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AGENDA FOR

PLANNING CONTROL COMMITTEE

Contact:: Keren Murphy
Direct Line: 0161 253 5130
E-mail: k.m.murphy@bury.gov.uk
Web Site: www.bury.gov.uk

To: All Members of Planning Control Committee

Councillors : J Black (Chair), A Matthews, Y Wright, R Skillen, C Preston, E O'Brien, J Harris, M D'Albert, R Caserta, T Cummings, S Haroon, S Kerrison and Schofield

Dear Member/Colleague

Planning Control Committee

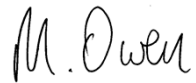
You are invited to attend a meeting of the Planning Control Committee which will be held as follows:-

Date:	Tuesday, 24 May 2016
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 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 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 Website at www.bury.gov.uk – Council and Democracy.

Yours sincerely

A handwritten signature in black ink that reads "M. Owen". The signature is written in a cursive style with a large, looped 'M' and a clear 'Owen'.

MIKE OWEN
CHIEF EXECUTIVE

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

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

3 MINUTES OF THE MEETING HELD ON 19 APRIL, 2016 *(Pages 1 - 6)*

4 PLANNING APPLICATIONS *(Pages 7 - 120)*

5 DELEGATED DECISIONS *(Pages 121 - 136)*

A report from the Head of Development Management on recent delegated planning decisions since the last meeting of the Planning Control Committee held on 19 April, 2016.

6 PLANNING APPEALS *(Pages 137 - 138)*

A report from the Head of Development Management on recent planning appeal decisions since the last meeting of the Planning Control Committee held on 19 April, 2016.

7 PLANNING ENFORCEMENT *(Pages 139 - 154)*

A report from the Head of Development Manager setting out statistical information in relation to Enforcement activity between 1st January 2016 and 31st March 2016 is attached.

8 DEVELOPMENT MANAGER UPDATE *(Pages 155 - 164)*

Report from the Head of Development Manager is attached.

9 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: 19 April, 2016

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

Public attendance: 65 members of the public were in attendance

**Apologies for
absence:** Councillors Matthews and Jones

PCC.891 DECLARATIONS OF INTEREST

Councillor Quinn declared a prejudicial interest in respect of Planning application 59592 as a member of the Downs Syndrome Association. Councillor Susan Southworth declared prejudicial interest in respect of Planning Application 59693 following discussions with local residents in relation to this application. Councillor Black declared a personal interest in respect of planning application 59725 as a personal acquaintance of the applicant. Councillor Hodkinson declared a personal interest in respect of planning application 59788 as the owner of retail premises in Bridge Street, Ramsbottom.

PCC.892 MINUTES

Delegated decision:

That the Minutes of the meeting held on 15 March, 2016 be approved as a correct record and signed by the Chair.

PCC.893 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: 59160; 59550; 59592 and 59693.

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

Ward Councillors spoke on planning applications as follows:-

- Councillor Tariq on planning application 59160;
- Councillor Bevan on planning application 59550;
- Councillor Hankey on planning application 59693;

Prior to the Committee meeting, Site Visits had taken place in relation to Planning Application 59160 and 59693.

Delegated decisions:

Planning Control Committee, 19 April 2016

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:

59565 Yesoiday Hatorah School, Bury New Road, Prestwich, Manchester - Prestwich - Sedgley Ward

Construction of gatehouse

59592 Masons Arms, 241 Walmersley Old Road, Bury - North Manor Ward

Change of use of former public house to a mixed use development comprising offices, training facility, cafe, with conservatory at rear; ancillary parking

(Note: Councillor Quinn, having declared a prejudicial interest in respect of this application, left the room during consideration of the application).

59616 110 Ainsworth Road, Bury - Bury West - Church Ward

Change of use from office (Class B1) to dental surgery (Class D1)

59725 142 Hollins Lane, Bury - Whitefield & Unsworth - Unsworth Ward

Outline application for the erection of 1 no. Detached dwelling

The decision to **Approve with Conditions** this application was subject to the addition of the following condition:-

Condition 11: No development shall commence unless or until details of a scheme for foul and surface water drainage including details of the drain/culvert, in terms of its position, integrity and depth in relation to the proposed dwelling has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme and the dwelling shall not be occupied unless and until the approved drainage scheme is available for use.

Reason: The application contains insufficient information in relation to the culvert and to ensure a satisfactory means of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

(Note: Councillor Black, having declared a personal interest in respect of this application, left the room during consideration of the application).

59749 New Victoria Mills, Wellington Street, Bury - Bury West - Church Ward

Change of use of third floor from storage area (Class B8) to indoor cricket nets/ practice area (Class D2)

45 Bridge Street, Ramsbottom, Bury - Ramsbottom & Tottington - Ramsbottom Ward

Prior approval for proposed change of use from shop (A1) to cafe/restaurant (A3)

Planning Control Committee, 19 April 2016

(Note: Councillor Hodkinson, having declared a personal interest in respect of this application, left the room during consideration of the application).

59795 DW Sports, Angouleme Way, Bury - Bury East Ward

17 No. non-illuminated pole mounted car park management signs (retrospective)

59806 115-119 Bury Road, Radcliffe - Radcliffe East Ward

Raising of roof height of warehouse by 3.2m to create mezzanine storage level; a first floor office extension at front

59814 Woodfield Retail Park, Peel Way, Bury - Bury East - Moorside Ward

43 No. non-illuminated pole mounted car park management signs and banner sign (retrospective)

59839 1 Claybank Cottages, Cann Street, Tottington, Bury - Ramsbottom & Tottington - Tottington Ward

Single storey extension at side

2. That the following application be **Deferred** for a site visit and be considered at the next scheduled meeting of the Planning Control Committee:-

59550 The Paddock, Sheep Hey Farm, Leaches Road, Shuttleworth, Ramsbottom, Bury - Ramsbottom & Tottington - Ramsbottom Ward

Change of use of field to camping site including siting of 2 no. moveable portaloos and shower block

(Note: Prior to determination of this application, Councillor Briggs proposed that this application be deferred subject to a site visit. This proposal was seconded by Councillor Hodkinson. The Committee voted in favour of this proposal).

3. That the following applications be **Refused**:-

59693 Site of Olives Paper Mill, Tottington Road, Bury - Bury West - Elton Ward

Application to remove planning obligation under Section 106A of the Town and Country Planning Act 1990 to provide a bridge link across the Kirklees Brook

The decision to **Refuse** the application was made by the Committee in accordance with the reasons put forward by the Head of Development Management in the report and supplementary information submitted.

(Note: The Chair, Councillor Susan Southworth, having declared a prejudicial interest in respect of this application, left the room during

Planning Control Committee, 19 April 2016

consideration of the application. Councillor Briggs stood in as Chair of the Committee during consideration of this application).

59160 Greenfields, Dumers Lane, Bury - Bury East - Redvales Ward

Construction of lorry parking area, open material storage area, landscaping and security fencing

This application had been recommended by the Head of Development Management to be Approved with Conditions. The Committee debated a proposal not to accept the recommendation and to overturn the Officer recommendation of Approve with Conditions. The recommendation to refuse the application was proposed by Councillor Harris and seconded by Councillor Skillen and agreed by the Committee, for the following reason:-

Reason

1. The development would create an adverse impact upon residential amenity, in particular Nos 702 - 738 Whitefield Road, through noise arising from the proximity of the proposed industrial use and activities to existing residential properties, which would not be sufficiently mitigated by the proposed bund and the proposed hours of operation. Therefore, the proposed development would conflict with Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

PCC.894 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.895 PLANNING APPEALS

A report from the Head of Development Management was submitted listing all recent Planning Appeal decisions since the last meeting of the Planning Control Committee.

Delegated decision:

That the report be noted.

PCC.896 MEMBER TRAINING PROGRAMME

A report from the Head of Development Management was submitted providing details of the proposed training programme for the Planning Control Committee Members that will take place over the 2016/2017 Municipal year.

Planning Control Committee, 19 April 2016

Delegated decision:

That the report be noted.

THANKS TO THE CHAIR, COUNCILLOR SUSAN SOUTHWORTH

Councillor Wright, on behalf of all Members of the Committee thanked Councillor Southworth for Chairing the Committee during the 2015/16 Municipal Year.

**CHAIR
COUNCILLOR SUSAN SOUTHWORTH**

(Note: The meeting started at 7.00 pm and ended at 9.24 pm)

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Title	Planning Applications
To:	Planning Control Committee
On:	24 May 2016
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.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the Planning Control Committee shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

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. 59550
	Location: The Paddock, Sheep Hey Farm, Leaches Road, Shuttleworth, Ramsbottom, Bury, BL0 0ND	
	Proposal: Change of use of field to camping site including siting of 2 no. moveable portaloos and shower block	
	Recommendation: Approve with Conditions	Site Visit: Y
<hr/>		
02	Township Forum - Ward: Whitefield + Unsworth - Pilkington Park	App No. 59661
	Location: 260 Bury New Road, Whitefield, Manchester, M45 8QN	
	Proposal: Change of use from bank (Class A2) to restaurant and bar (Class A3/A4), single storey extension at the side and rear; associated parking.	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
03	Township Forum - Ward: Prestwich - Sedgley	App No. 59756
	Location: Rico House, George Street, Prestwich, Manchester, M25 9WS	
	Proposal: Erection of extension to create a mansard roof to provide additional floor to existing building; external covered staircase; Creation of 15 no. car parking & 10 cycling spaces	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
04	Township Forum - Ward: Bury East - Moorside	App No. 59811
	Location: Ryalux Carpets, Mossfield Mill, Chesham Fold Road, Bury, BL9 6XJ	
	Proposal: Infilling of existing loading bay and extension of access road; Installation of vehicle wash bay	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
05	Township Forum - Ward: Whitefield + Unsworth - Pilkington Park	App No. 59863
	Location: Slatterys Patisserie, 197 Bury New Road, Whitefield, Manchester, M45 6GE	
	Proposal: Store room extension at side	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
06	Township Forum - Ward: North Manor	App No. 59896
	Location: Units 1-4, Westgate Avenue, Ramsbottom, Bury, BL0 9SS	
	Proposal: Change of house types on plots 1-7 inclusive of planning permission	

57104

Recommendation: Approve with Conditions

Site Visit: Y

07 Township Forum - Ward: North Manor **App No.** 59897

Location: Units 1-4 Westgate Avenue, Ramsbottom, Bury, BL0 9SS

Proposal: Change of house type on plot 8 of planning permission 57104

Recommendation: Approve with Conditions

Site Visit: Y

08 Township Forum - Ward: Whitefield + Unsworth - Unsworth **App No.** 59919

Location: Bury And Whitefield Jewish Primary School, School Close, Bury, BL9 8JT

Proposal: Erection of 2.4m high security fence/small section 3m high with manual and electronic gates

Recommendation: Approve with Conditions

Site Visit: N

09 Township Forum - Ward: Radcliffe - North **App No.** 59928

Location: Former garage colony sites at Mayfair Avenue, Radcliffe, Manchester, M26 3ND

Proposal: Erection of 8 no. dwellings on 2 no. sites

Recommendation: Approve with Conditions

Site Visit: N

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 01

Applicant: Mr Andrew Rothwell

Location: The Paddock, Sheep Hey Farm, Leaches Road, Shuttleworth, Ramsbottom, Bury,
BL0 0ND

Proposal: Change of use of field to camping site including siting of 2 no. moveable portaloo
and shower block

Application Ref: 59550/Full

Target Date: 02/02/2016

Recommendation: Approve with Conditions

The application has been deferred for a committee site visit to take place on 24 May 2016 prior to the Planning Control Committee meeting.

Description

The application site consists of a field, which was used for grazing sheep. The site is predominantly flat, but the surrounding land to the east and south of the site is at a higher level. There is a line of mature trees along the eastern boundary and a stone wall and timber fence marks the boundary of the site. There is a timber post and rail fence to all other boundaries. The site is accessed from Leaches Road, which connects to Whalley Road to the east and Bolton Road North to the west.

The site was used as a temporary camp site during the Ramsbottom Festival in September 2015 and the structures (toilets and shower block) were removed from the site in November 2015. The site has been used to host events and functions in a large tipi tent (shown on the photographs). The use of the tipi for functions and events does not form part of the application being considered and is otherwise permitted for up to 28 days in a calendar year under Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

There is a area of mature trees to the north of the site with residential properties beyond. There are open fields to the west, which contain two stables buildings and open fields to the south. The M66 motorway is located to the west and is within an embankment with Leaches Road and the associated bridge above.

The proposed development involves the change of use of the field to a camping site including the siting of 2 moveable portaloo and shower block. The proposed shower block would measure 3 metres by 3 metres and would be 3 metres in height. The proposed portaloo building would measure 1.2 metres by 1.3 metres and would be 2.3 metres in height. Both the proposed buildings would be clad in timber. The proposed development would be accessed from Leaches Road and a small area of hardstanding would be located in the north western corner of the site.

Relevant Planning History

33506 - Conversion of existing outbuildings to form 6 dwellings and garages at Sheep Hey Farm, Leaches Road, Shuttleworth. Approved with conditions - 13 October 1997

Adjacent site

33808 - Erection of agricultural building at Sheep Hey Farm, Leaches Road, Shuttleworth. Withdrawn - 4 February 1999

34584 - Erection of block of 3 stables and store at land adjacent to Sheep Hey Farm, Leaches Road, Shuttleworth. Approved with conditions - 1 October 1998.

43717 - Detached single storey stable block and tack at paddock off Leaches Road, Shuttleworth. Refused - 18 January 2005

51562 - Agricultural livestock building at land at Sheep Hey Farm, Leaches Road, Shuttleworth. Refused - 10 September 2009.

Enforcement

15/0317 - Events company and campsite run from residential property at The Paddock, Sheep Hey, Leaches Road, Shuttleworth.

15/0396 - Erection of toilet blocks at the paddock, Sheep Hey, Leaches Road, Shuttleworth. Application received - 8 December 2015.

Publicity

The neighbouring properties (1 - 8 Sheep Hey, Sheep Hey Farm) were notified by means of a letter on 14 December 2015 and a press notice was published in the Bury Times on 24 December 2015. Site notices were posted on 22 December 2015.

14 letters have been received from the occupiers of Sheep Hey Farmhouse, 3, 5, 6, 8 Sheep Hey, Leaches Road, 42 Whalley Road, 3 Hollins Lane, Shuttleworth; 31 Dale Street, Woodside, Dearden Brook, Edenwood Lane, Ramsbottom; 41 Bolton Road North, Edenfield; 10 Tenterden Street, Bury, which have raised the following issues:

- While we have no objection to the use of the field for occasional parties, we object to the use as a commercial camp site and party venue.
- We live a short distance away and the noise levels are unacceptable. The level of noise on December 31 made sleep impossible in the small hours.
- Our land is separated from the site on the east side by a small wall and are concerned to have campers and party goers in close proximity.
- Access via the narrow land is difficult and dangerous during times when the volume of traffic increases.
- The applicant's address is incorrect and is one of the 8 dwellings around the former farm yard. This is not a farmer seeking diversification.
- A vehicle access has recently been created from Leaches Road onto the paddock at the bend at the bottom of the hill. Should this have had consent?
- There are no commercial waste bins on site and none proposed as part of the application.
- Where are the 20 parking spaces and how would they be constructed?
- 20 spaces is insufficient for the events that the applicant is advertising and hosting and could prevent emergency access.
- No hours of opening have been stated. Will the site operate 24/7 365 days a year?
- The form has been signed by Mr Hodkinson, who is the agent and not the applicant.
- The site is not suitable for camping.
- The site is very boggy, which will force cars to park on the single track access road, causing problems for the existing residents.
- The application should be retrospective as the site has been used for camping and events previously.
- The applicants have shown no regard for their neighbours
- There could be an effect on local farm animals and wildlife.
- How many residents have been consulted? The sound from this development will travel a great distance across the valley.
- The area is in the Green Belt and this is not permitted.
- The access road is used by the equestrian community.
- The facebook page is actively advertising the facilities for weddings and parties.
- The music could be heard inside residential properties in Stubbins.
- No real objections to a camp site, but have concerns about a wedding/event venue due to noise.
- If the proposed beer festival became a reality, the possibility of the "bar never closing"

- and the guests/campers doing "whatever takes [their] fancy" is of great concern to us.
- The proposed development will have a detrimental impact on the neighbouring residents.
 - Loss of view.
 - Smells from the toilets and camp site.
 - Lack of privacy.
 - A reduction in the value of the property.
 - The paddock directly behind the applicant's property should be used as a camp site as the yard would provide parking in bad weather.
 - The application for change of use to a camp site is misleading as the applicant's true intentions are to run an events business.
 - The site is being advertised on facebook with events to be held on 23, 24 April and 16 July 2016.
 - The alternative access is a public footpath and the bridge is structurally unsound for use by vehicles.
 - Any decision to permit a camping site within 50 metres of a residential property is not consistent with the residential use. What reasonable body of planning officers and councillors would oppose this view?
 - It should be noted that the events are held in a canvas tent and not within an enclosed soundproofed building.
 - Will power be provided to the field?
 - Does the applicant have sufficient public liability insurance in the event of damage to property?

Revised plans were received on 16 February 2016 and all of the neighbouring properties and the objectors listed above were notified by means of a letter on 17 February 2016.

21 letters of support have been received from the occupiers of 7 Lime Grove, 14 Heatherside Road, 20 Dundee Lane, Major Hotel (Bolton Street), 1 Spring Close, 1 Spring Close, 10 Regent Street, 10 Wilds Place, 13 Dalton Close Ramsbottom, 41 Bolton Road North, Holcombe Spa Limited, 10 Moorcroft, Edenfield, 1 Bolton Road, Hawkshaw, 180 Bury Old Road, Heywood, 20 Larkfield Close, Greenmount, 41 Hawthorn Avenue, 298 Wellington Court, Bury, 42 Cotton Way, Helmshore, 301 Haslingden Road, 49 Holmeswood Park, Rawtenstall, 1 Pine Street, Yonne Cottage, Higher Lane, 39 Highfield Park, Haslingden, 2 Bear Hill, Littleborough, 31 Heol y Bryn, Harlech, Gwynedd, which have raised the following issues:

- I support the proposed campsite at Sheep Hey Farm having stayed on the campsite for the Ramsbottom Festival.
- It is a great location and hope it is available for camping throughout the year.
- Ramsbottom lacks any good campsites and the option of camping would be greatly received by many.
- The Paddock is a fantastic venue, boasting stunning views and creates an extraordinary sense of cultural and social continuity reverberating a buzz of appreciation of rural beauty.
- The Paddock is great for the community and I fully support them.
- This would benefit the Ramsbottom community.
- The Paddock have always been respectful of surrounding neighbours and do not tolerate anyone other than quiet, tidy guests on their site.
- Perfect for events.
- As events in Ramsbottom get stronger and stronger, a small camp site facility is necessary.
- Visitors will bring money into the town and aid the small businesses.
- A campsite would increase the number of options for accommodation.
- No objections to granting planning permission for a campsite.
- There isn't anything like this in this area - you would need to travel to the Ribble Valley/West Yorkshire for similar facilities.
- Support as it would provide jobs and create more tourism in the area.
- Used this campsite with a family and there were no problems.

- A good example of using available land for recreational purposes.
- The site is easily accessible and supports local businesses.
- Many of the local hotels have limited availability but not at a affordable price.

12 letters have been received from the occupiers of 5, 6, 8 Sheep Hey, Sheep Hey Farm, 25 Dale Street, 27 Windemere Drive:

- The noise from the teepee events can be heard from Windemere Drive.
- The proposed camp site would cause anxiety and stress for local residents.
- The facebook page is actively advertising the facilities for weddings and parties.
- The music could be heard inside residential properties in Stubbins.
- All previous comments are relevant and are unchanged by the proposed plan.
- The addition of fictitious passing places makes no difference to the application.
- The existing passing place is the mouth of an access to No. 6 Sheep hey and is not in the ownership of the applicant. This area often has cars parked in it.
- The passing place at the 90 degree bend is an access to the public footpath. On 31/12/2-15, this area was used as a parking space for a van selling hot drinks.
- The final passing place is an access to a stables, which often has a car parked in it.
- The area in front of the garages is used as a turning area for vehicles delivering to the events.
- The latest plan is a misrepresentation of the realist of the situation.
- An event is planned for 24/04/2016 and the applicant appears to be proceeding whether he has planning permission or not.
- An unsightly hardstanding area has need added, which sits next to the Rossendale Way and in designated Green Belt.
- A stand pipe has been installed near our garden, which will erode the ability to enjoy the garden.
- The effluent tanks have already been in stalled and there is a van that is usually parked in the gateway to the stables.
- The location of the toilets and showers would adversely affect our neighbours view, which loos directly onto The Paddock. The owners should use the field at the back of their own property.
- The applicants continue to advertise their campsite and take bookings for later in the year and have continues work on the site. They are clearly under the impression that they have planning permission.
- The applicant's do not own the land for one of the passing places and as such, it cannot be implemented.
- The passing place near to the motorway bridge is not in the ownership of the applicant. The owner has chosen to set the gate back to allow cars to wait off the road while the gate opens. The applicant's have not contacted me with regard to using this land as a passing place and it is impossible for them to ensure that available during planned events.
- Object to this application as it would bring large numbers of people to a quiet and secluded place where alcohol is served and noisy parties are being held.
- The enforcement case - 15/0317 refers to 7 Sheep Hey. This property is not involved in the events company whatsoever.
- The camp site is not being marketed as a 'family, outdoor recreational' site but as a 'party' site for groups of young people to have a party.
- Contrary to the statement that only a small part of the field would be occupied, the entire field was occupied by tents, caravans and camper vans.
- We are aware that the events issue is separate from this application, but there were complaints about noise during the Ramsbottom Festival weekend.
- All of the passing places are privately owned.
- How will the condition restricting the use of the bridge be policed?
- The applicant's property is the furthest away in the residential development and behind an electric gate. How will campers be controlled?
- I note that there is no site visit planned. It is important that the Planning Control Committee meeting visit the site to visualise the impact and closeness to residential

properties.

- There was noise and disruption at the camping event during the Ramsbottom Festival
- Has the planning section liaised with the Licensing section with regard to noise and lighting during the tipi events?
- Does the enforcement case (15/0317) relate to No. 7 Sheep Hey? Councillors should be aware that enforcement action has been taken against the applicant.
- Why are H3 and H3/1 not referenced within the report?
- The agent states that there are no camp sites in Bury, but there is reference to one at Burrs.
- What evidence is the assertion that there is an identified need for visitor accommodation based on? Why should the buildings be allowed against the northern fencing and not much further away against the eastern wall under tree cover, where any noise nuisance would be reduced.
- There is no requirement for the applicant to control what happens on the camp site, such as a condition to require no audible noise after 22.00 (a common requirement of campsites in the UK and abroad).
- The report states that the development will not be used by caravans and motorhomes. Why is this not incorporated into a condition?
- I expect some balance in the 'Response to objectors' section of the report. The granting of permission for the showers and toilets is effectively facilitating the large tent functions being run by the applicant. The report should be amended as you have failed to consider all issues relating to this application holistically.

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

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to passing places, means of access and the provision of the gravel area.

Drainage Section - No objections, subject to the inclusion of condition relating to foul drainage.

Environmental Health - Contaminated Land - No comments.

Public Rights of Way Officer - No objections.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN6	Conservation of the Natural Environment
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
OL1/2	New Buildings in the Green Belt
OL1/5	Mineral Extraction and Other Development in the Green Belt
OL6/1	New Uses and Development of the Countryside
RT3/2	Additional Provision for Recreation in the Countryside
RT4/3	Visitor Accommodation
HT2/4	Car Parking and New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are

considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Principle - Paragraph 81 of the NPPF states that Local Planning Authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

The NPPF (paragraph 89) states that the construction of new buildings in the Green Belt should be regarded as inappropriate in the Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages and limited affordable housing for local community needs under policies set out in the local plan; or
- limited infilling or the partial redevelopment of previously developed sites, whether redundant or in continuing use, which would not have a greater impact upon the openness of the Green Belt and the purpose of including land within it than the existing development.

Policy OL1/2 states that the construction of new buildings within the Green Belt will be inappropriate development unless it is for agriculture, forestry, essential facilities for outdoor recreation, limited extensions of existing dwellings and for other uses of land which do not conflict with the purposes of including land in it. Proposals for buildings, which do not fall into one of the above categories is inappropriate development and will only be permitted in special circumstances.

The proposed development includes the provision of buildings for use as a toilet and shower block. The proposed buildings would represent the provision of appropriate facilities for outdoor recreation and as such, would, in themselves, be appropriate development in the Green Belt. The proposed buildings are small in footprint and would be clad in timber, which would be acceptable. In addition, the proposed buildings are moveable and if the use ceases could be removed from site and the land restored to its previous state. As such, in addition to being regarded as appropriate development, the proposed buildings would not have a significant adverse impact upon the openness and character of the Green Belt. Therefore, the proposed development would be in accordance with both Policy OL1/2 of the Bury Unitary Development Plan and paragraph 89 of the NPPF.

Paragraph 90 of the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

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

Policy OL1/5 states that within the Green Belt, other development will be inappropriate

unless it maintains openness and would not conflict with the purposes of including land within the Green Belt.

Recent case law has concluded that the list of forms of development in paragraph 90 of the NPPF is a 'closed list'. In other words, if the proposed development does not fall within the list it should be regarded as inappropriate development. The use of land as a camp site does not fall within this list and as such, is inappropriate development.

Where inappropriate development is proposed in the Green Belt, it is for the applicant to demonstrate a case for very special circumstances which would outweigh any in-principle harm and additional harm caused to the Green Belt. The applicant has put forward the following very special circumstances:

- The development is in accordance with guidance elsewhere in the NPPF which promotes the development and diversification of agricultural and other rural industries and supports the provision of and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met (para 28). There are no camp sites in Bury or neighbouring Rossendale and the provision of the camping facility will be a significant asset to the area.
- The site is in a sustainable location close to main roads, bus routes and facilities such as shops and restaurants in Ramsbottom.
- There is no need to prove special circumstances for the intended three small structures on the land. The granting of planning permission will enable the structures to be sited and camping to take place on more than the permitted 28 days per year.
- The degree of harm caused by the proposed use for camping is minimal as the appearance of the field will not be permanently changed and its open character will be retained.
- The field will continue to be used for grazing. Only part of the field will be occupied by a relatively small number of tents on a limited number of days per year.
- The field can be seen from the valley to the west but it is screened from other directions by the contours of the land and trees. The visual impact of the tents will be minimal.

The proposed use of the field as a camp site would promote rural diversification and would provide camping accommodation for visitors to the area. There is an extremely limited provision of camping facilities in Bury and the wider area. Currently the nearest camp site is at Burrs Country Park but this has limited pitches and is used in connection with the caravan site. As such, the proposed development would extend the range of available visitor accommodation and would address a distinct shortage of camping pitches in Bury and the wider area. As confirmed above, the proposed buildings alone would be appropriate development as they would be required for outdoor recreation. The tents would be present for a limited time and would be removed after use and the proposed buildings are removable. As such, the character of the area would not be permanently affected by the proposal and would be maintained as an open field. The proposed tents would only be visible from the west, due to the topography of the land and only for a limited time. As such, the proposed development would not have a significantly adverse impact upon the openness of the Green Belt.

It is considered that when the factors put forward by the applicant are considered cumulatively, they do amount to very special circumstances to outweigh the harm to the openness and character of the Green Belt. Therefore, the proposed development would also be in accordance with Policy OL1/5 of the Bury Unitary Development Plan and paragraph 90 of the NPPF.

Design and layout - The proposed buildings would be located along the northern boundary of the site and would cover 10.5 square metres in total. The proposed buildings would be clad in timber, which would be acceptable. The existing timber post and rail fencing would be retained and would be appropriate. The proposed development would provide an area of hardstanding, which would be constructed from gravel and this would be an appropriate material for the location. The proposed development would be considered to be acceptable for tents only and not motor homes and will be conditioned as such. This would minimise

the visual impact of the proposed development. Therefore, the proposed development would not be a prominent feature in the locality and would be in accordance with Policies OL1/2 and EN1/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - Policy EN7/2 states that the Council will not permit development which could lead to an unacceptable noise nuisance to nearby occupiers. The proposed development would provide a camping site, which would be 46 metres from the nearest residential property. The proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties through noise. Therefore, the proposed development would be in accordance with Policy EN7/2 of the Unitary Development Plan.

The neighbouring residents have objected to the noise associated with the events that have taken place at the site. The events do not form part of this planning application and are permitted for up to 28 days in a year under Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Highways issues - The proposed development would be accessed from Leaches Road, which connects Whalley Road to Bolton Road North. The proposed development would provide an area of hardstanding, which would be used for parking during bad weather and would assist in preventing mud from passing onto the highway.

The use of motorhomes would be problematical from a highways perspective due to the narrowness of the lane and as such, a condition to prevent their use would be included. However, the use of the lane for other users and pedestrians must be taken into consideration and three passing places were identified on a plan in the vicinity of the site. However, it has been pointed out that the passing places are not within the adopted highway and are not within the applicant's control to ensure availability. However, passing places could still be delivered using the applicant's land and on this basis, the Traffic Section have no objections, subject to the inclusion of conditions relating to passing places, means of access and the provision of the gravel area.

It should be noted that the access onto Bolton Road North passes over a bridge, which is not safe or suitable for use by vehicles. As such, the requirement for all visitors to use Leaches Road would be the subject of a condition. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies of the Bury Unitary Development Plan.

Parking - SPD11 states that the maximum parking standards for outdoor recreation are based upon individual consideration.

It is envisaged that campers would park their vehicles adjacent to the tents while camping on site. As such, there would be capacity on site to accommodate 20 tents and 20 parking spaces. Were parking to take place on the highway, the highway is adopted and therefore could be subject to a traffic regulation order, which could effectively prohibit parking on the highway. The Highways Officer has not insisted that this would be required for the scale of development proposed. The proposed area of hardstanding would be used for parking during periods of bad weather and a a point of service type area. Therefore, the level of parking provision for the development is considered to be acceptable in this instance and would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Response to objectors

It is clear that the proposals have raised a significant amount of interest both for and against the proposals. However, some of the issues raised are not relevant to the application and have therefore no weight to be attributed. On the other hand, other points are clearly relevant and have been duly set out in the report.

The remaining issues that are outstanding arising from objectors are set out below and the

planning response to these issues.

- The objections relating to noise from parties and events and the traffic associated with such events are not material considerations for this application. The use of the tipi for functions and events does not form part of the application being considered and is permitted for up to 28 days in a year under Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- The use of the toilets and shower blocks relates to the use of the camp site. There is no planning reason to prevent their use in conjunction with the events, providing the events are permitted in accordance with Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- The site has been used for camping and events previously and this was permitted under Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. As such, the application is not retrospective.
- The issues of the alternative access, loss of privacy, impact upon residential amenity, noise, the impact on the Green Belt, passing places, visual impact of the hardstanding, highway safety and parking have been addressed in the report above.
- The issues of loss of view, loss of value to properties and whether the applicant has public liability insurance are not material planning considerations and cannot be taken into consideration.
- The licensing and planning functions are separate regimes and must remain so. The Licensing Section are aware of the events taking place.
- The Council can only consider the application as submitted.
- Condition relating to audible noise would not meet the 6 tests within NPPG.
- The use of the toilets and shower blocks relates to the use of the camp site. There is no planning reason to prevent their use in conjunction with the events, providing the events are permitted in accordance with Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- The proposed shower/wc buildings would be 46 metres away from the nearest residential properties and this distance is considered as a planning judgement to be acceptable in terms of the impact upon residential amenity. The proposed buildings are movable and can be positioned anywhere within the application site. But there is no planning reason not to accept the current position.
- Policy H3 and Policy H3/1 are not referenced within the report as the application site is not a purely residential area. There are residential properties nearby but the area is considered to be rural in character with a mixture of uses. The impact upon residential amenity has been assessed within the main report

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

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

in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

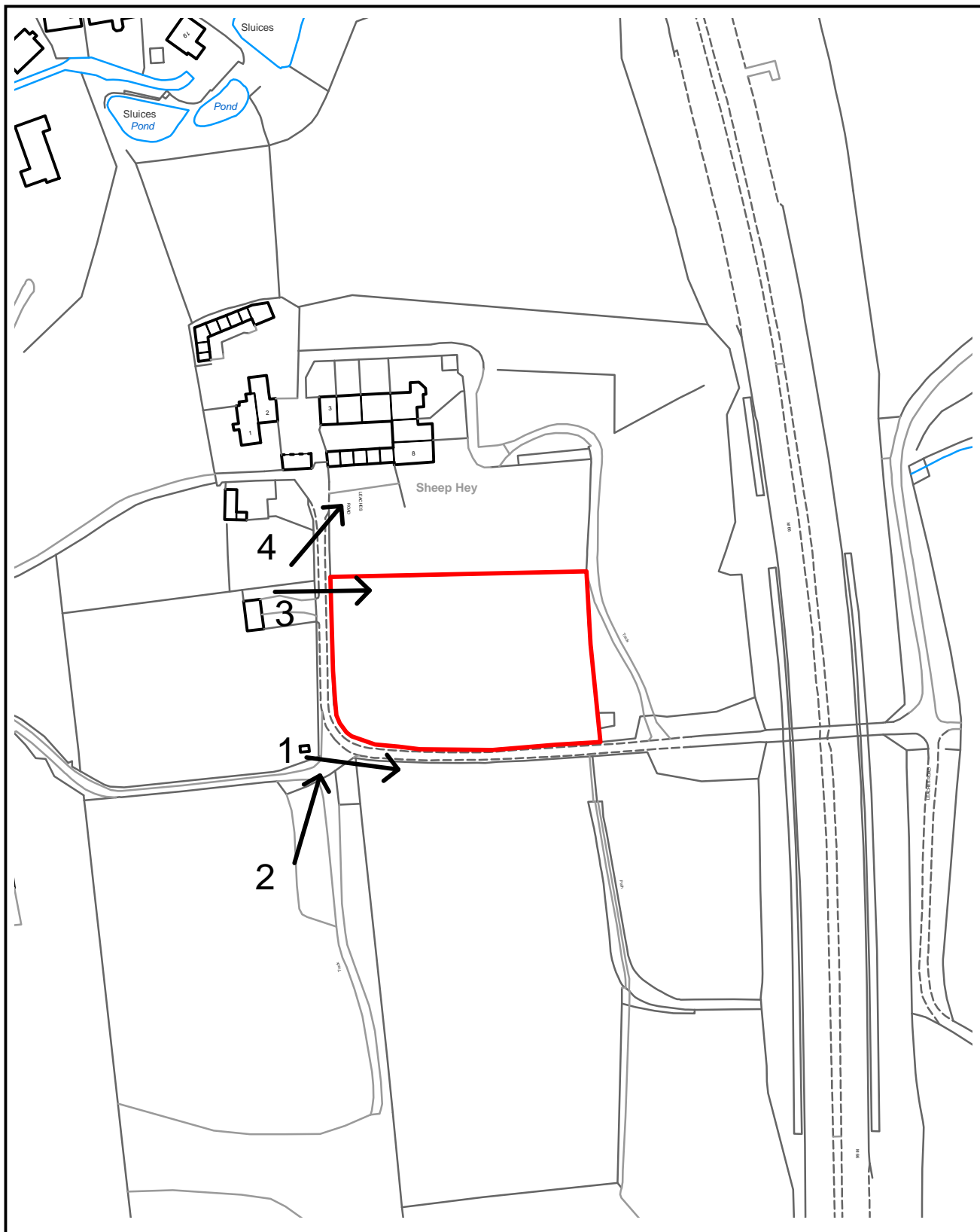
Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location plan, 15/188/01A, 15/188/02 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the materials to be used in the hardstanding, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
4. There shall be no external lighting to the camp site at any time other than for emergency purposes.
Reason. In the interests of residential amenity pursuant to Policy EN1/2 of the Bury Unitary Development Plan.
5. No development shall commence unless or until, details of the refuse storage facilities indicated on have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development hereby approved being first used and maintained thereafter.
Reason. No details have been provided and in order to ensure that the development would maintain adequate facilities for the storage of waste, including recycling containers, in the interests of amenity and pursuant to Policy RT4/3 - Visitor Accommodation of the Bury Unitary Development Plan.
6. 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. No details have been submitted and 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.

