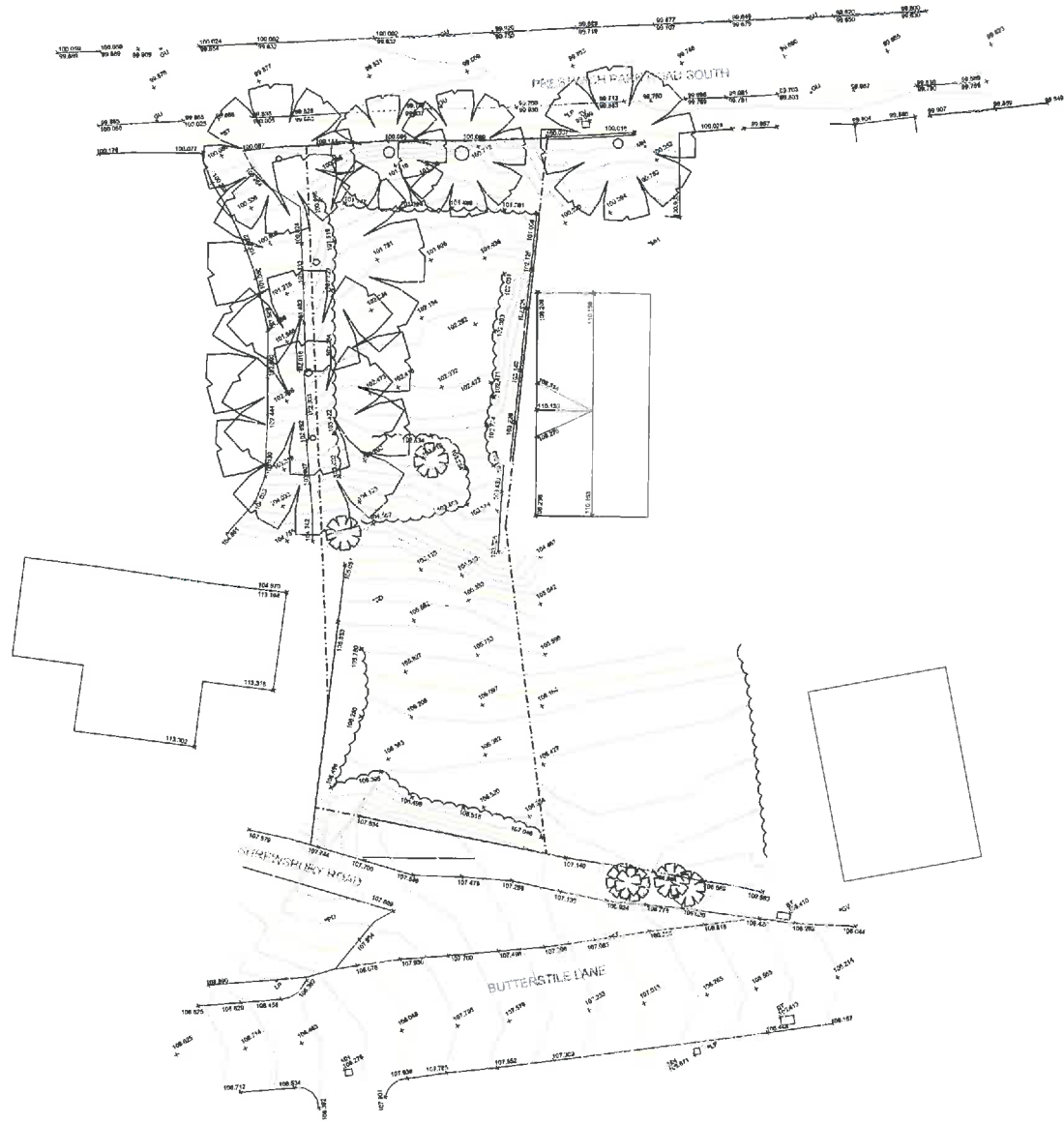
59311

Photo 5

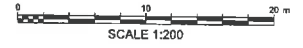


Photo 6





NOTES
 ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY MANUFACTURING OR FABRICATION AND ANY ANOMALIES TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.



PLANNING ISSUE SUBJECT TO LOCAL AUTHORITY APPROVAL	A	FIRST ISSUE	BY	06.05.15	
	REV	AMENDMENTS	BY	DATE	
	PROJECT Proposed Dwelling and Between 7 & 11 Prestwich Park Road South, Prestwich.				
	CLIENT Mr. Mushlaq Ahmad				
	DRAWING TITLE Existing Site Survey				
	DRAWN I. MCKINNELL		DATE 06.05.15		
	CHECKED		SCALE 1:200 (A1)		
	APPROVED				
	HOWARD & SEDDON A.R.I.B.A. CHARTERED ARCHITECTS 84 WARWICK ROAD, SALE, CHESHIRE M33 7RE. TEL No. 0161 - 973 8296 FAX No. 0161 - 952 3485 e-mail : admin@howardandseidon.co.uk				
	JOB NO. 12100	DRG NO. 04	REVISION A		



NOTES
 ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY MANUFACTURING OR FABRICATION AND ANY ANOMALIES TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.



D	VEHICLE TURNING HEAD ADDED	IM	12.11.15
C	DETAILS ADJ. DRIVEWAY REV'D	IM	01.08.15
B	PROPOSED BUILDING UPDATED	IM	08.08.15
A	FIRST ISSUE	IM	05.08.15
REV	AMENDMENTS	BY	DATE

PROJECT
 Proposed Dwelling and Between
 7 & 11 Prestwich Park Road South,
 Prestwich.

CLIENT
 Mr. Mushtaq Ahmad

DRAWING TITLE
 Proposed Site Plan

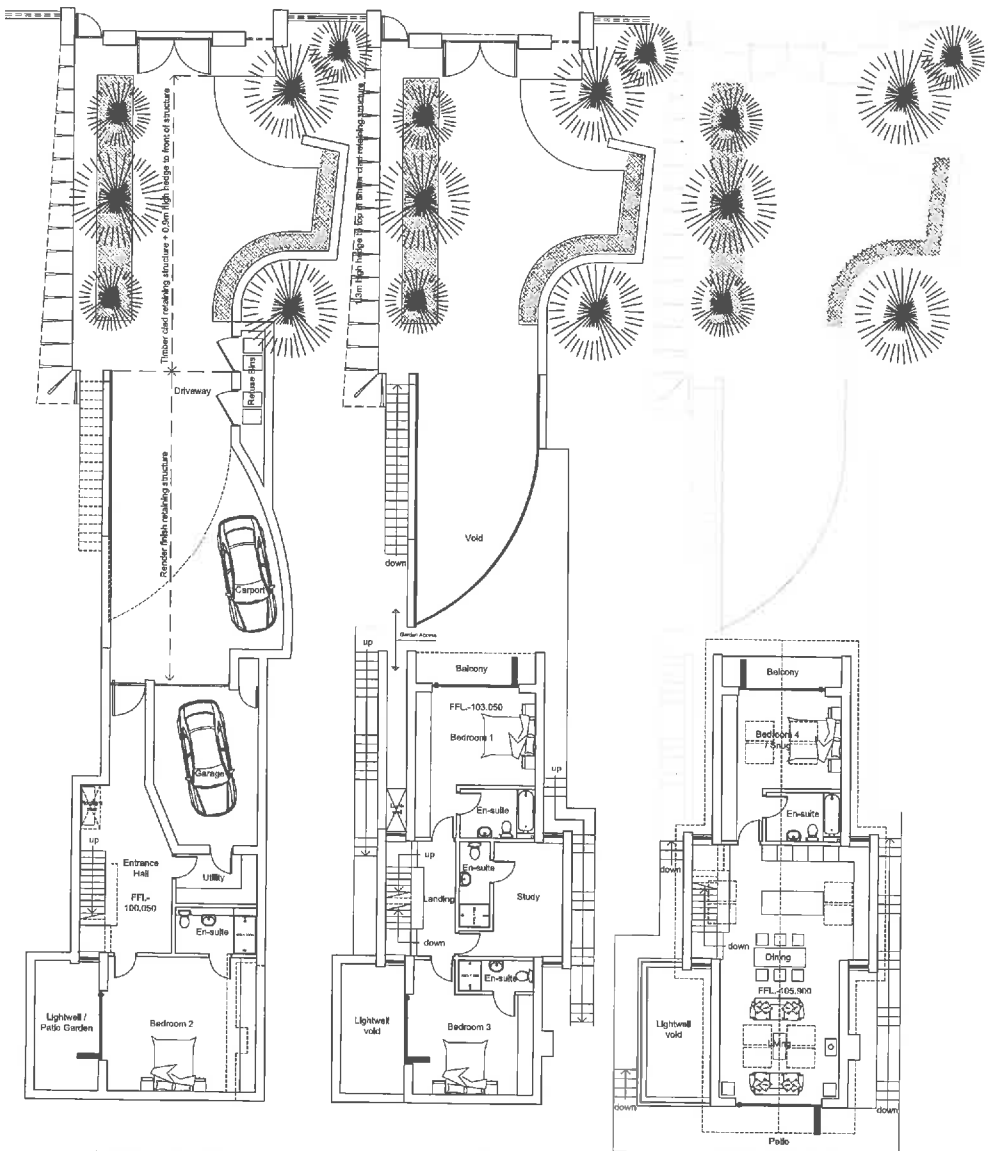
DRAWN I.McKINNELL DATE 08.08.15
 CHECKED SCALE 1:200 (A1)
 APPROVED

HOWARD & SEDDON A.R.I.B.A.
 CHARTERED ARCHITECTS
 84 WASHWAY ROAD,
 SALE, CHESHIRE M33 7RE,
 TEL. No. 0161 - 973 8298
 FAX No. 0161 - 962 3485
 e-mail : admin@howardseddon.co.uk

JOB NO.	DWG NO.	REVISION
12100	06	D

PLANNING ISSUE
 SUBJECT TO LOCAL AUTHORITY APPROVAL

NOTES
 ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY MANUFACTURING OR FABRICATION AND ANY ANOMALIES TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.



LEVEL 1 FLOOR LAYOUT
 Floor Area = 71.819m² (773ft²)
 excluding garage & lightwell

LEVEL 2 FLOOR LAYOUT
 Floor Area = 83.736m² (901ft²)
 excluding lightwell

LEVEL 3 FLOOR LAYOUT
 Floor Area = 83.736m² (901ft²)
 excluding lightwell

REV	AMENDMENTS	BY	DATE
D	VEHICLE TURNING SPACE ADDED	IM	12.11.15
C	DETAILS ADJ. DRIVEWAY REV'D.	IM	01.09.15
B	LEVEL 1 REVISED	IM	06.08.15
A	FIRST ISSUE	IM	05.08.15

PLANNING ISSUE

PROJECT
 Proposed Dwelling and Between
 7 & 11 Prestwich Park Road South,
 Prestwich.

CLIENT
 Mr. Mushtaq Ahmad

DRAWING TITLE
 Proposed Floor plans

DRAWN	I.MCKINNEL	DATE	05.06.15
CHECKED		SCALE	1:100 (A1)
APPROVED			

HOWARD & SEDDON A.R.I.B.A.
 CHARTERED ARCHITECTS
 64 WASHWAY ROAD,
 SALE, CHESHIRE M33 7RE.
 TEL No. 0161 - 573 8298
 FAX No. 0161 - 962 3485
 e-mail : admin@howardandseddon.co.uk

JOB No.	12100	DWG No.	07	REVISION	D
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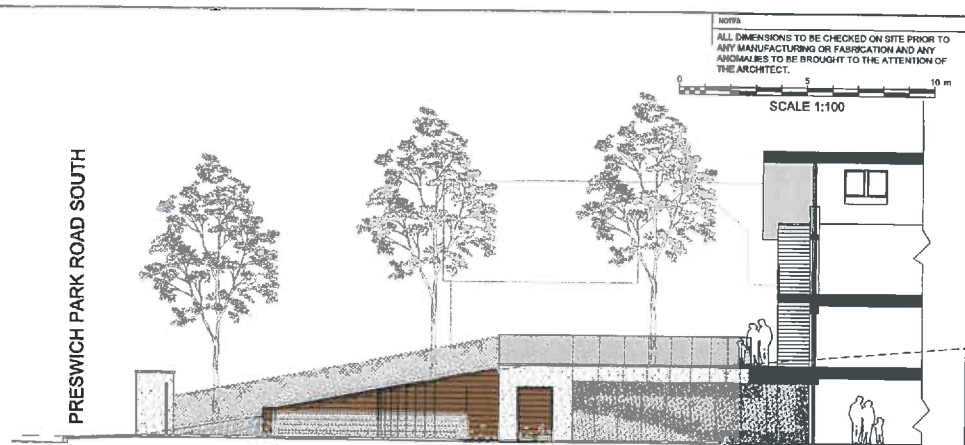
NOTES
ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY MANUFACTURING OR FABRICATION AND ANY ANOMALIES TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT



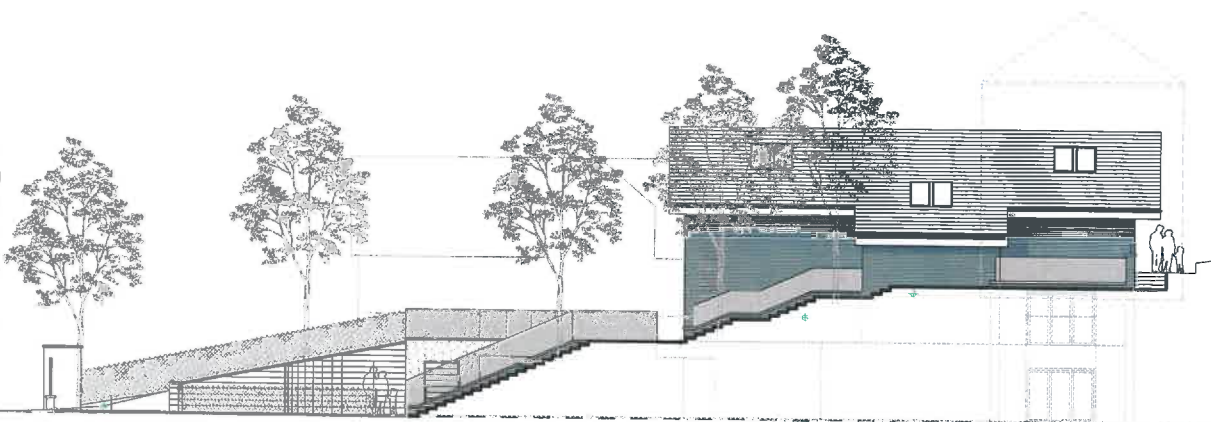
SCALE 1:100



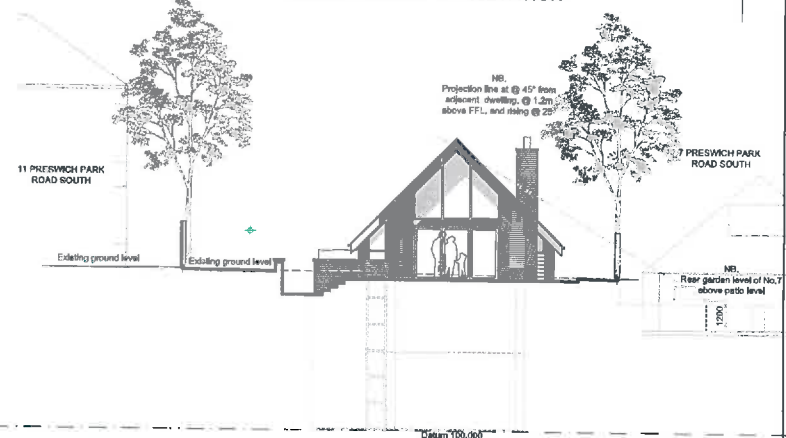
FRONT ELEVATION



HIDDEN DRIVEWAY ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

REV	AMENDMENTS	BY	DATE
D	ELEV. UPDATED RE VEHICLE TURN	IM	12.11.15
C	DETAILS ADJ. DRIVEWAY REV'D.	IM	01.09.15
B	ELEVATIONS FINALISED	IM	06.05.15
A	FIRST ISSUE	IM	05.06.15

PLANNING ISSUE
SUBJECT TO LOCAL AUTHORITY APPROVAL

PROJECT
Proposed Dwelling and Between
7 & 11 Preswch Park Road South,
Prestwich.

CLIENT
Mr. Mushtaq Ahmad

DRAWING TITLE
Proposed Elevations

DRAWN I MCKINNELL DATE 26.06.16
CHECKED SCALE 1:100 (A1)
APPROVED

HOWARD & SEDDON A.R.I.B.A.
CHARTERED ARCHITECTS
84 WASHWAY ROAD,
SALE, CHESHIRE M33 7RE.
TEL No. 0161 - 973 8296
FAX No. 0161 - 962 3485
e-mail : admin@howardenseddon.co.uk

JOB NO.	DWG NO.	REVISION
12100	08	D

Page 135 of 135

M014
 ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY MANUFACTURING OR FABRICATION AND ANY AMENDMENTS TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.
 SCALE 1:100

7 PRESWICH PARK ROAD SOUTH

11 PRESWICH PARK ROAD SOUTH



Datum 100,000

A	FIRST ISSUE	SW	03.09.15
REV	AMENDMENTS	BY	DATE

PROJECT
 Proposed Dwelling and Between
 7 & 11 Preswich Park Road South,
 Prestwĭch.