7. All foul drainage shall be contained within a sealed and watertight tank, which shall be emptied at least once a week.
Reason: To protect the residential amenity of the neighbouring properties pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.
8. The only means of access to the site shall be from Leaches Road only.
Reason: To ensure a satisfactory means of access to the site pursuant to Policy EN1/2 - Townscape and Built Environment of the Bury Unitary Development Plan.
9. A scheme of vehicular passing places appropriate for a design speed of 20mph shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and be available for use prior to the camp site approved being brought into use.
Reason: To ensure good highway design in the interests of road safety pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
10. The gravel area indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the camp site hereby approved being brought into use.
Reason: To ensure adequate off street facilities in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development and EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
11. The camp site hereby approved shall not be used by motorhomes or caravans.
Reason: To reduce the visual impact of the development and in the interests of highway safety pursuant to Policies EN1/1 - Visual Amenity and EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan and Section 9 of the National Planning Policy Framework.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59550

**ADDRESS: The Paddock
Sheep Hey Farm
Leaches Road
Shuttleworth**
Planning, Environmental and Regulatory Services



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

59550

Photo 1



Photo 2

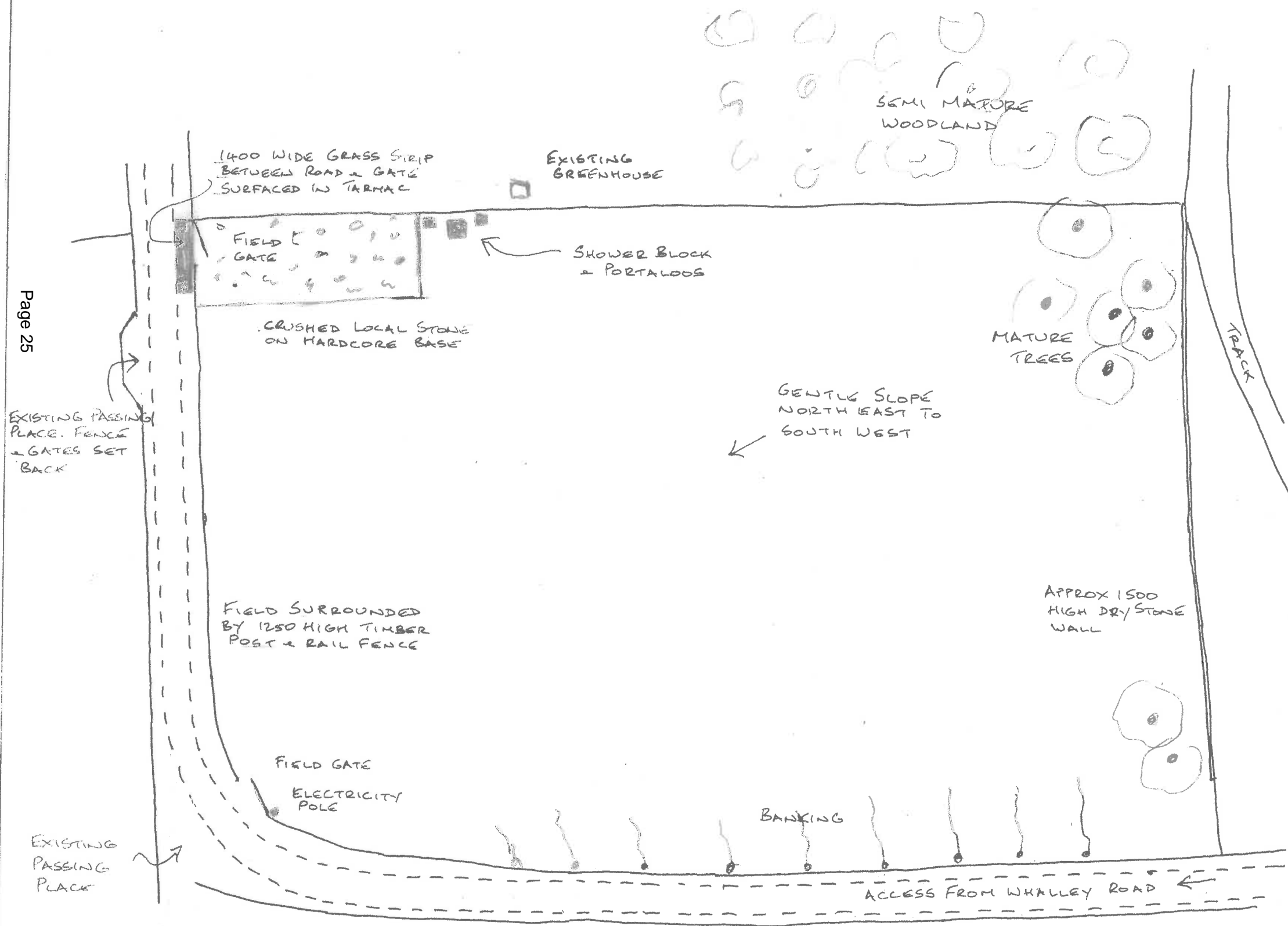


Photo 3



Photo 4





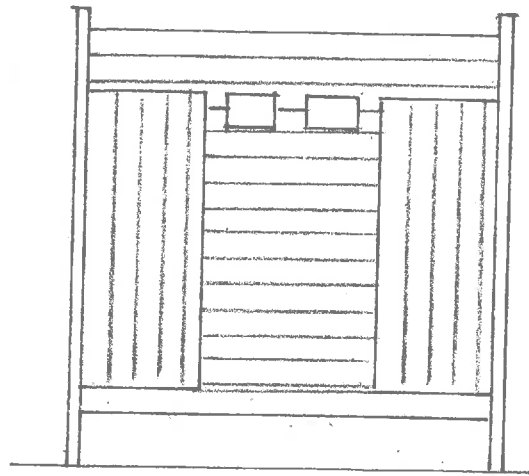
1A LAYOUT PLAN

14/02/16 DETAILS AMENDED
4/12/15

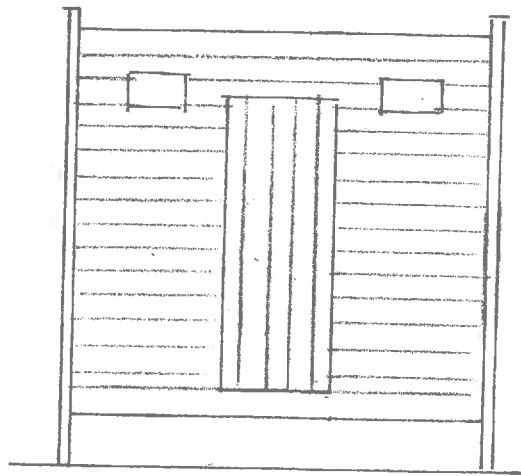
15/188/01A

USE OF FIELD FOR CAMPING
SHEEPHEY FARM, LEACHES ROAD, SHUTTLEWORTH

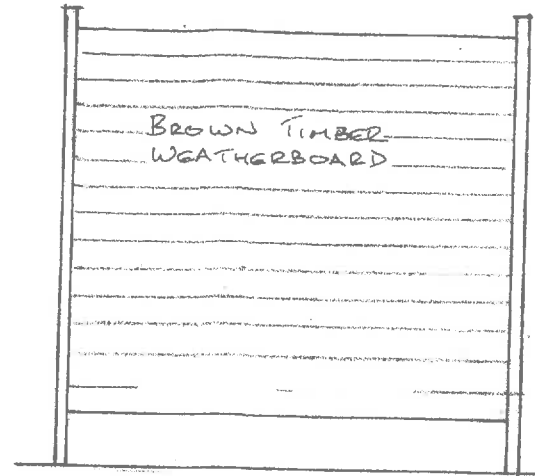
SCALE 1:500 @ A3



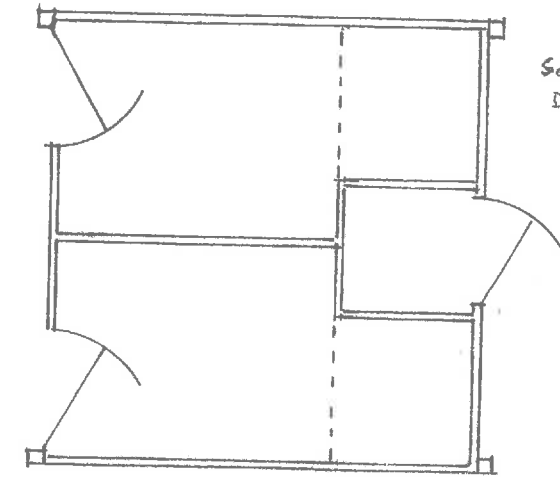
FRONT ELEVATION
SHOWER BLOCK



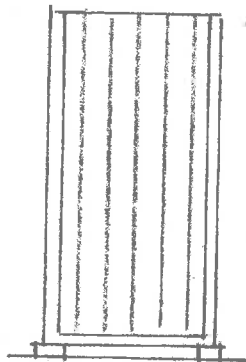
REAR



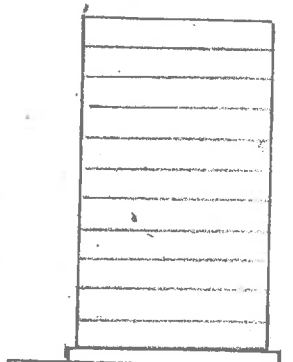
SIDES



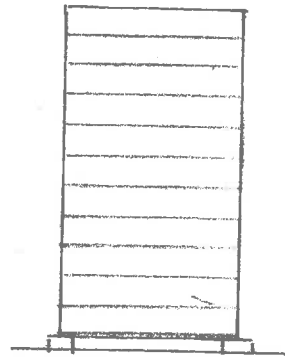
PLAN



FRONT
TOILETS

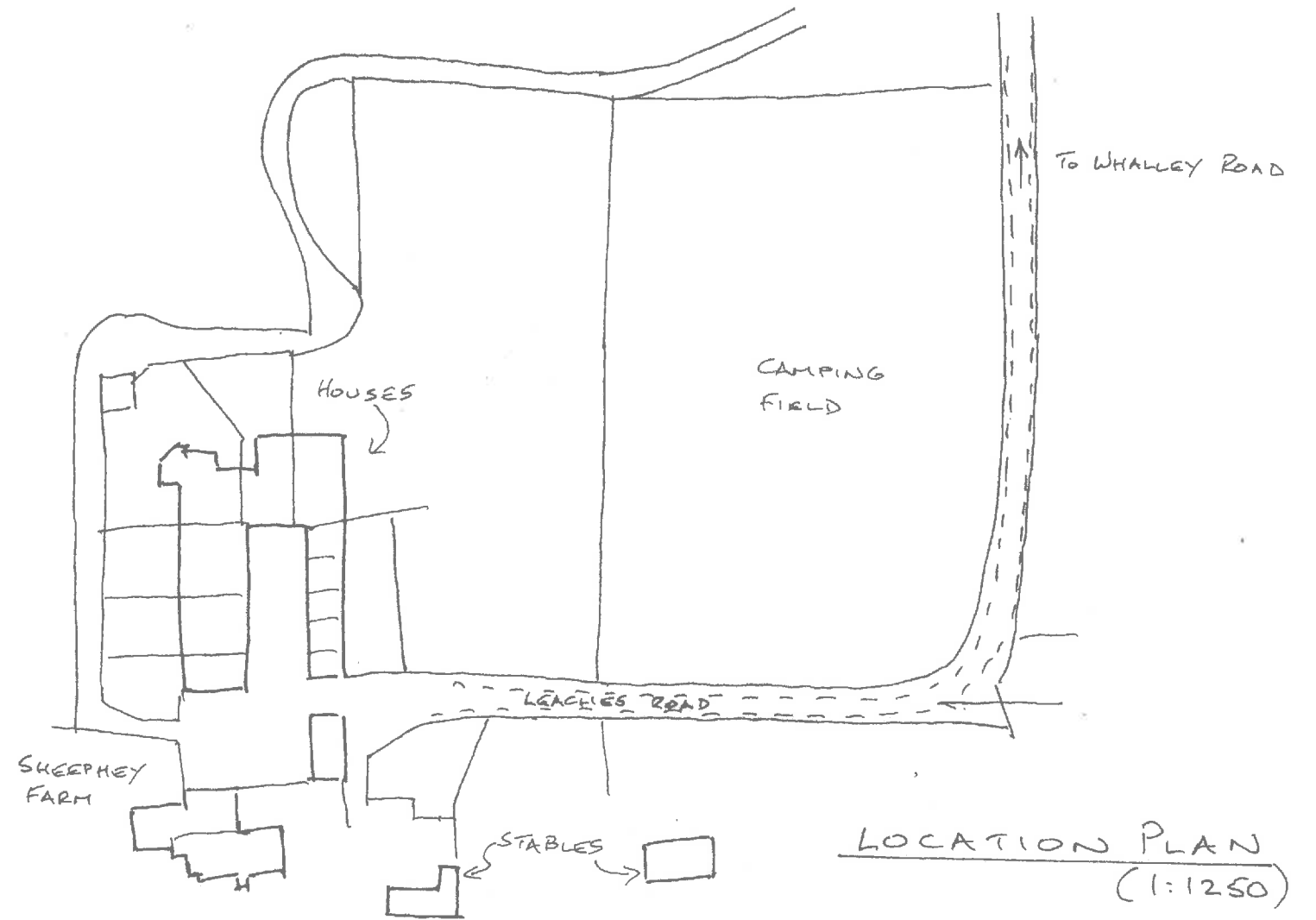


SIDES



REAR

2. PLAN & ELEVATIONS



4/12/15

15/188/02

USE OF FIELD FOR CAMPING

SHEEPHEY FARM, LEACHES ROAD, SHUTTLEWORTH

SCALE 1:50 @ A3

Ward: Whitefield + Unsworth - Pilkington Park

Item 02

Applicant: Mr H Haris

Location: 260 Bury New Road, Whitefield, Manchester, M45 8QN

Proposal: Change of use from bank (Class A2) to restaurant and bar (Class A3/A4), single storey extension at the side and rear; associated parking.

Application Ref: 59661/Full

Target Date: 11/05/2016

Recommendation: Approve with Conditions

Description

The application relates to a vacant building which is located in the Whitefield District Shopping Centre and the All Saints Conservation Area. It is separated from the commercial premises to the south by an access road, and from shops and the Metro Link to the north and east by an unmade cobbled strip of land which is within the applicant's ownership and currently inaccessible to cars. Opposite to the west is a row of Victorian terraced properties which includes office, residential and business accommodation.

The building itself is a 1930's single storey detached build which fronts onto Bury New Road and formally operated as a bank (Use Class A2). Whilst it is not listed, the building is of notable architectural merit, specifically mentioned in the Conservation Area Appraisal and Management Plan as an important landmark building of significance. It is particularly noted for its limestone construction and domed corner roof, and has a strong vertical emphasis with elongated timber windows and decorated stone lintels.

The application seeks the change of use from a bank (Class A2) to a mix use development of restaurant and bar.

It is proposed to add two single storey extensions, to the side and rear to extend the kitchen and provide a disabled toilet. It is also proposed to increase the size of the 3 existing windows on the front elevation of the southern part of the building.

Access to the restaurant would be through the existing main entrance off Bury New Road. It is proposed to provide parking for 20 cars on the strip of land which runs linear to the rear of the building which is in the applicant's ownership. Vehicular access to this area is currently restricted.

Hours of opening are proposed as 12:00 to 11pm daily.

Relevant Planning History

01701/E - Change of use of former Nat West Bank to Class A1 (shop) and / or Class A3 (food & drink) - Enquiry completed 26/08/2015

01713/E - Proposed change of use from bank to bar/restaurant - Enquiry completed 26/08/2015

Publicity

33 letters sent on 18/3/16 to properties at Nos 211-229 (odds) and 246-256, 262a, 262, 264 Bury New Road; Nos 69,71,73,75 Nuttall Avenue; Stanley Road and Moss Lane Trading Estate.

One letter of objection received from No 248 Bury New Road which raises the following issues:

- Bury New Road is busier than the M6, used by juggernauts, tankers, car transporters, buses, lorries and local cars, vans etc;
- Carried out a survey and in 15 mins, 23 juggernauts/tankers passed my home - this does not include trips by smaller vehicles/buses/lorries etc;
- Before permission is granted, pollution levels should be ascertained (hydrogen dioxide/carcogenic particles);
- Whitefield already has too many eateries - cause nightly noise, generate litter. Bins are not secured and encourages rats;
- The car park is in a dangerous place - pedestrians safety is risked to access Morrison's and the metro already;
- Work has been progressing on this building, believe as a wine bar - is it already a 'fait accompli'?

Amended letters sent on 15/4/16 to notify neighbours of proposed single storey extensions.

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

Consultations

Traffic Section - No objection subject to conditions.

Environmental Health Pollution Control - The application does not include a ventilation/extraction system. A condition to submit a scheme and details would be included. and as such the Section has no comments to make at this time.

Waste Management Section - No objection.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
S3/3	Improvement and Enhancement (All Centres)
S2/6	Food and Drink
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
EC4/1	Small Businesses
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 of the use - The proposal involves the change of use of a vacant, former bank to a restaurant and bar. Restaurants and bars are defined in the UDP as a 'main town centre use' and main town centre uses are also defined as a form of economic development.

The core planning principles of the NPPF include the need for planning to proactively drive and support sustainable economic development to deliver the thriving places that the country needs and to promote the vitality of our main urban areas.

In building a strong and competitive economy, the NPPF highlights the Government's commitment to ensuring that planning does everything it can to support sustainable economic growth and that significant weight should be placed on the need to support economic growth through the planning system.

Policy S3/3 of the Unitary Development Plan specifies the Council will encourage the refurbishment and improvement of shopping centres within the Borough in order to actively promote the regeneration of these centres for retailing activities.

The building has been vacant for some time and the proposed development would introduce an active use, generating footfall to the area and contributing to the daytime and evening economy and wider vitality of Whitefield District Centre. The re-use of a vacant building would also serve to refurbish and improve the centre.

As such, the proposal is considered acceptable and would comply with UDP Policy S3/3 and the NPPF.

UDP Policy S2/6 - Food and Drink considers factors relating to local residential amenity, parking and servicing provisions, storage and refuse disposal and ventilation/extraction equipment, which are considered in the report below.

Conservation area - The premises are also located within the All Saints Conservation Area. Chapter 12 of the NPPF - Conserving and enhancing the historic environment (para 131) specifies that in determining planning applications, Local Planning Authorities should take account of -

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

UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control considers development to be acceptable which would preserve or enhance the special character or appearance of the area. The re-use of buildings within Conservation Areas will be encouraged, and which would make a positive contribution to the built environment, with regard had to any likely impact on the character or appearance of the area and the fabric of the existing building.

Proposed use and impact on the character of the conservation area - The proposal would redevelop a vacant building and its occupancy for a commercial venture would result in maintenance and works to the building which would secure the longevity and continued contribution to the economic vitality of the Conservation Area. As such, it is considered that the re-use of the building and its contribution to the area would continue to preserve the special character of the conservation area.

Design and appearance and impact on the conservation area - In terms of the proposed external works, the single storey extensions, located at the side and rear of the southern part of the building would not be visually prominent and would be designed to reflect the existing building. As the southern elevation is of lesser architectural note than the existing building, the proposed materials of rendered blockwork to an agreed colour are considered acceptable.

The existing windows on the southern part of the building are not of any particular design merit. The proposal to increase the size of the openings would add a contemporary and modern element which is considered would not only improve the appearance of this part of the building but would also read more coherently in response to the verticality and proportionality of the 3 windows in the original building.

As such, it is considered the external alterations and additions would not have a detrimental impact on the architectural merits of the building and would continue to preserve and also enhance the character of the conservation area and would comply with UDP Policies EN2/1 and EN2/2 and the NPPF.

Layout - The main entrance would be used to access the restaurant, with the majority of the public floor areas focused towards the front and centre of the building, with kitchen and back of house facilities towards the rear.

Externally, the footprint of the building already utilises most of the site area, although there would be scope for the addition of the extensions which would be located to the side and rear of the building.

The front of the building is set back from the pedestrian path, with an area of lawned grass and flagstones separating the front elevation of the building and this would be retained as existing.

The car park would be located at the rear, on the cobbled road which runs linear to the building, and where customers would park and walk round the side of the building to access the restaurant from the main entrance.

The proposed layout would essentially remain as existing and is therefore considered to be acceptable and would be in compliance with UDP Policies EN1/2 - Townscape and Built Design and S2/6 - Food and Drink.

Impact on residential amenity - The nearest residential properties are opposite the site on Bury New Road, 28m away.

The premises are within a District Shopping Centre and situated on a busy main road where there is already ongoing activity from a mix of commercial businesses and uses. Restaurants and bars are uses which are expected to be located in such centres. As a daytime use, it is considered that a restaurant/bar would not cause any more noise or disturbance than any other which operates in the town. Whilst the use would create more footfall and activity to the area at later hours, it is considered the position of the premises on the main road, with continual traffic movement and the comings and goings of people already patronising existing eateries and drinking establishments, would not generate undue additional noise and disturbance to local residents.

In terms of hours of operation, the applicant proposes midday to 11pm daily. These hours are not uncommon within town centres, and as a town centre location, it would be expected that activity would occur at later times of the day, than in purely residential areas.

An application to the Licensing Department would be required for the sale of alcohol from the premises, who operate under separate legislation and who would have the power to control any noise and disturbance complaints should they arise.

As such, it is considered that the use would not be significantly detrimental to the occupiers of nearby residential properties or business operators, and would be in compliance with UDP Policies EN7/2 - Noise Pollution, EN1/2 - Townscape and Built Design and S2/6 - Food and Drink.

Bin store and servicing - This would be located at the top end of the car park and would be accessed by the waste management team directly off Bury New Road. The plan shows the bins would be enclosed within a structure, although elevational details have not been provided. This can be conditioned.

The waste management team have raised no objection and as such the servicing requirements would be fulfilled.

External ventilation/extraction systems - The Design and Access Statement makes reference to the installation of an extraction system as well as repositioning the existing air conditioning units to the rear of the building. No details of these systems have been submitted on a layout or elevation plan.

As such, it is considered necessary and reasonable to include an condition that a scheme for the treatment of fumes and odours be submitted for approval prior to any commencement of development.

Parking and access - SPD11 - Parking Standards in Bury advises a maximum of 1 space per 7 sqm of public floor area, which would equate to approximately 26 spaces. These standards are maximum requirements, and it should be recognised that lower parking thresholds than those stipulated may be acceptable.

The application proposes 20 parking spaces which would be provided on the cobbled road to the rear of the premises, which is accessed directly off Bury New Road, and runs parallel to the metro line behind. The parking would be laid out in a linear formation along the cobbled road, with ample manoeuvring and turning capacity to exit safely out onto Bury New Road.

The site is in a highly sustainable location, which is well served by public transport, with additional parking available at the Park and Ride Metro Link Station. The provision of 20 designated spaces is therefore considered to adequately serve the scale of the development, in this particular location.

Response to objector -

- The proposed use would not cause a significant increase in traffic to the area, given its previous use as a bank which would generate traffic and vehicular trips, the scale of the development and its sustainable location in a town centre.
- The restaurant use would not generate litter from members of the public visiting the premises. Adequate bin store provision would be provided for the use.
- The car park would be located directly to the rear of the premises and accessed via the existing pedestrian footpath which would not cause pedestrian safety issues.
- Information on extraction/ventilation systems would be required by condition.

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 Ground floor plan as proposed 0.01B; Internal floor plans and elevations 0.02C 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 and sample panel of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted

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

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.

4. No works shall be carried out to the 3 windows on the front elevation of the existing extension, as shown on the approved plan, unless and until details of the extent of the proposed glazing and materials to be used in the surround have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the details hereby approved and thereafter maintained.

Reason. Information has not been submitted at application stage, in the interests of visual amenity pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.

5. The use hereby permitted shall not be open to customers outside the following times: 12:00 to 23.00 daily.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EN1/2 - Townscape and Built Design and S2/6 – Food and Drink of the Bury Unitary Development Plan.

6. No development shall commence unless and until details of the bin store hereby approved have been submitted to and approved by the Local Planning Authority. The approved details only shall be implemented and thereafter maintained, and the bin store made available for use prior to the commencement of the use hereby approved.

Reason. Information has not been submitted at application stage in the interests of visual amenity and to ensure adequate bin storage facilities and provided for the development, pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and S2/6 - Food and Drink.

7. In relation to the parking area shown on the approved plan, the existing cobbles shall be retained, and no development shall commence unless and until a scheme for the demarcation of the parking area and timetable of its implementation has been submitted to and approved by the Local Planning Authority. The approved scheme and timetable only shall be implemented and made available for use to the written satisfaction of the Local Planning Authority prior to the use hereby approved commencing and thereafter maintained at all times.

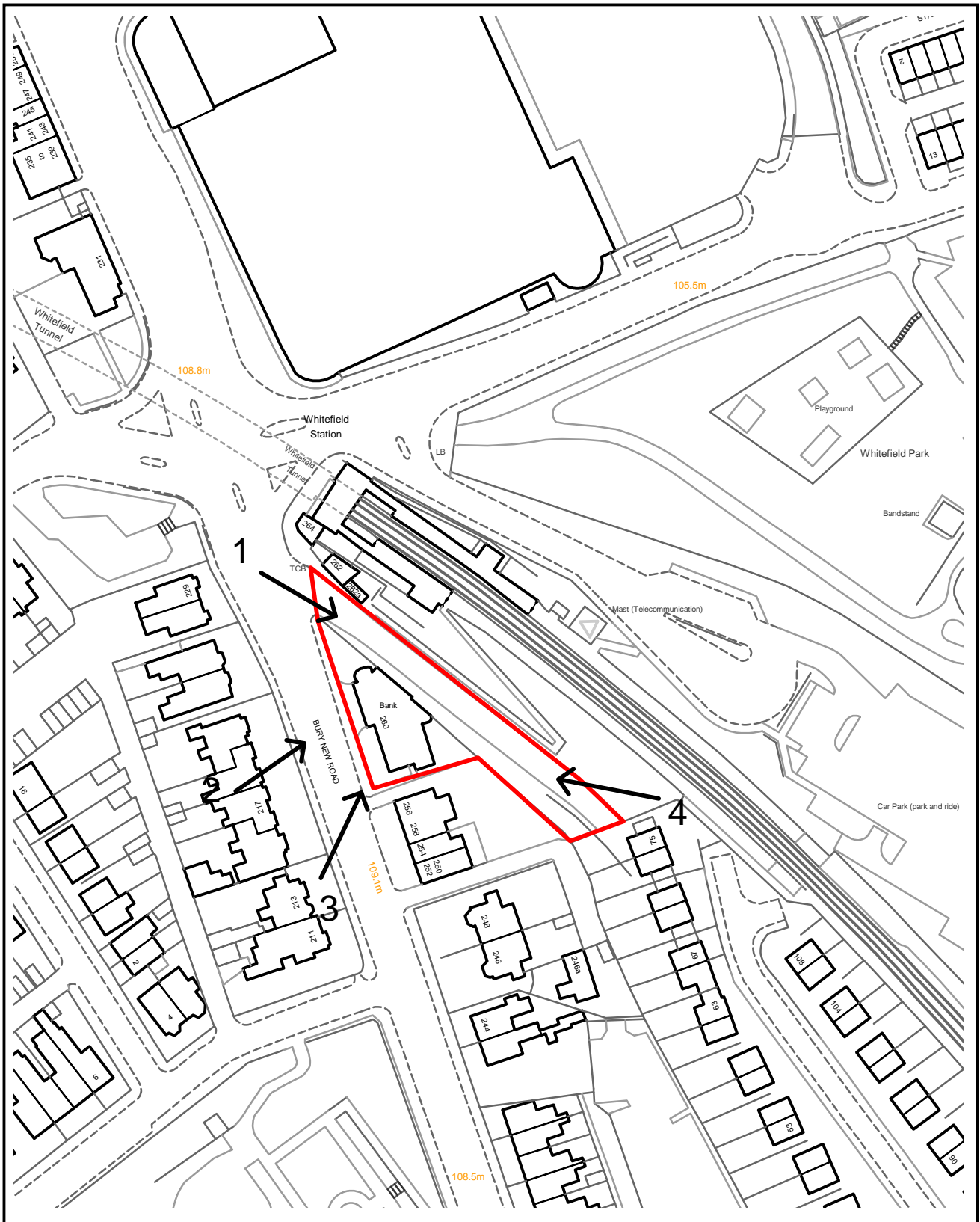
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development and to preserve the character of the Conservation Area pursuant to EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the Bury Unitary Development Plan.

8. No development shall commence unless and until a scheme for treating, diluting and dispersing fumes and odours has been submitted to and approved in writing by the Local Planning Authority. The scheme submitted shall include a written statement from a suitably qualified person who is a member of the Heating and Ventilation Contractors Association (HVCA) or an equivalent professional body, stating that the fume treatment to be installed complies with or exceeds the 'Minimum Requirements For Odour Control' provided by the Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems :DEFRA 2005 (or if applicable such superseding guidance as shall prevail at the time of commencement of the development). The scheme to be submitted shall also include the relevant manufacturer and installer instructions for any associated equipment with details of maintenance requirements.

The scheme as approved shall be implemented, available for use and maintained in accordance with the approved scheme whilst it shall serve the development. Reason. Information has not been submitted at application stage, to ensure adequate protection of the residential amenities of nearby residential property from impact upon from fumes and odour pursuant to UDP Policy S2/6 - Food and Drink.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59661

ADDRESS: 260 Bury new Road
Whitefield

Planning, Environmental and Regulatory Services

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59661

Photo 1



Photo 2



Photo 3

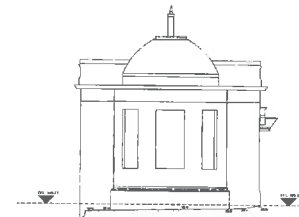


Photo 4

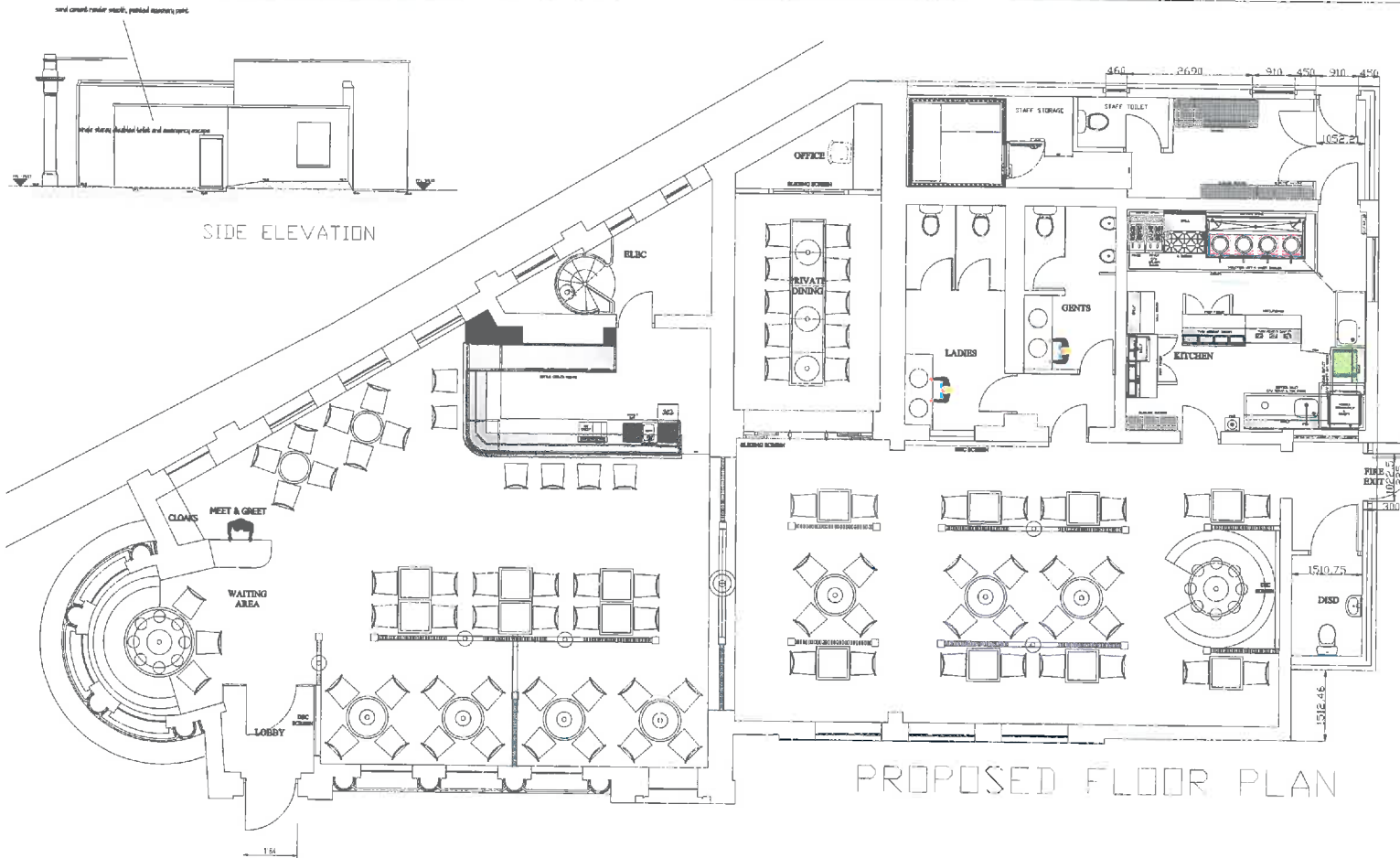


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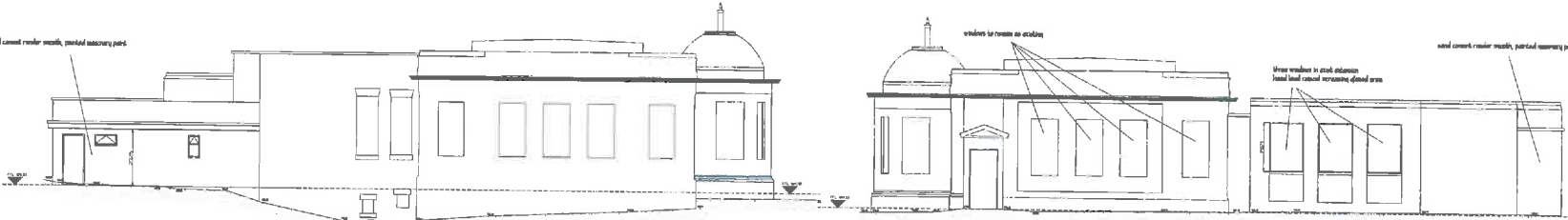
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SIDE ELEVATION



PROPOSED FLOOR PLAN



REAR ELEVATION

FRONT ELEVATION

REVISIONS DRAWN CHECKED

SCALE DATE

1/100 PBC/ib

CLIENT

TITLE

260 PLY NEW ROAD WHITEFIELD PLY 1425 6142

PROPOSED CHANGE OF USE FROM BANK TO RESTAURANT & CLUBS SINGLE STOREY EXTENSION
AS BEING SERVED BY EXISTING AND SINGLE STOREY EXTENSION AT FRONT SITE TO ACCOMMODATE
NEW PARKED PERSONS VEHICLE

INTERNAL FLOOR PLANS AND ELEVATIONS

DRAWING No.

0102

Ward: Prestwich - Sedgley

Item 03

Applicant: Windsor Lettings Ltd

Location: Rico House, George Street, Prestwich, Manchester, M25 9WS

Proposal: Erection of extension to create a mansard roof to provide additional floor to existing building; external covered staircase; Creation of 15 no. car parking & 10 cycling spaces

Application Ref: 59756/Full

Target Date: 25/04/2016

Recommendation: Approve with Conditions

Description

The application relates to an existing office building which is located within the Mountheath Employment Generating Area under UDP Policy EC2/1. Directly opposite to the north are 2 storey residential terraced properties, adjacent to the east is a vacant plot of land and to the west, an overgrown and vegetated site, beyond which is hotel and leisure club. To the rear is the Mountheath Industrial Park which accommodates a mix of commercial and industrial type units in B1, B2 and B8 uses.

The office building is split level, being 2 storey fronting George Street and 3 storey at the rear. It has a flat roof and 2 external fire escape staircases on each gable.

The site provides 46 parking spaces, with echelon parking in front of the building and the main car park at the rear, accessed through a set of gates. Access into the site is via an entrance and exit only system at either ends of the site directly off George Street. The site is bounded by a palisade fence to the sides and rear with a grass verge to the front.

The application seeks to increase the height of the building by 3.3m to provide an additional storey for office floorspace, resulting in a 3 storey building at the front and 4 storeys at the rear. The roof would have a mansard design, finished in grey metal, with dormer style windows in a fenestration pattern to match the existing elevations. It is also proposed to replace the external staircases which would be enclosed by a steel framed weather protection structure.

Boundary treatment would comprise a 2m high replacement metal fence to the south, east and west and the erection of a 1m high metal hoop boundary fence.

Parking provision on site would increase by 15 spaces with 10 cycle spaces created.

Relevant Planning History

01696/E - Proposed new floor to existing building - Enquiry completed 30/07/2015

Publicity

23 letters sent on 1/3/2016 to properties at Nos 6-46 (evens) George Street, Lyndhurst George Street, and Village Workshops Mountheath Industrial Estate.

Site notice posted 16/3/2016.

Two letters of objection received from Nos 14, 16 George Street

- Parking on George Street has become a serious issue during working hours as a result of the volume of cars that visit the offices;
- Local residents find we are unable to park outside our properties between 9am and

- 6pm;
- Unlikely the creation of extra parking will compensate for the office extension when taking into account the additional floorspace and current problem;
- The added height will impact on the extent to which sunlight will reach many properties facing Rico House;
- The electric gate often malfunctions and prevents parking;
- Visitors cannot park at the rear as they do not have a fob for the gates;
- Management of the site is abysmal - the alarm regularly sounds, disturbing sleep, shutters are left open inviting crime;
- Management have not proactively engaged with residents in resolving issues;
- Privacy is a major concern;
- Should we build a loft, the proposed 3rd floor would have a direct view into the velux;
- restrict the pleasant views we have of the moors

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

Consultations

Traffic Section - No objection subject to conditions.

Greater Manchester Ecology Unit - No objection subject to conditions.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EC2/1	Employment Generating Areas
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN6	Conservation of the Natural Environment
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
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 site is located within an Employment Generating Area, under UDP Policy EC2/1, where uses for B1 Business/Offices, B2 General Industrial and B8 Storage or Distribution are supported.

The proposal is to extend the building for B1 office use and as such the development would be acceptable in policy land use terms and in accordance with UDP Policy EC2/1.

UDP Policy EC6/1 - Assessing New Business, Industrial and Commercial Development considers factors including scale, size, density, layout, height and materials; access and parking provision; landscaping and boundary treatment; effect on neighbouring properties and safety of employees, visitors and adjacent occupiers.

These issues and the acceptability of the details of the scheme are discussed in the report below.

Layout - The layout of the site would essentially remain the same as the existing arrangement, with 2 access points off George Street, parking at the front and rear and new boundary treatment.

The echelon spaces in front of the building would be rotated so that they would be angled at 45 degrees due to the narrow width of the aisle between these spaces and the 5 proposed parallel spaces opposite. The existing vehicular access arrangement into the site would be reversed, with the 'in' located to the west and 'out' to the east of the site.

The remaining 4 parking spaces would be located to the western side of the building and 2 spaces and cycle rack in the rear car park.

The 2m high boundary fence to the south, east and west would be replaced by a green metal fence, and a new 1m high metal barrier to the front boundary erected, to delineate the site and protect pedestrians from vehicle encroachment.

Two new covered external staircases on the gable ends would offer weather protection to the emergency access and would improve the safe use of the stairwell.

As such, it is considered the proposed layout would be acceptable and would offer a workable solution to facilitate the additional parking which is to be provided, and would therefore comply with UDP Policies EN1/2 and EC6/1.

Design and appearance - The additional floor would have a Mansard type roof (hipped at an angle of 70 degrees) constructed of steel frame cladding with a lightweight insulated roof and grey wall panels. The windows would be flat roof dormer style and set directly above the existing windows on the lower floors to reflect the fenestration patterns of the building.

The new external staircases would have a hipped roof for weather protection purposes, which would be enclosed by a see-through steel structure.

The design and appearance of the proposed extension is considered to be in keeping with the existing build, and appropriate within the context of a Trading Estate and in the EGA, and as such would comply with EN1/2 and EC6/1.

Residential amenity - The nearest properties which would be affected by the proposed development are opposite the site on George Street.

In terms of assessing separation distances, there are no set standards for this type of development. Whilst SPD6 contains supplementary guidance to assess relationships between extended residential properties, it is a useful yardstick and tool to consider the potential impact on other types of extended properties. Generally, a separation of 20m is required between facing habitable room windows. Where there is a difference in levels or additional storeys, usually an additional 3m would be sought.

The houses on George Street are 2 storey in height. The proposed development would result in a 3 storey building on the front elevation facing these properties. As such, a separation distance of 23m would be sought. There would be 30m between the houses and the development site, and as such, it is considered there would be a satisfactory intervening distance.

The residents have raised the issue that the development would result in an unacceptable increase in traffic and add to the already congested on street parking.

The additional office space would enable more staff to be employed at the site, which would in turn generate more vehicular trips and traffic to the area. However, the scale of the development would not be especially considerable in comparison to the overall floor space of the existing building, or other premises within the EGA for that matter, which could generate significantly more traffic, and be of a heavier goods type vehicle.

As such, it is considered that the proposed development would not have a detrimental impact on the occupiers of residential amenity and would comply with UDP Policy EC6/1 and SPD6.

In terms of parking, the objectors have cited issues with the current parking arrangements on site and especially problems accessing the rear car park, which causes staff to park on the street, thereby hampering parking for local residents. This is discussed in the parking section below.

Parking - Supplementary Planning Document 11 - Parking Standards in Bury advises maximum parking provision of 1 space per 35 sqm for a B1 office use.

For the existing B1 office of 1100 sqm, and to be compliant with SPD11, 32 parking spaces would be required. There are currently 46 provided on site.

For the proposed extension of 300 sqm of B1 floor area, an additional 9 spaces would be required.

The existing and proposed floor area together would require 41 spaces.

The application proposes to provide 15 spaces, resulting in 61 spaces in total, 9 of which would be located to the front of the building and 6 to the side and rear. The provision of a secure bike stand for 10 cycles would also encourage employees to adopt sustainable transportation methods which should be encouraged, and particularly as there are large residential communities in the close vicinity.

The site is also near to a busy District Shopping Centre and within a short walk of a main route through the Borough and frequent bus services.

As such, the proposed development would more than satisfy parking requirements. The Highway's Section have raised no objection subject to conditions and as such the proposals would comply with HT2/4 and SPD11.

In terms of the management of the site, this is the responsibility of the applicant. Given the numbers of staff who populate the building and that the site can adequately provide for the existing and proposed needs of the business, it would be sensible for the applicant to ensure all parking be available for use, at all times.

Ecology - GMEU have been consulted on the application and are satisfied that adequate information has been submitted, recommending informatives to the applicant on the following:

Bats - The building was inspected for its bat roosting potential. No evidence of bats was found and the building assessed as having only very low bat roosting potential.

Nesting birds - The only other likely ecological constraint is nesting birds. The building has been assessed as low risk.

As such, the proposals are considered to be acceptable and no other further surveys are required.

Response to objectors -

- The management of the site and engagement of the applicant with local residents are not material planning considerations;
- The issues raised regarding parking, traffic generation and proximity of the proposed building to residential properties has been covered in the above report.

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

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

Recommendation: Approve with Conditions

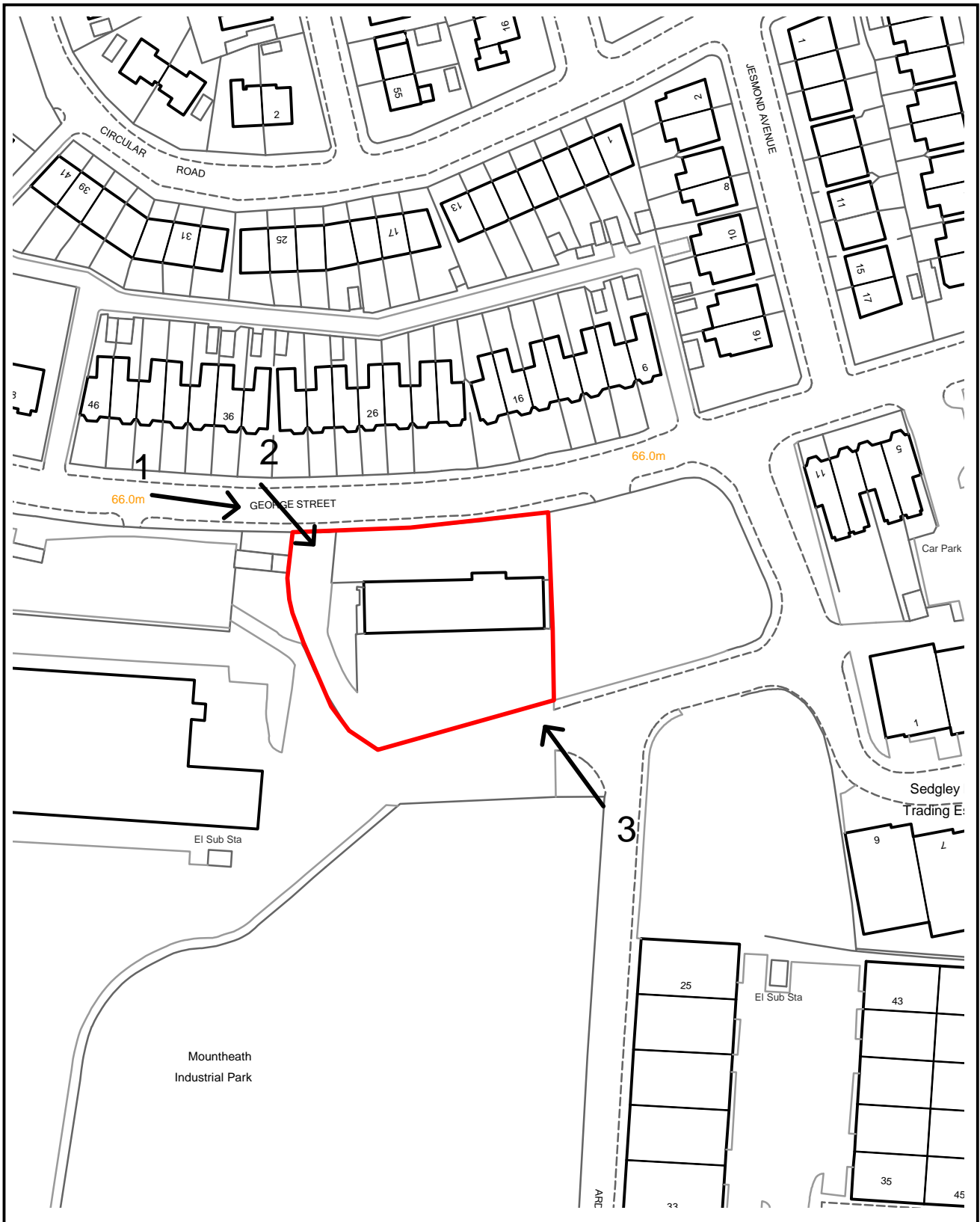
Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Proposed site layout and boundary treatments RHGS01 Rev C; Proposed floor plans and elevations RHGS02 Rev B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The external finishing materials for the proposal hereby approved shall be as annotated on the approved plan and as detailed in the application form.
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 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved in writing by the Local Planning Authority and shall confirm/provide the following:
 - Access route for construction traffic from the highway network;
 - Hours of operation and number of vehicle movements;
 - Arrangements 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 approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials.
Reason. No details have been submitted to mitigate the impact of construction traffic generated by the proposed development on the adjacent residential streets and 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 EC6/1 - Assessing New Business, Industrial and Commercial Development and EN1/2 - Townscape and Built Design.

5. The development hereby approved shall not be brought into use unless and until the revised car park information signs in accordance with Diagrams 833-836 of The Traffic Signs Regulations and General Directions 2002 indicated on approved plan reference RHGS 01 Revision C have been implemented to the written satisfaction of the Local Planning Authority. The approved signage shall thereafter be maintained.
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 EC6/1 - Assessing New Business, Industrial and Commercial Development and HT6/2 - Pedestrian/Vehicular Conflict.
6. The car and cycle parking indicated on the approved plan reference RHGS 01 Revision C shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies EC6/1 - Assessing New Business, Industrial and Commercial Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59756

**ADDRESS: Rico House
George Street
Prestwich**

Planning, Environmental and Regulatory Services



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59756

Photo 1

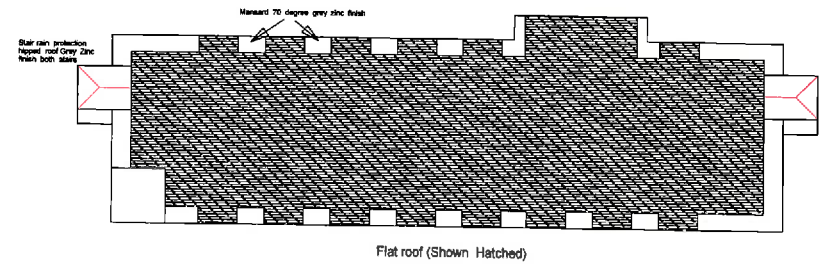
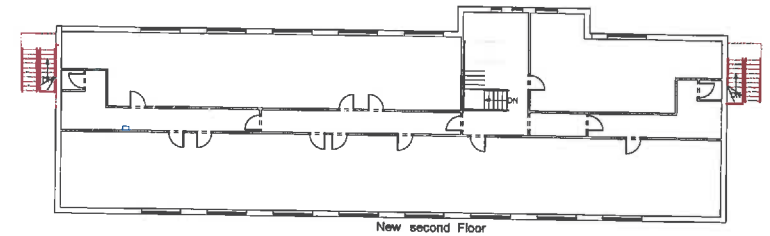
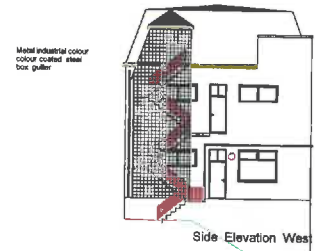
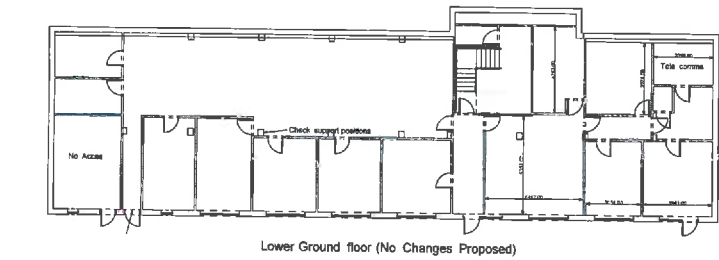
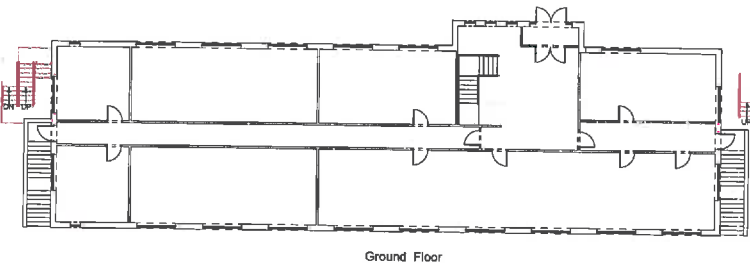
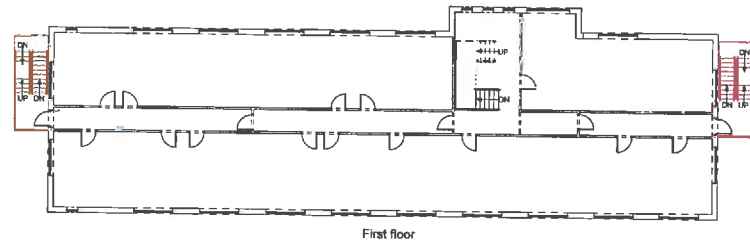
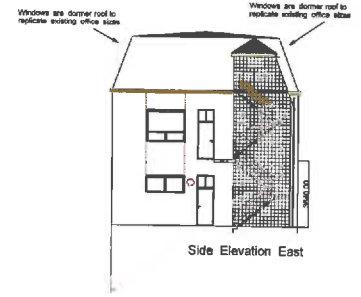
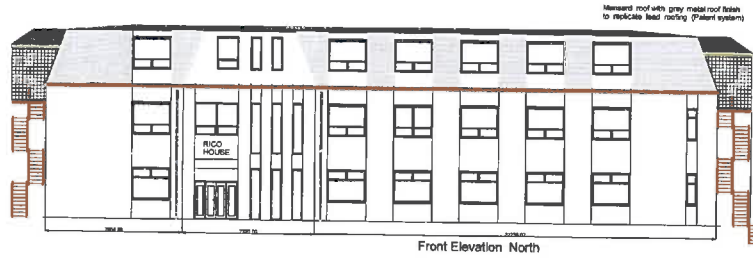


Photo 2



Photo 3

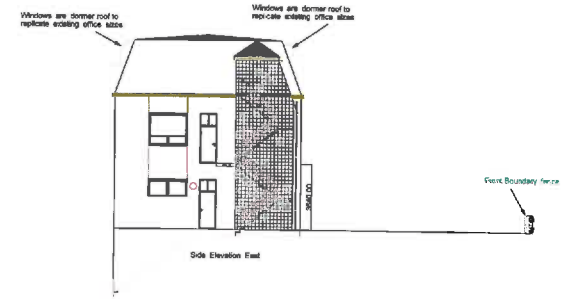




Proposed
Floor plans & Elevations
Drawing Number RHGS02 Rev B

Rico House
George Street
Prestwich
Manchester
M25 9WS

SCALE IN METRES SCALE 1:100 approx size A0
0 1 2 3 4 5 10 15 20

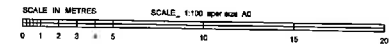


Example of proposed front boundary fencing

Proposed
Site Layout and boundary treatments
Drawing Number RHGS 01 Rev C

Fence & Cycle rack added

Rico House
George Street
Prestwich
Manchester
M25 9WS



Ward: Bury East - Moorside

Item 04

Applicant: Miller's Vanguard

Location: Ryalux Carpets, Mossfield Mill, Chesham Fold Road, Bury, BL9 6XJ

Proposal: Infilling of existing loading bay and extension of access road; Installation of vehicle wash bay

Application Ref: 59811/Full

Target Date: 18/05/2016

Recommendation: Approve with Conditions

Description

The application relates to an existing industrial/storage mill building which was formally used for the manufacture and distribution of carpet products. The building is set back into the site with a loading bay and car park to the south and western areas. There is a vehicular access off Rochdale Old Road which leads into the eastern part of the site, and which is separated from the remainder of the site by a grassed area in front of part of the building. There is another other access to the west off Chesham Fold Road. The site is bounded by a palisade fence.

Between the front of the site and Rochdale Old Road is a grassed area of land which has mature tree planting. To the east and west, the site is bounded by two roads Coppice Street and Chesham Fold Road, and to the north are residential properties which are slightly elevated above the site.

The site has recently been occupied by a company who provide maintenance and engineering of food service equipment, and who are looking to consolidate their business operations onto this one site.

In doing so, there are some alterations which are required. This application proposes the re-profiling of the existing loading bay, extension to the loading bay/internal access road, installation of 3 vehicle wash bays and a new roller shutter vehicular access door in the front elevation of the mill building.

Re-profiling of loading bay - The surface would be graded to a 1:60 crossfall to facilitate access into the warehouse by the company's vehicles. It would be re profiled with a granular sub base, incorporating a channel drain, and overlaid with tarmac.

Extension to loading bay and access road - The loading bay area would be extended to the same length as the existing, which would require removal of part of a grassed area. The access extension across this part of the site would enable vehicles to load and reload from the warehouse and exit the site more directly onto Chesham Fold Road.

Installation of 3 wash bays - These would be located to the eastern area of the site, on the footprint of part of the existing turning head to the access road and part of a grass verge area. The bays would be part enclosed by plastic separators. The wash facilities are required for the cleaning of the company's vehicles only, and to be used within their operational hours.

Roller shutter door - This would be located on the front of the building to provide a vehicular exit point via the extended loading bay/access road.

Relevant Planning History

None relevant.

Publicity

74 letters sent on 30/3/2016 to properties on Rochdale Old Road; Mossfield Close; Chesham Fold Road; Coppice Street; Bell Lane; Huntley Street.

One letter of objection received from No 42 Rochdale Old Road which raises the following issues:

- Been subjected to noise from machinery from tree shredding equipment as they have cut down the noise barrier trees between our houses and the industrial premises;
- The development would no doubt cause alot of extra noise of a permanent nature and we no longer benefit from a noise barrier;
- Appalled at the callous disregard for people living nearby and ask you abate this noise nuisance and do not allow the application to proceed.

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

Consultations

Traffic Section - No objection subject to condition.

Drainage Section - No objection subject to a condition.

Environmental Health Contaminated Land - To be reported in the Supplementary Agenda.

Unitary Development Plan and Policies

EC1/1	Land for Business (B1) (B2) (B8)
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
NPPF	National Planning Policy Framework
EN8/2	Woodland and Tree Planting

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 proposed alterations to the layout and building, and the incorporation of the wash bay facilities would enable the company to consolidate their business on one site and maximise the effectiveness and efficiency of their operations. The premises has an established industrial use which seeks to remain as an employment site, and as such the proposed development is acceptable in principle.

UDP Policy EC6/1 - Assessing New Business, Industrial and Commercial Development considers factors including scale, layout and size of development, access and parking provision, landscaping and boundary treatment, residential amenity and safety of employees and visitors. These issues are discussed below.

Layout - The extension to the loading bay area would be located adjacent to the existing servicing area and would require the removal of an area of grassed land and some re profiling of the land. The existing loading bay would be re profiled to the same 1:60 gradient, to enable access for the loading and unloading of deliveries by the company's vehicles.

The extension to this area would also facilitate an access route through the site which currently is not achievable, and this would improve vehicular circulation not only in and out of the site, but also around the building and would allow operations to be carried out more efficiently.

The 3 wash bays would be located to the east of the site at the end of the access road off Rochdale Old Road, on an area of land which currently forms part of a turning head and part of a grassed area. Whilst excavation works would also be required in this area, they would not be extensive and nor would they impede vehicular manoeuvres around this part of the site, given the improvements described above.

The insertion of a new roller shutter door on the front elevation would provide an exit point via the extended loading bay and access road, again improving vehicular flow around the site.

As such, it is considered that the proposed developments would improve the access and allow the company to operate to maximum capacity without detriment to safety of users or visitors to the site, and without requiring extensive engineering operations to be carried out.

The layout would therefore be acceptable and comply with UDP Policies EC6/1 and EN1/2.

Residential amenity and landscaping - The nearest residential properties are located directly opposite the site and to the east on Rochdale Old Road.

The proposed loading bay extension would be more than 80m away from those properties to the east and a significant distance away not to be affected. It would be no closer to the houses opposite than the existing service area, and given is an existing grass verge with mature tree planting and busy main road between the site boundary and these houses, it is considered there would not be an impact on their amenity.

The siting of the wash bays would be closest to No 67 Rochdale Road. However, there would be a separation distance of 32m. There is also a bund which runs along the eastern boundary and which would provide a buffer to this area of the site. The wash bays would only be used by the company's vehicles and for no other use outside of their own operations. Given the distance away and intervening area of land, it is considered that No 67 in particular and the houses to the east in general would not be affected by this part of the proposal.

Whilst the building, loading bays and servicing areas are set back into the site and mature trees along the frontage on Rochdale Old Road, these trees are outside the application boundary and only screen some of the site.

Within the site itself, the grassed area at the front and to the east has been cleared of all the trees and vegetation which not only contributed to the visual amenity of the area, but also screened the site from houses on Rochdale Old Road and Coppice Street.

As a cleared site, the area now appears exposed and stark in contrast to its former appearance. The resultant cleared area has left a raised embankment level with the surrounding highways, which is slightly elevated to the main hardstanding areas. Despite this, the embankment is certainly wide enough to accommodate replanting. This was also an issue raised by the objector. Being in agreement with the objector, it is therefore considered reasonable and appropriate that replacement planting be incorporated back, to provide some respite and 'softening' of the site in the streetscape, and screening from the surrounding houses. This would be sought by a condition should the application be approved.

Given the distance away from the surrounding properties and the intervening features, it is considered the proposed development would not detrimentally impact on the amenity of local residents, and would comply with EC6/1.

Access - There would be no alterations to the 2 existing access points off Rochdale Old Road and Chesham Fold Road.

Drainage - The application proposes engineering operations which would require additional drainage mechanisms to be incorporated on the site. The proposed plan suggests that this could be resolved by a soakaway, although the application states that details would be provided a later stage.

To ensure drainage is appropriately treated on site, a condition to include a SUDS would be included as a planning condition.

Response to objector -

The tree which have been removed are within the applicant's land ownership were not under a Tree Preservation Order, and could be removed without the need for planning permission. A condition to submit a landscaping scheme would be included in the granting of any planning permission.

The proposed development in itself would not result in an increase in noise to the site. Any unacceptable noise created by the use or users of the site would be effectively addressed under the Environmental Protection Act.

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

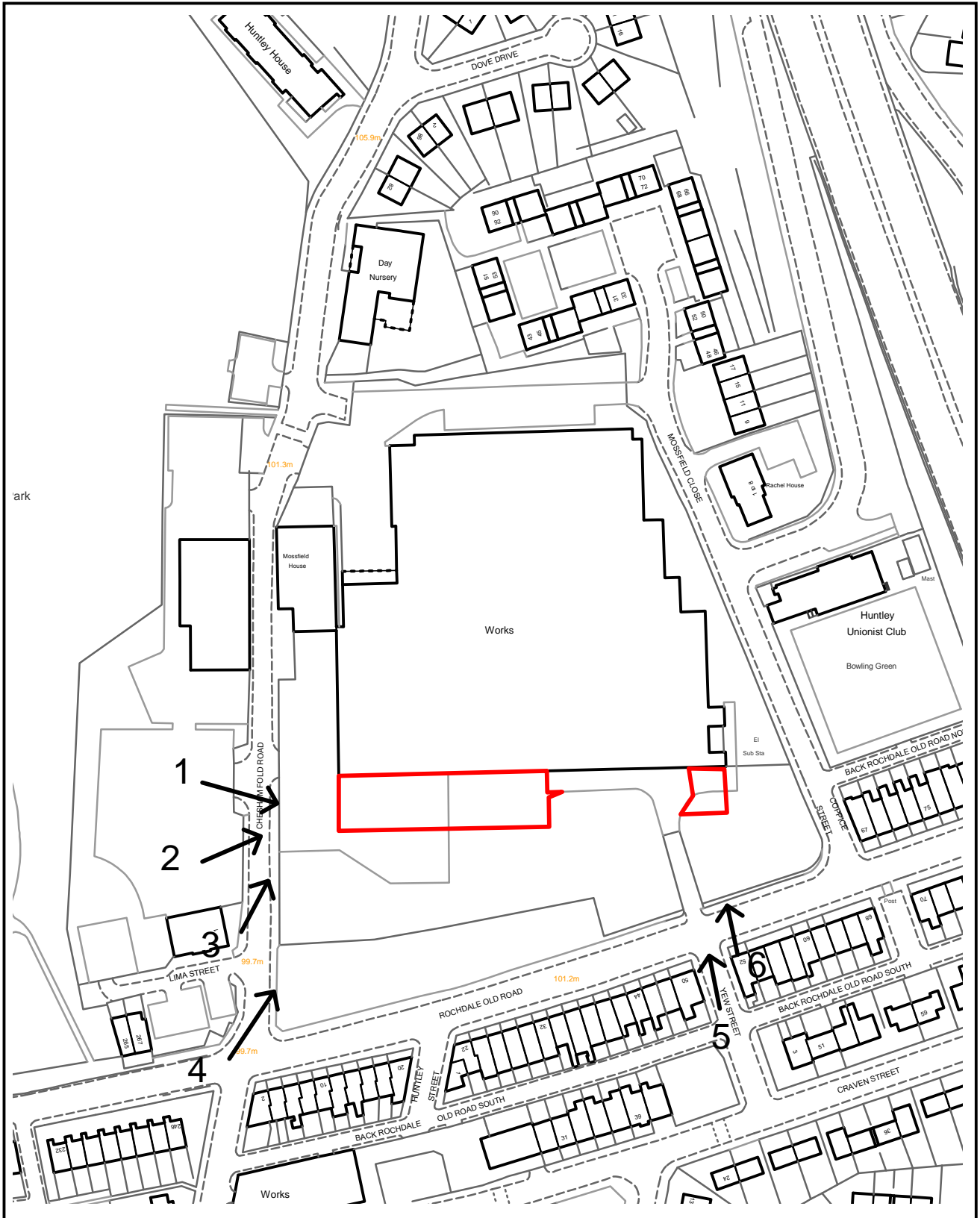
Conditions/ Reasons

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 dwg-tjba-MVL-mossfield mill,bury - 251113 Site plan; dwg-tjba-MVL-mossfield mill,bury - 251113 Propsoed loading bay and vehicle wash site rev p3; dwg-tjba-MVL-mossfield mill,bury - 251113 Vehicle track analysis received 3/5/16, 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 access, servicing and turning facilities indicated on the approved plans shall be provided before the development is brought into use and the areas used for the manoeuvring and routing of service 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 EC6/1 - Assessing New Business, Industrial and Commercial Development and HT6/2 - Pedestrian/Vehicular Conflict.

4. No development shall commence unless and until details of surface water drainage proposals and timetable for implementation 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 be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must 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. Drainage arrangements for the vehicle wash facility should also be approved by United Utilities, and the conclusions submitted to the Local Planning Authority. Details should also be provided for any proposed oil interceptors/filtration systems. 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, in order to promote sustainable development, pursuant to chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
5. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented within the first available planting season following the schemes approval; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59811

**ADDRESS: Ryalux Carpets, Mossfield Mill
Chesham Fold Road, Bury**

Planning, Environmental and Regulatory Services

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59811

Photo 1



Photo 2



Photo 3



Photo 4



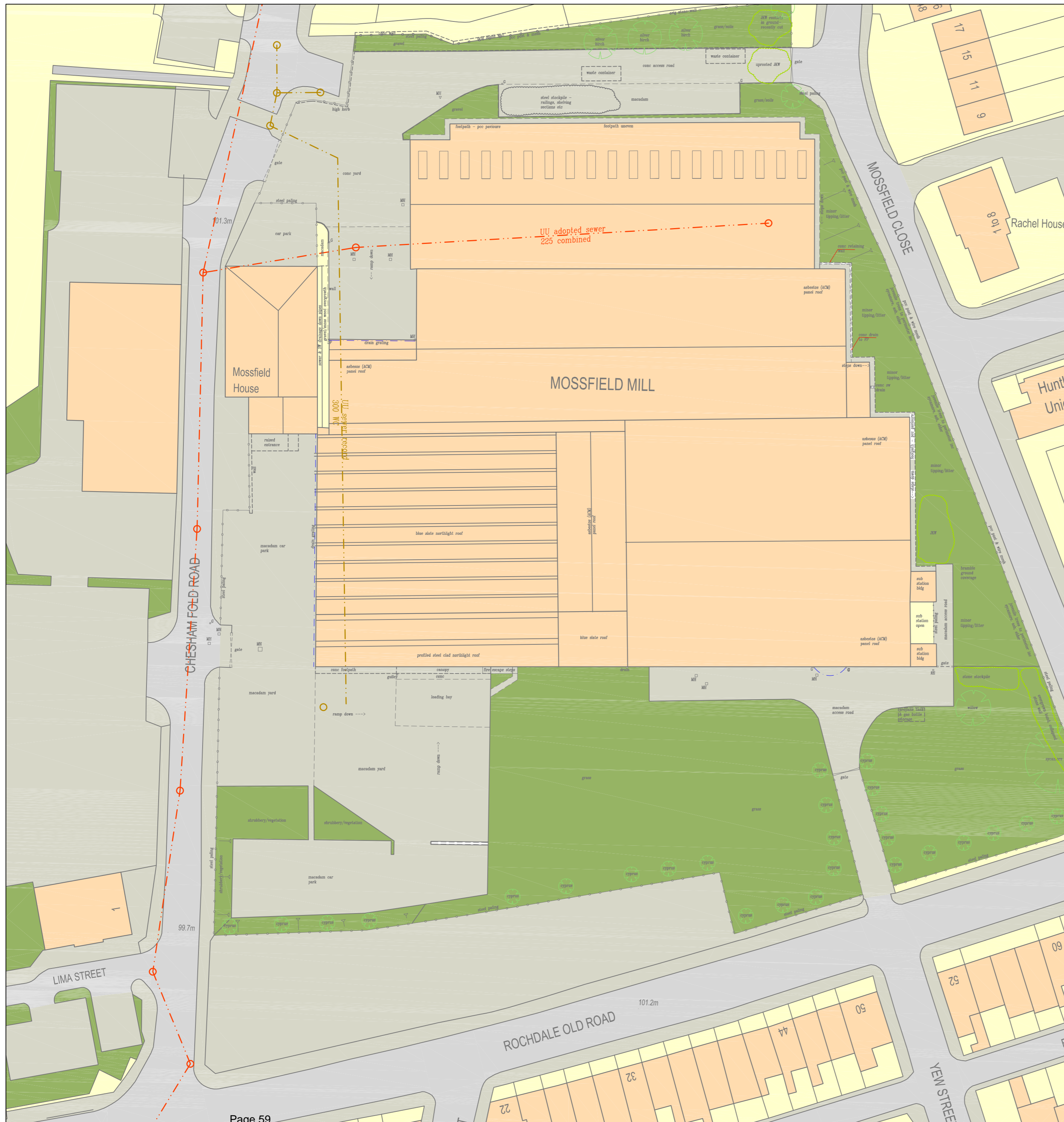
Photo 5



Photo 6



NOTES.
 based upon ordnance survey map data Nov 13
 site reconnaissance items & UU sewer records added Dec 13

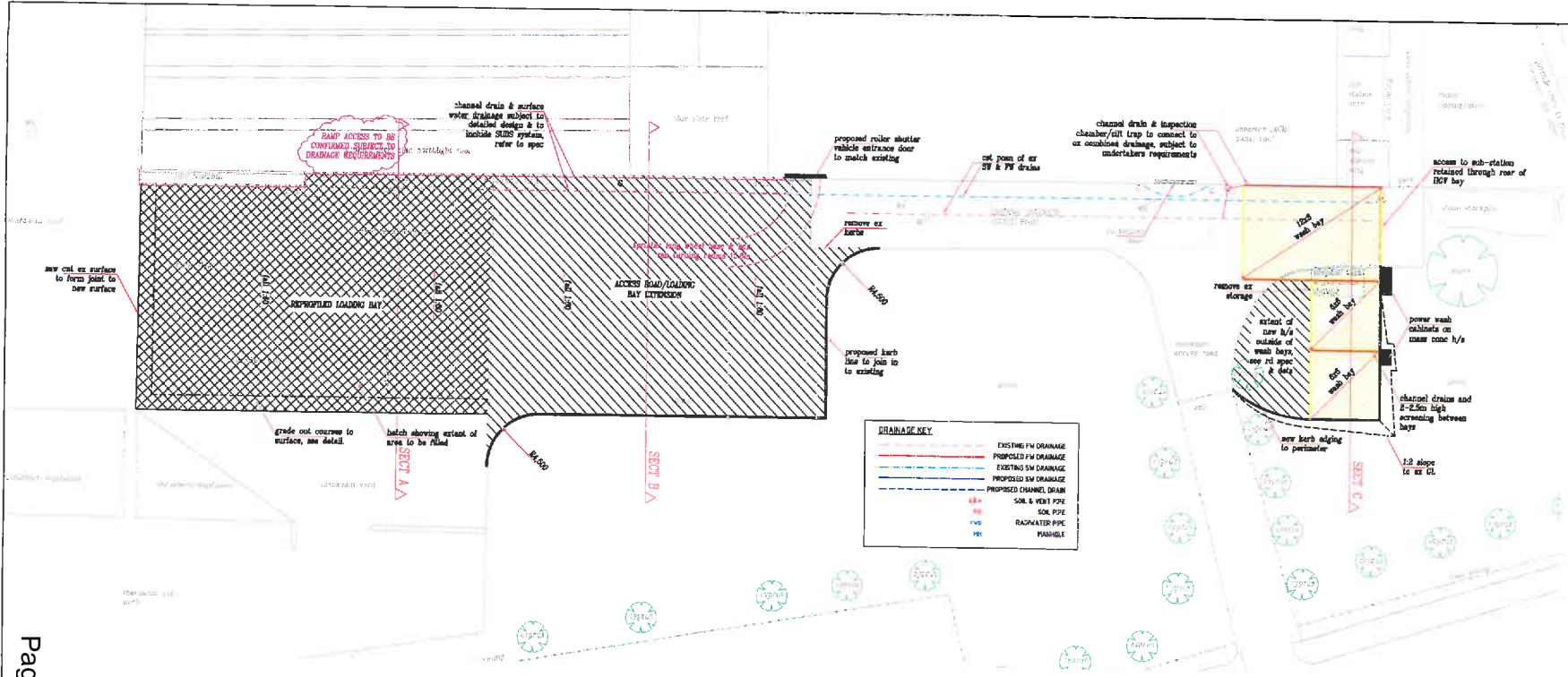


T J BOOTH ASSOCIATES 20A Eastgate Street
 Rochdale
 Lancashire
 OL16 1DH
 CONSULTING CIVIL & GEOTECHNICAL ENGINEERS Tel:01706 868288

AMENDMENTS/ ISSUES			
ISSUE	REASON/ CHANGE	DATE	BY
1	site rece added	dec 13	ds
0	original for info / comment	nov 13	tjb

miller vanguard, chesham fold rd, bury / mossfield mill
 mossfield mill
 site plan
 FILE NAME: dwg-tjba-MVL-mossfield mill, bury-251113
 SCALE: 1 : 500 @ A2

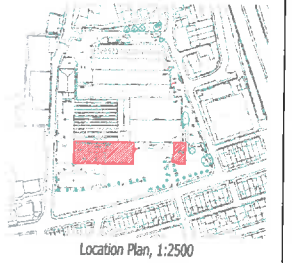
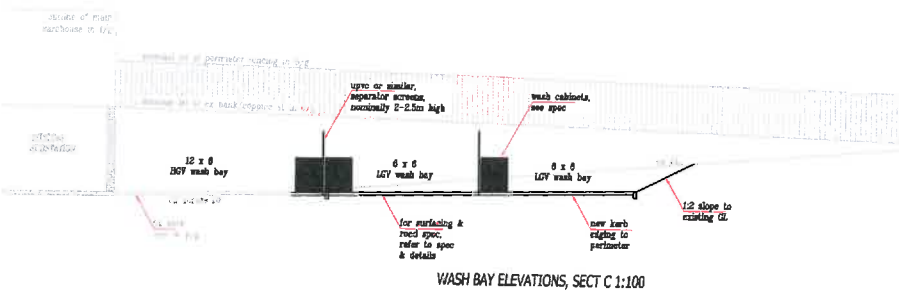
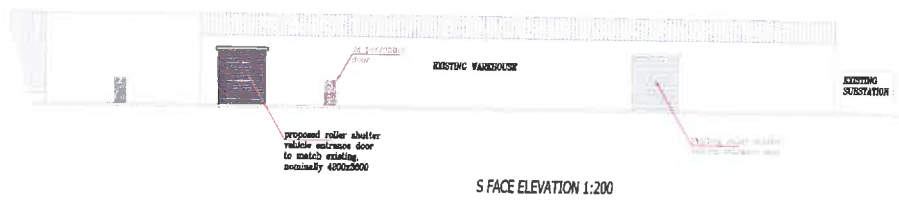
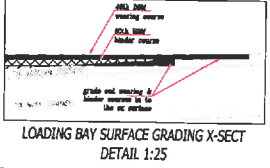
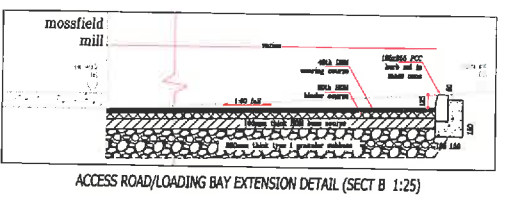
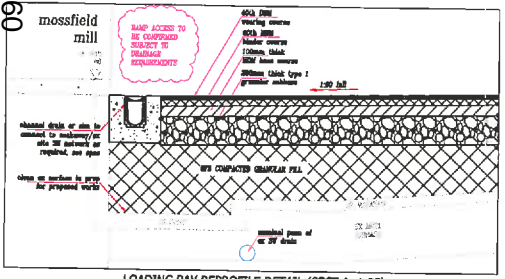
- GENERAL NOTES**
- THIS DRAWING IS COPYRIGHT & IS SENT TO YOU IN CONFIDENCE IT MUST NOT BE COPIED, USED OR DISCLOSED, IN WHOLE OR IN PART, TO THIRD PARTIES WITHOUT WRITTEN PERMISSION. IT REMAINS THE PROPERTY OF T.M.A AND MUST BE RETURNED ON REQUEST.
 - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTUAL DOCUMENTS.
 - All dimensions in mm unless otherwise stated.
 - All levels in m AOD unless otherwise stated.
 - In the event of any discrepancy, the contractor must verify all dimensions prior to commencing shop drawings or work on site.
 - All work to be carried out in accordance with CDM 2015.
 - ALL PROPOSED EXTERNAL WORKS DETAILED IN CDW SUBJECT TO FURTHER TOPOGRAPHICAL & DRAINAGE SURVEYS.
 - EXTERNAL WORKS:
 - Access Road & Loading Bay reconstruction as per cross section details & construction to comprise:
 - Wearing course - 75mm Dense Bitumen Macadam.
 - Binder course - 20mm Dense Bitumen Macadam.
 - Base course - 75mm Dense Bitumen Macadam.
 - Sub-base - DOT Type 1 sub-base, clean/inst, laid down & compacted in layers MGT 150th.
 - General fill - DOT SF2 granular material, clean/inst, laid down & compacted in layers MGT 150th.
 - Road construction specification for light industrial usage. For heavy industrial or articulated line, road type & construction details will need to be analysed & amended.
 - Crossfall of M17 150, in line with existing roads as indicated.
 - VEHICLE CLEANING BAYS:
 - Bay to be designated by yellow thermoplastic surface markings.
 - Channel drains between bays to keep runoff flow from adjacent bays.
 - SP/VE or similar screening between bays to minimise splash/spray, nominally 2-2.5m high.
 - Access to satisfaction maintained through 1200mm wash bay.
 - Wash cabinets to comprise KARCHER HD5-C 3/15 or similar commercial pressure washer, nominal size W40mm(l) x 150mm(d).
 - FOUR DRAINAGE:
 - External sewer systems to be identified on site prior to any works being undertaken.
 - Designer to be notified of any discrepancies.
 - Channel drains to sides of vehicle cleaning bay as indicated & connected to combined sewer ONLY.
 - SURFACE WATER DRAINAGE:
 - External surface water systems to be identified on site prior to any works being undertaken.
 - Detailed drainage designed to be finalized. ALL PROPOSED SURFACE WATER SYSTEMS TO BE FULLY COMPLIANT WITH SUSTAINABLE URBAN DRAINAGE SYSTEM (SUDS) WHERE PRACTICABLE.
 - Site investigations to be undertaken to characterise on-site ground conditions and suitability for soakaway systems. Should soakaways not be viable, alternative SUDS will be included in the SW design.



DRAINAGE KEY

	EXISTING FM DRAINAGE
	PROPOSED FM DRAINAGE
	EXISTING SW DRAINAGE
	PROPOSED SW DRAINAGE
	PROPOSED CHANNEL DRAIN
	S&V & VERT PIPE
	S&V PIPE
	RADIANT PIPE
	PARALLEL

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PROVISIONAL

T. J. BOOTH ASSOCIATES 20th Langdon Street, Rochdale, Lancashire, OL16 1JH, UK. Tel: 01762 484200

CONSULTING CIVIL & GEOTECHNICAL ENGINEERS

MILLER VANGUARD / CHESHAM FOLD RD, BURY

MOSSFIELD MILL

PROPOSED LOADING BAY & VEHICLE WASH SITE

AMENDMENTS/ISSUES		DATE	BY
REV 01	Issue for approval	02/08/2024	JB
REV 02	Issue for approval	08/08/2024	JB
REV 03	Issue	14/08/2024	JB
REV 04	Issue	14/08/2024	JB
REV 05	Issue	14/08/2024	JB
REV 06	Issue	14/08/2024	JB
REV 07	Issue	14/08/2024	JB
REV 08	Issue	14/08/2024	JB
REV 09	Issue	14/08/2024	JB
REV 10	Issue	14/08/2024	JB
REV 11	Issue	14/08/2024	JB
REV 12	Issue	14/08/2024	JB
REV 13	Issue	14/08/2024	JB
REV 14	Issue	14/08/2024	JB
REV 15	Issue	14/08/2024	JB
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REV 97	Issue	14/08/2024	JB
REV 98	Issue	14/08/2024	JB
REV 99	Issue	14/08/2024	JB
REV 100	Issue	14/08/2024	JB

SCALE: 1:200 as indicated @ A1

Ward: Whitefield + Unsworth - Pilkington Park

Item 05

Applicant: Slattery's Patisserie & Chocolatier

Location: Slatterys Patisserie, 197 Bury New Road, Whitefield, Manchester, M45 6GE

Proposal: Store room extension at side

Application Ref: 59863/Full

Target Date: 02/05/2016

Recommendation: Approve with Conditions

Description

The application site relates to a premises in a mixed use development comprising retail, confectionary/bakery, cafe/restaurant and cooking training facilities which is located within the All Saints Whitefield Conservation Area and Whitefield District Shopping Centre. It consists of an impressive 3 storey red brick and stone building which fronts the main road through the town. There is a customer car park to the north of the site.

The site is within a predominantly commercial area, with a mix of shops and businesses in the locality. To the west is the former Whitefield Town Hall which is separated from the site by a boundary wall, and to the north of this, The Uplands Health Centre.

The building has undergone a number of alterations and extensions in the past, including a 2 storey extension on the south side of the building to provide new freezer and storage facilities, loading/delivery bay in front at ground floor and new toilet facilities above.

The application proposes to extend this storage area to provide additional stock/storage facilities. The extension would be single storey, 6m to the ridge and project forward of the existing building by 4.6m onto part of the loading bay area. A 7.5m long bay would be retained in front of the extension and would continue to be used for deliveries.

As a result of the siting of the extension, the cill height of the 1st floor windows in the front elevation of the existing building would be raised and the windows to the staircase blocked up.

Relevant Planning History

48252 - First floor extension including conservatory and external fire escape (resubmission) - Approve with Conditions 23/07/2007

49422 - First floor rear sun lounge & repositioning of external fire escape stairs - Approve with Conditions 29/04/2008

54112 - Siting of temporary freezer room. - Approve with Conditions 03/08/2011

54296 - Two storey side extension to south elevation - Approve with Conditions 23/09/2011

54688 - Single storey first floor extension to north elevation - Approve with Conditions 23/01/2012

55276 - Ground floor extension to side elevation and disabled access ramp to front - Approve with Conditions 23/07/2012

56529 - Relocation of main entrance & erection of portico to new entrance (Part Retrospective). - Approve with Conditions 11/09/2013

11/0230 - Siting of refrigerated unit at side - 27/06/2011

Publicity

24 letters sent on 15/3/2016 to properties on Bury New Road, The Uplands, Pinfold Lane. Site notice posted 31/3/2016.

Press advert in the Bury Times 24th March 2016.

One letter of objection received from Whitefield Health Centre:

- We have significant issues with the lack of adequate car parking for our patients. We are aware that both staff and visitors to Slatterys currently use the health centre car park on a daily basis, which causes significant problems for patients parking at the health centre. We are concerned that an extension may further exacerbate this problem;
- The area it is proposed to extend on is normally where the owner parks his business vans and where delivery drivers normally drop off goods, so there is concern as to where vans will be parked and where deliveries will take place should the permission go ahead.

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

Consultations

Traffic Section - No objection subject to conditions.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EC4/1	Small Businesses
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
S1/3	Shopping in District Centres
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict

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 business has undergone a phased development programme which has contributed to its successful expansion, and as a result, additional storage facilities are required to maintain necessary stock levels.

In terms of the principle, the proposal is considered to be acceptable and complies with UDP Policies EC4/1 - Small Businesses and S1/3 - Shopping in District Centres.

Scale and design - The extension would be set back from the Bury Road frontage, and as a single storey addition to the building it would not appear incongruous on the street scene. The extension would be sensitively designed to reflect the architectural quality of the existing building, with matching materials of red brick and cast stone cornices, samples of which to be submitted for further approval.

As such, it is considered that the scale and design of the proposed extension would be an acceptable addition in this location of the site which would not have an adverse impact on the street scape, and would continue to preserve the character of the conservation area, pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.

Residential amenity - There are no residential properties in the immediate vicinity which would be affected by the use or position of the extension.

In terms of the parking and highway's issues raised by the objector, these are considered in the section below.

Highways - The extension would be located on part of the existing loading bay which is used for day to day deliveries. It would be designed so that an area 7.5m long would be retained in front of the extension to facilitate deliveries to the premises. The proposed plans demonstrate that the hatched area could continue to accommodate the type of delivery vehicle which is used by the business and that a vehicle could remain clear of the pedestrian footpath without encroachment onto any part of the public highway. A condition to restrict deliveries within the hatched area only would be included as part of the approval.