CLIENT
 Mr. Mushtaq Ahmad

DRAWING TITLE
 Proposed Street Scene

DRAWN	S Ward	DATE	03.09.15
CHECKED		SCALE	1:50 (A1)

APPROVED
HOWARD & SEDDON A.R.I.B.A.
 CHARTERED ARCHITECTS
 84 WASHWAY ROAD,
 SALE, CHESHIRE W33 7RE
 TEL No. 0181 - 983 3485
 FAX No. 0181 - 973 8296
 e-mail : s@hcs@howardandseddon.co.uk

JOB NO.	12100	DWG NO.	09	REVISION	A
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PLANNING ISSUE
 SUBJECT TO LOCAL AUTHORITY APPROVAL

Ward: Bury East

Item 10

Applicant: Mr Muhammed Mir

Location: 609-621 Rochdale Old Road, Bury, BL9 7TL

Proposal: 3 No. internally illuminated canopy fascia signs; 6.5m high double sided internally illuminated free standing sign (retrospective)

Application Ref: 59312/Advertisement

Target Date: 27/11/2015

Recommendation: Approve with Conditions

Description

The site is a Texaco Petrol Station with a convenience store building and car wash facility operating within the site. The forecourt is covered by a canopy and along the front boundary of the site is a free standing illuminated totem sign. There are residential properties to each side, that face on to Rochdale Old Road. To the rear, the site borders the rear gardens of four detached properties (4-10 Winifred Avenue).

The application is seeking retrospective consent for signage within the site and the application has been submitted following a complaint to the Enforcement Team. The proposals comprise:-

- An internally illuminated Texaco 'Star' roundel to the front canopy (Sign A)
- White internally illuminated Texaco lettering to the 15m wide canopy to the west side and which has concealed lighting to downlight the lower fascia (Sign B)
- White internally illuminated Texaco lettering to the 15m wide canopy to the east side. This canopy also has concealed lighting to part of the fascia (Sign C)
- An internally illuminated double sided 6.5m totem sign on 1.8m high posts to the front boundary.

Relevant Planning History

52063 - 2 x internally illuminated fascia signs; 1 x externally illuminated wall sign; 1 x internally illuminated projecting sign; 1 x non-illuminated projecting sign (all retrospective) - AC 20/01/10.

53176 - A: 5 No. non-illuminated board signs (retrospective); B: 2 No. non-illuminated rotating pole signs (proposed) - Split Decision 17/11/10.

Publicity

None required. 3 responses have been received from properties to the rear at 6,8 & 10 Winifred Avenue who object to the application. Their concerns in summary are:-

- The illumination to the canopy and Sign C shines directly into the living areas and bedrooms of Nos. 8 & 10 Winifred Avenue.
- There was no previous illumination to the elevation with Sign C.
- The previous canopy was in a pale blue/grey and blended into the environment and was perfect against the skyline.
- The new rear canopy is bigger, deeper, brighter and in a stronger colour. Why would this change when it is only visible from the three houses at the back ?
- Sign C cannot be seen until you reach the entrance as it is set back and hidden by property and trees.
- The garage is not short on advertisements, over 30, and Texaco's business will hardly be affected if one of its signs is removed from the millions around the world.

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

Consultations

Traffic Section - No objection.

Unitary Development Plan and Policies

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.

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

Amenity - Canopy Signage - The previous canopy had signage to the front and west side and the new canopy signs would replace those in a similar position. The canopy signs are of an acceptable design and are of typical styles and type normally seen on service stations. As such the principle of the canopy signage is considered to be satisfactory.

In consideration of illumination, the canopy signage now is proposed to be illuminated comprising illuminated white lettering "TEXACO" with a concealed downlighting element.

The position of the illuminated signage to the west is not readily overlooked by any sensitive property and as such, there are no objections to the illumination of the canopy along this elevation.

To the front, again, the illumination of signage here is typical and commonplace. There is a busy main road separating the site from properties across the road and given the levels of activity and illumination of the shop and lighting under the canopy, the effects of illumination of the signage are reduced. As such there would not be any objection to signage to the front of the canopy.

The relationship of the signage to residential properties to the east and north of the site is more problematic.

The canopy to the east side was previously blank. Whilst it would be expected that a commercial site would have some illuminated signage, the canopy signage, which was previously non illuminated, is now particularly visible from the rear elevations to the residential properties at 8 & 10 Winifred Avenue.

At night, the illumination in such close proximity, appears strident and unneighbourly. As these residential properties have elevations containing living rooms and bedrooms facing the site, the extent of illumination should be restricted.

The agent has accepted that the downlighting can be switched off and has agreed an hours condition to restrict lighting on the easterly side to be turned off at 20.00hrs. This is welcomed. However The "TEXACO" wording would still remain illuminated to both the east and west elevations of the canopy.

There would be no objections to the illumination of signage to the west, as the relationship to sensitive land uses is much better than it's opposing easterly side.

In considering a proactive approach to protect both residential amenity and in consideration of economic contributions that the site can provide, it is considered that all illumination of the eastern side of the canopy should be hours restricted to 20.00hrs. In this way, the site can retain illuminated signage and the two land uses can exist harmoniously through removing the impact of illumination to a reasonable hour in the evening.

Should the applicant not accept such a condition, then there would of course be the right of appeal against this condition. However, it is hoped that the agent and applicant would appreciate the need to maintain mutual amenity considerations alongside the need of economic considerations, particularly due to the close relationship that this site has with sensitive landuses.

Totem - The totem sign is also of a similar type to the previous one and is located in a frontage position that is commonplace within the streetscene to such premises. The height and scale of the sign at 6.5m high is relatively a maximum acceptable height considering the sensitive surrounding land uses in terms of position and scale. As such, there are no objections to this sign.

Safety - The signs are located where they would not cause hazard to pedestrians or motorists. A standard luminance condition is added. Additionally, there have been no objections raised from the Highways Section and as such, the proposals are considered to acceptable in terms of highway safety considerations.

The proposal would then comply with UDP Policy EN1/9 - Advertisements.

Response to objections - The issues relating to the illumination of the signage to the east elevation can be controlled by condition for illumination during reasonable hours. The rear of the canopy may be visible from the rear of the properties on Winifred Avenue. However it is not illuminated and as such is not considered to be intrusive to any unacceptable level.

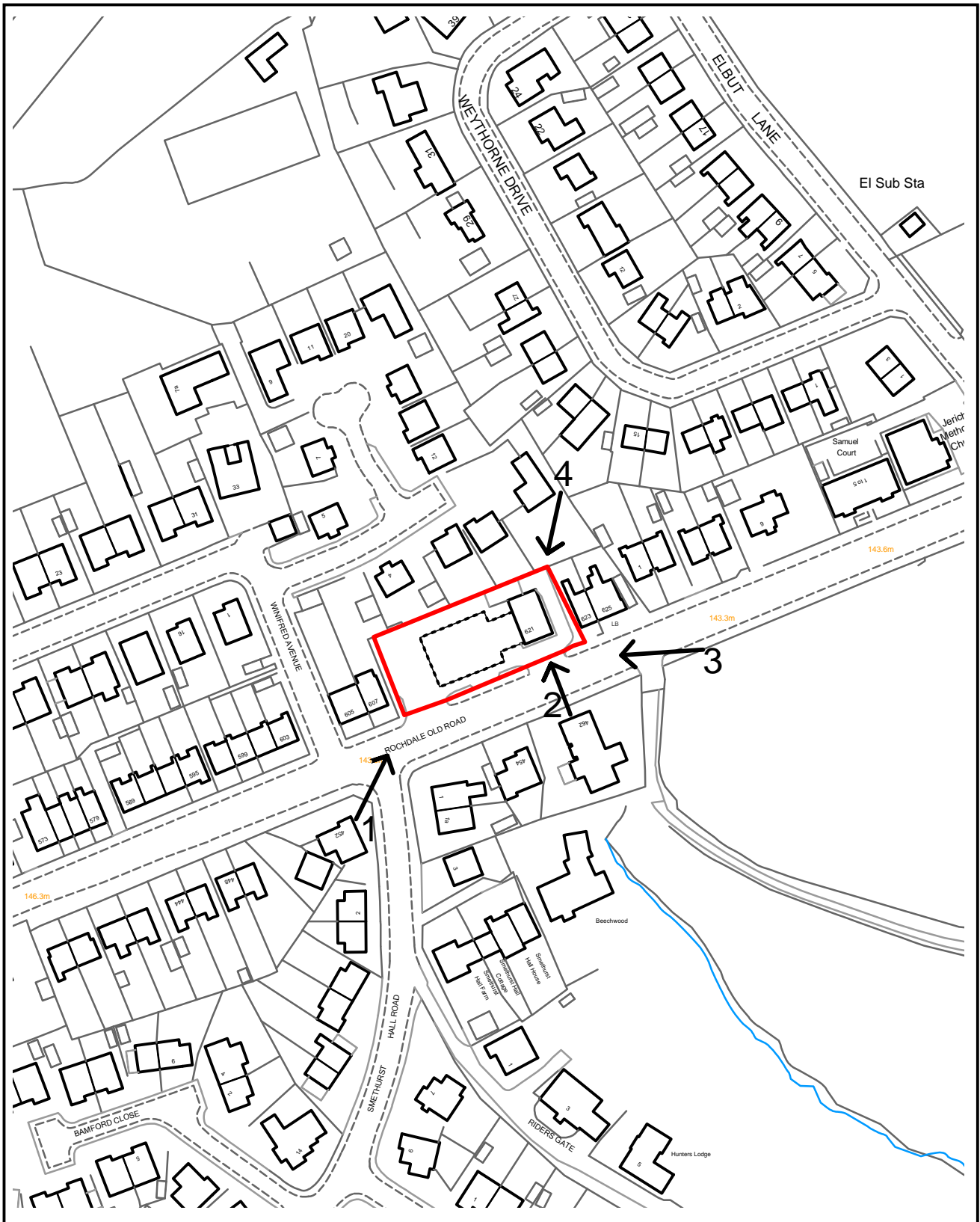
Recommendation: Approve with Conditions

Conditions/ Reasons

1. The luminance of the signs shall not exceed 800 cd/m² each.
Reason. To avoid undue distraction to traffic in the interests of road safety, and to protect the amenity of adjoining occupiers pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.
2. The concealed downlighting to the canopy and internally illuminated lettering to the east side elevation of the canopy (Sign C) shall be illuminated only between the following hours:- 0800 hrs to 2000 hrs daily.
Reason. The signage to the east of the canopy is in close proximity to sensitive landuses with elevations containing habitable room windows adjoining the site. The control of the lighting through an hours restriction such that the illumination would not give prolonged impact into the evening would therefore safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59312

**ADDRESS: 609-621 Rochdale Old Road
Bury**

Planning, Environmental and Regulatory Services 1:1250

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59312

Photo 1



Photo 2



59312

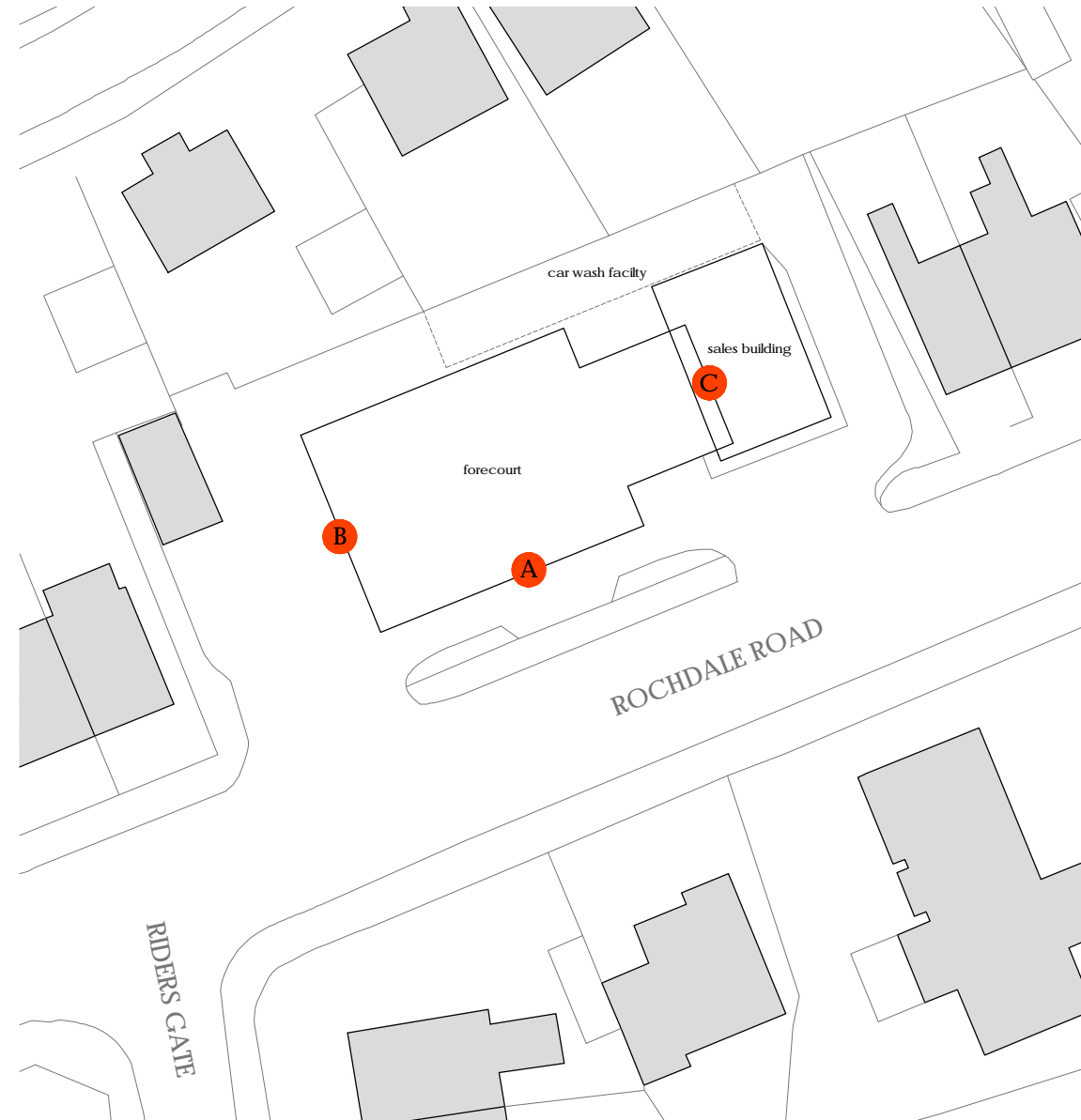
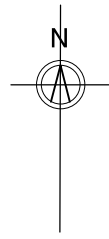
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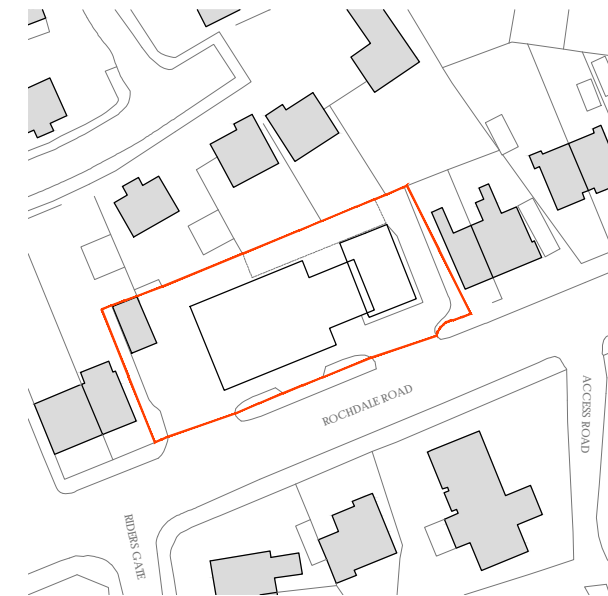
Photo 4



DO NOT SCALE FROM THIS DRAWING.
All dimensions relating to the material supplier's or installer's work must be checked by the contractor on site prior to commencement of works.
The signage indicated on this drawing is representative only.
Exact details of all signage can be obtained from the current issue of the TEXACO 20/20 IMAGE GUIDELINES.