The applicant states that on occasion, HGV's deliver to the premises. These vehicles already park on Bury New Road, and the position of the extension would not alter this existing arrangement. There are loading restriction times already in place to control delivery times to businesses in this area and when traffic is likely to be least busy, and any issues caused by servicing the premises from the main road would be enforced through separate highway's legislation.

The applicant also states that as a result of the additional storage facilities that the frequency of deliveries would be halved from daily deliveries to 2/3 per week, which would improve on the existing situation.

The Highway's Section have raised no objection to the proposals, subject to conditions and as such, the development is considered to comply with UDP Policies EC4/1 - Small Businesses and HT2/4 - Car parking and New Development.

Response to objector -

- The proposed extension would not be located on the customer car park and as such there would be no impact on the existing parking provision;
- The size and position of the proposed extension would still facilitate deliveries to this area. Should the applicant park on land outside his ownership, or on the Health Centre, this would be a private matter to manage and enforce by the respective landowners.

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

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

Recommendation: Approve with Conditions

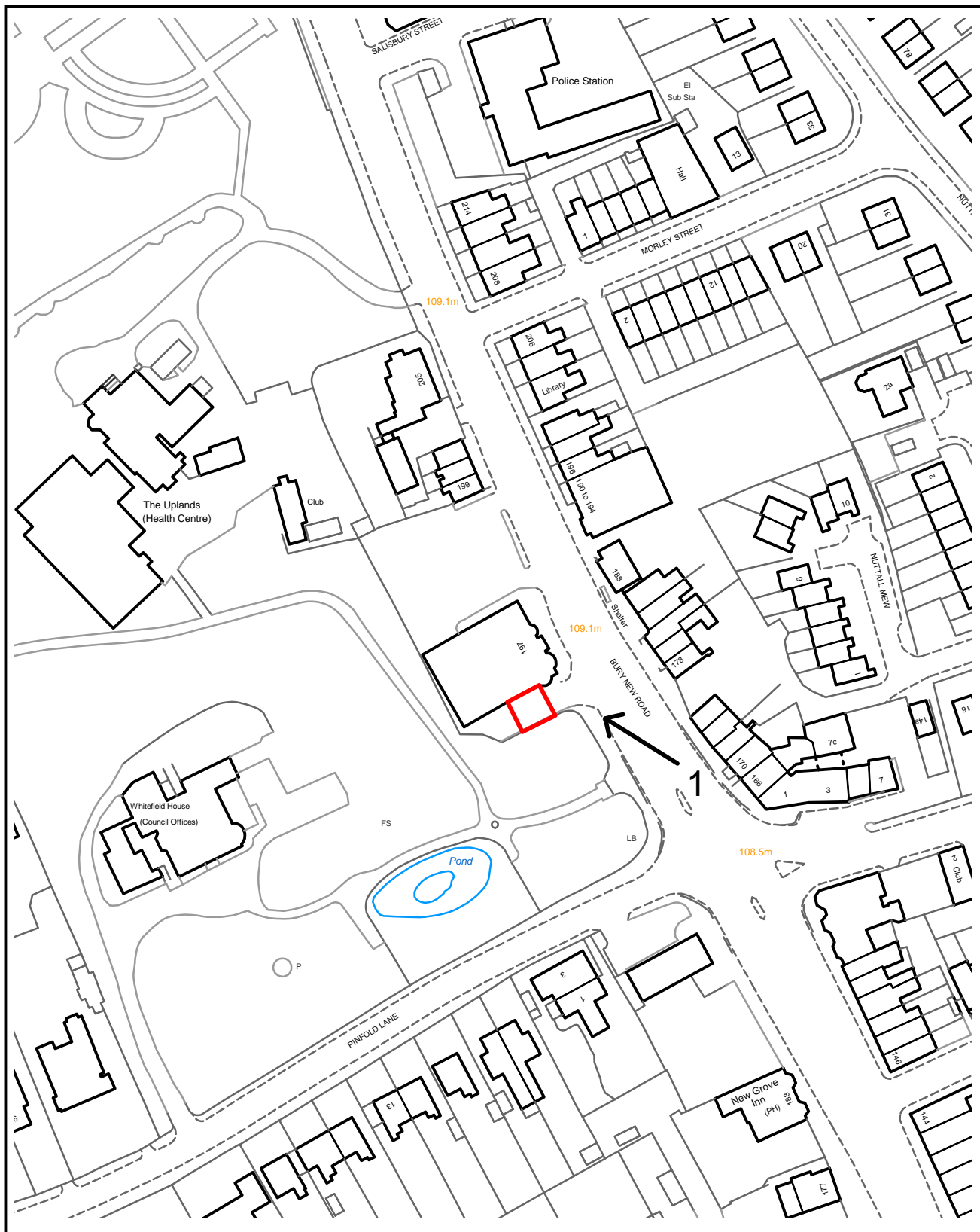
Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2. This decision relates to drawings numbered SW/PL/XVI/001; SW/PL/XVI/002 Rev C; SW/PL/XVI/010 A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity, EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.
4. No development shall commence unless and until details and methods used to raise the cill levels in the 1st floor front elevation of the existing windows and the windows to be blocked off in the side elevation have been submitted to and approved by the Local Planning Authority. The approved details only shall be implemented.
Reason. The details have not been provided at application stage, in the interests of visual amenity within the All Saints Conservation Area pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.
5. The area shown hatched on approved plan reference SW/PL/XVI/010A, shall be available for delivery/servicing vehicles only and shall be maintained free from obstruction at all other times.
Reason. To ensure good highway design and ensure that delivery vehicles do not project into or encroach upon the adjacent adopted highway, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.
6. The store room doors shall be inward opening as indicated on approved plan reference SW/PL/XVI/010 A and shall thereafter be maintained.
Reason. To enable delivery vehicles to stand clear of the highway whilst the store room doors are opened and to allow adequate space to maintain a service vehicle clear of 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/Vehicular Conflict.

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

Viewpoint



PLANNING APPLICATION LOCATION PLAN

APP. NO 59863

**ADDRESS: 197 Bury New Road
Whitefield**



Planning, Environmental and Regulatory Services 1:1250

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59863

Photo 1



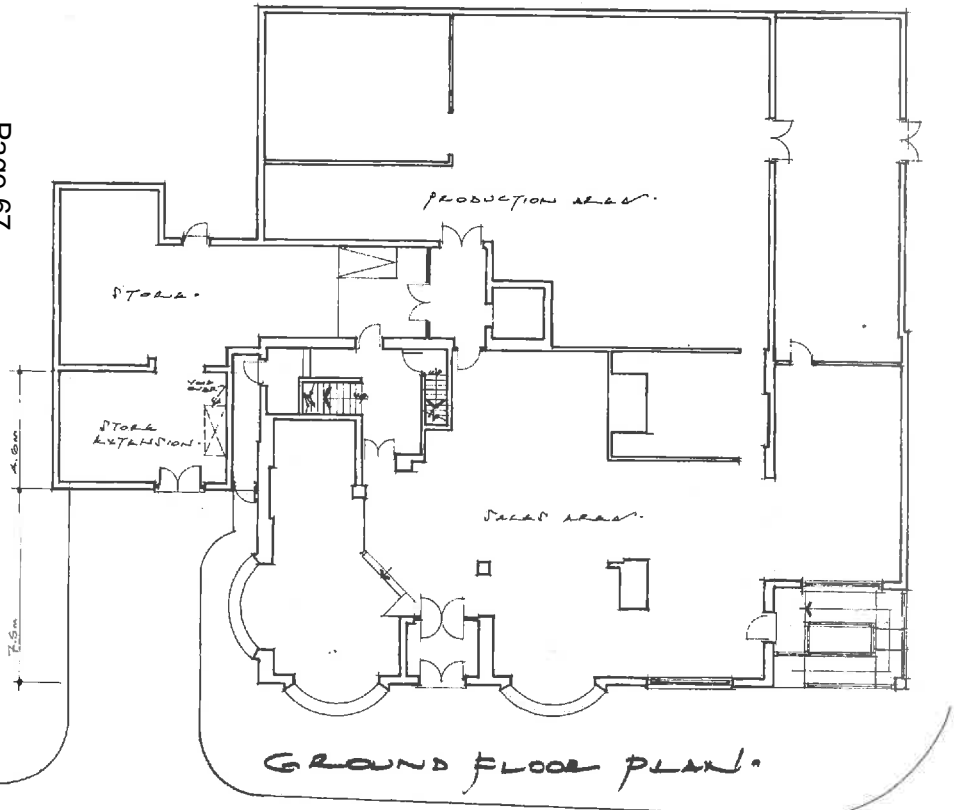


EAST ELEVATION.

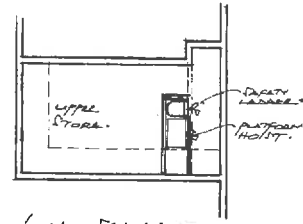


SOUTH ELEVATION.

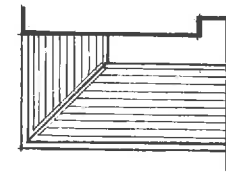
Page 67



GROUND FLOOR PLAN.



LOFT PLAN.



ROOF PLAN.

PROPOSED.

Rev 'C' Amended to Planner Reg's MAY '16
 Rev 'B' Store to be 2nd floor APRIL '16
 Rev 'A' upper level added March '16

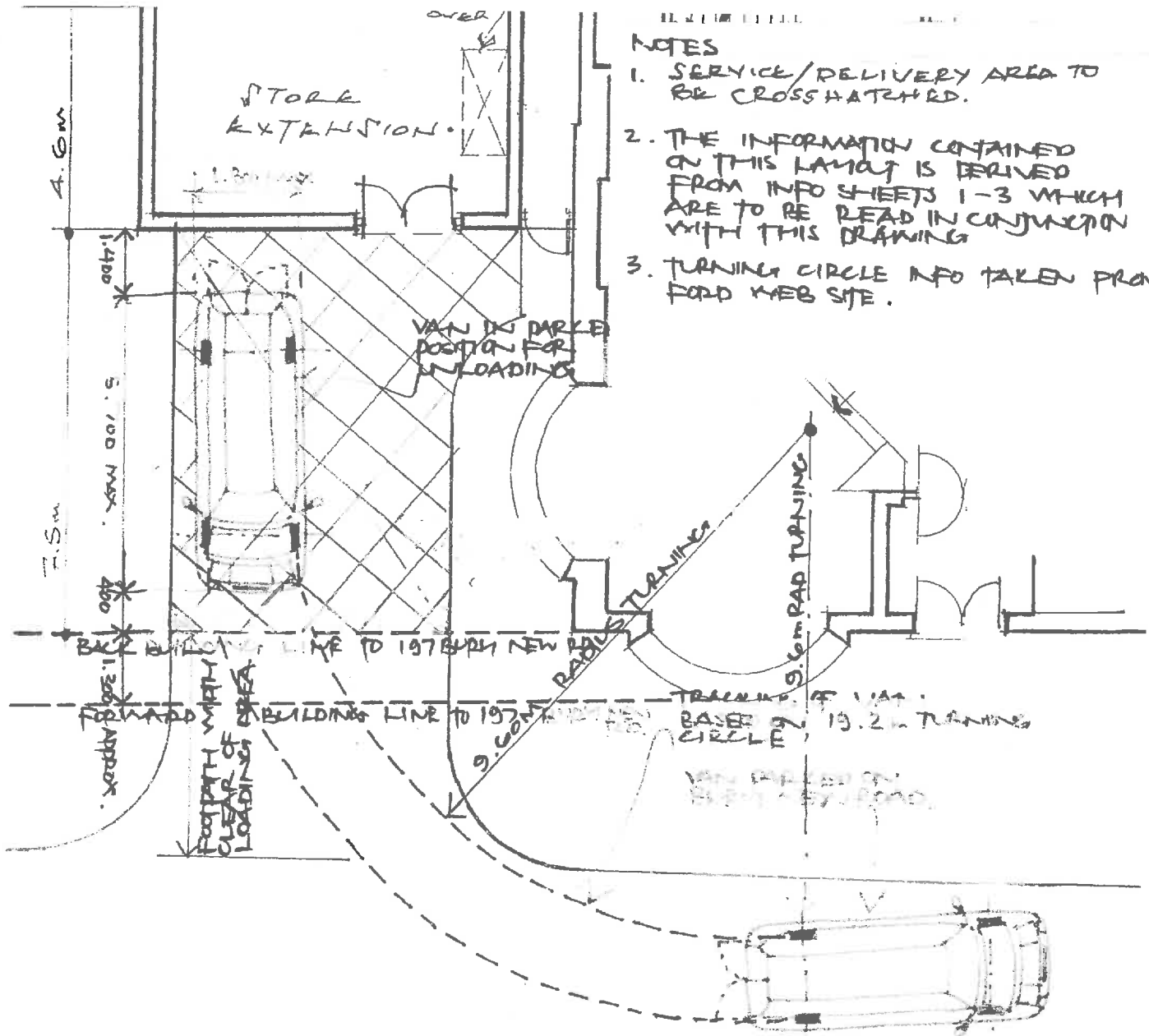
SITE			
SLATTERY'S 197 BURY NEW RD, WHITEFIELD			
PROJECT			
NEW STORE EXTENSION			
TITLE			
PLAN AND ELEVATIONS			
SCALE	DATE	DRAWN	DRAWING NO.
1:100	Jan XVI	JCR	SW/PL/XVI/02B 'C'

RT DESIGN
 Architectural & Surveying Consultants



304 Valley Mill,
 Cottonfields,
 Eagley, Bolton,
 BL7 8DY

Tel: 01204 851411
 FIGURED DIMENSIONS TO BE FOLLOWED IN PREFERENCE TO SCALED.
 ALL DIMENSIONS TO BE CHECKED ON SITE.
 IN THE EVENT OF A DISCREPANCY REFER TO RT DESIGN.
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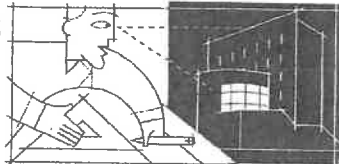


NOTES

1. SERVICE/DELIVERY AREA TO BE CROSSHATCHED.
2. THE INFORMATION CONTAINED ON THIS LAYOUT IS DERIVED FROM INFO SHEETS 1-3 WHICH ARE TO BE READ IN CONJUNCTION WITH THIS DRAWING
3. TURNING CIRCLE INFO TAKEN FROM FORD WEB SITE.

**SLATTEN'S, BURN NEW ROAD WHITEFIELD.
PROPOSED LOADING BAY EXTENSION.**

LAYOUT TO INDICATE PARKING, TRACKING OF VAN IN LOADING BAY.
 SCALE 1:100. DRA. NO. SW/PL/XVI/010 "A"
 (REV "A" AMENDED TO PLANNERS REQ'S MAY '16) DRAWN BY D.H.H.



DAVID H.
HYLAND
 DESIGN

- ARCHITECTURE - INTERIOR DESIGN - PROJECT MANAGEMENT -
 DAVID H. HYLAND DESIGN M.C.I.A.T. 3 THE GRANGE BOLTON ROAD EDGWORTH BOLTON BL7 0AW
 • TEL/FAX 01204 856926 • MOBILE 07958 630331 • E-MAIL m6dhh@aol.com •

Ward: North Manor

Item 06

Applicant: Rockglen Developments

Location: Units 1-4, Westgate Avenue, Ramsbottom, Bury, BL0 9SS

Proposal: Change of house types on plots 1-7 inclusive of planning permission 57104

Application Ref: 59896/Full

Target Date: 11/05/2016

Recommendation: Approve with Conditions

Description

The site was previously developed with a two storey mill type building and housed a vehicle repair garage, fabric machinist and caravan storage and is now vacant. The building is located centrally within the site and to the west of the building is open space, which appears to be used as storage. To the north of the building was a terrace of garages, with a hairdressers located immediately adjacent to 1 Westgate Avenue. These latter buildings have been demolished recently.

The site bounded by residential properties to north, south, east and west and is accessed by an unadopted single track road, which connects Westgate Avenue and Montrose Avenue. The properties, which front onto Longsight Road and Southfield Road have garages and gardens that back onto this access.

Permission was granted in November 2012 for the demolition of the existing buildings and the erection of a 2 bed residential care home. This planning permission has not been implemented.

Permission was granted in March 2014 for the demolition of the remaining buildings on site and the erection of 8 dwellings. 7 of the proposed dwellings would front the access track, which connects Montrose Avenue and Westgate Avenue and 1 dwelling would front onto Westgate Avenue. Access would be taken from the existing access road, which connects Montrose Avenue with Westgate Avenue. The proposed dwellings would be two storeys with dormers in the roofspace. Construction has commenced on the site.

The application seeks consent to amend the house types on plots 1- 7. The plans provided to the applicant for the proposed dwellings were incorrect and as such, the works are, in part retrospective. The proposed development would include the following changes from the previously approved dwellings:

- The dormers on the front elevation have been removed and replaced with three rooflights, located centrally in the roof.
- The roof above the bay windows would continue across the whole frontage
- The width of the bay window would be reduced by 0.4 metres.
- Plot 1 would include a hip detail. The gable elevation would be 0.4 metres lower than approved and the overall ridge height would be and the 0.6 metres higher than previously approved.
- For plots 2 - 6, the height of the dwellings would increase by 0.45 metres
- The height of plot 7 would increase by 0.65 metres.
- The dormer on the rear is located adjacent to the gable and would relate to an en-suite bathroom with obscure glazing.
- A single garage would be provided for plots 3 - 7 in the rear gardens.

Relevant Planning History

54145 - Erection of residential care home with car parking, landscaping and ancillary works at Castle Yard, Westgate Avenue, Ramsbottom. Refused - 30 September 2011.

55622 - Erection of residential care home (Class C2) with car parking, landscaping and ancillary works (Resubmission) at Castle Yard, Westgate Avenue, Ramsbottom. Approved with conditions - 13 November 2012.

56879 - Demolition of existing buildings and construction of 6 semi-detached houses and 2 detached houses at Castle Yard, Westgate Avenue, Ramsbottom. Withdrawn - 14 January 2014.

57104 - Demolition of existing buildings and construction of 6 semi-detached houses and 2 detached houses (resubmission) at Units 1 - 4, Westgate Avenue, Ramsbottom. Approved with conditions - 5 March 2014.

59346 - Variation of condition no. 2 (approved plans) of planning permission 57104 (6 semi-detached houses and 2 detached houses) to amend the height of the proposed dwellings and reposition the garage to plots 6 and 7 at land at Westgate Avenue, Ramsbottom. Withdrawn - 23 December 2015.

59897 - Change of house type on plot 8 of planning permission 57104 at Units 1 - 4, Westgate Avenue, Ramsbottom. Received - 5 April 2016.

Enforcement

13/0549 - Breach of Conditions at Castle Yard, Westgate Avenue, Ramsbottom. Case closed - 28 October 2013.

15/0218 - Builders taking wagons up the cul de sac. Case closed - 8 April 2015

15/0438 - Not being built in accordance with the approved plans. Applications received - 14 October 2015 (59346), 16 March 2016 (59896) and 5 April 2016 (59897).

Publicity

The neighbouring properties were notified by means of a letter on 31 March 2016.

3 letters of support have been received from the occupiers of 6, 12 Montrose Avenue and 54 Longsight Road, which have raised the following issues:

- Support the application. Despite the developer being considerate and informative at all times, we have had enough of deliveries and vans blocking access to drives.
- Wish to see the site finished and the area completed as soon as possible.
- Considering what the site was like before, the houses will be a marvellous asset to the area.
- There has been inconvenience but they've done their best to keep it to as little as possible.
- The people on site have been pleasant, courteous and happy to provide news on progress.
- It will be far better once all completed and a better view out the back.
- Wish to see an end to the noise, dirt, heavy vehicles on the street and damage to road surfaces.

8 letters have been received from the occupiers of 64, 64, 68, 70, 74 Longsight Road, which have raised the following issues:

- The application seeks to regularise the current situation, meaning that the houses can be left as they are, 2ft 6 higher than the plans submitted to get their planning permission.

- Curious to know why residents have been asked again for their comments. A few months ago 25 out of 29 objected to the additional height.
- Given the proximity of this development to the rear of our house, the additional 2ft 6 of height and bulk results in a much greater loss of light and privacy than we were led to believe from the original permission.
- Soon the architects and builders will be off to pastures new with their extra revenue from the extra height for each house - and they will never have to think about these houses ever again, whereas we residents will be left looking at their added height for years to come and wondering how they got away with it and what else we could have done to stop them, apart from objecting at every available opportunity. Can the Planning Department really not do anything to enforce their own planning regulations?
- Proposals for plots 1 and 2 are simply cosmetic and are a fudge and do nothing to reduce the overall height of the ridge.
- The height of plots 1 - 6 are 0.45 metres and plot 7 is 0.65 metres higher than the original permission.
- Strenuous efforts must be made to ensure that these heights are reduced to the correct height.
- The current changes do not alter or compensate for this overbuild in the slightest and have zero impact on our original issues with the build.
- The dwelling, due to its height, appears visually intrusive when viewed from all out rear windows and rear garden area. The property is extremely close to the boundary wall.
- While impacting the streetscene, the view from our property is dramatically altered.
- The dwellings, due to the lack of space that surrounds it, will be detrimental to amenity and cause extremely limited privacy.
- The size of the garden space for the proposed dwellings leads to visual and sound intrusion.
- The dwellings will block out our evening sunlight leading to a loss of daylight to our home.
- A series of images was submitted.
- Just remove a couple of triangles (hips) to make one roof line into a Dutch gable and all objections dissipate? Just like the roof line? I don't think so. This will not make the height of the buildings along with my lack of privacy and light disappear.
- The heights are still the same, the lack of privacy, light and bulk is still the same, the planning transgression the same, so why are you asking for our comments yet again? There have been no life enhancing designs submitted and yes I strongly and vehemently object, yet again
- What an insult to our intelligence. Presumably 3 storeys could not be fitted into the heights originally submitted and still maintain building regulations. Architects, planning officers, site managers, project managers have got to have realised that this would be a breach so why continue with the build unless this was always the intended scenario? Only answer is that it obviously was.
- I am still absolutely amazed that there is a remote possibility that someone could get away with this blatant attempt to subvert a system that we all have to abide by in 2016 when everything is supposed to be open and transparent. This is not some building site in a backwater of Azerbaijan. I have emailed the Planning Office on two separate occasions asking for updates and mentioned that there have been people working on the site. My worry was that they were still spending money on the build and therefore must be feeling pretty confident that planning permission was likely to be achieved. How come? Do they know something that I am not privy to?
- I cannot understand the problem, if someone steals something they have broken the law and they get punished and are expected to make reparations, they don't get a pat on the back and are told to carry on. You could argue that Rockglen have stolen my privacy and light let alone made my house and those of my neighbours much less desirable. Everyone I know who has had an extension built has had to inform the planning department at every significant step of the build and get this checked and signed off, if they did not do this then the house would have been unsaleable. In every case the planning department has been rigorous in their efforts to maintain building regulations which is how it should be. What happened here?

- We live in a civilised society and pay council tax to ensure that systems exist to protect and enhance standards of living for everyone one not just Rockglen who stand to make lots more money when selling a 3 storey house rather than a 2 storey one. The fact that they wantonly ignored the plans surely is their problem and should not be mine or my neighbours who have had their lives majorly disrupted and their house prices seriously undermined.
- Surely someone ought to be held accountable for this fiasco.
- We find the whole thing underhand, with no thought for the existing residents.

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

(Non)/Statutory Consultations

None required.

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
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

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

Principle - Policy 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 principle of residential development was established with the grant of planning permission in March 2014. Therefore, 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.

Design and layout - The previously approved dwellings were two storeys in height with a full floor in the roofspace utilising dormers on the front and rear elevations. The development has removed the dormers to the front elevation and replaced these with rooflights. The result of this change is that the overall height of the dwellings was increased

by 0.45 metres (1 ft 5) without permission. In addition, the dormers on the rear have been relocated from a more central position and would be adjacent to the gable elevation. The proposed dormers, despite re-positioning, would relate to an en-suite bathroom and the windows would be obscure glazed. The dwellings would be in proportion with regard to size and scale and would not be a prominent feature within the streetscene, nor impact upon privacy as the development would comply with the aspect standards.

Plot 1 is located adjacent to a two storey dwelling and the site slopes upwards towards Westgate Avenue. The roof to plot 1 would be hipped to create a gradual rise in the heights of the properties. This approach provides a reduction in the height at the gable wall compared to the previously approved plans, but an increase to the ridge height by 0.6 metres. The development would provide a stepped increase in the heights of the dwellings across the frontage and would improve the built relationship within the streetscene.

The height of the ridge for plot 7 would be increased by 0.65 metres from the previously approved plans. Given that the site levels increase gradually from southeast to north west, it is considered that the increase in height would not be significantly perceptible and therefore, would not be a prominent feature in the streetscene.

The continuation of the roof across the bay windows on the front elevation and the reduction in width of the bay window by 0.4 metres marks little difference to the elevations would be acceptable and would not impact significantly upon the design of the dwellings overall.

The garages would be located in the rear gardens to the dwellings and would be of a typical design. The garages would be built from matching materials to the dwellings and as such, would be acceptable in terms of appearance and design.

Plot 8 is subject to an alternate application reference 59897 elsewhere on the agenda.

The dwellings (plots 1 - 7) were built contrary to the planning permission. This was brought to the Council's attention and enforcement proceedings ceased the development.

Planning law does permit an applicant to seek a retrospective consent, which has resulted in this application being submitted. In this instance only plots 3 - 7 are proposed to remain as built. However, whilst plots 3 - 7 are acceptable due to meeting adopted aspect standards policy, plots 1 and 2 did require changes from the 'as built' situation to the roof. With the changes proposed as described within this report, the changes to the dwellings would maintain an appropriate relationship to neighbouring properties and ensure that the development would assimilate appropriately into the streetscene. Therefore, the development would be in accordance with Policy EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD 6 provides guidance on aspect standards between residential properties and would be relevant in this case.

The previously approved dwellings were effectively three storey dwellings as the dormers provided a third floor in the roofspace. The position of the dwellings as built is as approved under the previous consent (57104).

The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows. For each additional storey in height, 3 metres should be added to the separation distance, i.e. there should be 23 metres between directly facing habitable room windows.

There would be a minimum of 32 metres from the front elevation of the dwellings to the existing dwellings, which front onto Montrose Avenue. This would be in excess of the 23 metre aspect standard and would be acceptable.

There would be 24 metres between Nos. 68 and 70 Longsight Road and plots 1 and 2. The

window in the third floor would be a bathroom and would be obscure glazed, which would be secured by a condition. This would be in excess of the 23 metre aspect standard for a three storey dwelling and would be acceptable.

There would be a minimum of 29 metres between plots 3 - 7 and the dwellings on Longsight Road. This would be in excess of the 23 metre aspect standard and would be acceptable.

Therefore, the proposed development would comply with the relevant aspect standards in SPD6 and would not have a significant adverse impact upon the amenity of the neighbouring properties.

Response to objectors

- The issues relating to loss of light, privacy, design, impact upon the streetscene have been addressed in the report above.
- Neighbouring properties have been consulted on the application as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015. This application is a fresh scheme and therefore, must undergo re-consultation.
- The dwellings approved under permission 57104 were two storeys in height with a third storey located in the roofspace.
- The issues relating to property prices is not a material planning consideration.
- The application has been submitted retrospectively following investigation from the Enforcement Team. It is a reasonable approach to allow the applicant the opportunity to apply to address the issues and have the proposal assessed.
- It is understood that the issue has arisen as a previous agent provided incorrect plans to the applicant. However, this has nothing to do with the Council save for enforcement considerations and assessment of any submitted application. There is nothing 'underhand' going on and no assurances have been given to the applicant. All work taking place at the site is at the owner's risk.

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

Recommendation: Approve with Conditions

Conditions/ Reasons

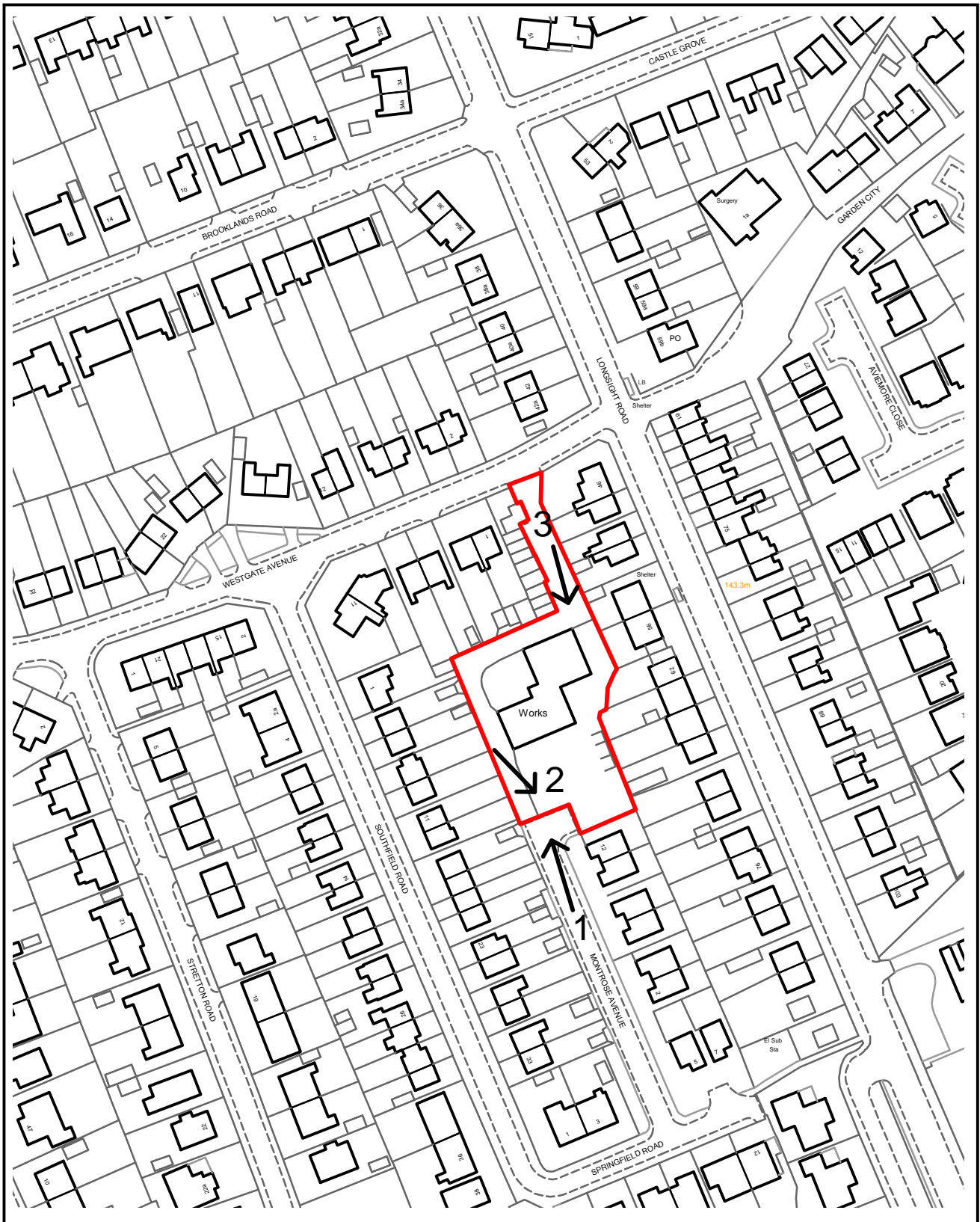
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location plan, 857/PL/01, 857/PL/02 Rev A, 857/PL/05 and the development 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 be:
brick - hanson old trafford red
Headers and cills - Natural stone
Render - parex off white render system
Roof tile - anthracite black roof tile
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 remediation strategy approved as part of condition 4 to permission 57104 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. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995, as subsequently amended, no development shall be carried out within plots 1 and 2 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.
8. The surface water drainage scheme approved as part of condition 9 of permission 57104 shall be implemented prior to first occupation of the dwellings hereby approved.
Reason. To ensure a satisfactory form of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.
9. The development shall be carried out in accordance with the highways works approved under condition 10 of permission 57104 and shall be implemented prior to the development hereby approved is first occupied.
Reason. To ensure good highway design in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
10. Notwithstanding the details indicated on approved plan reference K634/11 Revision A, visibility splays measuring 2.4 metres by 25 metres shall be provided at the junction of the site access with Westgate Avenue before the development is first occupied 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 the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
11. The forward visibility envelope at the rear of Plot 8 indicated on approved plan reference K634/11 Revision A shall be implemented before the development is first occupied 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 the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
12. The car parking indicated on approved plan reference K634/11 Revision A shall be surfaced, demarcated and made available for use prior to the dwellings 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 and SPD11.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59896

**ADDRESS: Westgate Avenue
Ramsbottom**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

59896

Photo 1



Photo 2



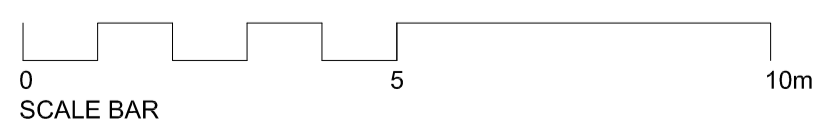
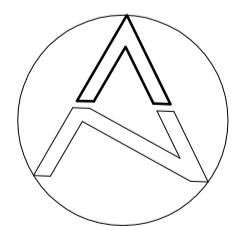
Photo 3



WESTGATE AVE.



MONTROSE AVE.



Nb ; Subject to accurate site survey, structural engineers comments + and L.A. Approval

REVISION	DESCRIPTION	DATE	INITIALS

CLIENT
ROCKGLEN DEVELOPMENTS LTD

PROJECT
MONTROSE AVENUE , HOLCOMBE BROOK , BURY

TITLE
SITE LAYOUT

DRAWING NO.	REVISION	SCALE	DRAWN BY	DATE
857/PL/01		1 : 200	SAF	08.10.15

FISH ASSOCIATES

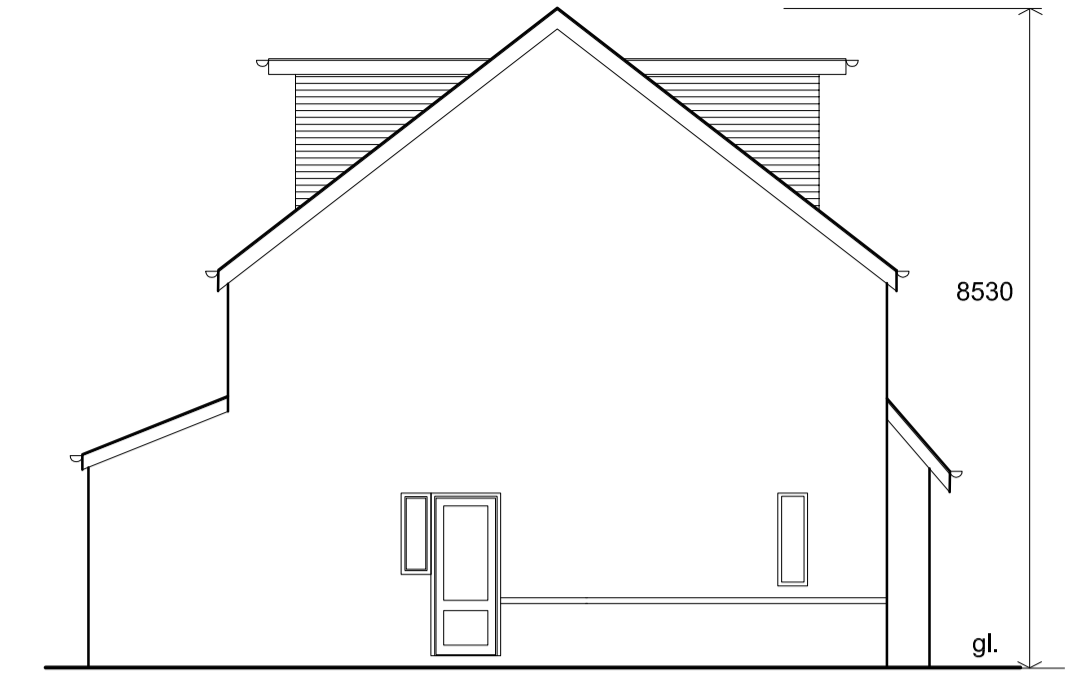
ARCHITECTS + DESIGNERS

FISH ASSOCIATES LTD
216 ST GEORGES ROAD
BOLTON BL1 2PH
01204 552244
info@fish-associates.co.uk
www.fish-associates.co.uk

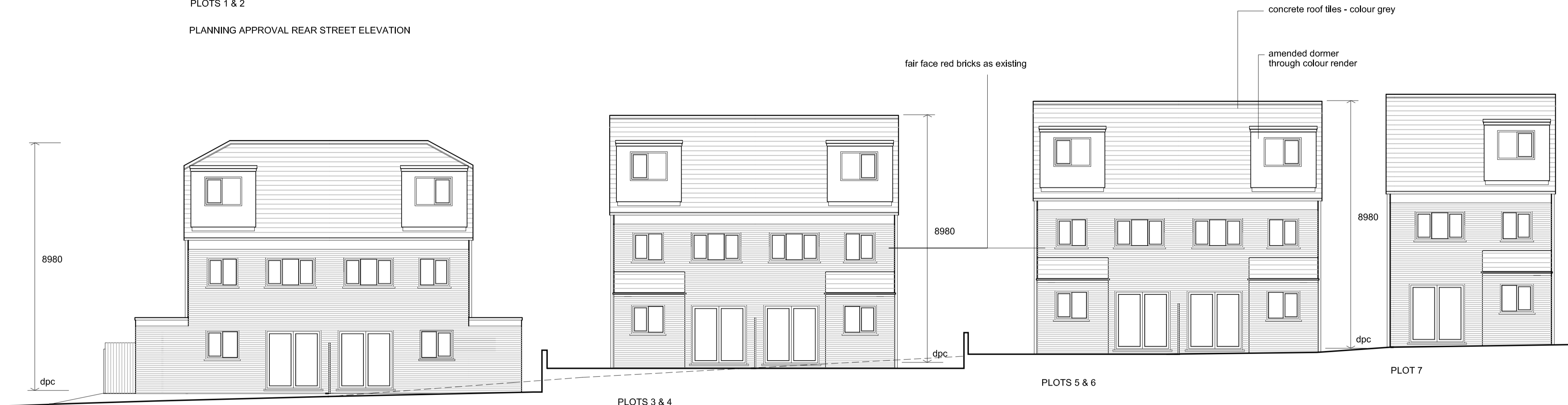
DISCREPANCIES TO BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING. THIS DRAWING IS COPYRIGHT. CONTRACTORS TO CAREFULLY CHECK ALL DIMENSIONS ON SITE. REQUIRED DIMENSIONS TO BE USED.