BLOCK PLAN
(1:500)



SITE LOCATION PLAN
(1:1250)

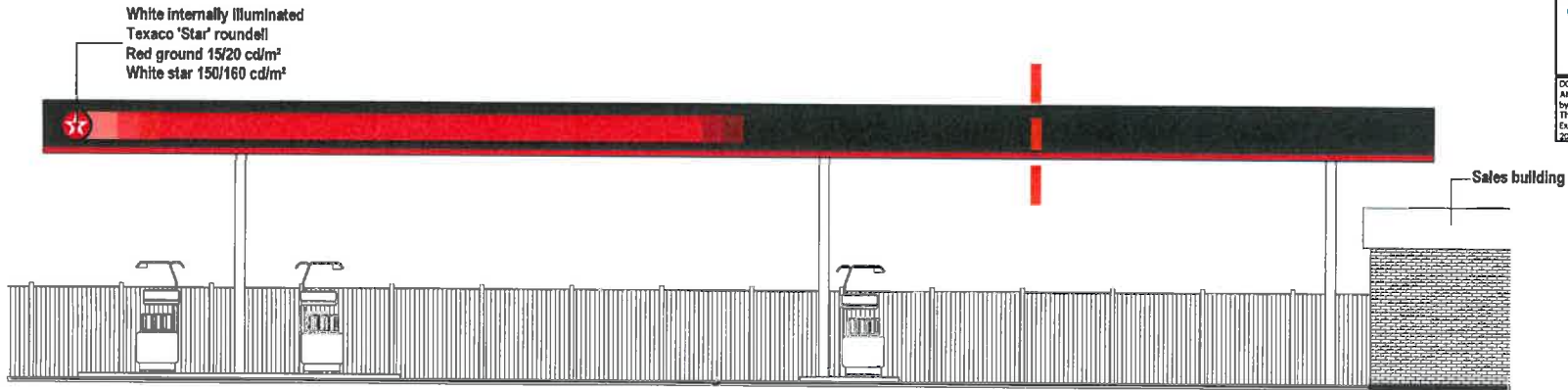


rev	date	by	description
LOCATION HOOLEY BRIDGE SERVICE STATION, ROCHDALE OLD ROAD, BURY, LANCASHIRE, BL9 7TL.			
DRAWING SITE LOCATION AND BLOCK PLAN			
Date: 02.10.2015		Draw By: JSL	
		A3 original plot size	
Scale: 1:1250 & 1:500		Dwg No: WPSL-VEL678-01	
		Rev:	

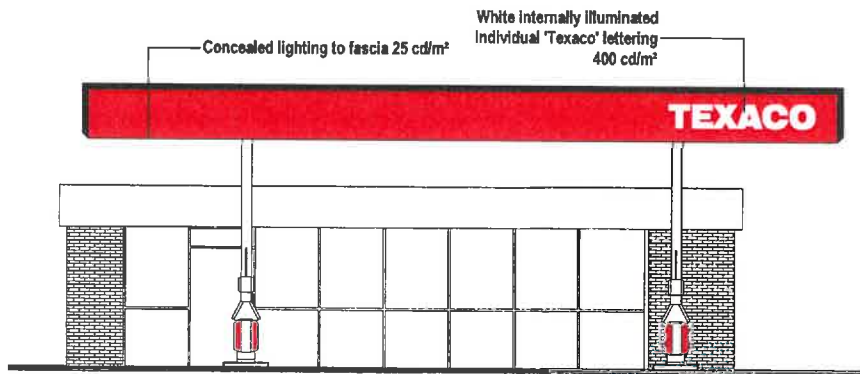


Valero Limited
1 Westferry Circus
Canary Wharf
London
E14 4HA

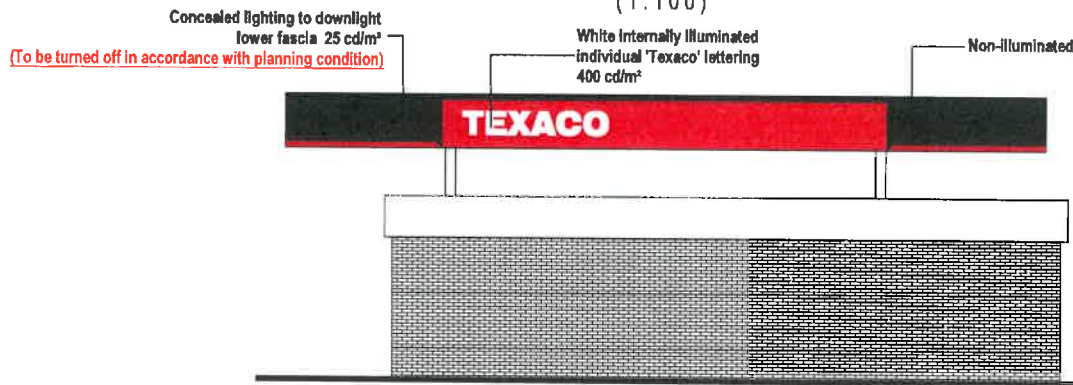
Wyeth
 PROJECTS SERVICES
 The Cart Shed, Amberley Court,
 Amberley Lane, Milford, Surrey,
 GU8 5EB, United Kingdom
 Tel: +44 (0)1483 424704
 Email: enquiries@wyethprojects.com
 © This drawing is the copyright of WYETH PROJECTS SERVICES Ltd.
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 All dimensions relating to the material supplier's or installer's work must be checked by the contractor on site prior to commencement of works.
 The signage indicated on this drawing is representative only.
 Exact details of all signage can be obtained from the current issue of the TEXACO SIGNAGE GUIDELINES.



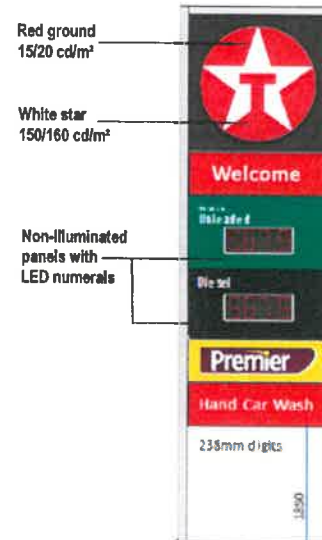
ELEVATION FROM ROCHDALE ROAD
 (1:100)



ELEVATION FROM FORECOURT
 (1:100)



REAR ELEVATION
 (1:100)



UK TWIN LEG SIGN
 (1:50)
 same both sides

NOTE- All other canopy elevations - No proposed treatment

Page 144

CAD file ref:

rev	date	by	description
LOCATION HOOLEY BRIDGE SERVICE STATION, ROCHDALE OLD ROAD, BURY, LANCASHIRE, BL9 7TL.			
DRAWING EXISTING ELEVATIONS			
		Valero Limited 1 Westferry Circus Canary Wharf London E14 4HA	
Date:	02.10.2015	Drawn By:	JSL A3 original plot size
Scale:	1:100	Drawn No.:	WPSL-VEL678-01

Ward: Bury East

Item 11

Applicant: Ms Susan Southworth

Location: Oxford Mews, 79 Oxford Street, Bury, BL9 7EL

Proposal: Singley storey extensions at rear

Application Ref: 59351/Full

Target Date: 17/12/2015

Recommendation: Approve with Conditions

The applicant for this application is the Chair of the Planning Control Committee.

Description

The application relates to an end terrace mews dwelling house located on Oxford Mews, Oxford Street. The premises is located within a modern contemporary residential development and is the first dwelling to apply for planning permission for householder development. To the front of the premises there is an area of parking and a small open garden abutting the pavement of the public highway. To the rear there is an enclosed garden the boundary of which is depicted by a 1.8 metre fence.

Planning permission is sought for 2 single storey rear extensions. The first extension is located adjacent to the boundary of 77 and projects 1800mm beyond the existing rear outrigger. The extension has a roof design to replicate the design of the original outrigger. The second extension is located adjacent to the boundary fence which runs along Back Ingham Street and projects out 1124mm and has a mono pitch roof.

Relevant Planning History

44108 - Demolition of 133 dwellings and replacement with new residential development (outline) - Approved with Conditions 25/05/2005

50186 - Proposed development of 104 family houses, with 5 alternative house types - Approved with Conditions 22/10/2008

54277 - Variation of condition no. 2 of planning permission 50186 to amend the approved drawing nos. from 0605 P02A, P06, P07, P10 and P11 to drawing nos. 0605 P02D, P06A, P07A, P10A and P11A

Publicity

Neighbour letters sent 23/10/2015 - No representations received

Neighbour letters sent 06/11/2015 following the receipt of amended plans showing a new roof style - One objection from number 77 stating:

- The extension will lead to the loss of sunlight to garden, patio area and property.
- There may be potential implications on resale of their property.

Consultations

None

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

Issues and Analysis

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

Visual Amenity - SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

The proposed extensions are relatively modest in size, reflecting the dwellings original footprint. It is considered they would not overwhelm the existing dwelling, or lead to over development of the residential amenity area. The roof styles of the proposed extensions reflect the dwellings original shape, design and architectural integrity and would be in keeping with the contemporary style of the residential development. There will be glimpses of the extensions available from Back Ingham Street. However the extensions will be largely screened by the existing 1.8 metre wooden panel boundary fence and it is considered that a small scale residential extension would not be detrimental to the character of the existing property or the street scene.

The use of matching materials is considered to be appropriate for this development.

Residential Amenity - SPD 6 and H2/3 seek to reduce the impact of proposed extensions on the residential amenity of neighbouring properties.

Where an extension is located on or immediately adjacent to the boundary of an attached property, it should not normally project in excess of 3 metres beyond the rear elevation of that property. When combined with the existing outrigger the proposed extension would project out approximately 3.4 metres from the rear elevation of number 77. Due to the excess 400mm projection the extension has been assessed against a 45 degree line from the lounge patio doors of the neighbouring property. The extension does not encroach on this line and in this instance it is considered that the proposed extension complies with guidance contained within SPD 6.

The proposed extension would be located approximately 7 metres from the rear boundary, and 18 metres from the rear elevation of the properties that back onto Back Ingham Street. In this instance it is considered that the proposal would not impact on the residential amenity of these dwellings.

The windows of the proposed extension would face towards the garden area of Nuttall Mews. It is considered that the existing boundary treatments would screen any overlooking from these windows.

Neighbour Objections - As stated above the proposal does not encroach on a 45 degree line as taken from the neighbour's patio doors and as such is deemed to be acceptable in term of SPD 6.

The potential implications on resale of the neighbouring dwelling are a non-material planning consideration.

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.

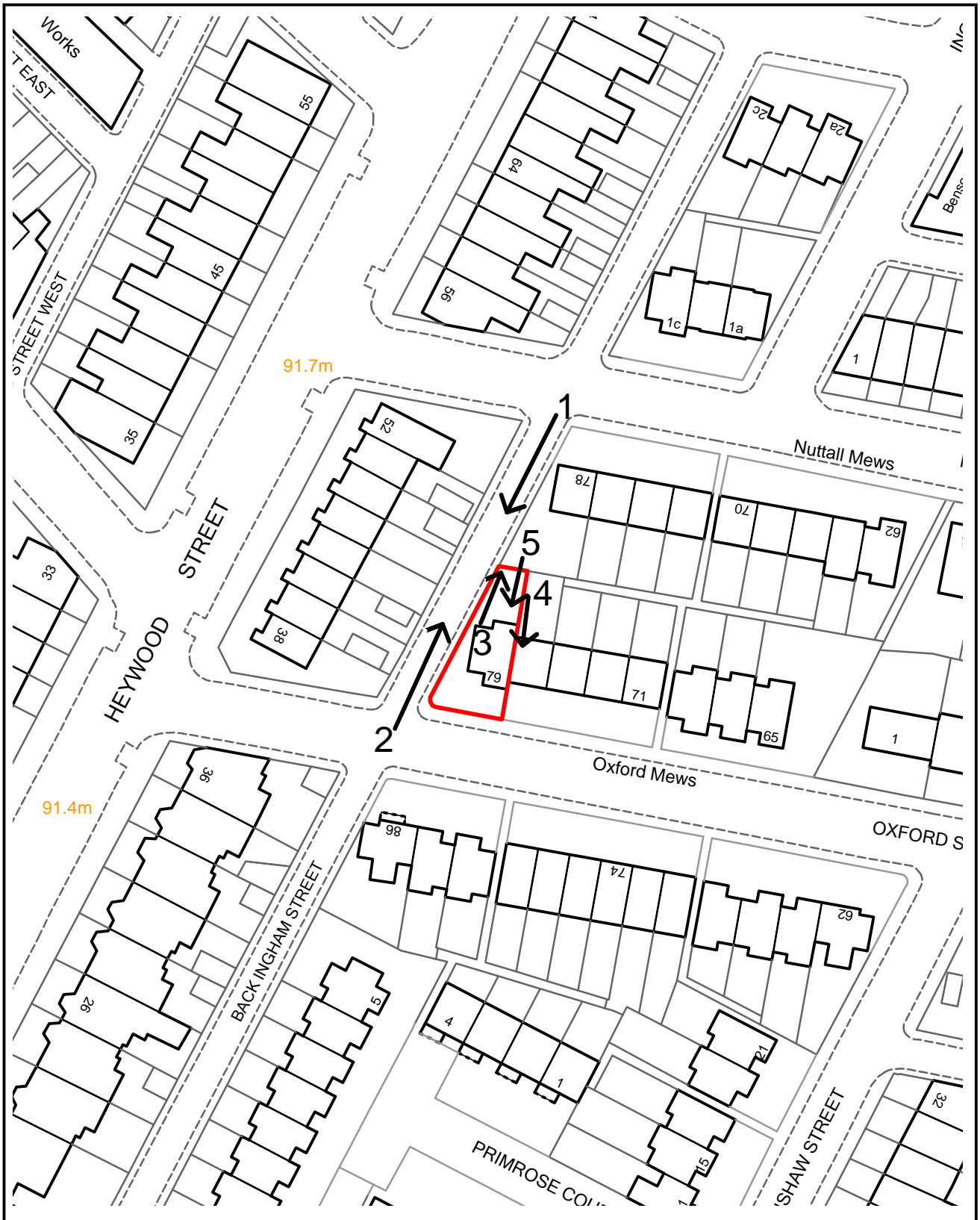
Recommendation: Approve with Conditions

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. The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
3. This decision relates to drawings numbered P325/01 and P325/02B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

For further information on the application please contact **Helen Pressley** on **0161 253 5277**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59351

**ADDRESS: 79 Oxford Street
Bury**



Planning, Environmental and Regulatory Services 1:1250

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59351

Photo 1



Photo 2



59351

Photo 3



Photo 4



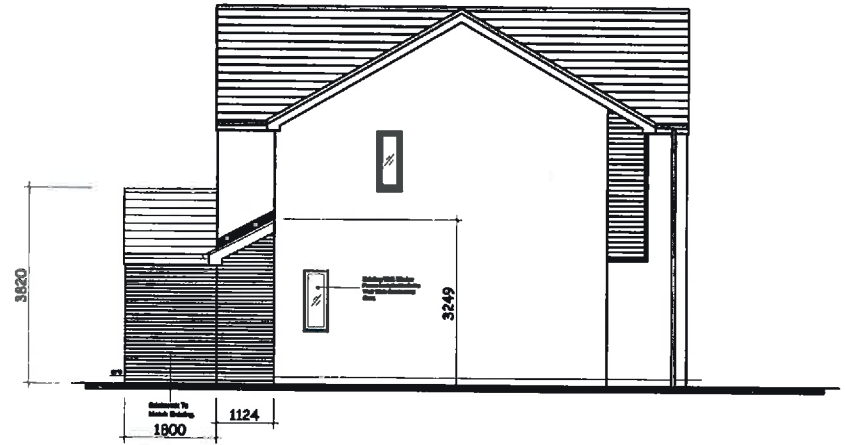
59351

Photo 5

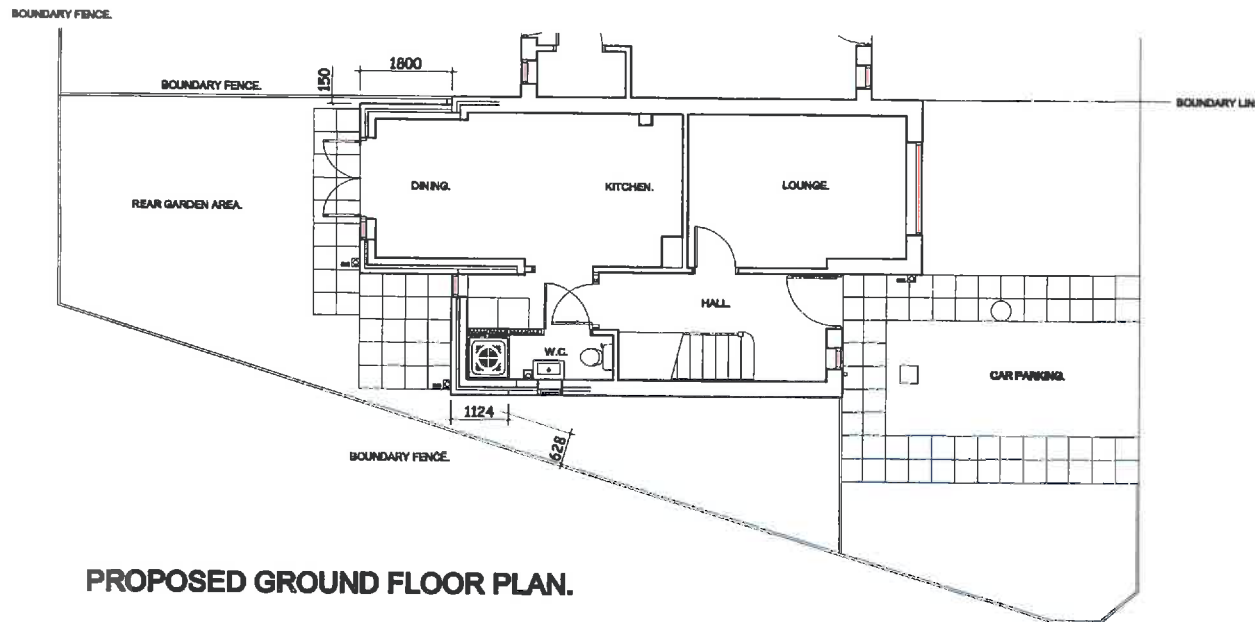




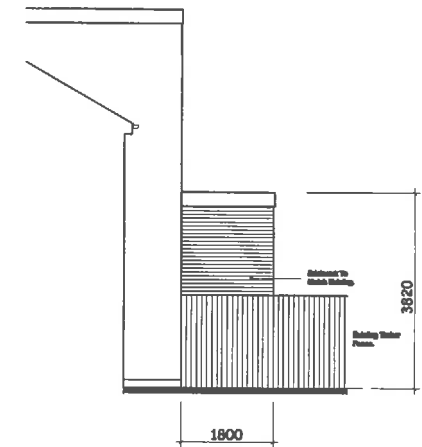
PROPOSED REAR ELEVATION.



PROPOSED SIDE ELEVATION.



PROPOSED GROUND FLOOR PLAN.



**PROPOSED SIDE ELEVATION.
(Viewed From 77 Oxford Mews)**

Revision A - Side Elevation Added . - 21st October 2015.
B - Elevations Amended. - 6th November 2015.

Title: PROPOSED SINGLE STOREY REAR EXTENSIONS.

Page 152

Project: 78, OXFORD MEWS,
OXFORD STREET,
BURY.
BL9 7EL

MTC Designs 21 Richard Drive Watton BL2 9TB
T: 01284 416714 M: 0770028994

Scale 1:100
Date: October 2015.

Drawing No: P325/02B

Ward: Whitefield + Unsworth - Unsworth

Item 12

Applicant: Mr Mark Madden

Location: 88 Hollins Lane, Bury, BL9 8AH

Proposal: Demolition of link detached garage and outbuilding and erection of detached dwelling

Application Ref: 59357/Full

Target Date: 10/12/2015

Recommendation: Approve with Conditions

Description

The application relates to a residential plot comprising a single detached two storey dwellinghouse and garden fronting Hollins Lane. The site measures 578sqm and has a frontage of approximately 18m. The area is residential in character with terraced houses to the north and across Hollins Lane to the west. To the rear/east are detached two storey houses fronting Chapel Close. To the south are two storey houses fronting Hollins Lane. Currently there is no footpath along the frontage of the site.

The application seeks approval to construct a detached two storey 3-bed dwellinghouse on the north side of the existing house, over the footprint of the now demolished garage. The new house would mirror the existing house in style with a smaller footprint measuring 12m by 6m. It would have a single storey lean-to element at the rear and be finished in a render to match the existing house. The existing house is currently being renovated.

The proposed access would be centralised and shared by both properties. There would be spaces for four cars on the frontage. The scheme also includes the formation of a new public footpath along Hollins Lane in front of the site.

Relevant Planning History

01703/E - Proposed demolition of link detached garage and outbuilding and erection of single detached dwelling house - Enquiry completed 24/07/2015

Publicity

The following 28 neighbours were notified by letter dated 21/10/15.

73-85, 93-101, 90-100 Hollins Lane, 1-9 Chapel Close, 5-11 Castlebrook Close.

Three representations have been received by occupiers of 94 Hollins Lane, 5 and 7 Chapel Close. Objections are summarised:

- Overlooking and reduction in privacy due to a total of four bedroom windows on the rear elevation of the existing and new house. The rear boundary hedge is insufficient screening and inappropriate.
- The proposal represents overdevelopment of the site.
- The new house is narrow and not in keeping with the area.
- The design and access statement, in its description of the proposal, does not give a correct picture of the site and surroundings.
- Parking appears to be quite tight at the front and could encourage residents of the houses onto the road or the adjacent private car park.
- There should be a more substantial fence along the side boundary with the car park.
- Intrusion on security as properties may be rented out for undisclosed periods.
- Permitted development rights of the existing house to build the rear extension are negated.

Those making representations have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health - No objection.

Unitary Development Plan and Policies

H1/2 Further Housing Development

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

H2/6 Garden and Backland Development

EN1/2 Townscape and Built Design

EN7 Pollution Control

HT2/4 Car Parking and New Development

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 - Policy H1/2 relates to the principle of new residential development outside sites identified in the UDP and states that proposals within the urban area, where there is available infrastructure and land is suitable in terms of land use and amenity, will be acceptable.

In terms of Policy H1/2, the proposal is within the urban area with available infrastructure and considered to be acceptable.

Siting, Scale and Design - 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,

Policy H2/6 Garden and Backland Development states that proposals that result in the loss of garden for infill should be resisted unless it is shown that the development would not adversely affect the character and amenity of the area.

The proposed site is considered to be of sufficient size to accommodate the proposed house without appearing to constitute overdevelopment or be out of character within the locality.

In terms of siting and scale, the dwelling, situated in the centre of the plot, would be in line with properties along Hollins Lane and no higher than the general roofline.

In terms of appearance, there is a mix of house styles and designs along the road. Whilst the properties to the north are terraced, the new house would be viewed with, and reflects the design and appearance of the detached properties immediately to the south. The proposal is considered to be appropriate and would not be unduly prominent in the streetscene.

It is recommended that 'permitted development rights' are removed from the new dwelling given that the garden area at the rear is limited and ensure any future development would not impact adversely on the character of the area. The proposal is considered to be acceptable and complies with UDP Policies H2/1 and H2/2 with regard to its siting and design.

Residential amenity - All the side windows (utility, landing and bathroom) would be obscure glazed. Windows on the rear elevation of the new house would face over the rear garden and be 10m and 21m from the shared rear boundary and main rear elevation of the house to the rear (5 Chapel Close) respectively. The end terraced house to the north has no primary habitable room windows overlooking the site. The separation distances are acceptable and as such there are no overlooking issues arising. The proposal is considered to be acceptable in terms of residential amenity and complies with UDP Policies H2/1 - The Form of Residential Development in this respect.

Parking and Access - The centralised access point, parking and turning area allowing cars to enter and leave in forward gear has been revised slightly to increase manoeuvrability, would be acceptable. The Council's adopted guidance suggests a maximum of 2 spaces per house in new build development and this is adequate parking provision in this location. The proposal includes the provision of a new public footway along the frontage which would significantly improve pedestrian safety. The proposal complies with UDP Policies H2/2, HT2/4 and SPD 11 relating to parking and access.

Servicing - The property would have access to bins down the side.

Contaminated Land - A contaminated land desk top study was submitted with the application and there are no objections raised by Environmental Health subject to appropriate contaminated land conditions. The proposal is acceptable and complies with UDP Policy EN7 Pollution Control.

Drainage and Flood Risk - The site is not within a flood risk zone and if approved the house would be connected to the mains foul drains and a sustainable drainage system will be required for surface water which will be secured by a condition should the proposal be approved.

Objections - Planning related issues raised the objectors have been addressed in the above report and amended plans. The issue regarding parking on the adjacent private car park is a private matter. The fence along the side boundary with the adjacent car park would be renewed as part of the scheme.

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 EP01A, PP01C and PP02C 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 materials to be used in the external elevations, boundary walls and fencing and areas of hardstanding (manufacturer, type/colour, finish and size) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
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. 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.

8. 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.

9. Development shall not commence until details of surface water drainage aspects have been submitted to and approved by the Local Planning Authority. This must include an assessment of the 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.

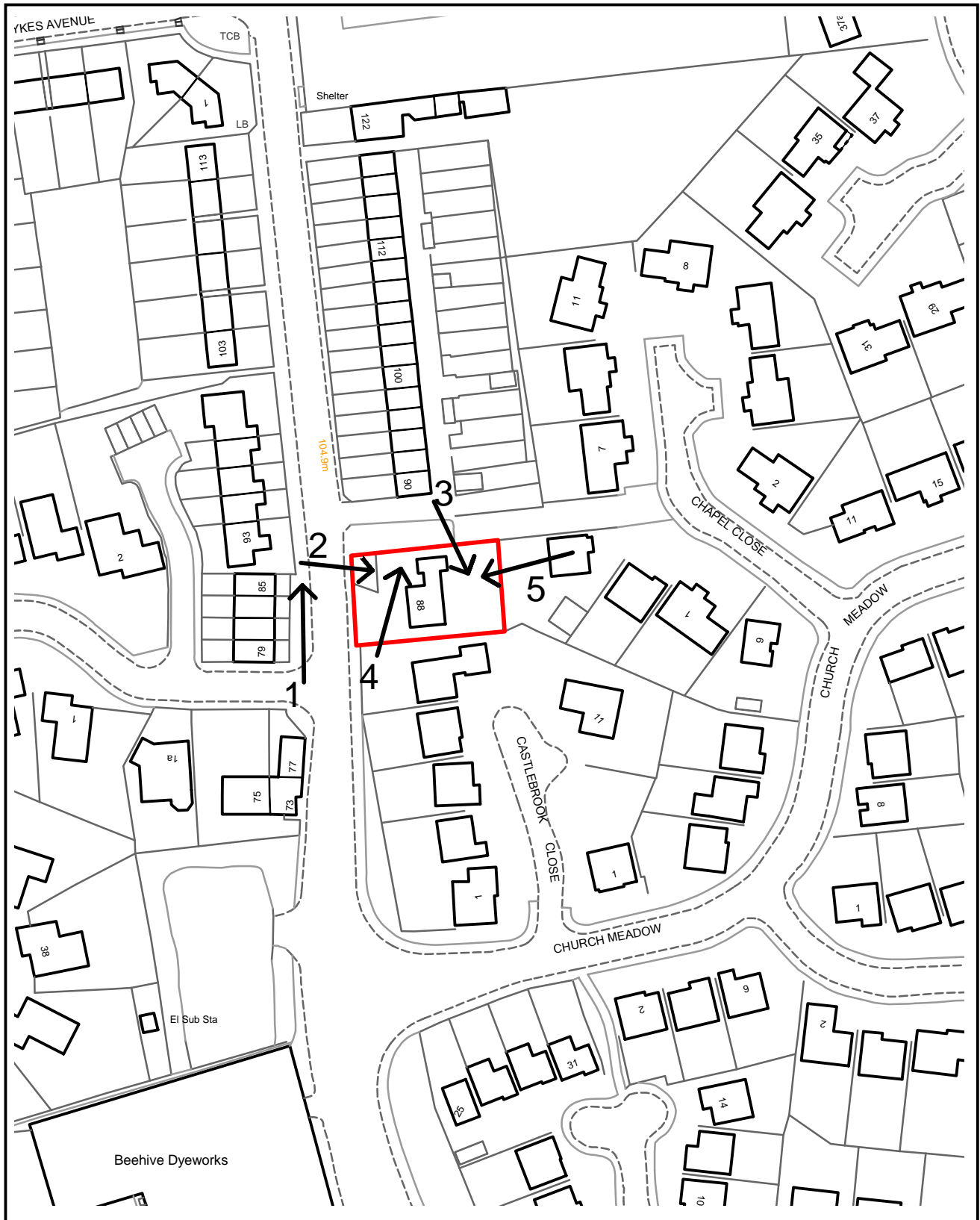
Reason: As no details have been submitted and to reduce the risk of local flooding and water pollution by ensuring the provision of a satisfactory means of surface water disposal pursuant to UDP Policy EN5/1 New Development and Flood Risk and EN7/5 Waste Water Management.

10. Before first occupation of the dwellinghouse hereby approved the public footway shall be reinstated along the frontage of the site to the written satisfaction of the Local Planning Authority.

Reason. To ensure adequate off-street car parking provision in the interests of road safety and to maintain the integrity of the adopted highway 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 59357

ADDRESS: 88 Hollins Lane
Bury



Planning, Environmental and Regulatory Services 1:1250

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59357

Photo 1



Photo 2



59357

Photo 3



Photo 4



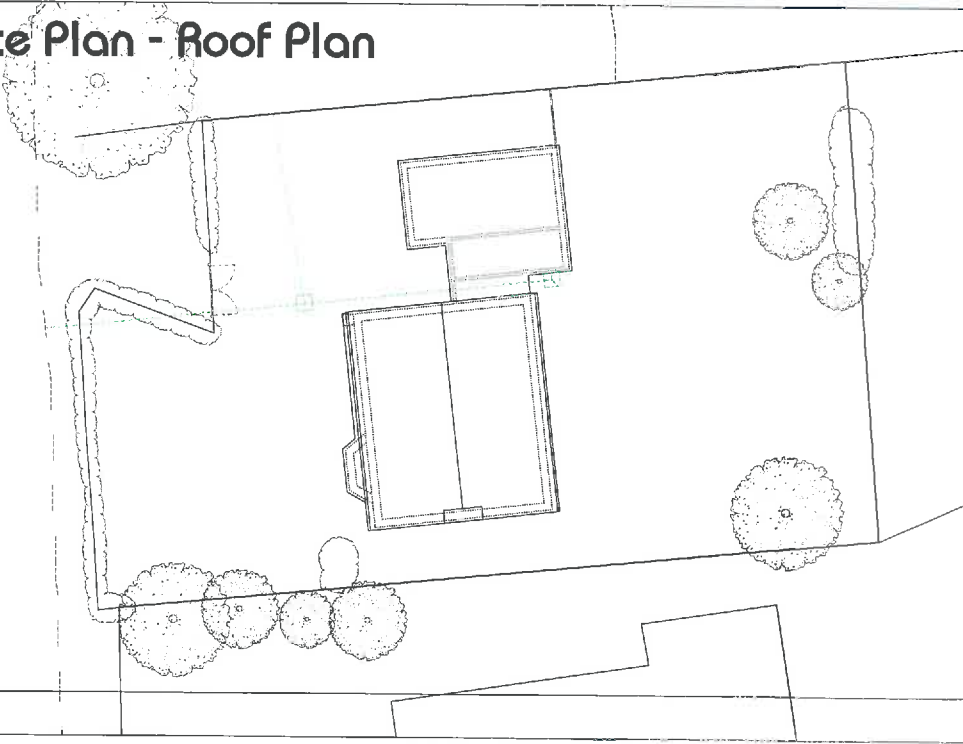
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Photo 5

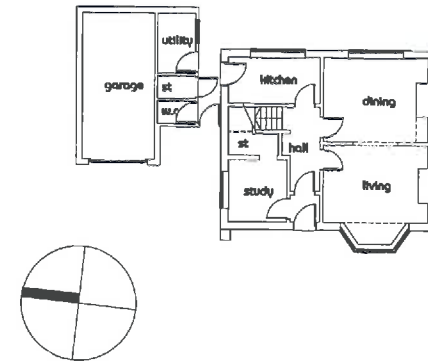


Site Plan - Roof Plan

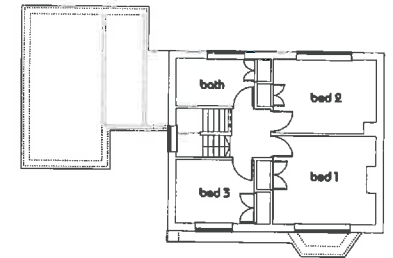
HOLLINS LANE
Page 162



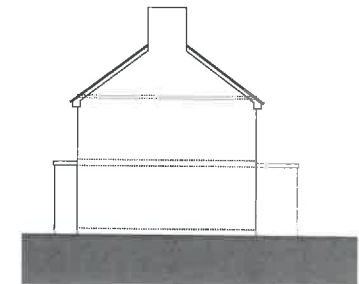
ground floor



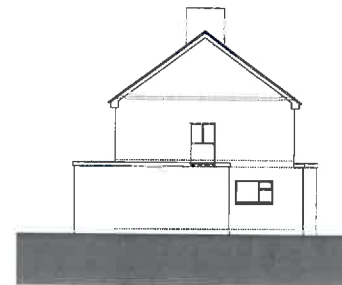
first floor



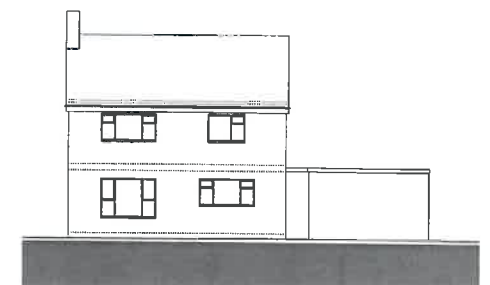
west



south

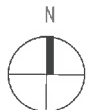
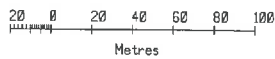


north



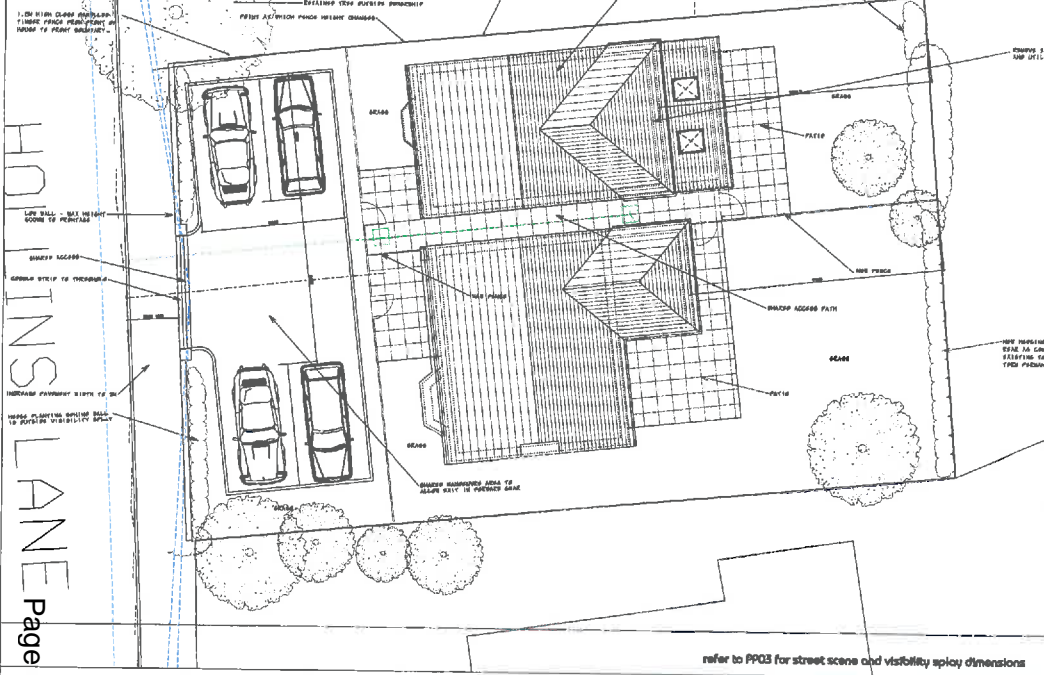
west

Location Plan 1:1250



Inberg <small>design services ltd</small> <small>01293 561000 • 01293 561001 • 01293 561002</small> <small>01293 561003 • 01293 561004 • 01293 561005</small>	<small>© 2008 J.L. Pender-Poppleton</small> Existing House Existing Plans and Elevations	
	Product No: 88 Hollins Lane BURY BL9 8PH	Date: EP01
Scale: 1:100		Date: © 2011 J.L.