PLOTS 1 & 2
PLANNING APPROVAL REAR STREET ELEVATION



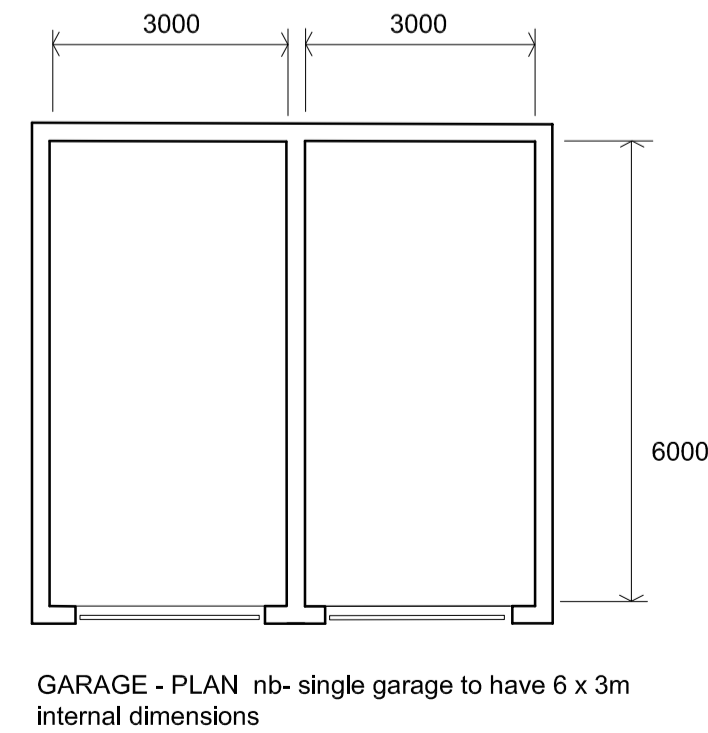
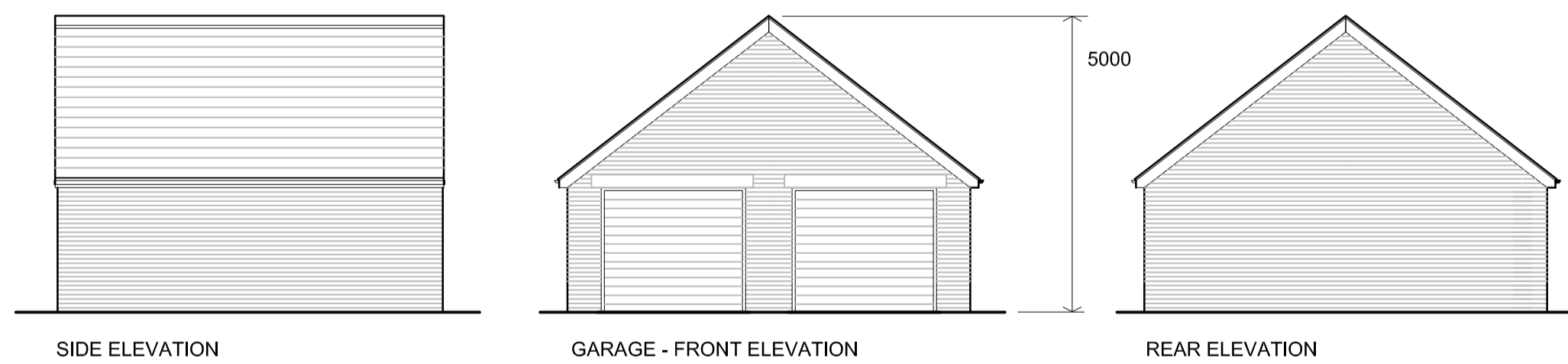
PLANNING APPROVAL SIDE ELEVATIONS - PLOTS 3 - 6
(NB: plots 1-2, 8 variations on above)



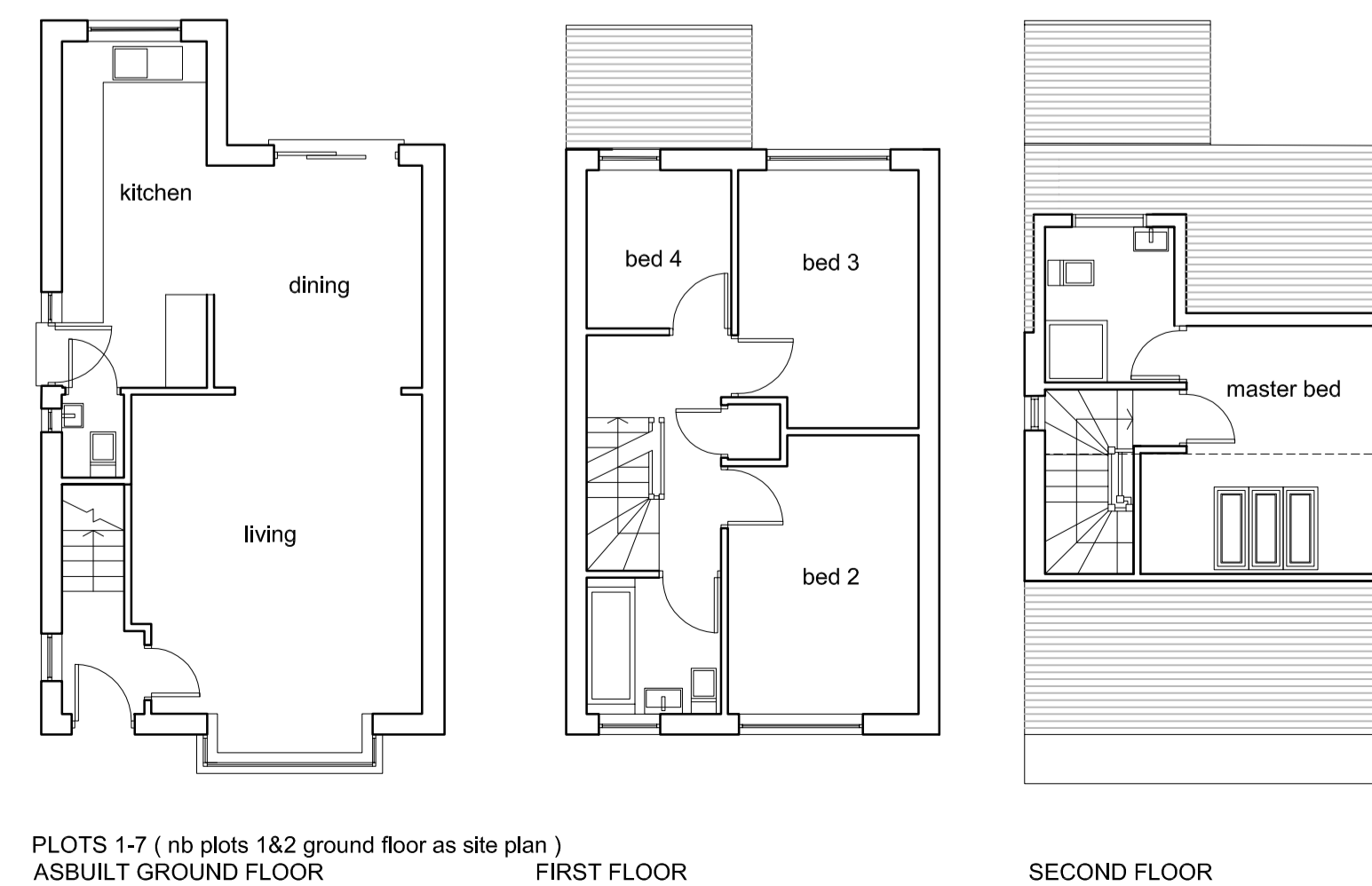
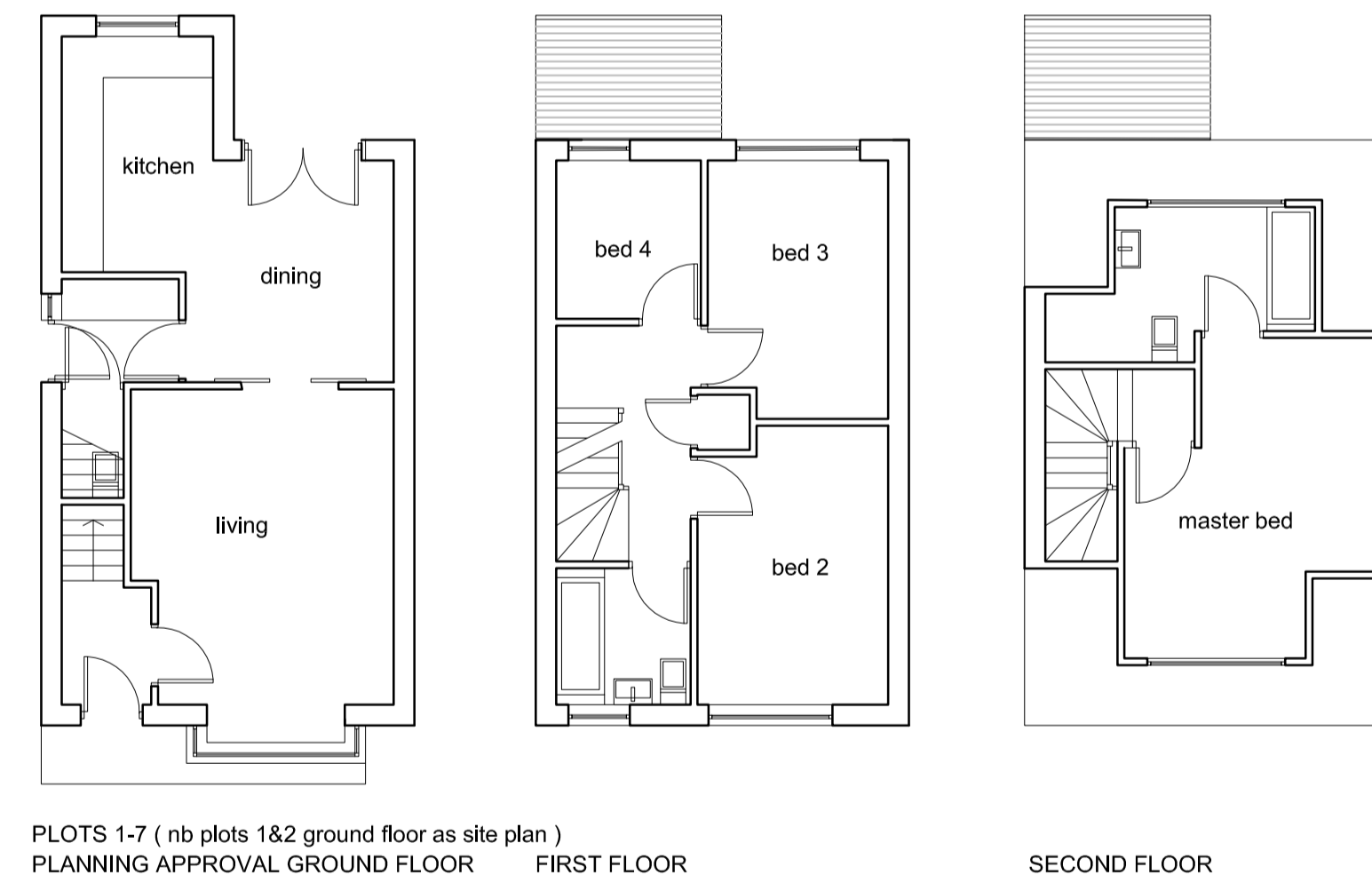
PLOTS 1 & 2
ASBUILT REAR STREET ELEVATION



AS BUILT SIDE ELEVATIONS - PLOTS 3 - 6
(NB: plots 1-2, 8 variations on above)



REAR ELEVATION
Materials for walls and roof to match dwellings



REVISION	DESCRIPTION	DATE	INITIALS

CLIENT
ROCKGLEN DEVELOPMENTS LTD

PROJECT
MONTROSE AVENUE , HOLCOMBE BROOK , BURY

TITLE
STREET ELEVATIONS TO MONTROSE AVENUE

DRAWING NO. 857/PL/05 REVISION SCALE 1 : 100 DRAWN BY SAF DATE 10.03.16

FISH ASSOCIATES
DESIGNERS

FISH ASSOCIATES LTD
216 ST GEORGES ROAD
BOLTON BL1 2PH
01204 532344
steve.fish@fish-associates.co.uk
www.fish-associates.co.uk

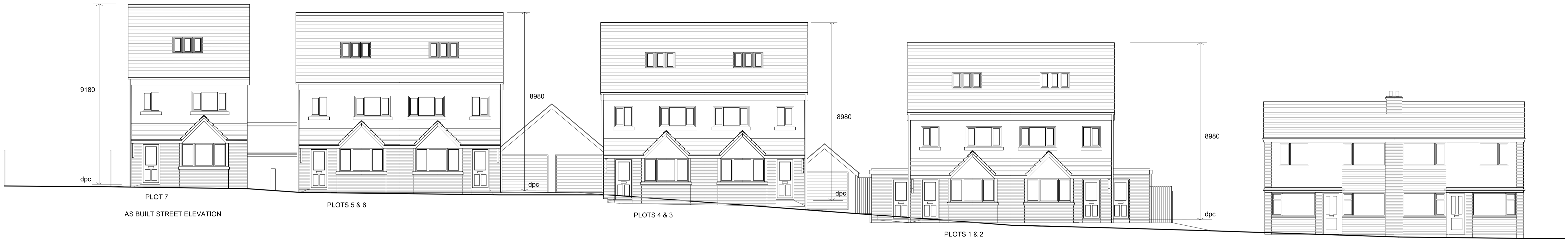


PLOT 7
PLANNING APPROVAL STREET ELEVATION

PLOTS 5 & 6

PLOTS 4 & 3

PLOTS 1 & 2

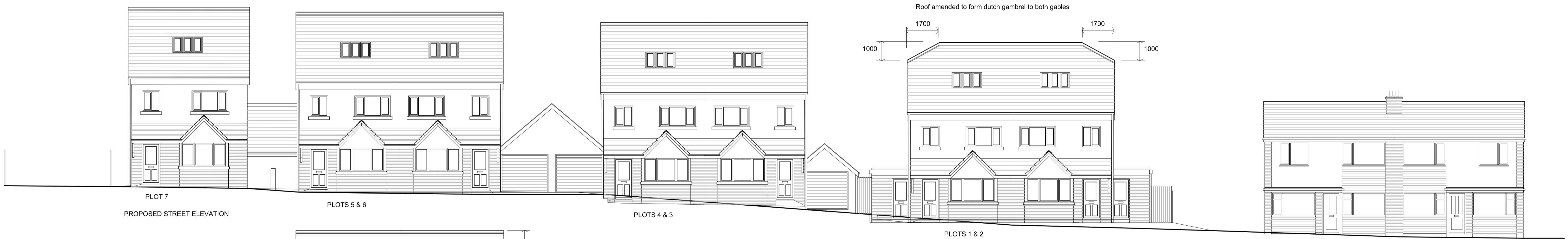


PLOT 7
AS BUILT STREET ELEVATION

PLOTS 5 & 6

PLOTS 4 & 3

PLOTS 1 & 2



PLOT 7
PROPOSED STREET ELEVATION

PLOTS 5 & 6

PLOTS 4 & 3

PLOTS 1 & 2



PLANNING APPROVAL REAR ELEVATIONS - PLOTS 3 - 6
(NB: plots 1-2, 7-8 variations on above)



AS BUILT REAR ELEVATIONS - PLOTS 3 - 6
(NB: plots 1-2, 7-8 variations on above)

REVISION	DESCRIPTION	DATE	INITIALS
A	ROOF AMENDED TO PLOTS 1 & 2	01.03.16	SAF
CLIENT			
ROCKGLEN DEVELOPMENTS LTD			
PROJECT			
MONTROSE AVENUE, HOLCOMBE BROOK, BURY			
TITLE			
STREET ELEVATIONS TO MONTROSE AVENUE			
DRAWING NO.	REVISION	SCALE	DRAWN BY
857/PL/02	A	1 : 100	SAF
			DATE
			03.02.16

ARCHITECTS + DESIGNERS

FISH ASSOCIATES

FISH ASSOCIATES LTD
216 ST GEORGES ROAD
BOLTON BL1 2PH
01204 532044
steve.fish@fish-associates.co.uk
www.fish-associates.co.uk

Ward: North Manor

Item 07

Applicant: Rockglen Developments Ltd

Location: Units 1-4 Westgate Avenue, Ramsbottom, Bury, BL0 9SS

Proposal: Change of house type on plot 8 of planning permission 57104

Application Ref: 59897/Full

Target Date: 31/05/2016

Recommendation: Approve with Conditions

Description

The site was previously developed with a two storey mill type building and housed a vehicle repair garage, fabric machinist and caravan storage and is now vacant. The building is located centrally within the site and to the west of the building is open space, which appears to be used as storage. To the north of the building was a terrace of garages, with a hairdressers located immediately adjacent to 1 Westgate Avenue. These latter buildings have been demolished recently.

The site bounded by residential properties to north, south, east and west and is accessed by an unadopted single track road, which connects Westgate Avenue and Montrose Avenue. The properties, which front onto Longsight Road and Southfield Road have garages and gardens that back onto this access.

Permission was granted in November 2012 for the demolition of the existing buildings and the erection of a 2 bed residential care home. This planning permission has not been implemented.

Permission was granted in March 2014 for the demolition of the remaining buildings on site and the erection of 8 dwellings. 7 of the proposed dwellings would front the access track, which connects Montrose Avenue and Westgate Avenue and 1 dwelling would front onto Westgate Avenue. Access would be taken from the existing access road, which connects Montrose Avenue with Westgate Avenue. The proposed dwellings would be two storeys with dormers in the roofspace. Construction has commenced on the site.

The applicant seeks consent to amend the house type on plot 8. The plans provided to the applicant for the proposed dwelling were incorrect and as such, the works are retrospective in part. The development would include the following changes from the previously approved scheme:

- The dormers on the front elevation have been removed and replaced with three rooflights, located centrally in the roof.
- A reduction in the overall height of the dwelling by 0.06 metres and by 0.82 from the dwelling as built.
- The dormer on the rear would measure 5.3 metres by 1.91 metres and would be set in by 0.5 metres on both sides.
- A small path and stepped access leading to the garden at the rear.
- A detached garage would be located in the rear garden.

Relevant Planning History

54145 - Erection of residential care home with car parking, landscaping and ancillary works at Castle Yard, Westgate Avenue, Ramsbottom. Refused - 30 September 2011.

55622 - Erection of residential care home (Class C2) with car parking, landscaping and ancillary works (Resubmission) at Castle Yard, Westgate Avenue, Ramsbottom. Approved

with conditions - 13 November 2012.

56879 - Demolition of existing buildings and construction of 6 semi-detached houses and 2 detached houses at Castle Yard, Westgate Avenue, Ramsbottom. Withdrawn - 14 January 2014.

57104 - Demolition of existing buildings and construction of 6 semi-detached houses and 2 detached houses (resubmission) at Units 1 - 4, Westgate Avenue, Ramsbottom. Approved with conditions - 5 March 2014.

59346 - Variation of condition no. 2 (approved plans) of planning permission 57104 (6 semi-detached houses and 2 detached houses) to amend the height of the proposed dwellings and reposition the garage to plots 6 and 7 at land at Westgate Avenue, Ramsbottom. Withdrawn - 23 December 2015.

59896 - Change of house type on plots 1 - 7 of planning permission 57104 at Units 1 - 4, Westgate Avenue, Ramsbottom. Received - 16 March 2016.

Enforcement

13/0549 - Breach of Conditions at Castle Yard, Westgate Avenue, Ramsbottom. Case closed - 28 October 2013.

15/0218 - Builders taking wagons up the cul de sac. Case closed - 8 April 2015

15/0438 - Not being built in accordance with the approved plans. Applications received - 14 October 2015 (59346), 16 March 2016 (59896) and 5 April 2016 (59897).

Publicity

The neighbouring properties were notified by means of a letter on 5 April 2016.

1 letter has been received from the occupiers of 9 Westgate Avenue and 68 Longsight Road, which has raised the following issues:

- We wish to support our neighbours and object to the height of the dwellings.
- The dutch hips on plots 1 and 2 will not make any difference.
- Pleased that the builder is reducing the height of plot 8. Why is it ok to have the other houses higher than the original submitted plans.
- We would like to know why Bury Planning has allowed a builder from outside the borough to blatantly flout the rules in this way. The developers have obviously made a false planning application regarding the height of these buildings.
- We note that they wish to amend the height of plot 8 to deter the residents affected from writing to the council.

3 letters have been received from the occupiers of 62, 68, 70 Longsight Road, which have raised the following issues in connection with plots 1 - 7:

- The plans indicate that the applicant will add dutch hips to two plots (1 and 2).
- The proposed amendments do not alter or compensate for the overbuild.
- When viewed from 70 Longsight Road, the dwellings would be visually intrusive.
- The proposal would be detrimental to the residential amenity of neighbouring residents.
- Why did the builder not apply to build the properties at the current height. The answer is probably because the Council would not grant him permission.
- The intention is to leave the dwellings as they are, which block out the evening sunlight to the properties on Longsight Road.
- We find the whole thing to be underhand with no thought to existing residents.
- Object to the properties remaining at their current height as it takes away sunlight from my property.

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

Consultations

None required.

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
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

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

Principle - Policy 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 principle of residential development was established with the grant of planning permission in March 2014. Therefore, 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.

Design and layout - The previously approved dwelling on plot 8 was two storeys in height with a full floor in the roofspace utilising dormers on the front and rear elevations. The development as proposed has removed the dormer on the front elevation and replaced this with rooflights. The result of this change was an increase in the overall height of the dwelling by 0.3 metres.

The proposed development would reduce the ridge height of the dwelling by 0.82 metres from the dwelling as built and by 0.06 metres from the previously approved plans. This would result in an increase of 0.66 metres above the height of the adjacent dwelling. This would match the stepped increase in heights between the existing dwellings on Westgate Avenue. Therefore, the proposed development would not be a prominent feature in the streetscene.

The proposed development would include the erection of a larger dormer on the rear elevation. The proposed dormer would be a flat roofed dormer, which would match the design of the dormers on the other plots. The proposed dormer would be set in by 0.5 metres and set up from the back wall by 1 metre. Therefore, the proposed development

would not be a prominent feature in the streetscene.

The proposed path and stepped access at the rear of the dwelling would provide access to the rear garden and would be acceptable in terms of design and appearance.

The proposed garage would be located in the rear garden of the dwelling and would be of a typical design. The proposed garage would be built from matching materials to the dwellings and as such, would be acceptable in terms of appearance and design.

The part as built property was clearly constructed much higher than approved and this was exacerbated by the difference in levels with No. 1 Westgate Avenue, which is immediately adjacent. This increase was deemed to be unacceptable and the applicant had to find a way to bring the ridge height down and alter the roof pitch to relate more appropriately to the existing adjoining property and assimilate into the streetscene. Therefore, the development would be in accordance with Policy EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD 6 provides guidance on aspect standards between residential properties and would be relevant in this case.

The previously approved dwellings were effectively three storey dwellings as the dormers provided a third floor in the roofspace.

The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows. For each additional storey in height, 3 metres should be added to the separation distance, i.e. there should be 23 metres between directly facing habitable room windows.

There would be 26 metres between the rear elevation of the proposed dwelling and the rear garden to plot 7, which would be in excess of the 26 metre aspect standard.

There would be a minimum of 24 metres between the plot 8 and the properties on Westgate Avenue, which would be in excess of the 23 metre aspect standard and would be acceptable.

Therefore, the proposed development would comply with the relevant aspect standards in SPD6 and would not have a significant adverse impact upon the amenity of the neighbouring properties.

Response to objectors

- The issues relating to loss of light, privacy, design, impact upon the streetscene have been addressed in the report above.
- Neighbouring properties have been consulted on the application as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015. This application is a fresh scheme and therefore, must undergo re-consultation.
- The dwellings approved under permission 57104 were two storeys in height with a third storey located in the roofspace.
- The issues relating to property prices is not a material planning consideration.
- The application has been submitted retrospectively following investigation from the Enforcement Team. It is a reasonable approach to allow the applicant the opportunity to apply to address the issues and have the proposal assessed.
- It is understood that the issue has arisen as a previous agent provided incorrect plans to the applicant. However, this has nothing to do with the Council save for enforcement considerations and assessment of any submitted application. There is nothing 'underhand' going on and no assurances have been given to the applicant. All work taking place at the site is at the owner's risk.
- The comments relating to plots 1 - 7 have been addressed in the report for application 59896.

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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location plan, 857/PL/01, 857/PL/03 rev A, 857/PL/04 rev A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The external finishing materials for the proposal hereby approved shall be:
brick - hanson old trafford red
Headers and cills - Natural stone
Render - parex off white render system
Roof tile - anthracite black roof tile
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 remediation strategy approved as part of condition 4 to permission 57104 must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and
A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
5. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

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

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA 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. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995, as subsequently amended, no development shall be carried out within plots 1 and 2 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.

8. The surface water drainage scheme approved as part of condition 9 of permission 57104 shall be implemented prior to first occupation of the dwellings hereby approved.

Reason. To ensure a satisfactory form of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

9. The development shall be carried out in accordance with the highways works approved under condition 10 of permission 57104 and shall be implemented prior to the development hereby approved is first occupied.

Reason. To ensure good highway design in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.

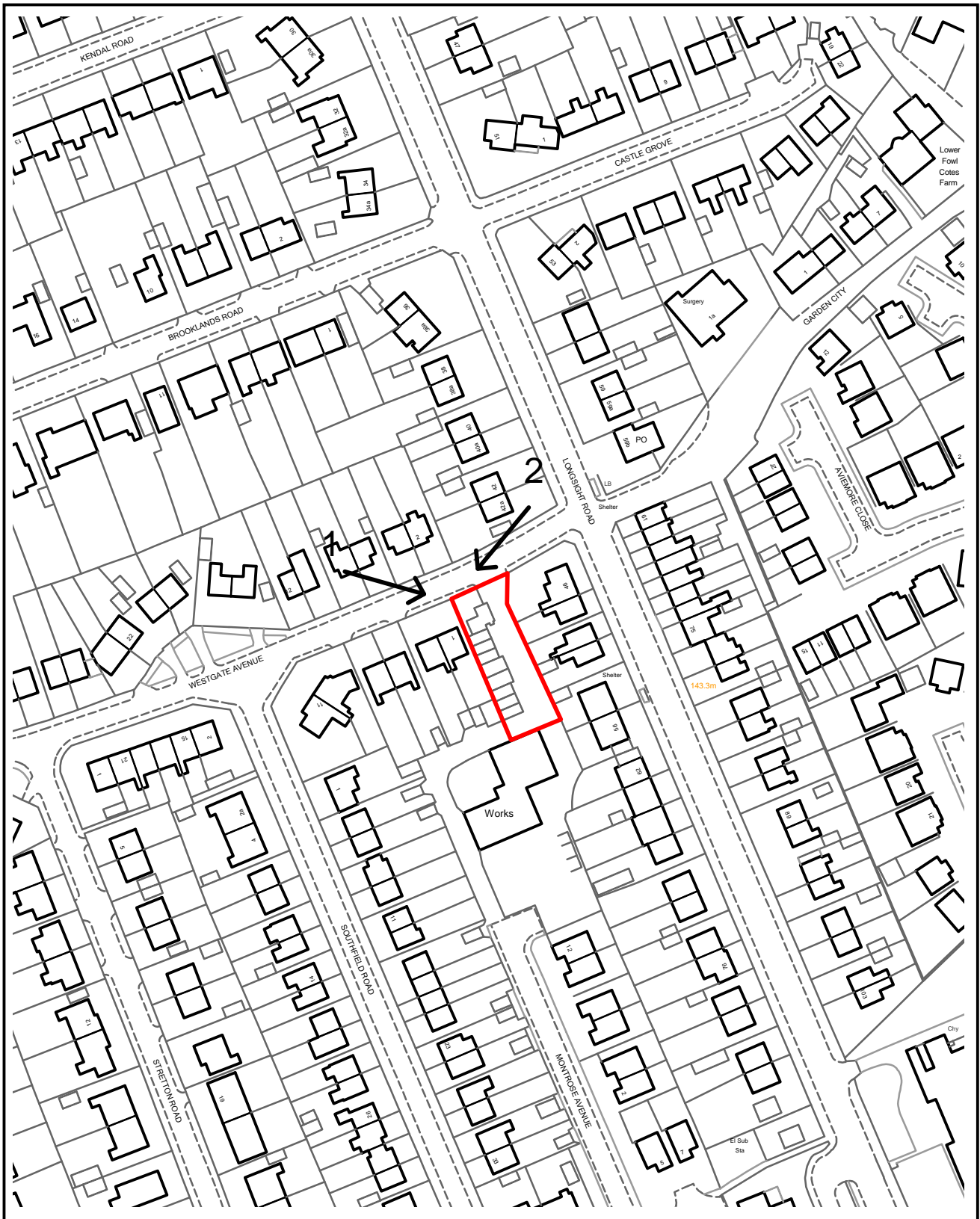
10. Notwithstanding the details indicated on approved plan reference K634/11 Revision A, visibility splays measuring 2.4 metres by 25 metres shall be provided at the junction of the site access with Westgate Avenue before the development is first occupied and shall subsequently be maintained free of 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 the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.

11. The forward visibility envelope at the rear of Plot 8 indicated on approved plan reference K634/11 Revision A shall be implemented before the development is first occupied 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 the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
12. The car parking indicated on approved plan reference K634/11 Revision A shall be surfaced, demarcated and made available for use prior to the dwellings 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 and SPD11.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59897

**ADDRESS: Units 1-4 Westgate Avenue
Ramsbottom**

Planning, Environmental and Regulatory Services

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59897

Photo 1



Photo 2



WESTGATE AVE.



MONTROSE AVE.

Nb ; Subject to accurate site survey, structural engineers comments + and L.A. Approval

REVISION	DESCRIPTION	DATE	INITIALS

CLIENT
ROCKGLEN DEVELOPMENTS LTD

PROJECT
MONTROSE AVENUE , HOLCOMBE BROOK , BURY

TITLE
SITE LAYOUT

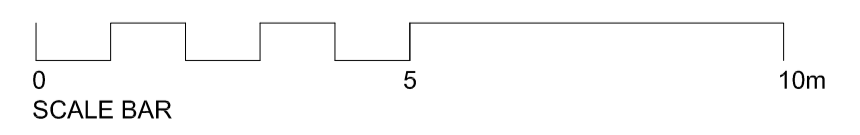
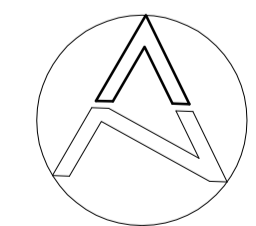
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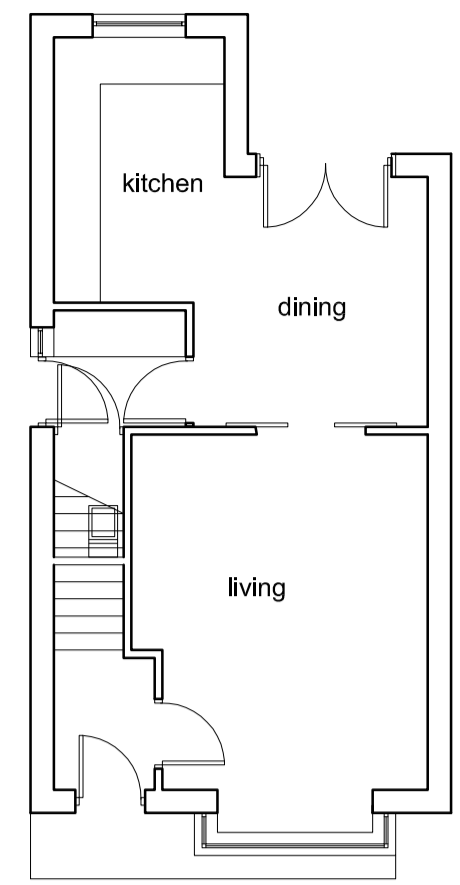
FISH ASSOCIATES

ARCHITECTS + DESIGNERS

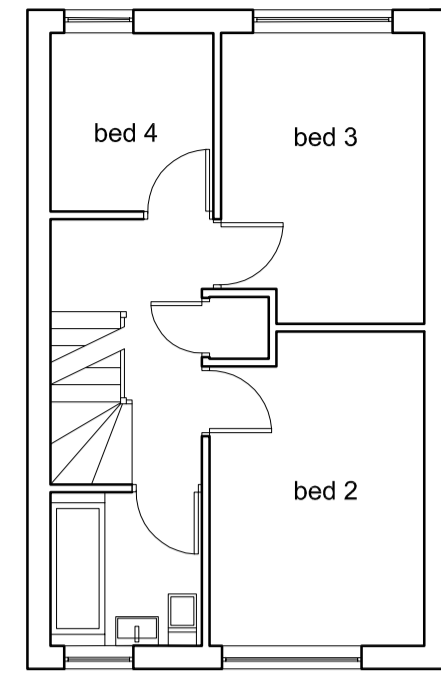
FISH ASSOCIATES LTD
216 ST GEORGES ROAD
BOLTON BL1 2PH
01204 552244
info@fish-associates.co.uk
www.fish-associates.co.uk

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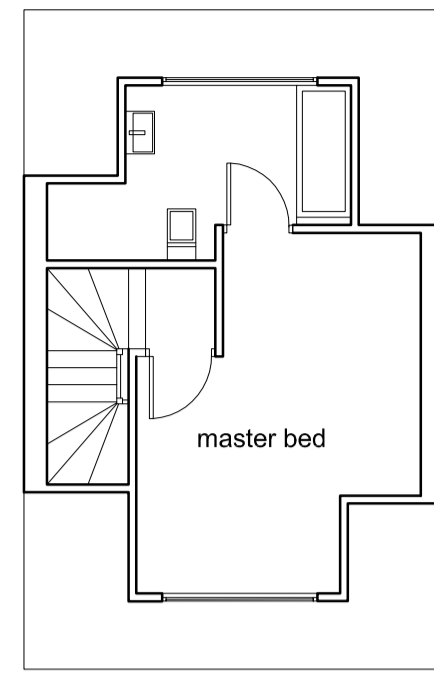




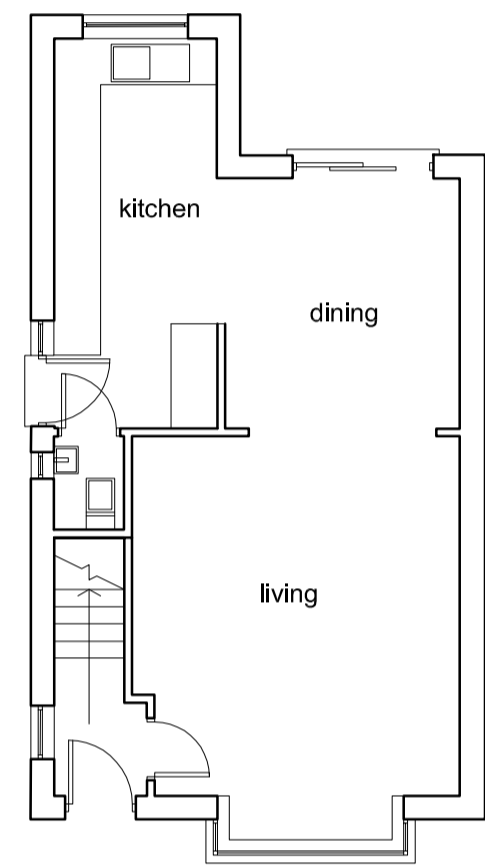
PLANNING APPROVAL GROUND FLOOR



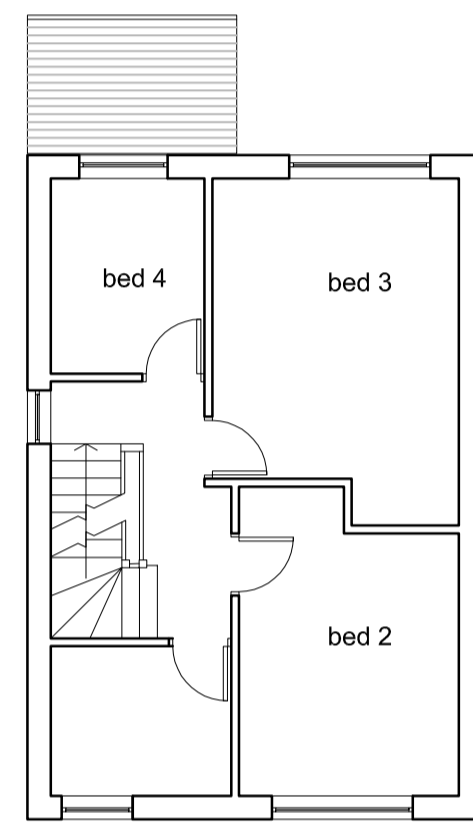
FIRST FLOOR



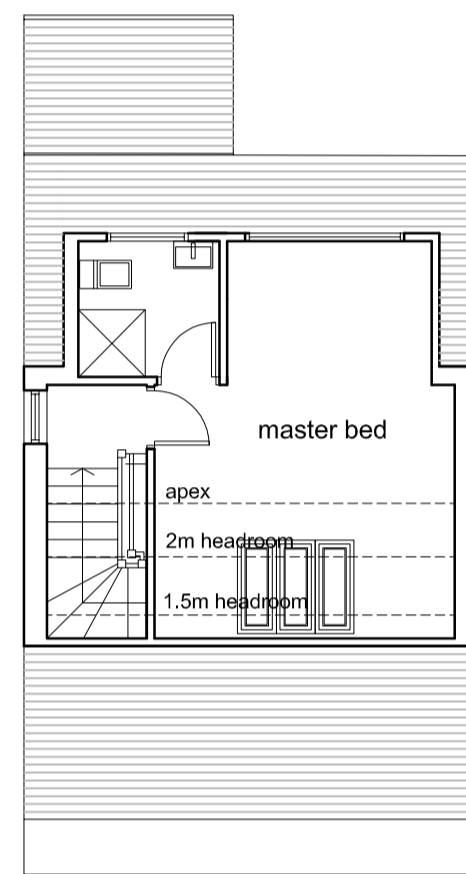
SECOND FLOOR



PROPOSED GROUND FLOOR



FIRST FLOOR



SECOND FLOOR



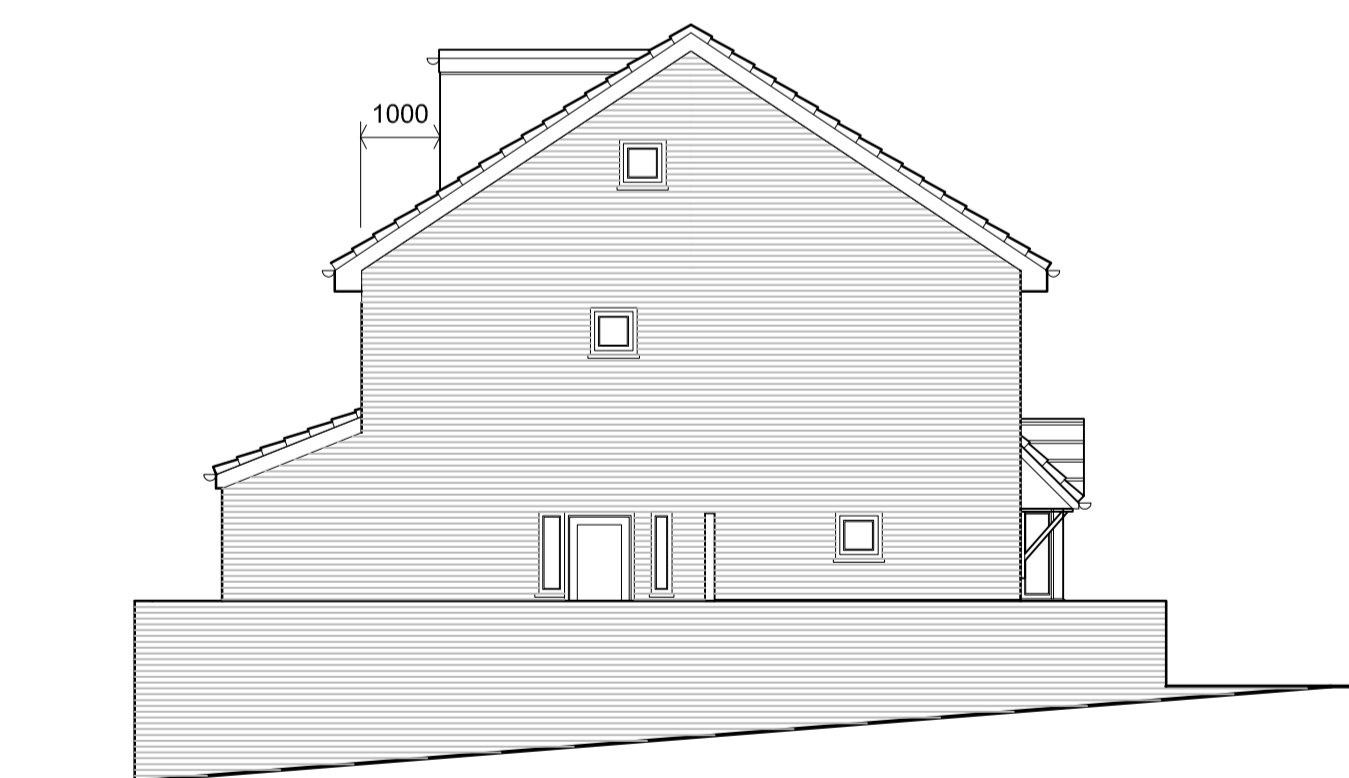
PLANNING APPROVAL STREET ELEVATION



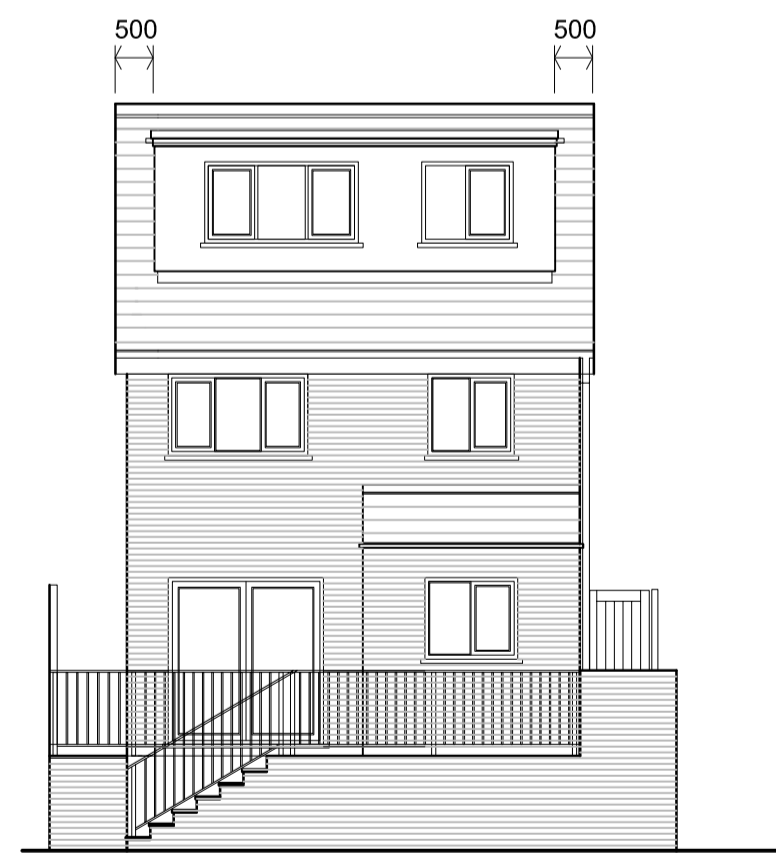
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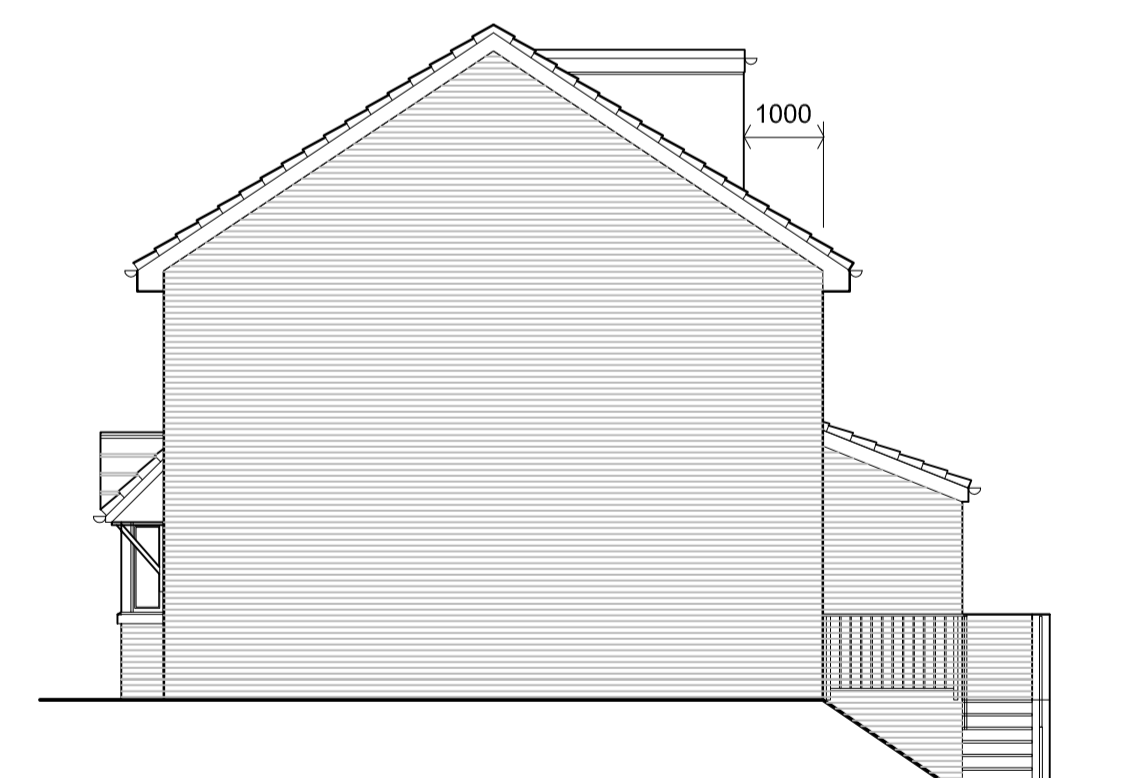
PROPOSED STREET ELEVATION