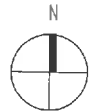
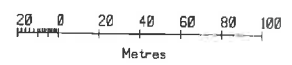
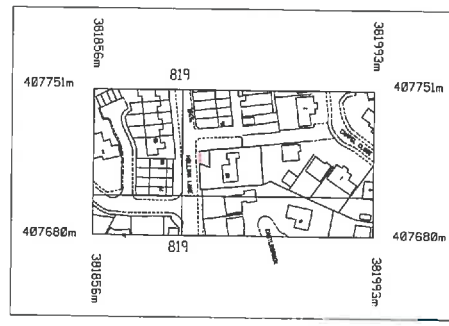
Site Plan - Roof Plan



HO LINS LANE Page 164

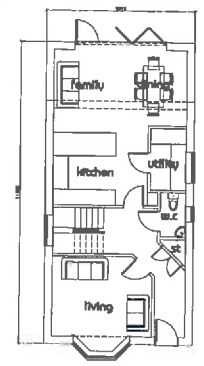
refer to PPO3 for street scene and visibility display dimensions

Location Plan 1: 1250

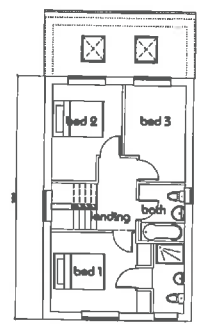


- FINISHES**
- Walls - Through colour render - colour off white
 - Roof - Proposed - Dark Grey concrete tile
 - Windows - Proposed - Black or dark Grey UPVC
 - Doors - Proposed - Painted Timber

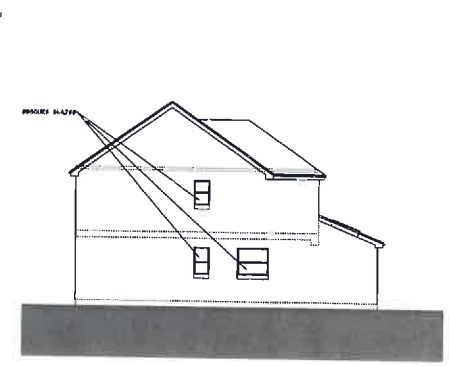
ground floor



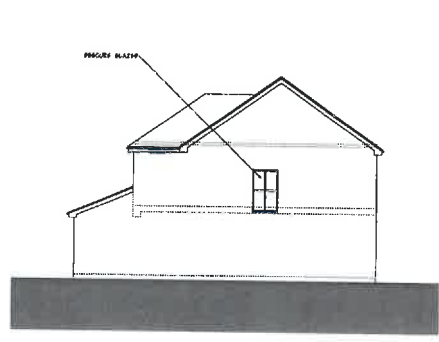
first floor



west



south



north



west

linberg Design & Construction 88 Hollins Lane Bury BLO 9PH		New Build House Proposed Plans and Elevations	
Project No: 88 Hollins Lane Bury BLO 9PH	Scale: 1:100	Date: PPO2	Author: C
		Date: 11/11	Author: JL

819

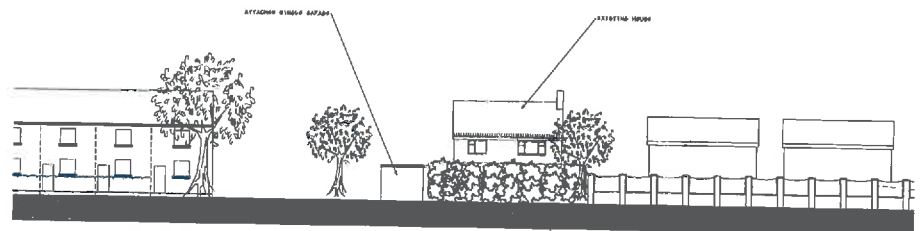


Page 165

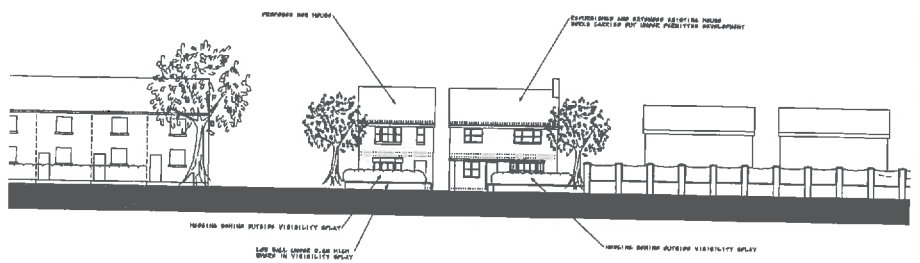


Visibility Splay Diagram

Existing Street Scene



Proposed Street Scene



		<small>© 2019 lin. Planning & Design</small> New Build House - Visibility Splay and Street Elevations	
Project No: 88 Hollins Lane Site: Bury Ref: BLV 01H	Scale: PP03 Date:	Sheet: A Project No:	1:800 © lin A

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BURY COUNCIL
DEPARTMENT FOR RESOURCES AND REGULATION
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

24 November 2015

SUPPLEMENTARY INFORMATION

Item:01 The Hearth Of The Ram, 13 Peel Brow, Ramsbottom, Bury, BL0 0AA
Application No. 58832
Extension to existing car park and landscaping of land adjacent

Publicity

Additional comments received from Nos 10 Fern Street, 1 Peel Court, 9 Kenyon Street, 45 and 49 Peel Brow which raise the following issues:

- Mature trees would be lost from the wildlife link/corridor which form an important screen blocking noise and pollution from the industrial estate on Kenyon Street - will impact on residents of Peel Brow. Would be in breach of the Conservation Area Appraisal and Management Plan and UDP Policy EN6/4;
- The attempt to down play the proposed expansion as requiring a small incursion into the wildlife corridor is a failure to understand and recognise the importance;
- Would more than double the current parking and would not be in keeping with the surroundings. Contrary to the Conservation Plan;
- Applicant has caused the reduction in available parking by building an extension and outside area - the wildlife corridor would be compromised by the continuing need of the applicant to expand the business;
- The proposed manicured and artificial landscaping would be no substitute for the mature and established wildlife corridor;
- No report from an ecologist in relation to the wildlife and protected species including bats, birds, and other species - would be a breach of the Wildlife and Countryside Act;
- Applicant has already encroached on the designated wildlife corridor by the siting of the metal container. Not in keeping with the Ramsbottom Conservation area or wild life link/corridor;
- Applicant appears to have already taken over the recycling area for its own business refuse - so this facility has been lost to the community for some time. Patrons regularly park in front of the recycling facility blocking access;
- The Peel Brow junction would become busier resulting in pedestrian vehicle conflict;
- Patmos Street is an unadopted road held up by a wall, which is likely to become unsafe by the development - the wall is in need of significant repair and responsibility appears to lie with the Council;
- Those living close by would be affected by a large and busy car park up to 2am and beyond - contrary to the Human Rights Act;
- The extended car park would not fit in with the character of the conservation area - insensitive development;
- There are currently 12 dedicated spaces which would increase to 28/30 - the car park would not accommodate vehicles and safe turning areas in order to exit the site;
- Green space would be lost including part of a steeply wooded area designated as a wildlife corridor;
- The necessary digging of the wooded area to accommodate the car park may lead to the destabilisation of the hillside and land slips. There may also be the disturbance of underground streams and watercourses flowing down the hillside. may cause a danger to wildlife and humans and increase the risk of flooding;
- The grass area to the north is already being driven over and churned up by client's - this is Protected Recreational land - no attempt by the applicant to police his customers;
- People using the proposed new recycling area will be penned in by cars and this is a danger in the form of vehicular/pedestrian conflict if they arrived on foot and

- nowhere to park to unload recycling waste;
- Recycling area looks to be significantly reduced in size which has not been explained or addressed by the applicant. It would be sited in an undesirable area next to a busy road and residents homes on Peel Brow. Residents disturbed by noise and smells;
- The proposed brick walls and screens are not in keeping with the conservation and wildlife corridor;
- There is a clear failure to acknowledge the position of the applicant's business which is in a conservation area, river valley and designated wildlife corridor. expanding the business should not compromise the surrounding contextual area - this has not been addressed in the application;
- The car park expansion and modern landscaping are not acceptable. There is no significant benefit to the local community from the proposal, or from the compensatory provisions.
- The business has already taken over part of the green space with their picnic tables - a loss to the community;
- Photographs of the site submitted by an objector;
- Hedgerows and trees support a very unstable wall at Patmos Street;
- Water running off Quarry Street has already eroded into the supporting banking- wooden fencing would not enhance the kerb appeal nor stop odours emitting from the bins - not in keeping with the area;
- car parking on the site would need policing - there is adequate parking on Kenyon Street in the evenings and weekends;
- Car park access is restricted;
- The bollards separating the green area from the garden area have been removed. Incredible edible's garden was then not edible as vehicles covered the produce with exhaust pollution - not beneficial to health;
- Incredible Edibles appear to have been forced off the land they tended - it was a positive part of our local neighbourhood;
- There is an apparent disregard for the local area and specifically the container placed within the wildlife corridor - looks unsightly;
- Should consider the following - remove the small smoking area and lose 2 parking spaces, remove the remaining spaces to the east and there will be required parking plus the turning area needed. It would protect the trees and wildlife corridor.

Response to objectors

- The objections raised with regard to encroachment into the wildlife link/corridor and impact on the character of the Conservation Area, stability of the land and retaining wall to Patmos Street, access, pedestrian and highway safety, drainage, position of the recycling bins and impact on residential amenity and landscaping/protection of trees have been covered in the main report.
- GMEU have been consulted on the application. No objection has been raised subject to conditions to carry out a bat survey prior to the removal of any trees, tree protection measures during the implementation of the development and restriction of the removal of vegetation during the nesting bird season.
- Vacation of the site by Incredible Edible is not a material planning consideration.

Item:02 Site of former Berry's Garden Centre, Turton Road, Tottington, Bury, BL8 3QA Application No. 58848

Erection of 1 no. dwelling

An additional plan is attached.

**Item:03 Land adjacent to 15 Prestfield Road, Whitefield, Manchester, M45 6BD
Application No. 58918**

Erection of 33 no. apartments in 2,3 & 4 storey blocks with associated parking and a detached dwellinghouse.

Text correction

The scheme proposes 49 parking spaces as indicated in the description and layout plan, not 53 as mentioned in the 'Parking' section of the main report.

In terms of parking standards it should be noted that for the proposed 34 two bed residential units, the parking requirement as set out in SPD11 would be a maximum 51 spaces. The proposal therefore complies with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Conditions

Condition 24 is a repeat of condition 22 and should be removed. Conditions 24 and 25 should be added in relation to noise and ventilation:

24. No residential unit shall be occupied unless and until noise insulation measures as referred to in the Hepworth Acoustics Noise and Vibration Consultants report (ref. P15-310-R01, dated June 2015) have been fully implemented and are available for use, such that the implemented measures achieve the recommended internal noise levels referred to in Table para. 4.3 of the report.

Reason - To ensure that the development is adequately soundproofed against externally generated noise in the interests of the amenity of future occupiers of the development pursuant to UDP Policy EN7/2 - Noise Pollution and Chapter 11 Conserving and Enhancing the Natural Environment of the National Planning Policy Framework.

25. No development shall commence unless and until a fully ducted ventilation system to all habitable rooms, with duct terminations on the non motorway side of the building only (Hepworth Acoustics Noise and Vibration Consultants report (ref. P15-310-R01, dated June 2015) has been submitted to and approved in writing by the Local Planning Authority. The system shall comply with the requirements of the 2010 edition of Building Regulations Approved Document F (as amended in 2013) with the relevant requirements contained in Regulation F1 Table 5.2b Passive Stack ventilation (PSV) or alternatively Table 5.2c Continuous mechanical extract (MEV). The approved details only shall be implemented and the system shall be available for use before any residential unit is first occupied.

Reason - To ensure that the development is adequately soundproofed against externally generated noise in the interests of the amenity of future occupiers of the development pursuant to Unitary Development Plan Policies EN7/1 - Atmospheric Pollution and EN7/2 - Noise Pollution.

Item:04 Unit 1, Yarwood Street, Bury, BL9 7AU Application No. 59161

Change of use of ground/first floor from shop/workshop to community centre (Class D1); Two storey extension at front/side; External alterations to include new entrance and roller shutters; Alterations to form car park

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to car parking and security shutters.

Amended Plan

The proposed roller shutters are at an acceptable height and have been amended to a more appropriate brick bond style and indicated in the attached plan.

Conditions

Condition 2 should be amended to reflect the revised plan and conditions 6 and 7 should be added in relation to car parking and security shutters:

2. This decision relates to drawings numbered 01, 02, 03 (revised and received by email - 17/11/15) 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.

6. Prior to commencement of development, full details of the proposed car park, including details of the surfacing (incorporating measures to minimise the spread of any loose stones onto the adopted highway) and drainage, shall be submitted in writing to the Local Planning Authority. The car parking shall be surfaced and made available for use in accordance with the approved details prior to the proposed use of building first commences and thereafter maintained at all times.

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

7. The proposed security shutters shall be powder coated brick bond style with the proposed shutter boxes a minimum height of 2.4m from the adjacent public footway.

Reason. In the interests of visual amenity and pedestrian safety pursuant to UDP Policies EN1/2 Townscape and Built Design, HT2 Highway Network and CF1/1 Location of New Community Facilities.

Item:05 Site of former garage colony off Mosley Street/Hampson Fold, Radcliffe, Manchester, M26 4PF Application No. 59217
Erection of 2 no. semi detached dwellings (resubmission)

Proposed plans reproduced for clarity

Item:06 5 Bleakley Street, Whitefield, Manchester, M45 7GU Application No. 59238
Rebuilding and alterations to form ancillary residential annex for use as dependent person accommodation (resubmission)

Additional Plan for Information

The attached plan was approved by Planning Control Committee in April 2014 under reference 57235.

Item:07 Unit F Bornmore Industrial Centre, Leigh Lane, Bury, BL8 1NR
Application No. 59266

Retrospective application for vehicle dismantling and recycling

Consultations

Environment Agency - The development would require an Environmental Permit under the Environmental permitting (England and Wales) Regulations 2010 from the Environment Agency, unless a waste exemption applies. The applicant may also be required to be registered as a Hazardous Waste producer, and are advised to contact the Environment Agency in this regard.

Publicity

Objection withdrawn from one of the neighbours.

**Item:08 Bury Grammar School Playing Fields, Buckley Wells, Bury, BL9 0TZ
Application No. 59279**

Erection of 2.4m high mesh panel fence to the west and south boundary of Buckley Wells playing fields

Nothing further to report.

**Item:09 Land between 7 & 11 Prestwich Park Road South, Prestwich,
Manchester, M25 9PF Application No. 59311**

Erection of detached dwelling with new access onto Prestwich Park Road South

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to vehicular access and turning facilities.

Conditions

Therefore, condition 16 deals with turning facilities and condition 17 should be amended to reflect the vehicular access arrangements:

17. The proposed vehicular access arrangements indicated on approved plan reference 12100 06 Revision D, incorporating the construction of a new footway crossing, provision of electronic inward opening gates and adequate visibility at the back edge of the footway by the setting back of the front boundary wall, shall be implemented to the written satisfaction of the Local Planning Authority before the dwelling hereby approved is first occupied and shall thereafter be maintained.
Reason. To ensure good highway design and the intervisibility of the users of the site and the adjacent highways in the interests of pedestrian safety pursuant to UDP Policy H2/2 The Layout of New Residential Development.

Item:10 609-621 Rochdale Old Road, Bury, BL9 7TL Application No. 59312

3 No. internally illuminated canopy fascia signs; 6.5m high double sided internally illuminated free standing sign (retrospective)

Publicity

One letter has been received, which has raised the following issues:

- The illegal installation of signage (illuminated) on the fascia of the garage has now been granted retrospective planning. There was no illuminated signage

- previously - just a painted fascia.
- The signage has a physical and psychological effect on me and my property.
- The garage is open from 06.00 to 23.00 and the signage can be seen from the back of the property, specifically the living room.
- We do not want to move but we would have to reconfigure the living space to deal with the illuminated sign.
- The red lights do not appear on other Texaco garages and this is not a corporate image.
- The irony is that this sign cannot be seen from the approach from Rochdale as it is set back overlooking the garden. The advert applies to me only - what is the point?
- Other neighbours have objected to the obscene lighting and the size of the advert, which has an adverse impact upon the children's bedrooms and no people approaching the garage can see the sign.

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

Response to objectors

The issues raised have been addressed in the main report.

Item:11 Oxford Mews, 79 Oxford Street, Bury, BL9 7EL Application No. 59351
Singley storey extensions at rear

Nothing further to report.

Item:12 88 Hollins Lane, Bury, BL9 8AH Application No. 59357
Demolition of link detached garage and outbuilding and erection of detached dwelling

Publicity

A letter has been received from the occupiers of 83 Hollins Lane, which has raised the following issues:

- Object strongly.

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to the shared access, visibility splays, turning facilities and car parking.

Conditions

Therefore, condition 10 should be amended to reflect the shared access and conditions 11 - 12 should be added in relation to visibility splays, turning facilities and car parking:

10. The development hereby approved shall not be first occupied unless and until the formation of the proposed shared site access onto Hollins Lane indicated on the approved plans, incorporating the widening and full refurbishment of the footway abutting the site, reinstatement of the redundant access and all necessary highway remedial works, have been implemented.

Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to UDP Policy H2/2 The Layout of New Residential Development.

11. The visibility splays indicated on the approved plans shall be implemented before

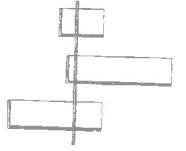
the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m.

Reason. In the interests of highway safety pursuant to UDP Policy H2/2 The Layout of New Residential Development.

12. The parking and turning facilities indicated on the approved plans shall be provided before the development hereby approved is first occupied and shall subsequently be maintained free of obstruction at all times.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to UDP Policy H2/2 The Layout of New Residential Development.

VISUALS

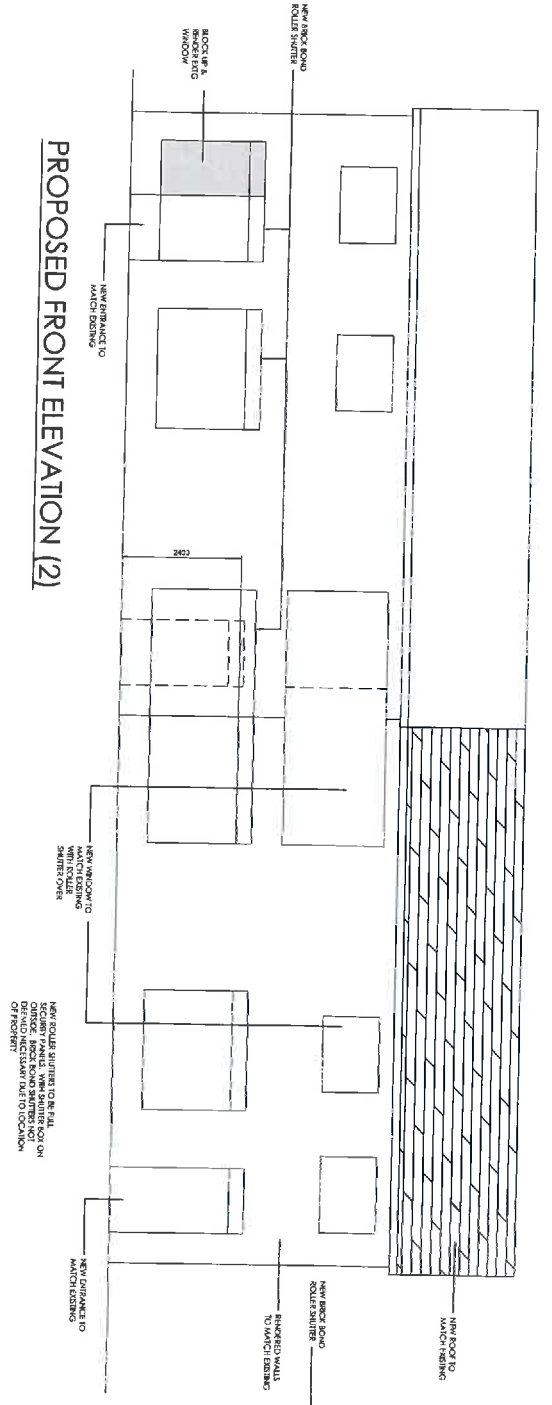


VIEW FROM NORTH

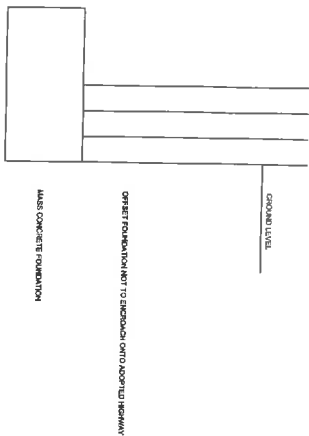
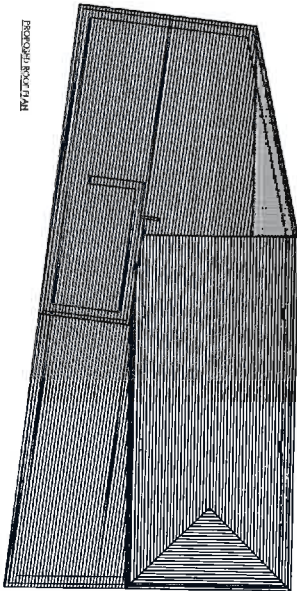
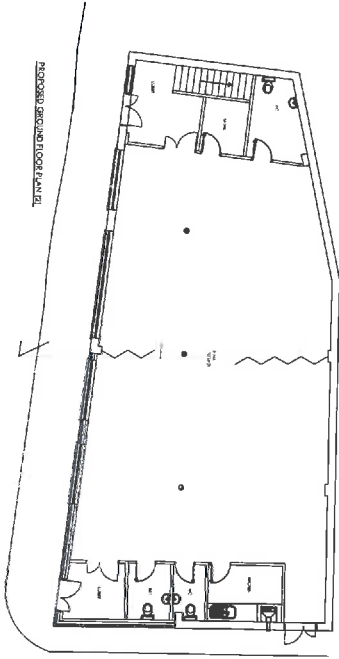
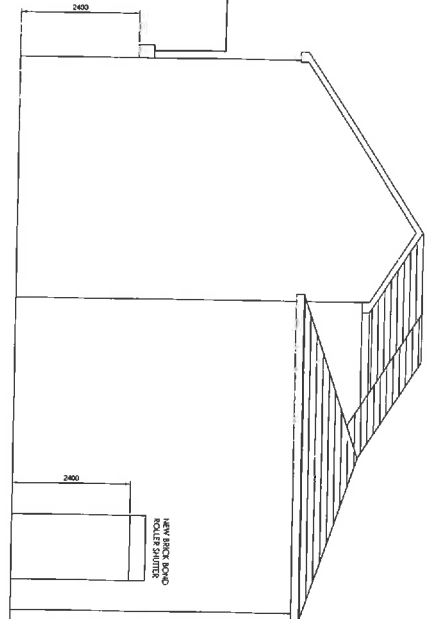


VIEW FROM SOUTH

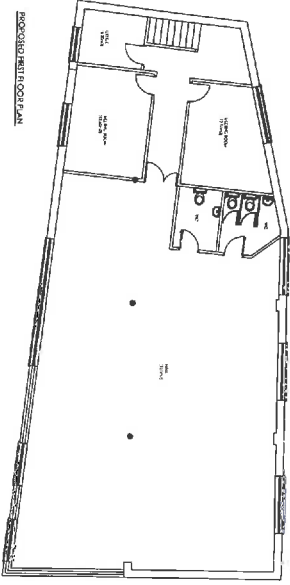
PROPOSED FRONT ELEVATION (2)



PROPOSED SIDE ELEVATION

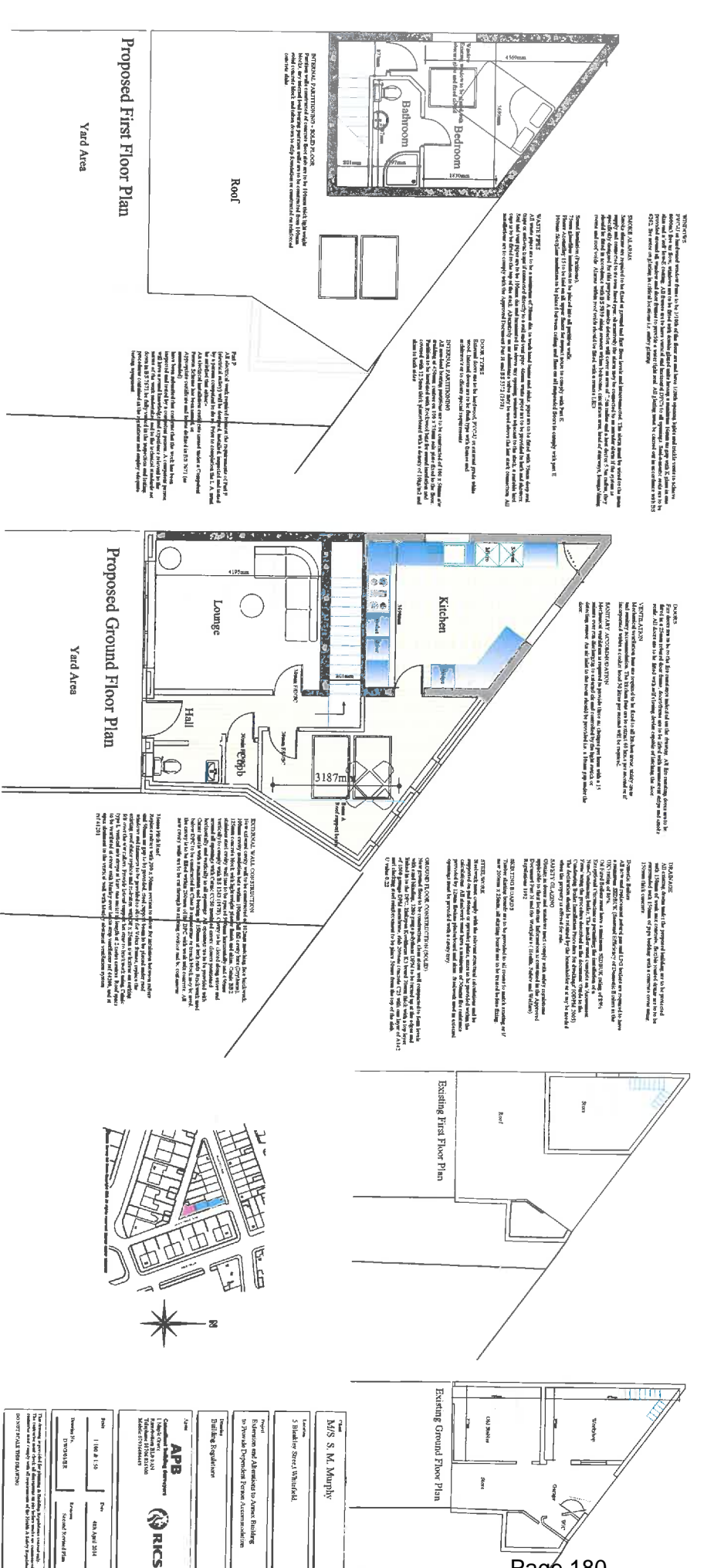
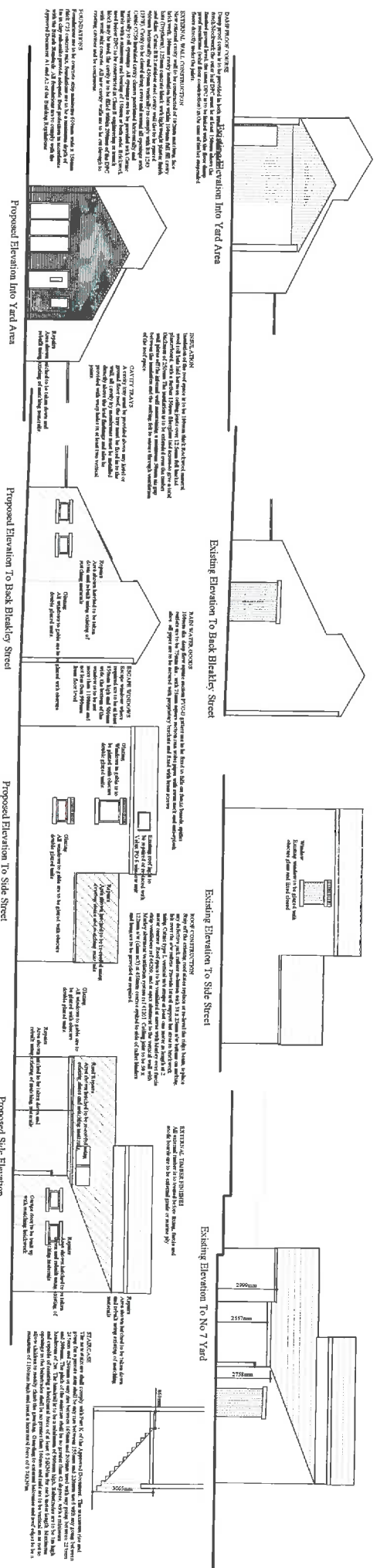


PROPOSED FOUNDATION
SCALE: 1:10



ROLLER SHUTTER WINDOW

<p>ARG DESIGN</p> <p>1000 WILSON ST SUITE 100 VANCOUVER, BC V6P 3K9 TEL: 604-271-8811 WWW.ARGDESIGN.COM</p>		<p>Project No: 1000 WILSON ST</p> <p>Client: NOOR UL ISLAM MOSQUE</p> <p>Address: YARWOOD ST BURY</p>
<p>Drawn By: A18150</p> <p>Scale: 1:200</p> <p>Checked By: B10715</p>	<p>Project No: 1000 WILSON ST</p> <p>Client: NOOR UL ISLAM MOSQUE</p> <p>Address: YARWOOD ST BURY</p>	<p>Date: 09/02/18</p> <p>Scale: 1:10</p>
<p>Project No: 1000 WILSON ST</p> <p>Client: NOOR UL ISLAM MOSQUE</p> <p>Address: YARWOOD ST BURY</p>	<p>Date: 09/02/18</p> <p>Scale: 1:10</p>	<p>Project No: 1000 WILSON ST</p> <p>Client: NOOR UL ISLAM MOSQUE</p> <p>Address: YARWOOD ST BURY</p>



Client	Mrs S. M. Murphy
Location	3 Bleakley Street, Whitefield
Structure and Alterations to: New Building	3 Bleakley Street, Whitefield
Building Regulator	APB Architectural Practice 110, Oldham Road, Oldham, Greater Manchester, M20 2LW Tel: 0161 275 1100 Email: info@apb.co.uk
Architect	RKS RKS Architects 110, Oldham Road, Oldham, Greater Manchester, M20 2LW Tel: 0161 275 1100 Email: info@rks.co.uk
Date	11.08.21
Drawn by	11.08.21
Checked by	11.08.21
Scale	As Shown

REPORT FOR DECISION

Agenda Item	5
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DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	24 November 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 19/10/2015 and 15/11/2015



Ward: **Bury East**

Application No.:	59059	App. Type:	FUL	05/11/2015	Approve with Conditions
Location:	Site of former Peel Mills, Chamberhall Street, Bury, BL9 OLU				
Proposal:	Construction and operation of a 20MW embedded Short Term Operating Reserve and Peak Power (STOR) generating plant within a bespoke building and auxiliary equipment and access				
Application No.:	59190	App. Type:	FUL	27/10/2015	Approve with Conditions
Location:	Art Picture House, Haymarket Street, Bury, BL9 OAY				
Proposal:	Installation of two external condenser units at rear				
Application No.:	59191	App. Type:	LBC	27/10/2015	Approve with Conditions
Location:	Art Picture House, Haymarket Street, Bury, BL9 OAY				
Proposal:	Listed building consent for the installation of two external condenser units at rear				
Application No.:	59211	App. Type:	FUL	22/10/2015	Approve with Conditions
Location:	26 Shepherd Street, Bury, BL9 ORT				
Proposal:	First floor extension at rear				
Application No.:	59235	App. Type:	ADV	22/10/2015	Approve with Conditions
Location:	Lloyds Pharmacy, 2 Knowsley Place, Knowsley Street, Bury, BL9 OSN				
Proposal:	3 No. internally illuminated fascia signs; 1 No. internally illuminated projecting sign; 5 No. non-illuminated vinyl window graphics				
Application No.:	59265	App. Type:	FUL	22/10/2015	Approve with Conditions
Location:	Exchange House, 39 Knowsley Street, Bury, BL9 OST				
Proposal:	Change of use to chiropractic clinic (Class D1)				
Application No.:	59278	App. Type:	LDCE	06/11/2015	Lawful Development
Location:	Unit 1 & 2 Argos/Poundstretcher, Angouleme Retail Park, George Street, Bury, BL9 OQT				
Proposal:	Lawful development certificate for existing retail use (Class A1) without limitation				
Application No.:	59436	App. Type:	GPDE	06/11/2015	Prior Approval Required Refused - Ext
Location:	20 Heywood Street, Bury, BL9 7EA				
Proposal:	Prior notification of single storey extension at rear				

Ward: **Bury East - Moorside**

Application No.: 59135 **App. Type:** FUL 21/10/2015 Approve with Conditions

Location: 1 Bright Street, Bury, BL9 6AQ

Proposal: Change of use of part of 1 Bright Street from place of worship (D1) to a mixed use comprising the display, storage, distribution, sale and alteration of sports team wear, not open to the general public; together with new entrance and ramp and window to the south elevation (retrospective); roller shutter to entrance on north elevation (retrospective); provision of three new car parking spaces.