SIDE (EAST) ELEVATION



REAR (SOUTH) ELEVATION



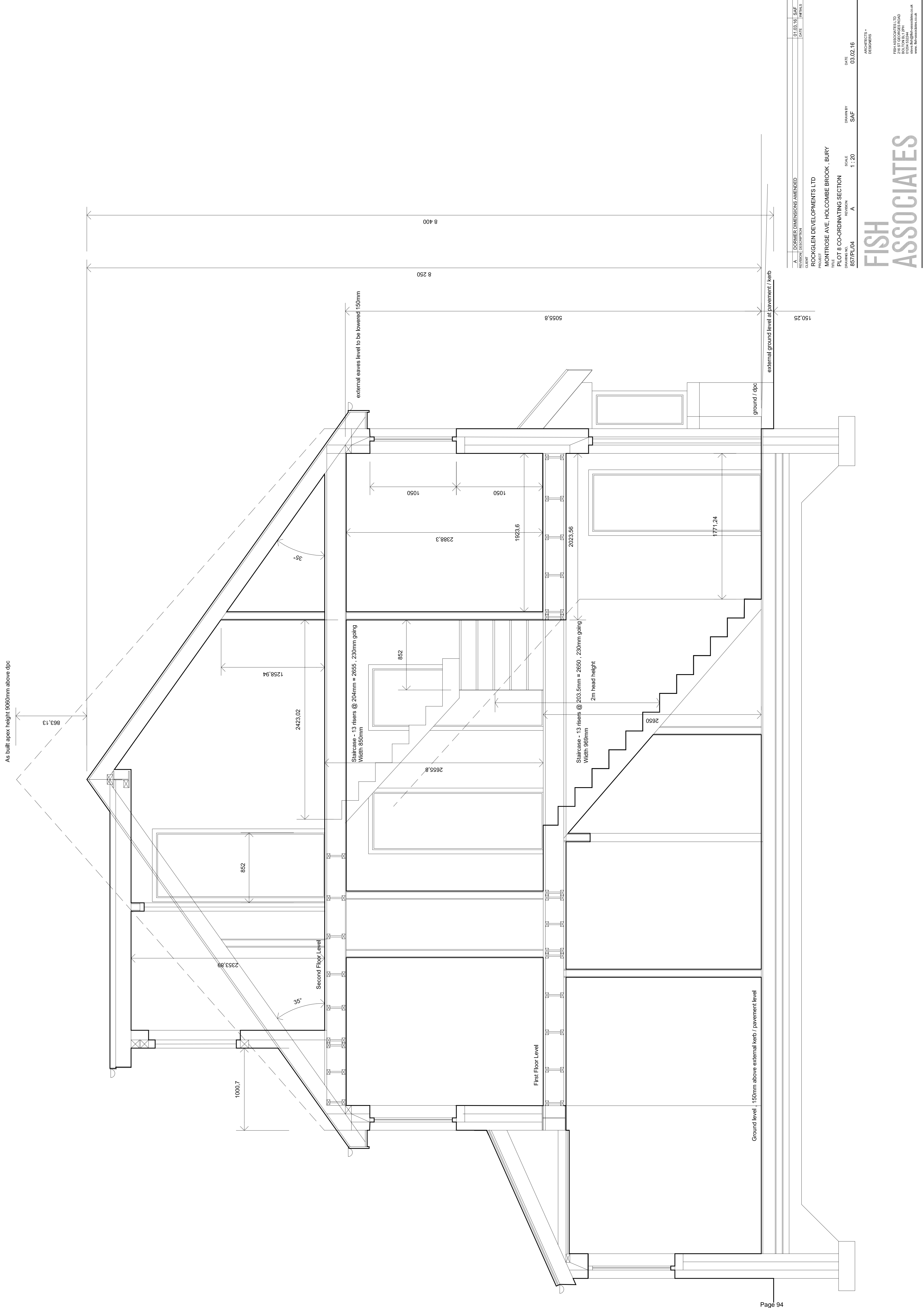
SIDE (WEST) ELEVATION

REVISION	DESCRIPTION	DATE	INITIALS
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CLIENT			
ROCKGLEN DEVELOPMENTS LTD			
PROJECT			
MONTROSE AVENUE , HOLCOMBE BROOK , BURY			
TITLE			
PLOT 8 PLANS AND ELEVATIONS			
DRAWING NO.	REVISION	SCALE	DRAWN BY
857/PL/03	A	1 : 100	SAF
			DATE
			03.02.16

FISH ASSOCIATES
DESIGNERS

FISH ASSOCIATES LTD
216 ST GEORGES ROAD
BOLTON BL1 3PH
01204 93294
steve.fish@fish-associates.co.uk
www.fish-associates.co.uk

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FORMER DIMENSIONS AMENDED	03.02.16	SAF
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A	03.02.16	SAF
REVISION	DATE	DRAWN BY
A	03.02.16	SAF
REVISION	DATE	DRAWN BY
A	03.02.16	SAF

ARCHITECTS + DESIGNERS
FISH ASSOCIATES
 ROCKGLEN DEVELOPMENTS LTD
 MONTROSE AVE, HOLCOMBE BROOK, BURY
 PLOT 8 CO-ORDINATING SECTION
 DRAWING NO. 867/PL04
 SCALE 1:20
 DATE 03.02.16
 DRAWN BY SAF
 ARCHITECTS + DESIGNERS
 FISH ASSOCIATES LTD
 216 ST GEORGES ROAD
 BURY ST GERMANS
 01294 53224
 www.fishassociates.co.uk
 01294 53224

Ward: Whitefield + Unsworth - Unsworth

Item 08

Applicant: Bury & Whitefield Jewish Primary School

Location: Bury And Whitefield Jewish Primary School, School Close, Bury, BL9 8JT

Proposal: Erection of 2.4m high security fence/small section 3m high with manual and electronic gates

Application Ref: 59919/Full

Target Date: 06/06/2016

Recommendation: Approve with Conditions

Description

The application relates to a single storey primary school within a residential area close to the junction of Parr Lane and Sunny Bank Road. The school building lies to the north east of a playing field that is used by the school. The grounds are fenced off and there are trees and shrubs around the boundary. The pedestrian and vehicular entrance is from Parr Lane via a narrow access road - School Close. The school, which includes a nursery, serves the Jewish community.

The application is retrospective and seeks to retain sections of new powder coated paladin fencing that has been erected around the school. The fence is a weld mesh design at a height of 2.4m and is set back from the existing 1.5m high boundary railings by about 500mm. The gates and immediate fence surround at the main and side entrances would be 3m high.

The function of the fence is to increase security around the school.

Relevant Planning History

45865 - Construction of translucent roof covering to play area - Approved 24/02/2006

55273 - Single storey extension to classroom - Approved 02/08/2012

57470 - Single storey nursery building - Approved 25/06/2014

Publicity

The following neighbours were notified by letter dated 12/04/16.

108-172(even), 184 Parr Lane, 278 Sunny Bank Road, 1-21(odd) Hillsborough Drive, 1-7(odd) Leeds Close. Representations received from 114, 156 Parr Lane and 284 Sunny Bank Road are summarised:

- It has a rather 'prison like ' appearance.
- The gap between the new fence and the old one means that maintenance for the school and the neighbours is more difficult.
- Concerns about the trees the boundary blocking light.
- Difficulty in viewing plans.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No comment.

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

CF2 Education Land and Buildings

EN1/5 Crime Prevention

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.

Visual amenity and streetscene - Permitted development regulations allows a fence to be erected to a height of 2m where it is not adjacent to a highway. It is not unusual to see this type of fencing, at this height around school premises. Given it is a paladin style and coloured dark green, it would not have a seriously detrimental impact on the character and appearance of the site. The fencing complies with UDP Policy EN1/2 Townscape and Built Design.

Residential amenity - There are no issues arising in respect of residential amenity.

Security - The proposed fence would improve security around the school without detriment to visual amenity. The fence is acceptable and complies with UDP Policy EN1/5 Crime Prevention and associated guidance.

Traffic - There is no adverse impact on highway safety.

Maintenance - To aid maintenance and management of plant growth between the old railings and new fence, it is considered appropriate to require that an access gate be installed in the new fence at a location agreed with the Local Planning Authority. This would be required by a condition of any approval.

Objections - The planning issues raised are addressed in the above report. The boundary trees are not within the control of the Local Planning Authority specifically.

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

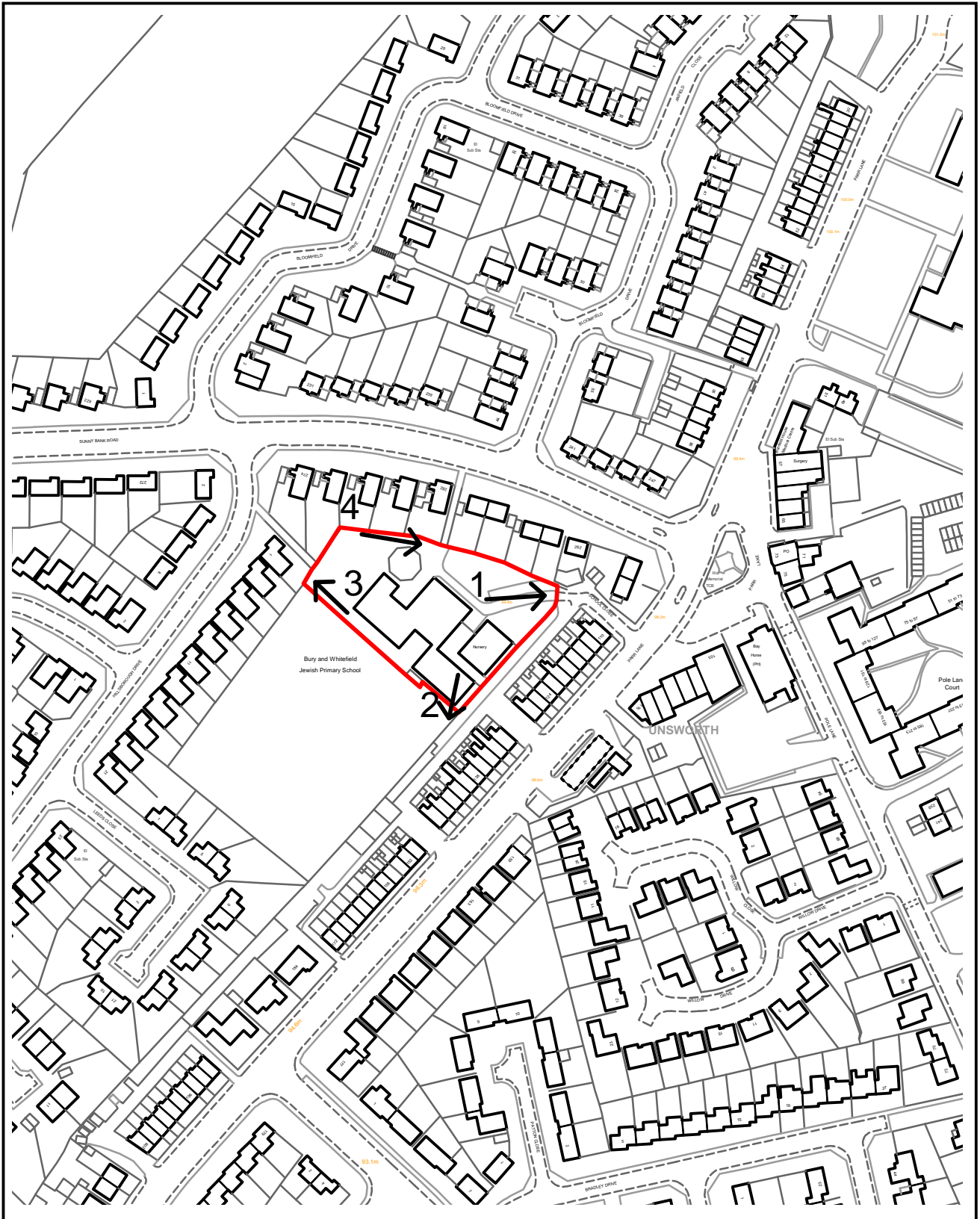
Conditions/ Reasons

1. This decision relates to drawings numbered PLANG/01, 02, 03 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

2. Within one month of the date of this decision notice, an access point, for maintenance purposes, shall be installed in the fencing hereby approved to the written satisfaction of the Local Planning Authority. The access point shall be retained thereafter to the satisfaction of the Local Planning Authority.
Reason. To enable the proper maintenance of land along the boundary of the site in the interests of amenity pursuant to UDP Policy EN1/2 Townscape and Built Design.

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

viewpoints

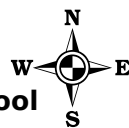


PLANNING APPLICATION LOCATION PLAN

APP. NO 59919

**ADDRESS: Bury & Whitefield Jewish Primary School
School Close**

**Bury
Planning, Environmental and Regulatory Services**



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59919

Photo 1



Photo 2

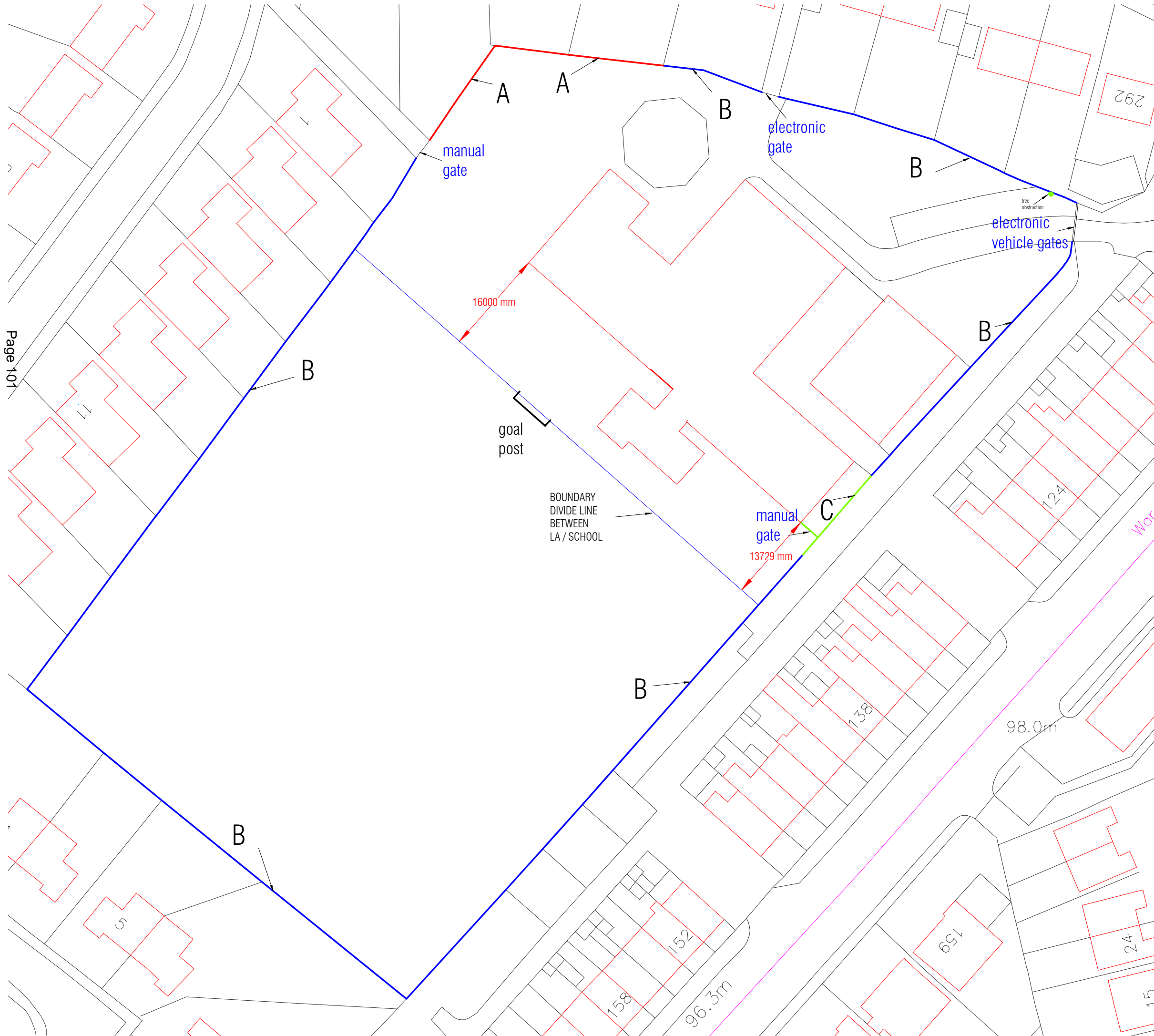


Photo 3



Photo 4





Page 101

KEY

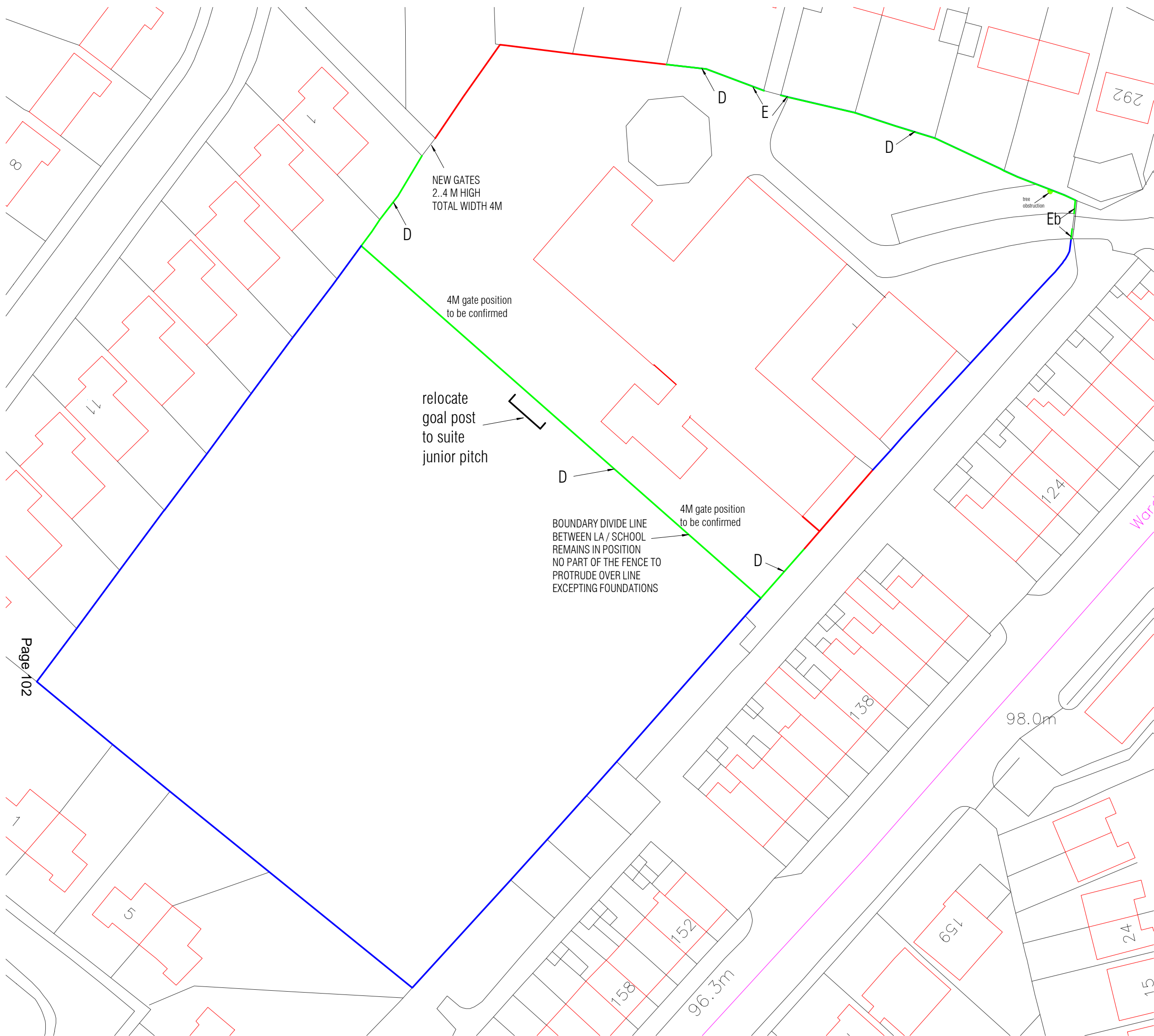
- A: EXISTING METAL RAIL FENCE WITH CHAIN MESH TOP O/A HEIGHT 2.6m
- B: EXISTING METAL RAIL FENCE O/A HEIGHT 1.5 M
- C: EXISTING SECURITY FENCE O/A HEIGHT 3.0m

SPA architecture - quantity surveying - management
 Stewart Pear & Associates

3 SANDY LANE, PRESTWICH, MANCHESTER, M25 9RU
 TEL: 0161 - 798 8811 EMAIL: admin@StewartPear.co.uk

Contract: PROPOSED SECURITY FENCING			
at BURY & WHITEFIELD JEWISH PRIMARY SCHOOL			
Client: THE GOVERNORS BURY & WHITEFIELD JEWISH PRIMARY SCHOOL PARR LANE, WHITEFIELD, BURY			
DRAWING Ref:	SCALE	DRAWN	DATE
EXISTING FENCE PLAN	1:550 @ A3	SPA	March 2016
PROJECT Ref:	SCALE	DRAWN	DATE
BWJPS/FEN/016	1:550 @ A3	SPA	March 2016





CONTRACTOR TO VISIT SITE TO FULLY ASCERTAIN ALL RESTRICTIONS AND OBSTRUCTIONS THAT MAY AFFECT HIS WORK AND INCLUDE FOR SUCH IN HIS PRICE

CONTRACTOR TO VISIT SITE TO CONFIRM DIMENSIONS AND TAKE RESPONSIBILITY FOR SETTING OUT

KEY

D: PROPOSED SECURITY FENCE
 GREEN
 O/A HEIGHT 2.4m
 CONSTRUCTED AGAINST EXISTING FENCE EXCEPTING THAT ON THE BOUNDARY LINE

E: PROPOSED SEVCURITY FENCE
 SHROUD TO EACH SIDE OF GATE
 GREEN (Eb = BLACK)
 O/A HEIGHT 3.0 m X 1.2 m WIDE

Contract: PROPOSED SECURITY FENCING			
at BURY & WHITEFIELD JEWISH PRIMARY SCHOOL			
Client: THE GOVERNORS BURY & WHITEFIELD JEWISH PRIMARY SCHOOL PARR LANE, WHITEFIELD, BURY			
DRAWING Ref:	SCALE:	DRAWN:	DATE:
PROPOSED FENCE PLAN	1:550 @ A3	SPA	March 2016
PROJECT Ref:	BWJPS/FEN/016	DRAWN:	DATE:

Ward: Radcliffe - North

Item 09

Applicant: Six Town Housing

Location: Former garage colony sites at Mayfair Avenue, Radcliffe, Manchester, M26 3ND

Proposal: Erection of 8 no. dwellings on 2 no. sites

Application Ref: 59928/Full

Target Date: 19/05/2016

Recommendation: Approve with Conditions

Description

The application relates to two sites off Mayfair Avenue which were formally used as garage colonies. The sites were cleared of the garages in 2007 and have remained vacant and unused ever since. They are located in close proximity of each other, one being situated either side of Mayfair Avenue and are surrounded by residential properties on all boundaries.

The easterly site, site 1, is broadly rectangular in form and is enclosed by timber fencing, which forms the boundary to rear gardens of houses on Mayfair Avenue, Chelsea Avenue, Kilburn Road and Holborn Avenue.

Site 2, to the west, is more irregular in shape, and is also bounded by timber fencing to houses on Mayfair Avenue, Chelsea Avenue, Kensington Avenue and Holborn Avenue. Both sites have an existing vehicular access.

The application seeks to redevelop the two sites for residential dwellings.

Site 1 - This would comprise 5 No. 2 bedroomed dwellings, of 2 x semi detached and 1 x detached, set in a row towards the southern part of the site. The existing access would be utilised and lead to 2 parking spaces for each property.

Site 2 - A row of 3 No. 2 bed terrace properties, set relatively centrally within the site and orientated eastwards. The existing access would also be utilised, with 2 parking spaces allocated for each dwelling.

The properties would have bin store facilities and rear gardens, with a communal bin collection point located towards the front of the site on Mayfair Avenue.

The scheme would be developed by a Housing Association to provide affordable family accommodation.

Relevant Planning History

01730/E - Proposed redevelopment of vacant garage sites to create 8 new houses - Enquiry completed 14/10/2015

Publicity

59 letters sent on 6/4/2016 to properties at Kilburn Road; Kensington Avenue; Mayfair Avenue; Chelsea Avenue; Holborn Avenue.

One letter of objection received from No 6 Chelsea Avenue which raises the following issues:

- Behind No 6-12 Chelsea Avenue, the plans submitted are for the gardens to be up against our fences, including a shed overlooking gardens of Nos 6-8, which could be moved, and there would be no access to our back gardens;

- It was suggested at our meeting with the applicant that a small ginnel could be put between the new houses and our fence to allow access.

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.

Waste Management - No objection.

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

The Coal Authority - No objection subject to condition.

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

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
H4/1	Affordable Housing
EN1/2	Townscape and Built Design
EN6	Conservation of the Natural Environment
EN8	Woodland and Trees
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
EN5/1	New Development and Flood Risk

Issues and Analysis

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

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.

UDP Policy H2/6 - Garden and Backland Development - Proposals would not be permitted which result in the loss of private gardens and backland for infill development unless it can be demonstrated that proposals would not adversely affect the character and amenity of the area. special regard would be had to the concentration of such development in the surrounding area, the relative density, the impact on neighbouring properties and local environment and access arrangements.

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 development would meet an identified shortage of housing in the Borough. It would be located within an established residential estate in the 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 is such that it would not result in the over development of the site.

As such, the principle is considered to be acceptable and would be in compliance with the NPPF and UDP Policies H1/2, H2/1, H2/2 and H2/6.

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

Layout and siting - The size and form of the sites have largely dictated the layout and number of units which could be accommodated on the sites, as well as the need to take account of the proximity and relationship of the surrounding residential properties.

Site 1 - This would comprise a row of two pairs of semi detached and one detached property, running west to east with the frontages orientated north. Rear garden areas would be no less than 8.5m in length with Plot 5 having the addition of a large amenity space at the side. Each property would have 2 dedicated tandem parking spaces to the front.

The existing vehicular access into the site would be utilised, and incorporate a pedestrian footway adjacent to the side garden of No 12 Chelsea Avenue.

Site 2 - A row of 3 houses would be sited fronting eastwards. Access to the rear gardens of plots 6 and 8 would be down the side of the houses, with the middle dwelling, plot 7, having a separate path which would run adjacent to the southern boundary of the site and lead to the garden area. Garden lengths would be 11m, which would be more than satisfy policy standards.

A new pedestrian footpath would be provided into the site, and the existing vehicular access utilised.

In terms of parking, the spaces would either be to the side or opposite the houses, with one to plot 7 on the front driveway. Two spaces would be provided for each dwelling, within the site boundary, and it is considered this arrangement is acceptable.

Bin store provision for both sites would be adequately catered for within the garden areas of the dwellings, with bins taken to a collection point on Mayfair Avenue, and which has been conformed as acceptable by the waste management team.

Some of the properties which back onto the garage colony have an access from their rear gardens into the site which would be lost, as it is proposed to erect a 1.8m high timber fence around the boundary of the entire site. This is an issue raised by the objector.

The site is privately owned, and from a planning perspective, there would be no issue restricting access from existing houses to the site. If there are rights of access for the occupiers of these dwellings, this would be a private matter to be resolved outside of the planning process.

The proposed layouts would maximise the developable area of land available, without compromise to either future occupiers or the surrounding properties.

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

Design and appearance - In terms of size, both sites would provide dwellings which would be relatively modest in height, scale and massing, reflectant of the properties in the surrounding area.

Site 1 - The semi detached and detached properties would have pitched roofs and incorporate a front projection and canopied doorway. Large window openings would allow plenty of natural light to the properties, as well as responding to the requirements of providing lifetime homes standards.

Site 2 would comprise a row of 3, with hipped roofs, overhanging eaves and brick elevations, with a canopy over the front entrance. Window patterns would be symmetrically set within the fenestrations, to provide uniformity.

Materials for both sites are proposed as light red multi facing brickwork, grey upvc windows and grey concrete tiles. The rear gardens would be separated by 1.8m high fencing, with a 900mm metal railing defining the front gardens.

Subject to a condition to submit materials for further approval, the design and appearance of the scheme is considered to be acceptable within the locality and the character of the surrounding residential area and considered to comply with UDP Policies H2/1 and EN1/2.

Impact on residential amenity - SPD 6 advises that a distance of 20m should be maintained between habitable room windows in 2 properties and 13m between a ground floor habitable room window and a 2 storey blank wall.

Site 1 - In terms of relationships to the surrounding properties, there would be a distance of 13m between the side elevation of plot 1 and the rear elevations of dwellings on Chelsea Avenue, and 24m from the rear elevation of the new build properties and houses on Kilburn Road. Aspect standards would be satisfied on this part of the development.

Site 2 - The houses closest to the development would be to the north on Kensington Avenue and to the south and west on Chelsea Avenue. There would be a distance of 15m between the blank gable wall of plot 8 and the rear elevation of Nos 5 and 7 Kensington Avenue, and separation of 13m between the rear elevation of plots 6-8 and the houses on Chelsea Avenue. As such aspect standards would be satisfied.

Plot 6 would be located forward of the rear elevation No 24 Chelsea Avenue by 1.8m and would be 4.4m from the boundary with this property. Positioned to the north of this house, it would not create an overshadowing effect to their rear garden, given the orientation of the house and the direction of the sun. As such, it is considered the new build would not have an overbearing or dominant relationship to this property.

It is considered that there would be sufficient separation distances between all the new build plots and the surrounding residential properties, and would be in compliance with UDP Policies H2/1, H2/2, H2/6, HT2/4 and SPD 6.

Parking and access - SPD11 seeks a maximum of 1.5 and 2.5 parking spaces per 2 bed

dwellings in high and low access areas respectively. It is proposed to provide 2 parking spaces for each dwelling.

Whilst the site is not in a particularly high access area, these are maximum standards, and it is within walking distance of a local bus route and within an established residential area. The provision of 2 spaces per 2 bed dwelling is therefore considered to be reasonable and sufficient for the types of dwellings proposed, in this location.

The existing accesses into both sites would be utilised and a pedestrian footpath incorporated down the side of each route in. The accesses would lead directly to the parking spaces and there would be ample room to manoeuvre without compromise to pedestrian or highway safety.

The Highway's Section have raised no objection to the proposed development, either in terms of the on-site parking proposals or access, and as such the development is considered acceptable and complies with HT2/4, HT6/2, H2/2 and SPD11.

Ecology - An Arboricultural Report and Ecological Appraisal have been submitted with the application and GMEU have been consulted. No significant ecological were identified by the applicant's ecological consultant. Minor issues relating to invasive species, nesting birds, bats and ecological mitigation were identified which can be resolved via informative or condition.

Bats - The site was assessed for bat roosting potential and none was found. All the garages have already been removed and the trees identified as having no bat roost potential. The consultants note that the site has some value as foraging habitat. However, it is considered this will not be significant in terms of the wider landscape, and no further information or measures are required.

Nesting birds - Both plots have trees and scrub that would be lost as a result of the development. There is a potential for bird nesting habitat, which are protected by Section 1 of the Wildlife and Countryside Act. A condition to restrict the removal of vegetation is therefore recommended.

The site visit revealed that the trees and vegetation required to be removed to facilitate the development, have already been cleared. The applicant has stated that the works were overseen by an ecologist, that there was no wildlife nesting on either site, and that due regard was had to the provisions of The Wildlife and Countryside Act, 1981, as amended.

As planning permission is not required for vegetation removal which is not protected, the site clearance has been carried out without any breach, and as such considered to be acceptable.

As some of the trees would be retained on the site, it is considered appropriate to restrict any further clearance, as recommended in Condition 5.

Overall ecological Impact - The development would result in the loss of semi natural vegetation, of widespread native tree species. Whilst of importance only at the site level, without mitigation the loss of these trees would result in a net negative impact on biodiversity. The NPPF states that the planning system should contribute to and enhance the natural environment.

Replacement trees are proposed, approximately one for one. If all the species are native, adequate long term mitigation would be provided. The detail of the replacement landscaping can be conditioned.

Response to objector -

- The applicant has confirmed that there would be no access to the sites from the houses which abut the site and that there are no formal agreements in place.

- Any requests from local residents to provide a ginnel between their houses and the sites would be a private matter and not within the parameters of this application.
- The application proposes garden sheds, some of which would be sited adjacent to the boundary gardens of the surrounding dwellings. It is not unusual for sheds to be located in such positions in residential gardens, and in themselves, would not require planning permission, and could be erected at anytime by future occupiers. As such, the siting of the sheds is considered acceptable.

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 3902 04 Rev A; 3902 07; 3902 08; 3902 09; 3902 10; 3902 11; 3902 13; 1084-112; Preliminary Ecological Appraisal November 2015; Arboricultural Report AIA and AMS November 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. No works to trees or shrubs 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 agreed in writing 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.

6. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. The content of the plan should include the use of native species to mitigate for the loss of native trees and shrubs. The approved plan shall be implemented in accordance with the approved details and implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan, and chapter 11 - Conserving and enhancing the natural environment.

7. No development shall commence unless and until the following information has been submitted to and approved by the Local Planning Authority:

- The submission of a scheme of intrusive site investigations for approval;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a report of findings arising from the intrusive site investigations, including the results of gas monitoring.

Where remediation works are required, a detailed strategy/scheme shall be submitted to and approved by the Local Planning Authority and the implementation of those remedial works carried out with agreed timescales.

Reason. Information has not been submitted at application stage. Required to ensure the safety and stability of the proposed development, pursuant to chapter 11 - Conserving and enhancing the natural environment of the NPPF.

8. No development shall commence unless and until details of foul and 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 be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must 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 fully assess the impact in the interests of sustainable development pursuant to chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF

9. No development shall commence unless and until full details of the proposed

pedestrian and vehicular access improvements indicated on the approved plan reference P3902 10 have been submitted to and agreed by the Local planning Authority. The details subsequently approved shall be implemented to agreed specification and to the satisfaction of the Local planning Authority before the development is first occupied.

Reason. To ensure good highway design and maintain 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/Vehicular Conflict.

10. No development shall commence unless and until a 'Construction Traffic management Plan (CTMP) has been submitted to and approved by the Local Planning Authority, and shall confirm/provide the following:

- Access route for the construction traffic from the highway network;
- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site or on land within the applicant's control of the operative's and construction vehicles together with storage on site of construction materials.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials.

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets and 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.

11. No development shall commence unless and until details have been 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 the adopted highways are kept free of deposited material from the ground works operations pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

12. The car parking indicated on the approved plan reference P3902 10 shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use.

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

13. The turning facilities indicated on the approved plan P3902 10 shall be provided before the development is first occupied and shall subsequently be maintained free of obstruction at all times.

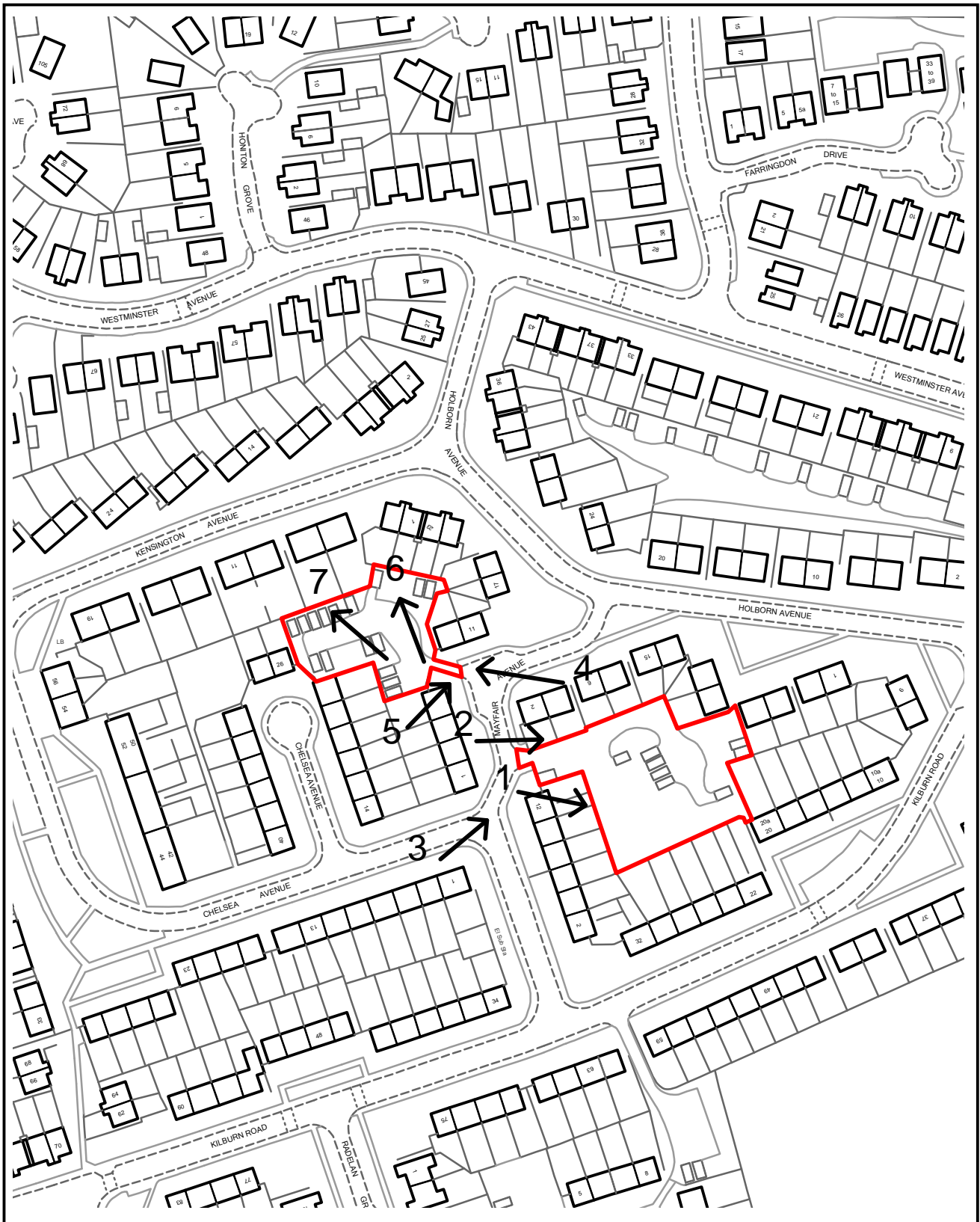
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

14. Details/Samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design and HT2/1 - The Form of New Residential Development.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59928

**ADDRESS: Mayfair Avenue
Radcliffe**

Planning, Environmental and Regulatory Services

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59928

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6






Photo 7





Page 117

Rev	Date	Description
-----	------	-------------

-  Proposed trees
-  Garden shed
-  refuse storage
-  road surface:red bitmac
-  drives:black bitmac
-  paths:grey pcc paving
-  front and rear gardens:turf on topsoil
-  1.8m high timber fence with with 900mm wide ledged framed and battened timber gate
-  900 mm high metal railing to front gardens

Accommodation:
 5No 2b4p houses - plots 1-5
 3No 3b5p houses - plots 6-8



Arcus Consulting LLP
 Yorkdale 0192 465 9000
 Liverpool 0151 708 1000
 www.arcus.uk.com

Manchester 0161 900 5222
 Newcastle 0191 272 5781
 info@arcus.uk.com

Client:
 Six Town Housing

Project:
 Mayfair Garage Sites

Title:
 Proposed Site Plan

Scale	Date	Stage
1:200@A1	23.03.16	
Job No	Drawing No	Rev
P3802	10	-
Drawn	Approved	
GS		

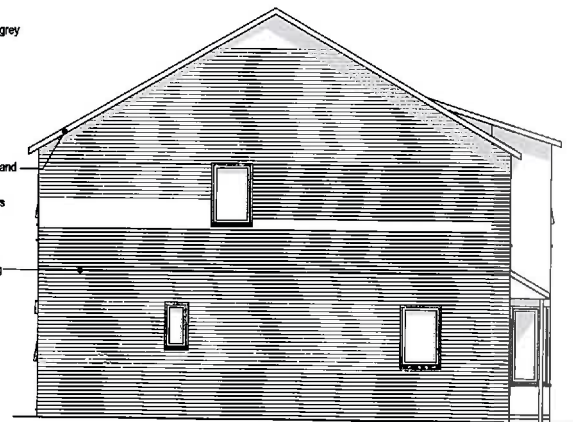
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Front Elevation

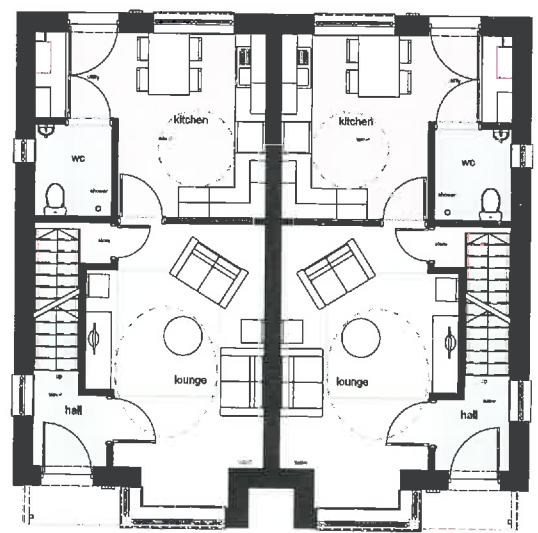


Rear Elevation

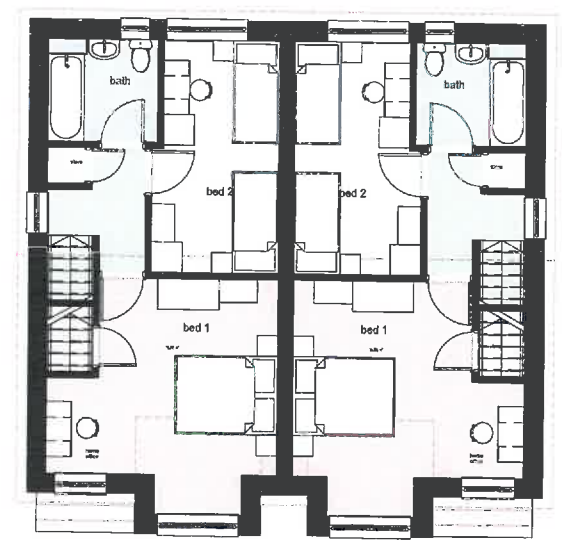


Side Elevation

Page 118



Ground Floor



First Floor



Arcus Consulting LLP
 Wakefield 01924 455 9000
 Liverpool 0151 706 1080
 www.arcus.co.uk

Manchester 0161 905 3222
 Newcastle 0191 272 5781
 Cambridge 01223 252 7700
 info@arcus.co.uk

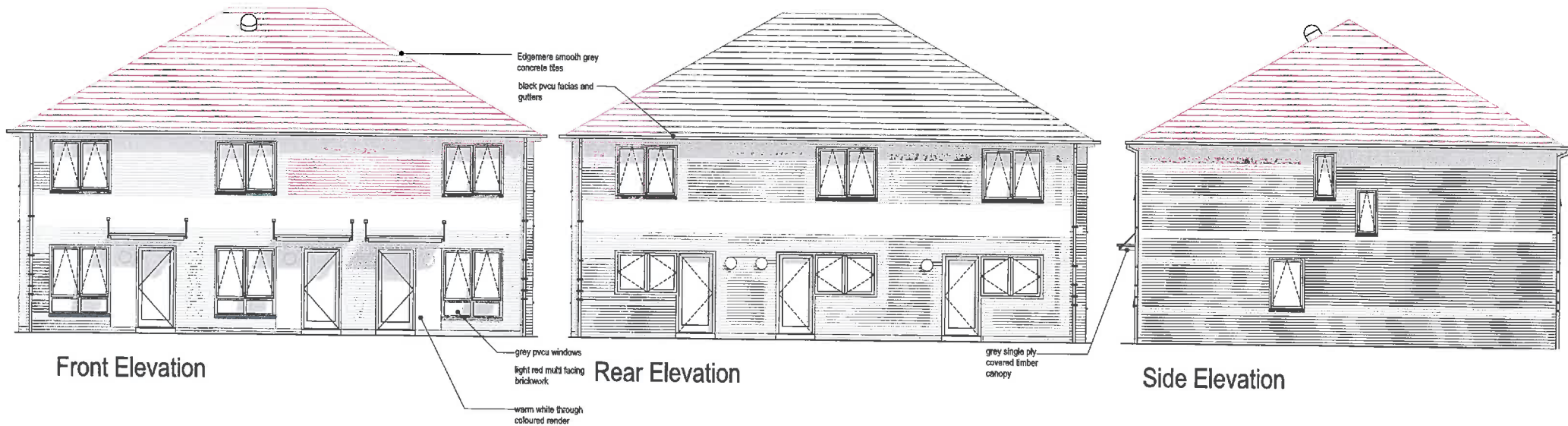
Client
 Six Town Housing

Project
 Mayfair Garage Sites

Title
 Floor Plans and Elevations
 Plot 1-4

Scale	Date	Sheet
1:50 @ A1	22.03.16	
Job No	Drawing No	Rev
P3902	07	
Drawn	Approved	
AG		

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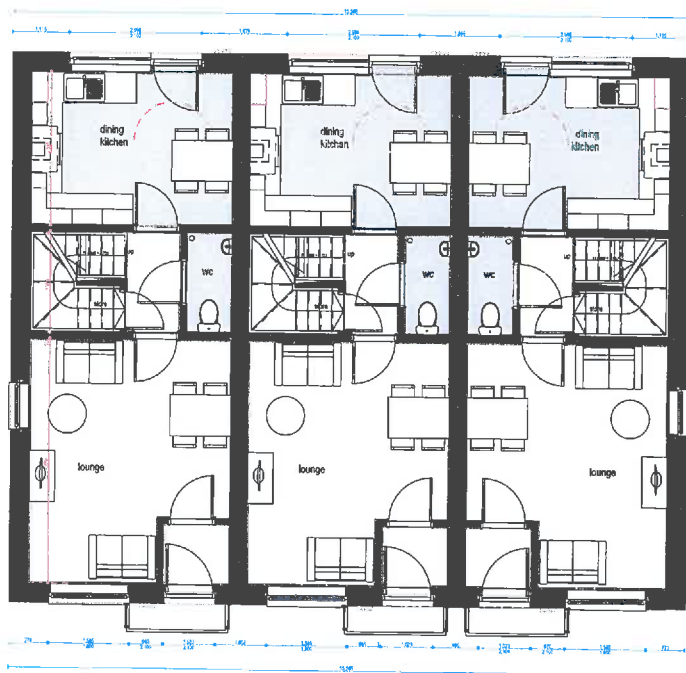


Front Elevation

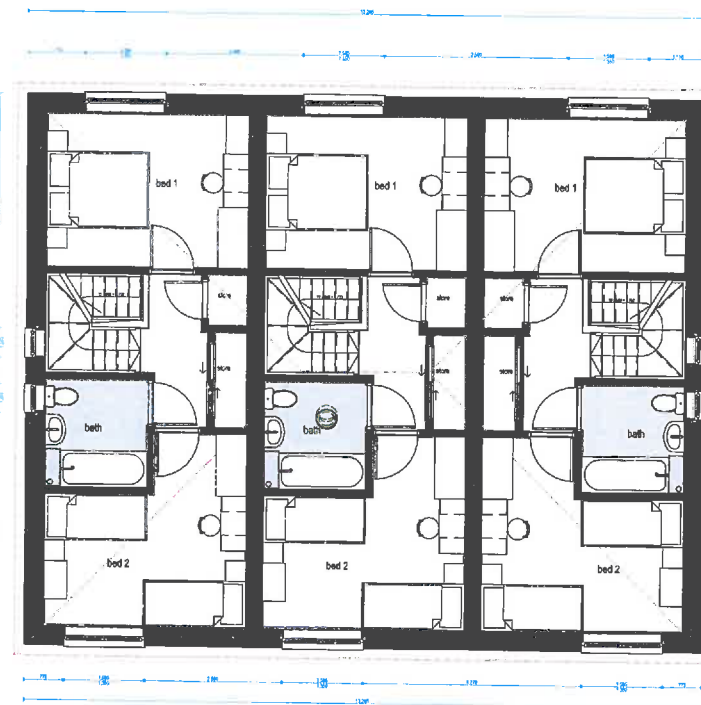
Rear Elevation

Side Elevation

Page 119



Ground Floor



First Floor



Arcus Consulting LLP
 Head Office: 0161 895 9000
 Liverpool: 0151 706 1080
 www.arcus.uk.com

Manchester: 0161 895 5222
 Newcastle: 0191 275 5761
 info@arcus.uk.com

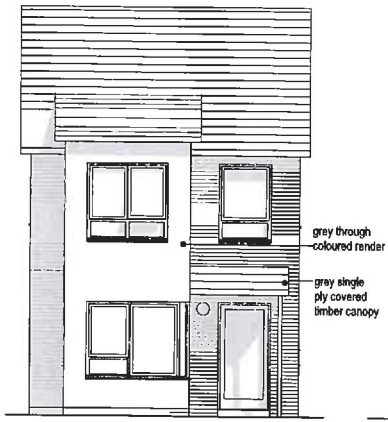
Client: Six Town Housing

Project: Mayfair Garage Sites

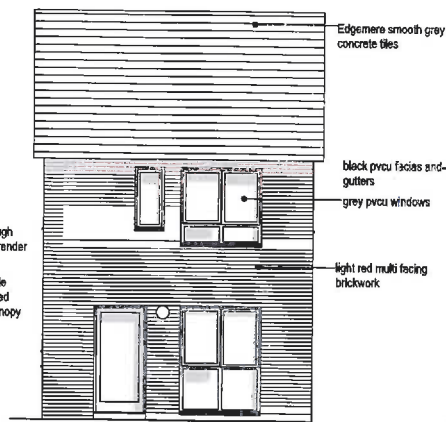
Title: Floor Plans and Elevations
 Plot 6-8

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Job No: P3902	Drawing No: 09	Rev:
Drawn: AG	Approved:	

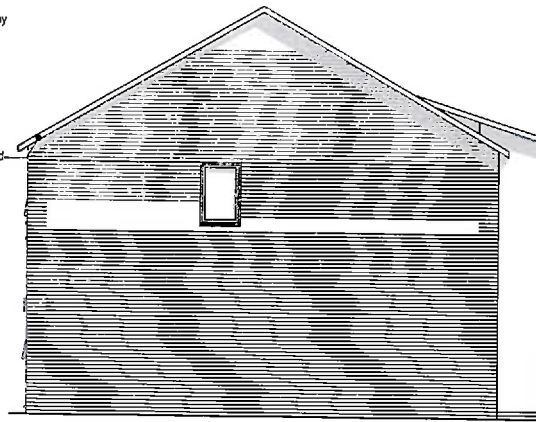
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Front Elevation



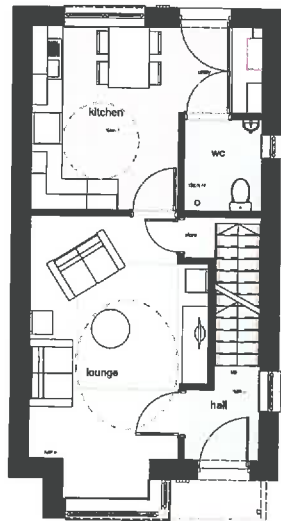
Rear Elevation



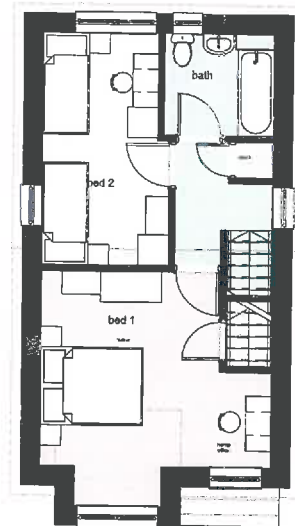
Side Elevation 1



Side Elevation 2



Ground Floor



First Floor



Arcus Consulting LLP
 Wakefield 01924 466 8000 Manchester 0161 955 3222 Cambridge 01223 228 770
 Liverpool 0151 705 1686 Newcastle 0191 272 9751 info@arcus-uk.com
 www.arcus-uk.com

Client
 Six Town Housing

Project
 Mayfair Garage Sites

Title
 Floor Plans and Elevations

Plot 5

Scale: 1:50 @ A1 Date: 22.03.16

Job No: P3802 Drawing No: 05 Rev:

Drawn: AG Approved:

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REPORT FOR DECISION

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	24 May 2016
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 11/04/2016 and 15/05/2016



Ward: **Bury East**

Application No.: 59588 **App. Type:** FUL 15/04/2016 Approve with Conditions
Location: Fairfield General Hospital, Rochdale Old Road, Bury, BL9 7TD

Proposal: Single storey extension providing new MRI room, switchgear and ancillary rooms with associated exterior AHU and chiller compounds

Application No.: 59675 **App. Type:** FUL 19/04/2016 Refused
Location: Land at side of 5 Crompton Street, Bury, BL9 0AD

Proposal: Creation of car park and turning area/drop off point to serve existing nursery premises

Application No.: 59778 **App. Type:** FUL 14/04/2016 Approve with Conditions
Location: Site of former Peel Mills, Chamberhall Street, Bury, BL9 0LU

Proposal: Variation of condition no. 2 (approved plans) of planning permission 59059 for the relocation and reconfiguration of the turning facilities within the site; The addition of a second security fence which will enclose the STOR facility and external equipment within the site and minor amendments to the arrangement of the external apparatus to accommodate these changes

Application No.: 59817 **App. Type:** FUL 21/04/2016 Approve with Conditions
Location: 143 Spring Street, Bury, BL9 0RN

Proposal: Single storey extension at rear

Application No.: 59819 **App. Type:** FUL 13/04/2016 Approve with Conditions
Location: 25 Wilson Street, Bury, BL9 7EF

Proposal: Porch and canopy at front

Application No.: 59833 **App. Type:** FUL 19/04/2016 Approve with Conditions
Location: Unit B25, 35 Central Street, The Rock, Bury, BL9 0JN

Proposal: Retention of existing shop front frame with new glazing and addition of portal to rear of glazing

Application No.: 59834 **App. Type:** ADV 21/04/2016 Approve with Conditions
Location: Unit B25, 35 Central Street, The Rock, Bury, BL9 0JN

Proposal: 1 No. internally illuminated fascia sign and 1 no. internally illuminated projecting sign

Application No.: 59845 **App. Type:** FUL 05/05/2016 Approve with Conditions
Location: 72 Shepherd Street, Bury, BL9 0RT

Proposal: Two storey extension at rear

Application No.: 59848 **App. Type:** FUL 28/04/2016 Approve with Conditions

Location: Land adjacent to 28 Cherry Avenue, Bury, BL9 7NA

Proposal: Residential development - 2 no. detached dwellings (revised scheme)

Application No.: 59858 **App. Type:** ADV 12/05/2016 Split Decision

Location: Marks & Spencer PLC, 2 St Johns Square & The Rock Car Park, Rochdale Road, Bury, BL9 0JL

Proposal: A: 3 No. internally illuminated fascia signs, 1 no. non-illuminated collect by car sign, internal window vinyl and vinyl foamex panel
B: 1 No. flex face sign (to The Rock car park)

Application No.: 59875 **App. Type:** ADV 12/05/2016 Refused

Location: 140 Willow Street, Bury, BL9 7PS

Proposal: 1 No. non-illuminated fascia sign, 3 no. non-illuminated signs to windows and 1 no. free standing sign (retrospective)

Application No.: 59901 **App. Type:** FUL 28/04/2016 Approve with Conditions

Location: 1 Audlum Court, Bury, BL9 7PN

Proposal: Two storey side extension and single storey rear extension.

Application No.: 59930 **App. Type:** FUL 12/05/2016 Approve with Conditions

Location: Site of former Sol Viva Buildings, Clerke Street, Bury, BL9 0PL

Proposal: Variation of condition no.7 of planning permission 59009 for erection of building to contain 3 no. restaurant units (Class A3) and associated public realm works to amend the opening hours:
From - The use shall not be open to customers outside 11.00 to 23.00
To - The use shall not be open to customers outside 0800 to 2300 Monday to Wednesday, 0800 to 2330 Thursday to Saturday and 0800 to 2300 on Sunday

Application No.: 59996 **App. Type:** CON 29/04/2016 Raise No Objection

Location: Heap Bridge, Bury New Road, Heywood, BL9 7HR

Proposal: Article 18 consultation from Rochdale Council (ref. 16/00324/FUL) for change of use from car wash (Sui Generis) to wholesale storage (Class B8) including alterations to the front elevation and fencing

Ward: **Bury East - Moorside**

Application No.: 59650 **App. Type:** FUL 15/04/2016 Approve with Conditions

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

Proposal: Substitution of house type on plots 11-16 and 20-21 including associated external works

Application No.: 59807 **App. Type:** ADV 21/04/2016 Approve with Conditions

Location: Wickes Building Supplies Ltd, Moor Street, Bury, BL9 5AQ

Proposal: 1 No. internally illuminated fascia sign, 1 No. non illuminated fascia sign; 1 no. non-illuminated welcome sign, 2 no. non-illuminated sets of product letters, 1 no. internally illuminated totem sign, 3 no. directional post signs

Application No.: 59813 **App. Type:** FUL 26/04/2016 Approve with Conditions

Location: Woodfield Retail Park, Peel Way, Bury, BL9 5BY

Proposal: Retention of 2 no. automatic number plate recognition cameras mounted on 6 metre high columns

Application No.: 59877 **App. Type:** FUL 05/05/2016 Approve with Conditions

Location: 5 Lime Grove, Bury, BL9 5ES

Proposal: Erection of detached garage and formation of new drive to front of property

Application No.: 59882 **App. Type:** FUL 13/04/2016 Approve with Conditions

Location: 52 Milbourne Road, Bury, BL9 6PX

Proposal: Single storey extension at rear

Application No.: 59900 **App. Type:** FUL 29/04/2016 Approve with Conditions

Location: Unit 5, Woodfield Retail Park, Peel Way, Bury, BL9 5BY

Proposal: Installation of mezzanine floor for retail use

Ward: **Bury East - Redvales**

Application No.: 59747 **App. Type:** FUL 21/04/2016 Approve with Conditions

Location: 15 Silverdale Close, Bury, BL9 9GE

Proposal: First floor/two storey extension at side and single storey extension at rear

Application No.: 59785 **App. Type:** FUL 21/04/2016 Approve with Conditions

Location: 14 Caton Close, Bury, BL9 9JU

Proposal: First floor extension at side above extended and converted garage; Single storey extensions to front and rear

Application No.: 59841 **App. Type:** FUL 21/04/2016 Refused

Location: 17 Grasmere Drive, Bury, BL9 9GB

Proposal: First floor extension to front

Application No.: 59855 **App. Type:** FUL 21/04/2016 Approve with Conditions

Location: 1 St Peters Road, Bury, BL9 9RA

Proposal: Two storey extension at rear, porch at front and extension to existing side dormer

Application No.: 59859 **App. Type:** FUL 26/04/2016 Approve with Conditions

Location: 39 Derwent Drive, Bury, BL9 9LS

Proposal: Two storey extension at side and single storey extension at rear

Application No.: 59926 **App. Type:** FUL 13/05/2016 Approve with Conditions

Location: White Boar, 139 Radcliffe Road, Bury, BL9 9LN

Proposal: Erection of new smoking shelter canopy to side elevation and external alterations

Application No.: 59929 **App. Type:** FUL 28/04/2016 Approve with Conditions

Location: 10 Heaton Court, Bury, BL9 9QN

Proposal: Single storey extension to rear

Ward: Bury West - Church

Application No.: 59773 **App. Type:** FUL 19/04/2016 Approve with Conditions

Location: 78 Mile Lane, Bury, BL8 2JR

Proposal: Install new condenser units at ground level to replace existing units; New key klamp protection to existing unit in the yard area.

Application No.: 59805 **App. Type:** FUL 19/04/2016 Approve with Conditions

Location: Unit 30, Albion Mill Industrial Estate, Albion Street, Bury, BL8 2AD

Proposal: Change of use from light industrial (Class B1 c) to light industrial (Class B1c) and vehicle workshop (Class B2) (retrospective) with motorcycle MOT testing station

Application No.: 59812 **App. Type:** FUL 28/04/2016 Approve with Conditions

Location: 27 Bispham Close, Bury, BL8 2TJ

Proposal: First floor extension at rear

Application No.: 59862 **App. Type:** FUL 26/04/2016 Approve with Conditions

Location: 24 Whitby Close, Bury, BL8 2TX

Proposal: Two/single storey extension at side

Application No.: 59883 **App. Type:** FUL 26/04/2016 Approve with Conditions

Location: Elton Reservoir, High Bank, Bury, BL8 2BR

Proposal: Installation of memorial plaques; benches and extension of pedestrian access

Ward: Bury West - Elton

Application No.: 59842 **App. Type:** FUL 26/04/2016 Approve with Conditions

Location: Burrs Country Park, Woodhill Road, Burrs, Bury

Proposal: Variation of condition no.2 of planning permission 58768 to shorten the platform, change the method of construction, amendment of vehicular/pedestrian access and provision of a passenger shelter at platform level

Application No.: 59873 **App. Type:** FUL 13/04/2016 Approve with Conditions

Location: 2 Newhaven Close, Bury, BL8 1XX

Proposal: First floor extension at side

Application No.: 59895 **App. Type:** FUL 13/04/2016 Approve with Conditions

Location: 12 Dunsters Avenue, Bury, BL8 1EF

Proposal: Single storey extension at rear

Application No.: 59902 **App. Type:** FUL 13/05/2016 Approve with Conditions

Location: 41 Throstle Grove, Bury, BL8 1EB

Proposal: Single storey extension to side and rear (part retrospective)

Application No.: 60005 **App. Type:** LDCP 09/05/2016 Lawful Development

Location: 8 Lomond Drive, Bury, BL8 1UL

Proposal: Lawful development certificate for proposed single storey rear extension

Ward: North Manor

Application No.: 59740 **App. Type:** REG3 14/04/2016 Approve with Conditions

Location: Greenmount CP School, Holhouse Lane, Tottington, Bury, BL8 4HD

Proposal: Single storey extension to northern elevation

Application No.: 59757 **App. Type:** FUL 19/04/2016 Approve with Conditions

Location: 63-68 Mount Pleasant, Nangreaves, Bury, BL9 6SP

Proposal: Replacement of existing timber windows with upvc

Application No.: 59776 **App. Type:** FUL 11/04/2016 Approve with Conditions

Location: 520 Holcombe Road, Ramsbottom, Bury, BL8 4EJ

Proposal: Two storey side extension, extension of detached garage at rear and alterations to front boundary treatment and entrance gates.

Application No.: 59828 **App. Type:** FUL 15/04/2016 Approve with Conditions

Location: 7 Croich Green, Tottington, Bury, BL8 4PH

Proposal: Partial demolition of existing garage extension and erection of two storey extension at side (Resubmission of 59004 with minor amendments)

Application No.: 59846 **App. Type:** FUL 19/04/2016 Approve with Conditions

Location: Flat 16 Holcombe Brook Precinct, Longsight Road, Ramsbottom, Bury, BL0 9SH

Proposal: Subdivision of existing flat to create 1 no. additional flat

Application No.: 59850 **App. Type:** FUL 21/04/2016 Approve with Conditions

Location: Loebank Farmhouse, Bolton Road, Tottington, Bury, BL8 4JA

Proposal: Single storey extension at side; Replacement detached garage

Application No.: 59865 **App. Type:** FUL 13/04/2016 Approve with Conditions

Location: 19 Newton Drive, Tottington, Bury, BL8 4DH

Proposal: First floor extension at front/side (revised scheme)

Application No.: 59867 **App. Type:** FUL 28/04/2016 Approve with Conditions

Location: 3 Greenpark Close, Tottington, Bury, BL8 4QB

Proposal: Single storey bay window extension to front

Application No.: 59870 **App. Type:** FUL 28/04/2016 Approve with Conditions

Location: 13 Southfield Road, Ramsbottom, Bury, BL0 9ST

Proposal: First floor extension at side and rear; Infill to single storey at rear

Application No.: 59871 **App. Type:** FUL 21/04/2016 Approve with Conditions
Location: 523 Holcombe Road, Ramsbottom, Bury, BL8 4EL
Proposal: Single storey extension at rear

Application No.: 59887 **App. Type:** FUL 21/04/2016 Approve with Conditions
Location: 35 Stretton Road, Tottington, Bury, BL8 4DF
Proposal: New front dormer; Rear dormer extension and single storey extension at side

Application No.: 59898 **App. Type:** FUL 21/04/2016 Approve with Conditions
Location: 6 Crag Avenue, Summerseat, Ramsbottom, Bury, BL9 5NZ
Proposal: Demolition of existing single storey extensions at side/rear and erection of two storey extension at side and single storey extensions at front and rear; Alterations to existing garage and new boundary walls & railings to front and side (Resubmission of 59678)

Application No.: 59932 **App. Type:** FUL 28/04/2016 Approve with Conditions
Location: 17 Station Road, Tottington, Bury, BL8 4BJ
Proposal: First floor extension at side and single storey extension at rear

Application No.: 59934 **App. Type:** FUL 13/05/2016 Approve with Conditions
Location: 875 Burnley Road, Bury, BL9 5JY
Proposal: Single storey extension at rear

Application No.: 59953 **App. Type:** FUL 13/05/2016 Approve with Conditions
Location: 28 Springwater Avenue, Ramsbottom, Bury, BL0 9RH
Proposal: Two storey/single storey extensions to front and rear

Application No.: 59955 **App. Type:** FUL 05/05/2016 Approve with Conditions
Location: 85 Summerseat Lane, Ramsbottom, Bury, BL0 9RQ
Proposal: Erection of front porch

Application No.: 59964 **App. Type:** LBC 06/05/2016 Approve with Conditions
Location: The Spinnings, Waterside Road, Summerseat, Ramsbottom, Bury, BL9 5QW
Proposal: Listed Building Consent - Installation of an underground electricity cable

Application No.: 60049 **App. Type:** LDCP 09/05/2016 Lawful Development
Location: 33 Brookside Crescent, Tottington, Bury, BL8 4BG
Proposal: Certificate of lawfulness for proposed single storey side extension

Ward: **Prestwich - Holyrood**

Application No.: 59711 **App. Type:** FUL 15/04/2016 Approve with Conditions
Location: 1 St Josephs Avenue, Whitefield, Manchester, M45 6NT
Proposal: Single storey extension at side and rear

Application No.: 59726 **App. Type:** FUL 09/05/2016 Approve with Conditions
Location: 16 Langley Road, Prestwich, Manchester, M25 1NF
Proposal: Single storey extension at rear

Application No.: 59936 **App. Type:** LDPC 09/05/2016 Lawful Development
Location: 5 Roseland Drive, Prestwich, Manchester, M25 2GX
Proposal: Lawful development certificate for proposed side and rear dormer extensions

Application No.: 59967 **App. Type:** FUL 13/05/2016 Approve with Conditions
Location: 68 Heaton Street, Prestwich, Manchester, M25 1HH
Proposal: Single storey side extension

Application No.: 60007 **App. Type:** LDPC 26/04/2016 Lawful Development
Location: 13 Lilac Grove, Prestwich, Manchester, M25 3DT
Proposal: Lawful development certificate for proposed single storey rear extension

Ward: Prestwich - Sedgley

Application No.: 59686 **App. Type:** FUL 28/04/2016 Approve with Conditions
Location: 74 Heywood Road, Prestwich, Manchester, M25 1FN
Proposal: Creation of new vehicular access onto Heywood Road and new driveway

Application No.: 59705 **App. Type:** FUL 14/04/2016 Approve with Conditions
Location: Units 1-4, Sedgley Park Trading Estate, Prestwich, Manchester, M25 9WD
Proposal: Reconstruction of 4 no. fire damaged industrial units

Application No.: 59844 **App. Type:** FUL 21/04/2016 Approve with Conditions
Location: 23 Sheepfoot Lane, Prestwich, Manchester, M25 0BN
Proposal: New front porch; Extensions to side and rear; Addition of basement to rear

Application No.: 59864 **App. Type:** FUL 13/04/2016 Approve with Conditions
Location: 20 Bannerman Avenue, Prestwich, Manchester, M25 1EA
Proposal: Two storey extension at rear

Application No.: 59880 **App. Type:** FUL 13/04/2016 Approve with Conditions
Location: 3 Westleigh Drive, Prestwich, Manchester, M25 0GJ
Proposal: Two storey extension at side

Application No.: 59891 **App. Type:** FUL 05/05/2016 Approve with Conditions
Location: 27 Bury New Road, Prestwich, Manchester, M25 9JY
Proposal: Change of use from retail / offices to 2 no. residential units (first and second floors only)

Application No.: 59905 **App. Type:** FUL 21/04/2016 Approve with Conditions

Location: 15 Woodhill Drive, Prestwich, Manchester, M25 0BF

Proposal: Two storey/single storey extension at side; Loft conversion

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

Application No.: 59662 **App. Type:** FUL 21/04/2016 Approve with Conditions

Location: 448 Bury New Road, Prestwich, Manchester, M25 1AZ

Proposal: Two storey extension at rear to form entrance lobby and shaft for dumb waiter lift

Application No.: 59765 **App. Type:** FUL 28/04/2016 Approve with Conditions

Location: Land between Butterstile Close and Hilton Lane, Prestwich, Manchester, M25 9RS

Proposal: Erection of 5 no. dwellings

Application No.: 59886 **App. Type:** FUL 28/04/2016 Approve with Conditions

Location: 9 Hope Road, Prestwich, Manchester, M25 9GX

Proposal: Single storey rear extension and first floor side extension

Application No.: 59931 **App. Type:** GPDE 27/04/2016 Prior Approval Not Required - Extension

Location: 18 Branksome Avenue, Prestwich, Manchester, M25 1AG

Proposal: Prior notification of proposed single storey extension at rear

Ward: **Radcliffe - East**

Application No.: 59754 **App. Type:** FUL 26/04/2016 Approve with Conditions

Location: 35 Blackburn Street, Radcliffe, Manchester, M26 1NR

Proposal: Subdivision of existing retail unit into two retail units; External alterations to front & side to create new shop fronts & installation of roller shutters

Application No.: 59824 **App. Type:** FUL 21/04/2016 Approve with Conditions

Location: Unit 8, Globe Industrial Estate, Darbyshire Street, Radcliffe, Manchester, M26 9TA

Proposal: Change of use to workshop and showroom and retrospective application for associated living accommodation

Application No.: 59849 **App. Type:** FUL 28/04/2016 Approve with Conditions

Location: 23 Greenbank Road, Radcliffe, Manchester, M26 4FR

Proposal: Single storey extension at side with garage conversion; Dormer at rear

Application No.: 59872 **App. Type:** FUL 15/04/2016 Approve with Conditions

Location: 21 Warwick Road, Radcliffe, Manchester, M26 4FF

Proposal: Single storey extension at side/rear and pitched roof to existing flat roof at front/side

Application No.: 59915 **App. Type:** FUL 13/05/2016 Approve with Conditions
Location: Gorsefield County Primary School, Robertson Street, Radcliffe, Manchester, M26 0DW
Proposal: Single storey classroom extension and replacement of existing conservatory with single storey extension; Formation of new main entrance with covered canopy

Application No.: 59923 **App. Type:** FUL 28/04/2016 Approve with Conditions
Location: 2 Grindsbrook Road, Radcliffe, Manchester, M26 4JS
Proposal: Single storey extension at rear; Single storey extension at front and front porch; External alterations to include render to elevations

Application No.: 59992 **App. Type:** GPDE 13/05/2016 Prior Approval Not Required - Extension
Location: 23 Hardman Close, Radcliffe, Manchester, M26 4HY
Proposal: Prior notification of single storey extension at rear

Ward: Radcliffe - North

Application No.: 59762 **App. Type:** FUL 05/05/2016 Refused
Location: Land between 8 & 9 Radelan Grove, Radcliffe, Manchester, M26 3NG
Proposal: Erection of detached bungalow

Application No.: 59763 **App. Type:** FUL 05/05/2016 Refused
Location: Land between 4 & 5 Radelan Grove, Radcliffe, Manchester, M26 3NG
Proposal: Erection of detached bungalow

Ward: Radcliffe - West

Application No.: 59668 **App. Type:** FUL 14/04/2016 Approve with Conditions
Location: 15 Churchfield Close, Radcliffe, Manchester, M26 1YL
Proposal: Two storey extension at side and single/two storey extension at rear

Application No.: 59777 **App. Type:** FUL 19/04/2016 Approve with Conditions
Location: 112-114 Water Street, Radcliffe, Manchester, M26 4BE
Proposal: Change of use of first floor from office (Class A2) to 2 no. flats (Class C3); First floor extension at rear with external staircase

Application No.: 59885 **App. Type:** FUL 21/04/2016 Approve with Conditions
Location: 10 Rush Acre Close, Radcliffe, Manchester, M26 3XW
Proposal: Demolition of existing garage and conservatory and erection of single storey extension to side and rear.

Application No.: 59916 **App. Type:** FUL 29/04/2016 Approve with Conditions
Location: 4 Stand Rise, Radcliffe, Manchester, M26 1BT
Proposal: Single storey extension at rear

Ward: Ramsbottom + Tottington - Tottington

Application No.: 59576 **App. Type:** LDCE 12/04/2016 Refused
Location: 20 Moorside Road, Tottington, Bury, BL8 3HW
Proposal: Lawful Development Certificate for the existing use of land as domestic garden in association with 20 Moorside Road, Tottington.