Application No.: 59186 **App. Type:** FUL 22/10/2015 Approve with Conditions

Location: 26 Oram Street, Bury, BL9 6EN

Proposal: Single storey extension at rear

Application No.: 59255 **App. Type:** FUL 03/11/2015 Approve with Conditions

Location: St Pauls C Of E Primary School, Porritt Street, Bury, BL9 6LJ

Proposal: Replacement of covered play area enclosure

Application No.: 59270 **App. Type:** FUL 22/10/2015 Approve with Conditions

Location: 21 Hillside Crescent, Bury, BL9 6PZ

Proposal: Single storey rear extension with raised decking adjacent to the extension

Application No.: 59338 **App. Type:** GPDE 11/11/2015 Prior Approval Not Required - Extension

Location: 13 Pearson Street, Bury, BL9 6DA

Proposal: Prior notification for single storey extension at rear

Application No.: 59373 **App. Type:** GPDE 11/11/2015 Prior Approval Not Required - Extension

Location: 126 Walmersley Road, Bury, BL9 6DX

Proposal: Prior notification for single storey extension at rear

Ward: **Bury East - Redvales**

Application No.: 59215 **App. Type:** DEM 27/10/2015 Prior Approval Required and Granted

Location: William Kemp Heaton Day Centre, St Peters Road, Bury, BL9 9RP

Proposal: Prior notification for demolition of former day centre and Howarth Close hostel

Application No.: 59251 **App. Type:** GPDE 19/10/2015 Prior Approval Not Required - Extension

Location: 16 Prescott Close, Bury, BL9 9DZ

Proposal: Prior notification for single storey extension at rear

Application No.: 59262 **App. Type:** FUL 23/10/2015 Approve with Conditions

Location: 19 Crossfield Street, Bury, BL9 9TF

Proposal: Two storey extension at side/rear and single storey extension at rear (resubmission)

Application No.: 59271	App. Type: FUL	27/10/2015	Approve with Conditions
Location:	Land At The Rear Of Keswick Drive, Bury, BL9 9LT		
Proposal:	Variation of condition no.2 of approved planning permission 58297 for drawing 4005-101k to be replaced with 4005-101v (changes to layout of bin store and parking).		
Application No.: 59291	App. Type: FUL	05/11/2015	Approve with Conditions
Location:	16 Derwent Drive, Bury, BL9 9LS		
Proposal:	Two storey extension at side		
Application No.: 59295	App. Type: GPDE	21/10/2015	Prior Approval Not Required - Extension
Location:	10 Prescott Close, Bury, BL9 9DZ		
Proposal:	Prior notification for single storey extension at rear		
Application No.: 59297	App. Type: FUL	09/11/2015	Approve with Conditions
Location:	16 Grasmere Drive, Bury, BL9 9GB		
Proposal:	Two storey rear extension and garage conversion		

Ward: Bury West - Church

Application No.: 59195	App. Type: FUL	03/11/2015	Approve with Conditions
Location:	17 Slaidburn Drive, Bury, BL8 3DG		
Proposal:	Single storey extensions to side and rear		

Ward: Bury West - Elton

Application No.: 59206	App. Type: FUL	27/10/2015	Approve with Conditions
Location:	168 Brandlesholme Road, Bury, BL8 1AX		
Proposal:	First floor/single storey extension at rear; Roller shutter at front		

Application No.: 59250	App. Type: FUL	22/10/2015	Approve with Conditions
Location:	4 Gosforth Close, Bury, BL8 1EA		
Proposal:	Pitched roof to first floor side extension		

Application No.: 59286	App. Type: FUL	03/11/2015	Approve with Conditions
Location:	5 Falmer Close, Bury, BL8 1YD		
Proposal:	Single storey garden room/store at rear (resubmission of 59066)		

Ward: North Manor

Application No.: 59219	App. Type: FUL	22/10/2015	Approve with Conditions
Location:	14 Sandringham Drive, Tottington, Bury, BL8 4DJ		
Proposal:	Pitched lean to roof dormer at front; flat roofed dormer at rear; addition of first floor window to side elevation; single storey dining room / orangery extension at rear; elevational alterations and widening of driveway		

Application No.: 59258 **App. Type:** FUL 10/11/2015 Approve with Conditions
Location: 25 Greenmount Drive, Greenmount, Bury, BL8 4HA
Proposal: Flat roof to existing conservatory at rear to create first floor balcony with glazed handrail (retrospective)

Application No.: 59272 **App. Type:** FUL 03/11/2015 Approve with Conditions
Location: Springside County Primary School, Springside Road, Bury, BL9 5JB
Proposal: New entrance door canopy to rear elevation.

Application No.: 59276 **App. Type:** FUL 05/11/2015 Approve with Conditions
Location: 23 Trent Drive, Bury, BL9 6QZ
Proposal: Single storey extension at side to connect garage with house

Application No.: 59308 **App. Type:** FUL 09/11/2015 Approve with Conditions
Location: 483 Bolton Road West, Ramsbottom, Bury, BL0 9RN
Proposal: Single storey extension at front and two storey extension at side with juliet balcony at rear;
Raised decking at rear with steps to garden level

Application No.: 59348 **App. Type:** LDCP 22/10/2015 Refused
Location: 5 Sunnymede Vale, Ramsbottom, Bury, BL0 9RR
Proposal: Certificate of lawfulness for proposed kitchen extension

Application No.: 59350 **App. Type:** LDCP 22/10/2015 Lawful Development
Location: 40 Newcombe Road, Ramsbottom, Bury, BL0 9UT
Proposal: Certificate of lawfulness for proposed single storey rear extension

Ward: Prestwich - Holyrood

Application No.: 59107 **App. Type:** FUL 22/10/2015 Approve with Conditions
Location: 127 Heywood Road, Prestwich, Manchester, M25 1LF
Proposal: Conversion of attached garage into habitable room with front bay extension and new window at side

Application No.: 59227 **App. Type:** FUL 22/10/2015 Approve with Conditions
Location: 5 Penrhyn Drive, Prestwich, Manchester, M25 1LW
Proposal: Part single/part two storey extension to side and rear and front dormer

Application No.: 59259 **App. Type:** FUL 13/11/2015 Approve with Conditions
Location: 162 Heywood Road, Prestwich, Manchester, M25 1LD
Proposal: Two storey extension at rear; Porch and canopy at front and pitched roof to existing front bay window

Application No.: 59344 **App. Type:** GPDE 04/11/2015 Prior Approval Not Required - Extension
Location: 16 Tamworth Avenue, Whitefield, Manchester, M45 6UH
Proposal: Prior notification for single storey extension at rear

Ward: **Prestwich - Sedgley**

Application No.: 59090 **App. Type:** FUL 21/10/2015 Approve with Conditions
Location: The Shrubberies, Bury New Road, Prestwich, Manchester, M25 9WN
Proposal: Siting of 1 no. container

Application No.: 59112 **App. Type:** LBC 22/10/2015 Approve with Conditions
Location: 9 The Stables, Scholes Lane, Prestwich, Manchester, M25 ONH
Proposal: Listed building consent to replace 2 no. first floor single glazed wooden windows at rear with slimline double glazing units

Application No.: 59134 **App. Type:** FUL 28/10/2015 Approve with Conditions
Location: 148 Albert Avenue, Prestwich, Manchester, M25 OHE
Proposal: Two storey extensions to side and rear

Application No.: 59225 **App. Type:** FUL 29/10/2015 Approve with Conditions
Location: 48 Richmond Avenue, Prestwich, Manchester, M25 OLV
Proposal: Single storey extension at the rear with dormer (Resubmission of 58670)

Application No.: 59247 **App. Type:** FUL 09/11/2015 Approve with Conditions
Location: 67 Whittaker Lane, Prestwich, Manchester, M25 1ET
Proposal: New dropped kerb & works to public highway to form vehicular access

Application No.: 59427 **App. Type:** LDGP 13/11/2015 Lawful Development
Location: 10 Hillwood Avenue, Prestwich, Manchester, M8 4LU
Proposal: Lawful development certificate for proposed loft conversion with hip to gable roof extension and rear dormer

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

Application No.: 58622 **App. Type:** FUL 21/10/2015 Approve with Conditions
Location: Land off Flashfields, Prestwich, Manchester, M25 9ST
Proposal: Erection of 2 no. detached dwellings with detached garages

Application No.: 58855 **App. Type:** FUL 22/10/2015 Approve with Conditions
Location: 5 Church Lane, Prestwich, Manchester, M25 1AN
Proposal: First floor balcony with patio doors and balustrade at rear

Application No.: 59201 **App. Type:** ADV 21/10/2015 Approve with Conditions
Location: 494 Bury New Road, Prestwich, Manchester, M25 7AN
Proposal: 3 No. internally illuminated fascia signs; 6 No. non-illuminated poster frames, window vinyls and deliveries panel

Application No.: 59209 **App. Type:** ADV 03/11/2015 Approve with Conditions

Location: KFC, 513 Bury New Road, Prestwich, Manchester, M25 3AJ

Proposal: Installation of 1 no. non-illuminated free standing banner frame

Application No.: 59260 **App. Type:** FUL 09/11/2015 Approve with Conditions

Location: 492 Bury New Road, Prestwich, Manchester, M25 7AN

Proposal: Siting of 1 no. refrigerated storage container for a temporary period between 1st November and 31st January annually

Ward: Radcliffe - East

Application No.: 59056 **App. Type:** FUL 27/10/2015 Approve with Conditions

Location: 1 Middle Spen Moor, Bury & Bolton Road, Radcliffe, Manchester, M26 4JZ

Proposal: Erection of 1 no. attached dwelling

Application No.: 59147 **App. Type:** FUL 29/10/2015 Approve with Conditions

Location: 32 Blackburn Street, Radcliffe, Manchester, M26 1NQ

Proposal: Change of use from retail (A1) to cafe/hot food takeaway and ice cream parlour (A3/A5) with new shop front and extraction flue to rear elevation

Application No.: 59181 **App. Type:** FUL 09/11/2015 Approve with Conditions

Location: 21/23 Deansgate/ 3-7 Seymour Street, Radcliffe, Manchester, M26 2SH

Proposal: Rebuilding and extension on three levels (3-7 Seymour Street) and renovation and raising of roof of 23 Deansgate to create shop, gym, cafe and two flats. Second floor and single storey extensions to 21 Deansgate (Part Retrospective).

Application No.: 59192 **App. Type:** FUL 22/10/2015 Approve with Conditions

Location: Dunelm, Green Street, Radcliffe, Manchester, M26 OAE

Proposal: Removal of existing entrance and relocation to centre of Green Street elevation; Relocation of trolley bay and alterations to parking spaces; Redecoration of existing external cladding to elevations

Application No.: 59203 **App. Type:** FUL 05/11/2015 Approve with Conditions

Location: 54 Church Street West, Radcliffe, Manchester, M26 2SQ

Proposal: Two storey extension at rear with external staircase; Flue at rear; Loft conversion with front and rear dormers; New shop front with roller shutter

Application No.: 59213 **App. Type:** DEM 09/11/2015 Prior Approval Required and Granted

Location: Radcliffe Swimming Pool, Green Street, Radcliffe, Manchester, M26 3ED

Proposal: Prior notification for demolition of existing building

Ward: Radcliffe - North

Application No.: 59188 **App. Type:** FUL 23/10/2015 Refused

Location: 7 Donnington Road, Radcliffe, Manchester, M26 3TT

Proposal: Single storey garage extension at front; Creation of new driveway/vehicular access at front

Application No.: 59253 **App. Type:** FUL 22/10/2015 Approve with Conditions
Location: 32 Cockey Moor Road, Radcliffe, Bury, BL8 2HB
Proposal: Single storey rear extension and two storey side extension incorporating a garage to the front

Application No.: 59261 **App. Type:** FUL 22/10/2015 Approve with Conditions
Location: 183 Bury New Road, Radcliffe, Bolton, BL2 6QQ
Proposal: Single storey extension at side and rear

Application No.: 59330 **App. Type:** FUL 09/11/2015 Approve with Conditions
Location: 185 Bury New Road, Radcliffe, Bolton, BL2 6QQ
Proposal: Two storey side and single storey rear extension

Application No.: 59431 **App. Type:** LDPC 13/11/2015 Lawful Development
Location: 77 Boundary Drive, Radcliffe, Bolton, BL2 6SE
Proposal: Lawful development certificate for proposed single storey extension at rear

Ward: Radcliffe - West

Application No.: 59185 **App. Type:** FUL 22/10/2015 Approve with Conditions
Location: 112 Harper Fold Road, Radcliffe, Manchester, M26 3RG
Proposal: Single storey extension to the side and creation of 2 no. parking spaces

Application No.: 59287 **App. Type:** FUL 03/11/2015 Approve with Conditions
Location: 136 Stand Lane, Radcliffe, Manchester, M26 1GS
Proposal: Change of Use of 1st floor to residential (3no. apartments); Alterations to access at front & side and rear (Ramp, steps and handrails); New parking arrangements; New Shop front (Resubmission of 58806)

Application No.: 59406 **App. Type:** GPDE 09/11/2015 Prior Approval Required Refused - Ext
Location: 7 Poolfield Close, Radcliffe, Manchester, M26 3UE
Proposal: Prior notification for single storey extension at rear

Ward: Ramsbottom + Tottington - Tottington

Application No.: 59231 **App. Type:** LDPC 29/10/2015 Refused
Location: 64 Watling Street, Tottington, Bury, BL8 3QW
Proposal: Certificate of lawfulness for proposed single storey garden building

Application No.: 59257 **App. Type:** FUL 05/11/2015 Refused
Location: 55 Booth Way, Tottington, Bury, BL8 3JT
Proposal: Two storey extension at side/rear and single storey extension at rear

Application No.: 59283 **App. Type:** FUL 05/11/2015 Approve with Conditions
Location: 157 Scobell Street, Tottington, Bury, BL8 3DE
Proposal: Single storey extension at side/rear; Dormer at rear

Application No.: 59314 **App. Type:** FUL 09/11/2015 Approve with Conditions
Location: 8 Layfield Close, Tottington, Bury, BL8 4BN
Proposal: Single storey extension at rear

Ward: Ramsbottom and Tottington - Ramsbottom

Application No.: 59126 **App. Type:** FUL 29/10/2015 Approve with Conditions
Location: Bank Lane Farm, 4 Higher Fold Lane, Shuttleworth, Ramsbottom, Bury, BLO 0DW
Proposal: First floor extensions at rear

Application No.: 59197 **App. Type:** FUL 23/10/2015 Split Decision
Location: 49 Dundee Lane, Ramsbottom, Bury, BLO 9HL
Proposal: A : External Alterations.
B : Loft conversion with dormer at side.

Application No.: 59199 **App. Type:** FUL 05/11/2015 Approve with Conditions
Location: 11 Douglas Street, Ramsbottom, Bury, BLO 9HB
Proposal: Dormer at rear (retrospective)

Application No.: 59208 **App. Type:** FUL 21/10/2015 Approve with Conditions
Location: 60 Victoria Street, Ramsbottom, Bury, BLO 9EB
Proposal: Single storey extension at rear

Application No.: 59263 **App. Type:** FUL 29/10/2015 Approve with Conditions
Location: 1 Southside, Gollinrod, Bury, BL9 5NB
Proposal: Two storey extension at side and balcony structure with glazed balustrade at rear

Application No.: 59268 **App. Type:** FUL 22/10/2015 Approve with Conditions
Location: 10 Roseberry Close, Ramsbottom, Bury, BLO 9FQ
Proposal: Two storey side and single storey rear extension

Application No.: 59305 **App. Type:** FUL 13/11/2015 Approve with Conditions
Location: Carn Brae, 130 Helmsore Road, Ramsbottom, Bury, BL8 4PB
Proposal: Raising the existing roof including construction of two dormers with new balcony on the south elevation; Re-build of existing entrance hall and re-modelling of the entrance elevation

Ward: Whitefield + Unsworth - Besses

Application No.: 59404 **App. Type:** LDCE 10/11/2015 Refused

Location: 387 Parr Lane, Bury, BL9 8NA

Proposal: Certificate of lawfulness for existing use as residential dwelling

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

Application No.: 59116 **App. Type:** FUL 19/10/2015 Refused

Location: Land adjoining 18 Dales Lane, Whitefield, Manchester, M45 7WW

Proposal: Variation of condition no. 2 (approved drawings) of applications 51241 two storey dwelling and 55126 (extension of time for 51241) for addition of rear dormer

Application No.: 59149 **App. Type:** FUL 22/10/2015 Approve with Conditions

Location: 29 Cromwell Road, Radcliffe, Manchester, M45 7RQ

Proposal: Single storey extension at front and side

Application No.: 59182 **App. Type:** FUL 27/10/2015 Approve with Conditions

Location: 12 Church Lane, Whitefield, Manchester, M45 7NF

Proposal: Removal of conditions 9 & 10 of approved planning application 56663 to provide shared access between 12 Church Lane & 11 Bank Street

Application No.: 59194 **App. Type:** FUL 04/11/2015 Approve with Conditions

Location: Land at side of 3 Myrtle Grove, Radcliffe, Manchester, M45 7RR

Proposal: Variation of condition no. 2 of approved planning permission 57950 amended drawings - alterations include render to replace brickwork and study/utility rooms in place of integral garage.

Application No.: 59200 **App. Type:** FUL 21/10/2015 Approve with Conditions

Location: 4 Ross Avenue, Whitefield, Manchester, M45 7FH

Proposal: Two storey extension at side

Application No.: 59232 **App. Type:** FUL 27/10/2015 Approve with Conditions

Location: 69 Higher Lane, Whitefield, Manchester, M45 7EZ

Proposal: Variation of Condition no. 2 of planning permission 58006 for the replacement of approved drawing 1402/04 D by revised drawing 1402/04 E and drawing 1402/06 F by revised drawing 1402/06 G due to changes to the design and to finishing material to external walls

Application No.: 59234 **App. Type:** TEL 22/10/2015 Prior Approval Required and Refused

Location: Pavement 90 Meters To West Of 96 Ringley Road, Whitefield, Manchester, M45 7JW

Proposal: Prior notification for removal of existing 15m column and installation of 17.5m dual user monopole and the installation of 1 no. equipment cabinet

Ward: **Whitefield + Unsworth - Unsworth**

Application No.: 59153 **App. Type:** FUL 03/11/2015 Approve with Conditions

Location: 1 Randale Drive, Bury, BL9 8HZ

Proposal: First floor/second floor extension at side; single storey sunlounge extension at rear

Application No.: 59170 **App. Type:** FUL 22/10/2015 Approve with Conditions

Location: 14 Goodison Close, Bury, BL9 8JY

Proposal: Single storey extension at side and rear; Single storey extension at rear

Application No.: 59183 **App. Type:** FUL 29/10/2015 Approve with Conditions

Location: All Saints C of E Primary School, Rufford Drive, Whitefield, Manchester, M45 8PL

Proposal: Siting of single storey modular unit for multi-use

Application No.: 59214 **App. Type:** FUL 13/11/2015 Approve with Conditions

Location: 6 Rufford Parade, Rufford Drive, Whitefield, Manchester, M45 8PW

Proposal: External flue at side (retrospective)

Application No.: 59228 **App. Type:** FUL 29/10/2015 Approve with Conditions

Location: 42 Rufford Drive, Whitefield, Manchester, M45 8PL

Proposal: Single storey front extension

Application No.: 59239 **App. Type:** FUL 22/10/2015 Approve with Conditions

Location: 10 Haddon Close, Bury, BL9 8BP

Proposal: Demolition of existing porch, garage and side extension and erection of part single/part two storey extensions to front, side and rear.

Application No.: 59269 **App. Type:** FUL 22/10/2015 Approve with Conditions

Location: 239 Parr Lane, Bury, BL9 8LX

Proposal: Single storey extension to front of garage and garage conversion

Application No.: 59343 **App. Type:** GPDE 11/11/2015 Prior Approval Not Required - Extension

Location: 64 Malton Avenue, Whitefield, Manchester, M45 8PS

Proposal: Prior notification for single storey extension at rear

Total Number of Applications Decided: 88

REPORT FOR DECISION

Agenda Item

6

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	24 November 2015
SUBJECT:	PLANNING APPEALS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>Planning Appeals:</p> <ul style="list-style-type: none"> - Lodged - Determined <p>Enforcement Appeals</p> <ul style="list-style-type: none"> - None to report
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to 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:-

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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

**Planning Appeals Lodged
between 19/10/2015 and 15/11/2015**



Application No.: 58513/FUL

Appeal lodged: 05/11/2015

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Refuse

Applicant: Cocklestorm Fencing Ltd

Location Land adjacent to Cocklestorm Fencing, Bury Road, Radcliffe, Manchester, M26 2UT

Proposal Retrospective application for change of use from vacant land to part car park, part storage area (resubmission)

Application No.: 58807/FUL

Appeal lodged: 27/10/2015

Decision level: COM

Appeal Type: Written Representations

Recommended Decision: Minded to Approve

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

Total Number of Appeals Lodged: 2

**Planning Appeals Decided
between 19/10/2015 and 15/11/2015**



Application No.: 58783/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mrs Lorna White

Location: 23 Raylees, Ramsbottom, Bury, BLO 9HW

Proposal: Two storey extension at side/rear with juliet balcony at rear

Appeal Decision: Dismissed

Date: 19/10/2015

Appeal type: Written Representations

Appeal Decision

Site visit made on 12 October 2015

by Alison Partington BA (Hons) MA MRTPI

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

Decision date: 19 October 2015

Appeal Ref: APP/T4210/D/15/3133302
23 Raylees, Ramsbottom, Bury BL0 9HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Lorna White against the decision of Bury Metropolitan Borough Council.
 - The application Ref 58783, dated 27 May 2015, was refused by notice dated 28 July 2015.
 - The development proposed is described as a "two storey rear extension and garage conversion".
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposed extension on the living conditions of the occupiers of No 29 Cotswold Close with particular reference to outlook and privacy.

Reasons

3. The appeal property is a detached house, which due to the topography is in a slightly elevated position in relation to both the house at the rear (No 29 Cotswold Close) and at the side (No 25 Raylees). The proposed extension would project approximately 2.8m from the rear of the dwelling and would extend the full width of the property.
4. Although the house to the rear of the appeal site is slightly off-set in relation to appeal property, the windows in the rear elevation face towards No 23. In order to maintain adequate privacy and prevent over dominance, *Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties (adopted March 2004 and updated January 2010)* (SPD) indicates that normally a distance of 20m should be kept between main windows that face each other.
5. In this case, the windows in the proposed extension which include a Juliet balcony would only maintain a distance of around 18m to the property at the rear. Although there is a high fence located on the boundary of these two properties, this is not sufficient to prevent overlooking from the first floor windows. As a result, the proposed extension would significantly increase the level of overlooking of this neighbouring property, and the perception of being overlooked. In addition, bearing in mind the elevated position of the appeal

property in relation to No 29, the scale and the mass of proposed extension would have an overbearing impact on, and adversely affect the outlook from, both the rear garden and the windows on the rear elevation of this house.

6. Consequently, I consider that the proposed extension would unacceptably harm the living conditions of the occupiers of No 29 Cotswold Close with particular reference to outlook and privacy. Accordingly it would be contrary to Policy H2/3 of the Bury Unitary Development Plan (adopted August 1997) which seeks to ensure that house extensions protect the amenity of adjacent properties.
7. I note the personal circumstances of the appellant and the desire to create additional bedrooms in order to accommodate the fostering of siblings. However, I have not been provided with any substantive evidence to show that the appeal scheme is the only way the additional bedrooms can be provided within the existing property. In any event personal circumstances will seldom outweigh more general planning considerations, and it is likely that the extension would remain long after the current personal circumstances cease to be material.
8. For the reasons set out above, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR

REPORT FOR DECISION



Agenda Item	7
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MEETING: PLANNING CONTROL COMMITTEE

DATE: 24 NOVEMBER 2015

SUBJECT: TREE PRESERVATION ORDER CONFIRMATION

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 considers the confirmation of a temporary tree preservation order currently made on Walshaw Hall and curtilage, Bradshaw Road, Walshaw (Order No. 338).

OPTIONS & RECOMMENDED OPTION The Committee is recommended to confirm, without modifications, the extant temporary Tree Preservation Order designated as Land at Walshaw Hall.

IMPLICATIONS:

Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Financial Implications and Risk Considerations:	Director of Finance and E-Government to advise regarding risk management - N/A
Statement by Director of Finance and E-Government:	N/A
Equality/Diversity implications:	N/A

Considered by Monitoring Officer: N/A

Are there any legal implications? Yes – Confirmation of the Order and recording on the Local Land Charges Register

Staffing/ICT/Property: N/A

Wards Affected: Tottington & North Manor

Scrutiny Interest: N/A

TRACKING/PROCESS

EXECUTIVE DIRECTOR:

Chief Executive/ Management Board	Executive Member/Chair	Ward Members	Partners
Scrutiny Commission	Executive	Committee	Council

Introduction

This report sets out the issues centring upon the current temporary tree preservation order currently designated on Walshaw Hall and its curtilage and those trees within the other dwellings within the site boundary.

Discussion

Walshaw Hall is an extensive care facility located to the north of the borough within Walshaw. The site has the benefit of planning permission ref 55803 for a proposed new 53 bed unit, 3 storeys in height adjacent to the existing home, which granted permission for the extension of the hall on its westerly side by a two storey development and included a series of other works within the grounds. The approval of the planning permission also included an amount of tree works and removals, which have since been carried out.

In early July 2015, the Council received a request for a Tree Preservation Order to be imposed on the site, fearful that the extent of the tree cover on the site was under threat and would be significantly impact were the site to be devoid of trees. Furthermore, following the submission of the proposed extension to the existing building, a key part of the supporting statement and justification for approving, was that the site did indeed benefit from extensive tree cover, which was an important factor in mitigating impact of built development within the Green Belt and the preservation of the natural screening being maintained within the Green Belt.

As such, following assessment of the site, the Council issued a Temporary Tree Preservation Order on 31 July 2015. The effects of this are exactly the same as a full order, provided that the temporary order is subsequently confirmed within 6 months.

Issues

Subject to Regulation 6 of the The Town and Country Planning (Tree Preservation)(England) Regulations 2012, objections and representations that are made in writing must be appropriately considered.

Letters were issued to the following addresses on 31st July 2015 and as a result of this publicity, representations were made:

- M & Mrs Ainsworth, The Lodge, Walshaw Hall, Bradshaw Road, Tottington BL8 3PJ
 - Concerned about the amount of tree felling that had been undertaken at this site in relation to the approved scheme to extend the building.
 - Poor communication from the main land owner prior to work being undertaken.
 - The removal of rhododendron bushes.
 - The impact upon wildlife through the loss of trees.
 - Supports the imposition of the order.
- Mr & Mrs Hepworth, The Coach House, Walshaw Hall, Bradshaw Road, Tottington BL8 3PJ
 - The extensive change to the grounds since work commenced on the site to carry out the approved development has been marked.
 - The imposition of a tree preservation order would protect the character of the site and views of the woodland.
 - Would assist the wildlife in the area.
 - The site is more exposed to weather and winds than previously.
 - Impact upon natural boundary features through tree and bush removal.
- S N Brown Walshaw Hall Farm, Bradshaw Road, Tottington BL8 3PW
 - Considers that the description is in error in that the order states "*within the grounds of Walshaw Hall*", when the writer owns land not within the ownership of Walshaw Hall.
 - States that there are no trees in the area known as the Kitchen Garden to the south west of the site.

LPA Response – There are clearly trees in the area that Mr Brown has highlighted. The extent of the order is governed by the plan.

The effect of the order would and can only protect trees and not bushes. However, it is considered that the confirmation of the temporary order to a full tree preservation order on this site should be confirmed, without modification.

The site has retained significant tree cover and the effect of the order would ensure that the site remains a positive contributor to the natural environment in this particular rural part of the Borough through its tree cover. Furthermore, future removals of trees would be subject to assessment and consideration by the Local Planning Authority (LPA) and where works are considered to be appropriate, works could be permitted to be carried out under circumstances and/or subject to conditional controls. In addition, any tree removals can be subject to replanting requirements to again serve to maintain the natural aesthetics the site provides.

The effects of such an order do not prevent good maintenance being carried out. However, such works could only be done following formal approval from the LPA.

Recommendation

That the current temporary preservation order issued on Walshaw Hall and its immediate curtilage and all other properties within its boundaries, as identified in Appendix 1 is confirmed without Modification.

List of Background Papers:-

Temporary Tree Preservation Order dated:
The Town and Country Planning (Tree Preservation)(England) Regulations 2012

Contact Details:-

David Marno
Head of Development Management
Dept of Resources and Regulation
3 Knowsley Place
Bury BL9 0EJ

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

TREE PRESERVATION ORDER
Town and Country Planning Act 1990
The Metropolitan Borough of Bury (Walshaw Hall, Tottington)
Tree Preservation Order (No. 338) 2015

The Metropolitan Borough of Bury (Bury Council) in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as the Metropolitan Borough of Bury (Walshaw Hall, Tottington) Tree Preservation Order (No. 338) 2015

Interpretation

2.—(1) In this Order “the authority” means Bury Council

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3.—(1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 31st day of July 2015.

The Common Seal of the Metropolitan Borough of Bury was affixed to this Order in the presence of—

.....*J. Hammond - Council Solicitor*.....

Authorised by the Council to sign in that behalf



CONFIRMATION OF ORDER

This Order was confirmed by the Metropolitan Borough of Bury without modification on the
day of 20

OR

This Order was confirmed by the Metropolitan Borough of Bury, subject to the modifications
indicated by , on the day of 20

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by the Metropolitan Borough of Bury on the
day of 20

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Metropolitan Borough of Bury on the day of
20 by a variation order under reference number a copy of which is
attached

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the Metropolitan Borough of Bury on the day of
20

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

SCHEDULE

SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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None.

Trees specified by reference to an area (within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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A1	Trees of whatever species within the area marked A1 on the attached map	Within the grounds of Walshaw Hall, Bradshaw Road, Tottington, Bury, BL8 3PJ
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Groups of Trees (within a broken black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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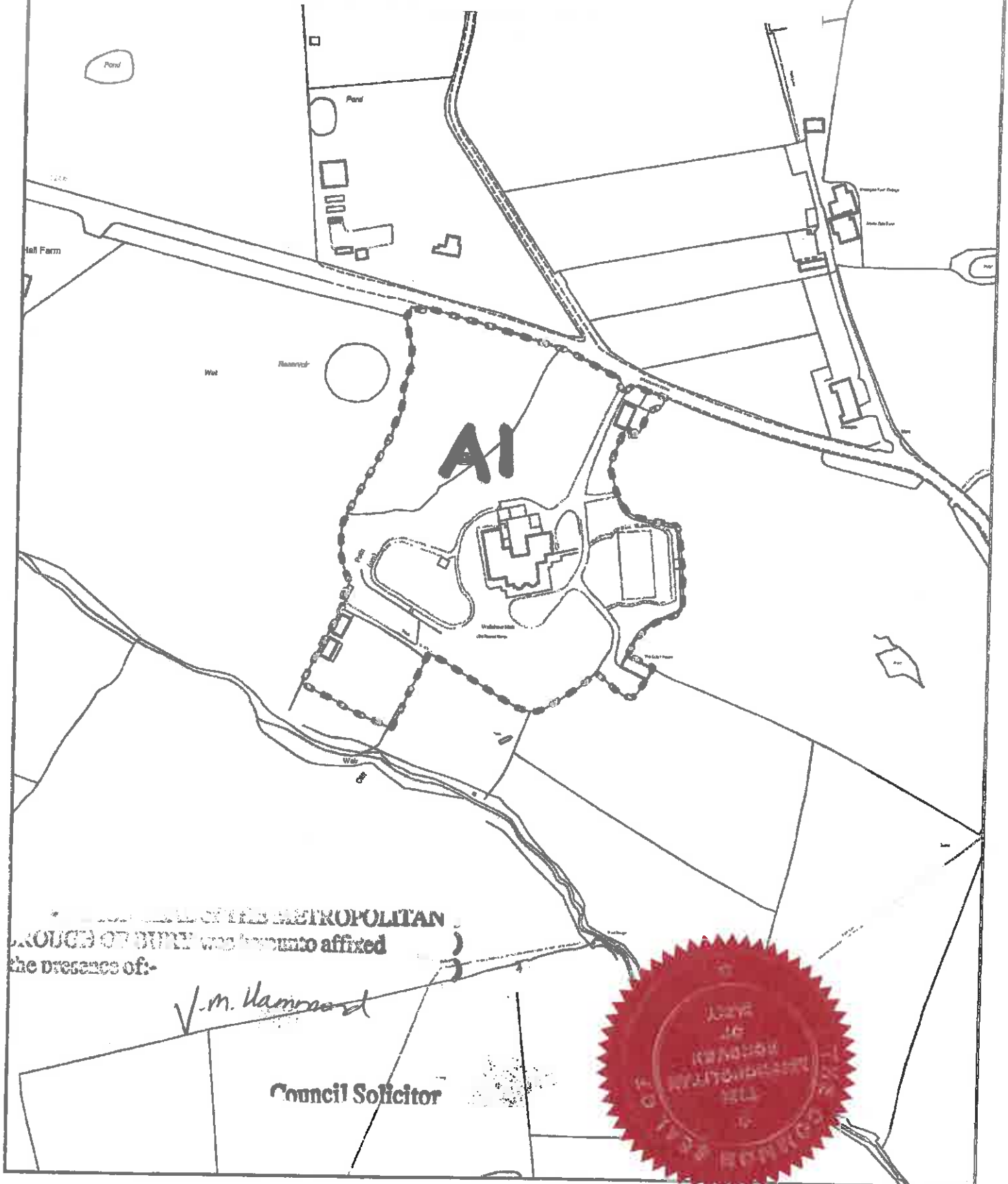
None.

Woodlands (within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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None.

**Map referred to in the
Metropolitan Borough of Bury (Walshaw Hall, Tottington)
Tree Preservation Order (No. 338) 2015**



... OF THE METROPOLITAN
BOROUGH OF BURY was brought into effect
in the presence of:-

J. M. Hammond

Council Solicitor



552/15

SCALE: 1 TO 2500. DATE: 30/07/2015