Application No.: 59758 **App. Type:** FUL 28/04/2016 Approve with Conditions
Location: Butcher Head Farm, Watling Street, Tottington, Bury, BL8 3QL
Proposal: Erection of stables and store (resubmission of 59551)

Application No.: 59769 **App. Type:** FUL 29/04/2016 Approve with Conditions
Location: Stables Country Club, Walshaw Road, Bury, BL8 1PU
Proposal: Erection of wedding gazebo at rear of leisure club

Application No.: 59822 **App. Type:** FUL 28/04/2016 Approve with Conditions
Location: Land Off Lower Kirklees Street, Tottington, Bury, BL8 3NY
Proposal: Proposed manege for domestic use

Application No.: 59832 **App. Type:** FUL 13/04/2016 Approve with Conditions
Location: 1 Kenyon Way, Tottington, Bury, BL8 3JN
Proposal: Single storey front extension and two storey side extension

Application No.: 59837 **App. Type:** FUL 26/04/2016 Approve with Conditions
Location: 62 Market Street, Tottington, Bury, BL8 3LJ
Proposal: New entrance door at rear with balcony and accessway/steps (resubmission)

Application No.: 59912 **App. Type:** GPDE 15/04/2016 Prior Approval Not Required - Extension
Location: The Hollies, 7 Brookthorpe Meadows, Walshaw, Bury, BL8 3BF
Proposal: Prior notification for proposed single storey side and rear extension

Application No.: 59956 **App. Type:** FUL 05/05/2016 Approve with Conditions
Location: West Barnfield, Owlerbarrow Road, Bury, BL8 1RD
Proposal: New pitched roof to existing garage and conversion of garage to form "granny annexe"

Ward: Ramsbottom and Tottington - Ramsbottom

Application No.: 59634 **App. Type:** FUL 14/04/2016 Approve with Conditions
Location: Retaining wall to the north of the entrance to Fletcher Bank Quarry, Manchester Road, Shuttleworth, Ramsbottom, Bury, BL0 0DH
Proposal: Construction of new retaining wall to the back of footpath on Manchester Road

Application No.: 59810 **App. Type:** ADV 21/04/2016 Approve with Conditions
Location: 27 Bridge Street, Ramsbottom, Bury, BL0 9AD
Proposal: 1 set halo illuminated letters, 2 sets non illuminated letters, 1 no. externally illuminated projecting sign, 1 no. halo illuminated ATM surround, 2 no. window vinyls

Application No.: 59835	App. Type: FUL	21/04/2016	Approve with Conditions
Location:	319 Turton Road, Tottington, Bury, BL8 3QF		
Proposal:	Erection of porch to side elevation		
Application No.: 59847	App. Type: FUL	19/04/2016	Approve with Conditions
Location:	Emmanuel Holcombe CE Primary School, Helmshore Road, Ramsbottom, Bury, BL8 4PA		
Proposal:	Installation of retractable awning at the rear		
Application No.: 59866	App. Type: FUL	28/04/2016	Approve with Conditions
Location:	Higher Ash Barn, Hawkshaw Lane, Tottington, Bury, BL8 4LD		
Proposal:	Conversion of barn to one dwelling including roof extension		
Application No.: 59868	App. Type: FUL	21/04/2016	Approve with Conditions
Location:	27 Palmerston Close, Ramsbottom, Bury, BL0 9YN		
Proposal:	Single storey extension and porch at front		
Application No.: 59890	App. Type: FUL	21/04/2016	Approve with Conditions
Location:	33 Whittingham Drive, Ramsbottom, Bury, BL0 9LZ		
Proposal:	Two storey extension at rear		
Application No.: 59907	App. Type: FUL	05/05/2016	Approve with Conditions
Location:	45 Heatherside Road, Ramsbottom, Bury, BL0 9BX		
Proposal:	Demolition of existing conservatory and erection of first floor and two storey side extensions; Alterations to roof and application of cement, render and vertical timber boarding to the external fabric of the building; New patio		
Application No.: 59914	App. Type: FUL	21/04/2016	Approve with Conditions
Location:	31 Peel Brow, Ramsbottom, Bury, BL0 0AL		
Proposal:	Loft conversion with dormer at rear (Resubmission of 58758)		
Application No.: 60026	App. Type: GPDE	21/04/2016	Prior Approval Required Refused - Ext
Location:	89 Bolton Street, Ramsbottom, Bury, BL0 9HY		
Proposal:	Prior notification for proposed single storey rear extension.		
Application No.: 60065	App. Type: CON	05/05/2016	Raise No Objection
Location:	Land off 682 Swanney Lodge Road, Rawtenstall, Rossendale		
Proposal:	Article 18 consultation fom Rossendale Council - Erection of 3 no. retail uits (A1) and restaurant/refreshment unit (A1/A3/A5) with associated access, car parking and landscaping		
Application No.: 60075	App. Type: LDCP	09/05/2016	Lawful Development
Location:	110 Moorside Road, Tottington, Bury, BL8 3HR		
Proposal:	Certificate of lawfulness for proposed rear dormer extension		

Ward: Whitefield + Unsworth - Besses

Application No.: 59703 **App. Type:** FUL 13/04/2016 Approve with Conditions

Location: 387 Parr Lane, Bury, BL9 8NA

Proposal: Change of use from mixed use of shop/dwelling (Class A1/C3) to dwellinghouse (Class C3);
Boundary wall, entrance gate and front porch (retrospective)

Application No.: 59906 **App. Type:** FUL 21/04/2016 Approve with Conditions

Location: 50 Ridge Crescent, Whitefield, Manchester, M45 8FN

Proposal: Two storey and single storey extension to side and rear

Application No.: 60027 **App. Type:** GPDE 13/05/2016 Prior Approval Not Required - Extension

Location: 18 Oak Bank Close, Whitefield, Manchester, M45 8FP

Proposal: Prior notification for proposed single storey rear extension

Ward: Whitefield + Unsworth - Pilkington Park

Application No.: 59053 **App. Type:** OUT 21/04/2016 Refused

Location: 54 Ringley Road, Whitefield, Manchester, M45 7LL

Proposal: Outline application for the demolition of existing dwelling and erection of 7 no.flats

Application No.: 59737 **App. Type:** FUL 18/04/2016 Approve with Conditions

Location: Land Adjacent 4 Ringley Chase, Whitefield, Manchester, M45 7UA

Proposal: Variation of condition no. 2 of approved planning application 56925 to substitute the following drawings 08E with 08J, 09E with 09J, 10A with 10C, & addition of drawing numbers 20A and 21A for alterations to the boundary walls, fences and elevations

Application No.: 59818 **App. Type:** FUL 13/05/2016 Approve with Conditions

Location: 14 Leslie Avenue, Bury, BL9 8DL

Proposal: Two/single storey extension at side

Application No.: 59823 **App. Type:** FUL 15/04/2016 Approve with Conditions

Location: 1 Higher Croft, Whitefield, Manchester, M45 7LY

Proposal: Two storey side and single storey front extension

Application No.: 59829 **App. Type:** FUL 28/04/2016 Split Decision

Location: 8 Sunningdale Avenue, Whitefield, Manchester, M45 7GW

Proposal: Proposal A - Single storey extension at rear

Proposal B - Roof extension with dormers at front and rear to create second floor within roof space; Two/single storey extensions at front and two storey bay window at front

Application No.: 59838 **App. Type:** FUL 21/04/2016 Approve with Conditions

Location: 5 Ringley Road, Whitefield, Manchester, M45 7LD

Proposal: Two/first floor/single storey extension at side/rear; Conversion of existing flat roof at rear to pitched; Installation of new vehicular access gate at front

Application No.: 59888 **App. Type:** FUL 28/04/2016 Approve with Conditions

Location: 9 Spencer Avenue, Whitefield, Manchester, M45 7RE

Proposal: First floor side extension

Application No.: 59899 **App. Type:** FUL 21/04/2016 Approve with Conditions

Location: 6 Cranford Avenue, Whitefield, Manchester, M45 7SJ

Proposal: Demolition of existing garage and erection of two storey side extension

Application No.: 59943 **App. Type:** GPDE 29/04/2016 Prior Approval Not Required - Extension

Location: 52 Wilton Street, Whitefield, Manchester, M45 7EU

Proposal: Prior notification for proposed single storey rear extension

Application No.: 59970 **App. Type:** LDCEP 09/05/2016 Split Decision

Location: 120 Park Lane, Whitefield, Manchester, M45 7PT

Proposal: Lawful Development Certificate for:
A - a proposed single storey rear extension
B - roof lights to loft space

Total Number of Applications Decided: 117

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REPORT FOR DECISION

Agenda Item	6
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DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	24 May 2016
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"> - None to report <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:	Page 137 All listed

Scrutiny Interest:	N/A
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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

REPORT FOR INFORMATION

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	24th May 2016
SUBJECT:	PLANNING ENFORCEMENT
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO – HEAD OF DEVELOPMENT MANAGEMENT
TYPE OF DECISION:	COUNCIL (NON KEY DECISION) COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	This Report provides statistical information on Enforcement activity between 1 st January 2016 and 31 st March 2016.
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to note the Report
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? No
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management N/A
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No (see paragraph below)
Considered by Monitoring Officer:	Yes Comments

Wards Affected:	ALL
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 report presents a brief analysis of Enforcement performance and activity for the period between 1st January 2016 and 31st March 2016 and includes table 1 (below) showing a statistical analysis of performance over that period.

All Enforcement Notices served and Actions taken are considered against the provisions of the Human Rights Act 1998, the Crime and Disorder Act 1998 and the Equality Act 2010. In taking account of whether to serve an Enforcement Notice or take Action, which is a discretionary power afforded to Councils under the Town and Country Planning Act 1990 (as amended), consideration is taken as to whether the individual's rights are affected and whether it is expedient to serve such a Notice or take Action against the individual.

Any Enforcement Notice served is considered as to whether it is expedient to do so in accordance with the Council's adopted Unitary Development Plan, National Planning Policy Framework and National Planning Policy Guidance.

Table 1 provides a detailed breakdown of the number and type of notice issued and other actions such as prosecutions during the quarter period. It also includes a performance standard in terms of the speed of the responses to initial site visits having been carried out.

Table 1

	Period 1/01/16 to 31/03/16
Number of Complaints received	151
% where initial site visit within 10 working days	97% (average time to visit 3 working days)
Number of complaints resulting in a breach of Planning Control	79 (52% of complaints resulted in a breach of planning control)
Number of Enforcement Notices served	0
Number of Stop Notices served	0
Number of Breach of Condition Notices served	0
Number of Section 215 Untidy land/building Notices served	0
Number of Temporary Stop Notices served	1
Number of Planning Contravention Notices served	5
Number of Injunctions served	0
Number of Prosecutions made	0
Number of Prosecutions referred to Legal for Prosecution	0
Number of Formal Cautions issued / Interviews Under Caution	1
Number of Works in Default actions taken	0
Number of High Hedges Remedial/Tree Replacement Notices served	0

2.0 ISSUES

CURRENT STAFFING LEVELS AND WORKING ARRANGEMENTS

The Enforcement Team currently comprises of a Senior Planning Enforcement Officer and a Planning Enforcement Officer, who are employed full time. The Officers deal with complaint cases on a Borough wide basis, in accordance with the Council's Customer Charter for the Planning Enforcement Service.

3.0 WORKLOAD/COMPLAINT CASES RECEIVED AND TRENDS IDENTIFIED

Table 1 above sets out statistical information for the period 1/01/16 to 31/03/16.

During this period, we received 151 complaints that required a formal investigation, this an increase of 22 complaints received compared to the previous quarter (Oct-Dec 2015) where 129 were received. Out of the 151

complaints 79 resulted in breaches of planning control following investigation. The vast majority of these cases in this period were again resolved without recourse to formal Enforcement Action, having been resolved by other means such as negotiation, or where appropriate, the invitation of planning applications. The number of complaints where an initial site visit was carried out within ten working days remains high at 97%, with the average number of days taken to make an initial site visit being three.

3.1 FORMAL NOTICES SERVED/ACTIONS TAKEN

During the quarter period, the number of formal actions carried out totalled seven, with the number of formal Notices served totalling six and a Company was also formally interviewed under caution for the alleged failure to comply with a Breach of Condition Notice relating to the hours of operation at Lowercroft Business Park, Bury.

Land at Prestfield Road, Whitefield – Members will be aware that planning permission was granted at the Planning Control Committee for the construction of 34 apartments and 1 detached dwelling, subject to the developer entering into a Section 106 agreement to commute a sum of money towards recreation provision. However, the developer started construction of the apartments and dwelling before any agreement was finalised and before planning permission was issued. A formal Temporary Stop Notice was served on the developer, which required all construction works to cease. Following service of the notice the developer then entered the agreement and commuted the required monies. Planning permission was then issued and we are pro-actively currently investigating a number of planning conditions that have not been discharged and complied with, this may require further enforcement action.

Members will also be interested in other complaints received during the period, please see Appendix 1 for the full list of complaints formally investigated during this quarter.

4.0 CONCLUSION

The period has seen an increase in the number complaints reported requiring investigation compared to the last quarter and the number of complaints that result in a breach of planning control remain high with 52% of the complaints resulting in a breach following formal investigation. However, the majority of cases continue to be resolved without recourse to formal action. On average initial site visits were carried out within three days.

The need to thoroughly investigate complaints, draft and issue the formal notices, monitor existing enforcement notices served for compliance, prepare appeal statements and prepare prosecution files for failure to comply is continuing to have a big impact on the workload of the Enforcement Team.

The service provided is primarily a reactive one in that we respond to complaints received from members of the public.

Appendix 1 – List of Enforcement complaints received between 01/01/2016 and the 31/03/2016

Contact Details:-

David Marno
Head of Development Management
Regulation and Resources
3 Knowsley Place
Duke Street
Bury BL9 0EJ

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

**Appendix 1 - Enforcement Complaints received between 01/01/2016 and
31/03/2016**

16/0001	MH	35 Trencherbone, Radcliffe, Manchester, M26 3WT
04/01/2016		Satellite dish
16/0002	MH	5 Crompton Street, Bury, BL9 0AD
04/01/2016		Breach of condition no. 3 of planning permission 58453
16/0003	MH	290 Sunny Bank Road, Bury, BL9 8LA
05/01/2016		Caravan used for residential purposes
16/0004	MH	Land at rear of 60 Sandy Lane, The Downs, Prestwich, Manchester, M25 9NB
05/01/2016		Residential development not built in accordance with approved plans
16/0005	LPS	45 Bolton Road, Bury, BL8 2AB
06/01/2016		Siting of containers
16/0006	LPS	5 Inman Street, Bury, BL9 0TP
06/01/2016		Not being built in accordance with approved plans of planning permission 57026
16/0008	LPS	Irwell Street Metals, Kenyon Street, Ramsbottom, Bury, BL0 0AB
06/01/2016		Erection of fence topped with barbed wire
16/0007	LPS	Pilsworth South Landfill Site, Pilsworth Road, Bury, BL9 8QZ
06/01/2016		Breach of condition - increased land levels
16/0009	MH	Genesis House, Stopes Road, Radcliffe, Manchester, M26 0TW
07/01/2016		The building has been demolished
16/0010	MH	251 / 255 Heywood Road, Prestwich, Manchester, M25 2QP
08/01/2016		Extensions have been built and barbed wire put around the flat roof
16/0012	LPS	Excel Hair, 75 Market Street, Tottington, Bury, BL8 3LL
08/01/2016		Display of advertisement
16/0011	MH	Land adjacent to Whitefield Golf Club, Higher Lane, Whitefield, Manchester, M45 7EZ
08/01/2016		Abandoned building
16/0013	LPS	Walshaw Motor Bodies, Boholt Industrial Park, Walshaw Road, Bury, BL8 1PL
08/01/2016		Not being built in accordance with approved application 58934
16/0014	LPS	Former Jolly Carters/Mumbai Lounge, 207 Bury & Bolton Road, Bury, M26 4JY
11/01/2016		Untidy land

16/0018	LPS	Land at Bury Old Road, Ramsbottom
11/01/2016		Creation of hard surface
16/0015	MH	Land On The South West Side Of, Morris Street, Radcliffe M26 2HF
11/01/2016		Engineering Operation to import materials and raise the height of the land
16/0016	LPS	Site of Olives Paper Mill, Tottington Road, Bury, BL8 1SL
11/01/2016		Development not completed in accordance with approved conditions/plans
16/0017	MH	27 Halliwell Road, Prestwich, Manchester, M25 9SY
12/01/2016		Erection of boundary wall at front and side
16/0020	MH	Frigate Hotel, Thatch Leach Lane, Whitefield, Manchester, M45 6FW
12/01/2016		Siting of containers
16/0019	LPS	Land adjacent to 10 Fletcher Fold Road, Bury, BL9 9RX
12/01/2016		Non-compliance with conditions of planning permission 58427
16/0021	MH	Corner of Earl Street and Russell Street, Prestwich, Manchester, M25 1GQ
13/01/2016		Unauthorised sign post
16/0024	MH	7 or 17 Jesmond Avenue, Prestwich, Manchester, M25 9NG
14/01/2016		Running a business from home (making and selling furniture)
16/0022	MH	Land at Leander Close at rear of Stanley Road, Radcliffe, Manchester, M26 4HG
14/01/2016		Drainage at site
16/0023	LPS	Land opposite 100 Castle Hill Road, Bury, BL9 7RW
14/01/2016		Erection of hoarding
16/0028	LPS	59 Fairlands Road, Bury, BL9 6QB
18/01/2016		Erection of extension and increase in ground levels
16/0026	LPS	Ashmount, Foot Oth Rake, Milton Street , Ramsbottom, Bury, BL0 9HE
18/01/2016		Running a martial arts studio from home
16/0027	LPS	Beechwood House, Bury Road, Tottington, Bury, BL8 3DS
18/01/2016		Not being built in accordance with approved plans 58841
16/0025	MH	Grundy Day Care Centre, Wellington Road, Bury, BL9 9AH
18/01/2016		Siting of two storage containers
16/0030	MH	12 Thirlmere Drive, Bury, BL9 9QE
19/01/2016		Erection of 7 feet high fence

16/0029	LPS	Junction of Scobell Street and Birch Avenue, Tottington, Bury, BL8 3ED
19/01/2016		Change of use to car sales
16/0031	MH	Unit 8, Globe Industrial Estate, Darbyshire Street, Radcliffe, Manchester, M26 2TA
19/01/2016		Change of use from offices to residential accommodation
16/0033	LPS	27 Inman Street, Bury, BL9 0TP
20/01/2016		Extension at rear
16/0032	MH	Land at Valley Park Road/Clifton Road, Prestwich, Manchester, M25 3TG
20/01/2016		Breach of Condition - Tree protection measures
16/0034	MH	Moorside Mill, Church Street, Ainsworth, Radcliffe, Bolton, BL2 5RD
20/01/2016		Engineering Operation
16/0036	MH	25 Wilton Avenue, Prestwich, Manchester, M25 0HD
22/01/2016		Running a pet shop from a domestic property
16/0035	MH	63 Higher Ainsworth Road, Radcliffe, Manchester, M26 4JH
22/01/2016		Change of use from residential to care home
16/0037	MH	Land adjacent to Prestfield Road, Whitefield, Manchester, M45 6BD
22/01/2016		Engineering operations
16/0038	MH	Manna Restaurant, Park Hill, 1 Bury Old Road, Prestwich, Manchester, M25 0FX
22/01/2016		Erection of Rear Extension
16/0040	LPS	140 Willow Street, Bury, BL9 7PS
25/01/2016		Unauthorised advertisements
16/0041	MH	20 Clough Drive, Prestwich, Manchester, M25 3JL
25/01/2016		Rear dormer extension
16/0045	MH	27 Higher Ainsworth Road, Radcliffe, Manchester, M26 4JH
25/01/2016		Change of use from residential to care home
16/0039	MH	29 Whittaker Lane, Prestwich, Manchester, M25 1HA
25/01/2016		Untidy property
16/0042	LPS	487 Walmersley Road, Bury, BL9 5ER
25/01/2016		Running motor vehicle business from home
16/0043	MH	82 Higher Ainsworth Road, Radcliffe, Manchester, M26 4JF
25/01/2016		Change of use from residential to care home

16/0046	LPS	Polyflor Ltd, Radcliffe New Road, Whitefield, Manchester, M26 1LU
25/01/2016		Breach of conditions of planning permission 58638
16/0049	LPS	12 Holthouse Road, Tottington, Bury, BL8 3JP
26/01/2016		Untidy building
16/0048	MH	Land opposite 100 Stopes Road, Radcliffe, Manchester, M26 3TW
26/01/2016		Creation of car park
16/0047	LPS	Swintex Limited, Derby Works, Manchester Road, Bury, BL9 9XX
26/01/2016		Concrete storage area
16/0052	LPS	1 Goodison Close, Bury, BL9 8JY
27/01/2016		Extension at rear
16/0051	LPS	1 Gorse Pit, Bury, BL9 7NT
27/01/2016		Digging out at rear of property
16/0050	LPS	Higher House Farm, Hawkshaw Lane, Hawkshaw, Bury, BL8 4LB
27/01/2016		Change of use to contractors yard
16/0053	LPS	19 Eastleigh Road, Prestwich, Manchester, M25 0BQ
28/01/2016		Not in accordance with the approved plans - mono pitch roof rather than a hipped roof at front
16/0054	LPS	846 Manchester Road, Bury, BL9 8DW
28/01/2016		Change of use from shop to nail bar
16/0058	MH	138-140 Bury New Road, Whitefield, Manchester, M45 6AD
29/01/2016		Fly posting
16/0056	LPS	40 Newcombe Road, Ramsbottom, Bury, BL0 9UT
29/01/2016		Extension encroaching on boundary
16/0055	MH	54 Park Lane, Whitefield, Manchester, M45 7QA
29/01/2016		Boundary encroachment with overhanging roof and gutters
16/0057	MH	Khattak Solicitors, 279 Bury New Road, Whitefield, Manchester, M45 7SE
29/01/2016		Advertisement at first floor
16/0059	MH	15 Wood Street, Radcliffe, Manchester, M26 1DX
01/02/2016		Erection of single storey rear extension
16/0060	MH	4 Burndale Drive, Bury, BL9 8EN
01/02/2016		Erection of fencing to side of property

16/0062	MH	45 - 47 Church Street West, Radcliffe, Manchester, M26 9SP
01/02/2016		Not built in accordance with the approved plans -Rear windows have been re-installed
16/0061	LPS	The La Capannina 89-91 Sunny Bank Road, Bury, BL9 8ES
01/02/2016		Veranda/decking and extension of use
16/0063	MH	44 Haymarket Street, Bury, BL9 0AY
02/02/2016		Unauthorised Advertisements
16/0064	LPS	18 Hillsborough Drive, Bury, BL9 8LE
03/02/2016		Operating business from home
16/0066	MH	255 Bury New Road, Prestwich, Manchester, M25 9PB
03/02/2016		Untidy Land
16/0065	MH	Land and building at 150 to 156 Dumers Lane, Radcliffe, Manchester, M26 2GF
03/02/2016		Change of use: deposit of waste/scrap yard
16/0068	MH	24 Woodley Avenue, Radcliffe, Manchester, M26 1BL
04/02/2016		Side extension is being built
16/0069	LPS	Elton High School, Walshaw Road, Bury, BL8 1RN
04/02/2016		Creation of mounds / deposit of material
16/0067	LPS	Former Ramsbottom Cottage Hospital Site, Nuttall Lane, Ramsbottom, Bury, BL0 9JZ
04/02/2016		Works in close proximity to trees covered by T.PO.
16/0070	LPS	3 Chaffinch Drive, Bury, BL9 6JU
05/02/2016		Untidy land / buildings
16/0072	LPS	38 Bolton Street, Ramsbottom, Bury, BL0 9HX
05/02/2016		Change of use to flat
16/0071	MH	5 Bleakley Street, Whitefield, Manchester, M45 7GU
05/02/2016		Breach of condition 4 of planning permission ref. 59238
16/0073	MH	Land at rear of 50 Salisbury Road, Radcliffe, Manchester, M26 4QD
08/02/2016		Engineering operations
16/0074	LPS	Holcombe Brook Sports Club, Longsight Road, Ramsbottom, Bury, BL0 9TD
09/02/2016		Erection of garage building
16/0075	LPS	Gollinrod Farm, Gollinrod, Ramsbottom, Bury, BL9 5NB
10/02/2016		Change of use to manufacturing pyrotechnics

16/0076	LPS	Woodfield Retail Park, Peel Way, Bury, BL9 5BY
10/02/2016		Unauthorised advertisements
16/0077	LPS	67 Victoria Street, Ramsbottom, Bury, BL0 9ED
11/02/2016		Construction of timber outbuilding
16/0078	LPS	28 Holthouse Road, Tottington, Bury, BL8 3JP
12/02/2016		Running a car repair business from home
16/0079	MH	2 Rhodes Drive, Bury, BL9 8NH
15/02/2016		Velux window in roof, side roof extension and erection of 6ft high fence
16/0081	MH	46 Higher Ainsworth Road, Radcliffe, Manchester, M26 4HZ
15/02/2016		Breach of condition no. 4 of approved planning permission 56675
16/0080	MH	Mulberry Bush Day Nursery, Sefton Street, Whitefield, Manchester, M25 7ET
15/02/2016		Breach of condition no. 3 of approved planning permission 56338
16/0083	MH	Park Hotel, Lowther Road, Prestwich, Manchester, M25 9GP
15/02/2016		Untidy land
16/0082	MH	SAFA Car Wash, Heywood Road Service Station, 93 Heywood Road, Prestwich, Manchester, M25 1FN
15/02/2016		Change of use to car wash
16/0084	LPS	DW Sports Fitness, 52 Angouleme Way, Bury, BL9 0BB
16/02/2016		Unauthorised advertisements and parking cameras
16/0085	LPS	Moorfields Residential Home, 388 Tottington Road, Bury, BL8 1TU
17/02/2016		Siting of a caravan
16/0087	MH	Land at Genesis House, Stopes Road, Bolton, BL3 1NP
18/02/2016		Erection of high fencing
16/0086	MH	Land off York Street, Radcliffe, Manchester, M26 2WH
18/02/2016		Breach of conditions
16/0093	MH	1 Yarrow Walk, Whitefield, Manchester, M45 8RR
19/02/2016		Unsafe trees
16/0088	LPS	134 Rochdale Road, Bury, BL9 7BD
19/02/2016		Condition 3 install new shop front within 2 months, not carried out (59275)
16/0089	LPS	144 Tottington Road, Bury, BL8 1RU
19/02/2016		Temporary change of use ceased on 13 January 2016 (notification of flexible change of use from a shop (Class A1) to a cafe (Class A3) for up to two years with effect from 13 January 2014)

16/0091	MH	Land Adjacent to 351 Ringley Road West, Radcliffe, Manchester, M26 1EA
19/02/2016		Construction of wooden / metal structures in the greenbelt
16/0090	LPS	PC Guy, 75 Market Street, Tottington, Bury, BL8 3LL
19/02/2016		Display of advertisement
16/0092	LPS	135 Ainsworth Road, Bury, BL8 2RT
22/02/2016		Change of use from residential to bedsit
16/0094	LPS	Moorfields Residential Home, 388 Tottington Road, Bury, BL8 1TU
22/02/2016		Large static caravan
16/0095	MH	17 Deansgate, Radcliffe, Manchester, M26 2SH
23/02/2016		Change of use from shop to cafe/hot food takeaway
16/0097	LPS	62 Whalley Road, Shuttleworth, Ramsbottom, Bury, BL0 0DE
23/02/2016		Change of use of land / extension of garden
16/0096	LPS	87 Bolton Street, Ramsbottom, Bury, BL0 9HY
23/02/2016		Replacement windows and door
16/0098	LPS	Hawkshaw Hall, Hawkshaw Lane, Bury, BL8 4LB
24/02/2016		Construction of steel structure
16/0099	LPS	Twine Valley Farm, Church Road, Shuttleworth, Ramsbottom, Bury, BL0 0EH
24/02/2016		Agricultural buildings and access track
16/0100	LPS	33 South Cross Street, Bury, BL9 0RS
25/02/2016		Works are being carried out
16/0101	MH	5 Bury New Road, Prestwich, Manchester, M25 9JZ
26/02/2016		Breach of Conditions
16/0102	LPS	Ralph Moor House, Turton Road, Tottington, Bury, BL8 3QE
29/02/2016		Erection of building
16/0107	LPS	45 Church Street, Ainsworth, Bolton, BL2 5RA
01/03/2016		Flues not built in accordance with approved plans (57415 & 57859)
16/0104	MH	52 Simister Green, Prestwich, Manchester, M25 2RY
01/03/2016		Car sales from residential dwelling
16/0103	MH	69 Higher Lane, Whitefield, Manchester, M45 7EZ
01/03/2016		Not built in accordance with approved plans

16/0105	LPS	Land at Lowes Road, Bury, BL9 6QS
01/03/2016		Breach of conditions
16/0106	MH	14 Goodison Close, Bury, BL9 8JY
02/03/2016		Structures at side and rear
16/0108	LPS	2 Cook Street, Bury, BL9 0RP
02/03/2016		Untidy Land
16/0109	LPS	Old Elf Garage, Rochdale Old Road, Bury
03/03/2016		Erection of metal shelter with roof
16/0110	MH	328 Stand Lane, Radcliffe, Manchester, M26 1JB
07/03/2016		Not being built in accordance with approved plans of application 58980
16/0111	LPS	38 Manchester Old Road, Bury, BL9 0TR
07/03/2016		Erection of external staircase
16/0112	LPS	B And M Stores, Crostons Retail Park, Wood Street, Bury
07/03/2016		Breach of condition regarding hours of work
16/0113	LPS	17 Aviemore Close, Ramsbottom, Bury, BL0 9WA
08/03/2016		Breach of condition no. 2 of planning permission 59326
16/0114	LPS	Land between Moreton Drive and Leigh Lane, Bury,
09/03/2016		Breach of condition - Standing water
16/0120	MH	Twelve Trees, Clough Grove, Radcliffe, Manchester, M45 7RU
09/03/2016		Two storey extension is being built
16/0117	MH	10 Oxbow Way, Whitefield, Manchester, M45 8SG
10/03/2016		Not built in accordance with approved plans
16/0115	MH	16 Newlands Drive, Prestwich, Manchester, M25 3BU
10/03/2016		Not built to plan, high fence
16/0119	MH	18A Park Lane, Whitefield, Manchester, M45 7PB
10/03/2016		Works to trees covered by a T.P.O.
16/0118	LPS	26 Price Street, Bury, BL9 9EB
10/03/2016		Siting of charity bin
16/0116	MH	7 Jesmond Avenue, Prestwich, Manchester, M25 9NG
10/03/2016		Running a business from home

16/0121	LPS	3 Silver Street, Bury, BL9 0EU
11/03/2016		Erection of smoking shelter
16/0124	LPS	Hill End Farm, Moorbottom Road, Ramsbottom, Bury, BL8 4NS
11/03/2016		Breach of condition from approved planning permission 50164
16/0125	LPS	Kashmir Store, 134 Rochdale Road, Bury, BL9 7BD
11/03/2016		Door sealed up and fire exit door open at all times
16/0122	MH	Land Adjacent to 9 Taylors Lane, Radcliffe, Bolton, BL2 6QS
11/03/2016		Change of use to residential
16/0123	MH	Land Opposite 123/125 Croft Lane, Bury, BL9 8QH
11/03/2016		Change of use to storage of materials/display of advertisements
16/0126	MH	18 Ringley Road, Whitefield, Manchester, M45 7LE
14/03/2016		Not being built in accordance with approved plans
16/0127	MH	184 - 188 Bury New Road, Whitefield, Manchester, M45 6QF
14/03/2016		Not being built in accordance with approved plans
16/0128	LPS	26 Alnwick Drive, Bury, BL9 8BZ
14/03/2016		Running business from home buying and selling caravan/cars
16/0132	LPS	16 Rothbury Close, Bury, BL8 2TT
15/03/2016		Two storey extension
16/0130	LPS	32 Blackburn Street, Radcliffe, Manchester, M26 1NQ
15/03/2016		Breach of condition no. 3 of p/p 59147
16/0131	MH	Saint Mary's Social Club, Pine Street, Radcliffe, Manchester, M26 2WQ
15/03/2016		Unauthorised advertisements
16/0129	LPS	Unit 2, Fernhill Street, Bury, BL9 5BG
15/03/2016		Change of use from builders merchants to car sales
16/0133	MH	Land at Valley Park Road/Clifton Road Prestwich, Manchester, M25 3TG
16/03/2016		Disturbance of animals
16/0134	LPS	609-621 Rochdale Old Road, Bury, BL9 7TL
17/03/2016		Petrol filling station - hand car wash not authorised and causing problems and the pfs is opening at 6am
16/0135	LPS	Trafalgar Hotel, 12 Manchester Old Road, Bury, BL9 0TB
18/03/2016		Untidy land

16/0136	LPS	1 Castle Hill Road, Bury, BL9 7RN
21/03/2016		Erection of garage
16/0137	MH	Alt House 1 to 3 Moss Lane, Whitefield, Manchester, M45 8DY
21/03/2016		Breach of conditions of planning permission 59683
16/0138	MH	2 Clifton Road, Prestwich, Manchester, M25 3HQ
22/03/2016		Untidy building
16/0139	LPS	4 Woburn Drive, Bury, BL9 8DA
22/03/2016		Erection of large gate
16/0140	MH	19 Cockey Moor Road, Radcliffe, Bury, BL8 2HD
23/03/2016		Not built in accordance with approved plans
16/0141	LPS	28 Thompson Drive, Bury, BL9 7ND
23/03/2016		Stone clad structure
16/0143	MH	19 Eastleigh Road, Prestwich, Manchester, M25 0BQ
24/03/2016		Untidy land
16/0144	MH	22 Cockey Moor Road, Radcliffe, Bury, BL8 2HB
24/03/2016		Untidy land/buildings
16/0142	MH	23 Hathaway Road, Bury, BL9 8EG
24/03/2016		Not built according to plan
16/0146	LPS	Angouleme Retail Park, George Street, Bury, BL9 0BZ
24/03/2016		Advertisements and ANPR cameras
16/0151	LPS	Splash Hand Car Wash, 319-327 Rochdale Old Road, Bury, BL9 7RZ
24/03/2016		Change of use to living accommodation
16/0145	LPS	Opposite 108 Castle Hill Road, Bury, BL9 7RW
28/03/2016		Erection of fence
16/0148	MH	1-3 Moss Lane, Whitefield, Manchester, M45 6QE
29/03/2016		Breach of condition 4 - use of car park for outside seating
16/0147	LPS	33 Sunny Bower Street, Tottington, Bury, BL8 3HL
29/03/2016		Not built in accordance with approved plans
16/0152	LPS	34 Crow Lane, Ramsbottom, Bury, BL0 9BR
30/03/2016		Untidy land and buildings

16/0149 MH 54 Park Lane, Whitefield, Manchester, M45 7QA
30/03/2016 Untidy land at front of property

16/0150 MH Springwater Park, Whitefield, Bury, BL9 8DS
30/03/2016 Change of use of land

Number of Complaints **151**

REPORT FOR INFORMATION



Agenda	
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DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	24TH MAY 2016
SUBJECT:	DEVELOPMENT MANAGEMENT UPDATE
REPORT FROM:	DEVELOPMENT MANAGER
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL OR EXECUTIVE (NON KEY DECISION)
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	ANNUAL SUMMARY OF APPLICATION PROCESSING / PERFORMANCE UPDATE AND PLANNING LEGISLATION CHANGES

OPTIONS & RECOMMENDED OPTION	TO NOTE THE REPORT
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management N/A
Statement by Executive Director of Resources:	n/a
Equality/Diversity implications:	No (see paragraph below)
Considered by Monitoring Officer:	n/a
Wards Affected:	All
Scrutiny Interest:	NO

TRACKING/PROCESS**DIRECTOR:**

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

1.0 BACKGROUND

- 1.1 This is the annual update report to the Members of the Planning Control Committee, which sets out key matters and changes that affect the Development Management Team and processes and therefore by default, the Planning Control Committee.

2.0 PERSONNEL

- 2.1 The section has seen a change in personnel with the introduction of a graduate planner post, which was part of the business plan for the reduction of staffing retiring under VER. The reduction of one Development Manager meant that funding savings could be made whilst increasing capacity at case level and provides an opportunity to broaden the skills of a graduate by becoming a case worker. There were 45 applicants for the post and the post was taken up by Helen Goldsbrough, who has now been with the section since August 2015.
- 2.2 A further opportunity has been the ability for the section to contribute to the employment of an apprentice within the Technical Support Team. There were five applicants for the post and this post was taken up by Chris Gale.
- 2.3 Both staff members have settled in and are currently part of the functioning team.
- 2.4 The final change within the last year is that Helen Longworth became the Principal Planning Officer within Development Management and has presented to the Planning Control Committee in response to her position to stand in for the Development Manager when required.

3.0 WORKLOAD

- 3.1 The table below sets out some highlights comparing the years 2014/15 to 2015/16. It shows an increase in workload and a maintenance of a high level of decision issuing. Bury remains in the top 10 performing LPA's in the country and frequently second in the England (one statistic quarter return excepted).
- 3.2 The increase in numbers of applications and the pressure to maintain quick turnarounds has meant that the use of Planning Performance Agreements (PPA) has also increased. A PPA is an agreement between the LPA and the applicant to ensure that each party meets their own respective deadlines within the planning process to deliver a planning decision within the agreed timeframe. PPA's formalise each particular step of the planning process from validation, consultation replies, meetings, report writing and decision issuing. There are charges that the LPA will charge for this process, which covers costs associated with the process and guarantees each step of the process by the given date. Usually, applications for major development use this process but increasingly minor housing developments have used this process, usually because the applicant needs to hit deadlines. It is perhaps important to note that a PPA in no way fetters the decision making powers of the authority. In no way does and PPA guarantee a recommendation to approve an application or that the scheme will be approved. It is more simply put in place to manage applications by outlining information and actions required by all parties.
- 3.3 The table below takes a snapshot of application processing statistics from 1st May 2015 to 1st May 2016 unless otherwise stated.

The figures in brackets are for same period in 2014 to 2015

Received	Minors/other Granted %	Minors determined <8 weeks	Majors <13 weeks	PPA's
PS1 All – 1536 (1299)	93% (93%)	92% - 795 (93% - 710)	100% 33 (100% 26)	13 (10)
Delegated	Larger House Extensions	No. Of PCC items Mar-Apr	Appeals Mar-Apr	
89% (92%)	50 (48)	99 (65)	16 - 11 dismissed (16 – 12 dismissed)	

The section has remained extremely busy through the past twelve months and has seen a number of changes and increases in workload. However, the dedication of the

team must be applauded as Bury Council remains a top performing LPA in the country.

- 3.4 To evidence this, Bury Council has taken part in a number of workshops with the government's Planning Advisory Service (PAS) to set out how our processes and team work to ensure that decisions are delivered in a timely fashion, so much so, that the Council remains a top performing authority. More recently, the Council has been approached by other English Councils including Preston City Council and the Scottish Government's Planning Improvement Service that represents 34 Scottish LPA's.

4.0 Fees and Reform

- 4.1 The annual fee income is dependent upon the numbers and in particular type of application that the Local Planning Authority receives. More complex larger applications attract greater fees than smaller developments. Unsurprisingly, more complex applications are more difficult to deal with and require more time and more experienced staff to process them.
- 4.2 Fees are payable not only for planning applications but also for the discharge of planning conditions, applications for prior approvals, pre-application enquires and planning performance agreements.
- 4.3 The budget is set through reflections upon past years and also using projections to determine likely fee income. The fee income for 2014/2015 was £526,787.00 and for 2015/2016 £640,058.00. This reflects an improvement in the economy, with schemes advancing where previously they had perhaps stalled or were otherwise held in abeyance.
- 4.4 The Government has issued a consultation on the 'Technical Consultation on Implementation of Planning Changes' that is seeking to review, amongst other things planning fees. The consultation is part of the implementation of respective parts of the Housing and Planning Bill. A joint response has been issued on behalf of the ten Greater Manchester Authorities (AGMA) and the main salient points are set out below.
- 4.5 In the first instance, the Government state planning fees are to be increased in line with inflation, for the first time in three years. However, the Government are considering whether the fees regime could be amended to link fee setting to performance. How this would actually work is not clear at the moment. However, AGMA consider that it is appropriate to consider performance but to use a threshold or bar so that each authority can still compare itself to its peers by using a standard baseline to work from, rather than disaggregating entirely to each specific authority.
- 4.6 'Testing the Competition' - In respect of the proposals to 'test the competition' it is understood that this is, in part, a response to the loss of resource in planning departments as a result of the budget reductions over recent years. Whilst it is considered that LPAs will not be forced to outsource their service, they will be in

competition with an 'approved provider', defined as someone who has the expertise to manage the processing of a planning application to process their planning application. This scheme is to be piloted. AGMA consider that the pilot, if run, should run for a significant period to fully understand the benefits/pitfalls. Additionally, there may be unintended outcomes, for example authorities may simply abandon their schemes of delegation when faced with competition and insist on all items being considered directly by Members. This would place a huge drain on resources; potentially slow the process even further and potentially further increase appeal workload for the Planning Inspectorate as well as the LPA. As such, there needs to be proper evaluation of the pilots and further engagement with LPA's and the development community before any permanent proposals are implemented.

- 4.7 The model that the government is potentially promoting seems to be nearer to the approved inspector model that operates in the world of building control. It is considered that there are dangers in extending this sort of model into the planning arena. In effect the LPA could have no involvement in dealing with a planning application until such time as it is brought to a decision, either to a planning committee or (where it is delegated) to a council officer. Public perceptions could be that private sector interests now control the planning process, whilst the LPA would have no involvement in negotiating with an applicant until a report is submitted with a recommendation for decision. The "added value" that is achieved through the planning process is one of its real strengths, whilst an "approved planner" might seek to achieve an acceptable rather than good or excellent outcome in order to minimise the work on an application and thus maximise income.
- 4.8 Fundamentally, the proposals risk undermining a key tenet of the current system. A planning application is not simply a transaction between an applicant and a determining body. It is not only the applicant's interests that need to be considered. Currently, local authority planning officers will take into account the communities they serve when making their recommendations to elected councillors. Any new approach would need to safeguard that relationship. Failure to do this is contrary to the Government's drive to incentivise communities to accept/welcome new development. The proposals outlined currently fail to properly outline how the democratic process would be protected and where accountability lies with Approved Providers.

5.0 Permission in Principle

- 5.1 The Housing & Planning Bill is apparently looking to introduce a new regime, 'Permission in Principle' (PiP) – designed to separate 'in principle' issues (land use, location and amount of development) from technical detail (what buildings look like, etc.). The Bill provides for PiP for housing led development to be granted on sites in plans and registers and for minor sites on application to the LPA.
- 5.2 From a Greater Manchester perspective, the lack of planning permission is not perceived to be a particular issue holding back our brownfield sites. Greater Manchester has over 47,000 units with full or outline permission for housing already

identified in the housing supply, yet the delivery rate has stubbornly remained around the 5000 mark for several years.

- 5.3 It is not clear what benefit the new approach delivers over the current outline/reserved matter process and there are concerns that another form of planning permission (Permission in Principle/Technical Details Consent) would add an unnecessary layer of complication (following the introduction of 'Prior approval' for example) to the system.
- 5.4 Whilst measures to strengthen the plan-led system of development are positive, it is important to recognise that there can quickly be diminishing returns if the approach is too prescriptive. Developers want certainty that the principle of their proposals are acceptable, but will want to shape them and respond to market signals accordingly; the more detail that is included in the 'permission in principle', the more inflexible – and consequently less effective - it becomes. Even relatively minor changes would not be capable of amendment and would require a fresh application, thereby not saving time or resources. Therefore AGMA consider that this proposal would not create certainty and ensure delivery as developers and lenders would require the certainty of a technical details consent before proceeding.
- 5.5 The Housing & Planning Bill will act as primary legislation with a substantial amount of detail to come forward in secondary legislation falling from it. As such, it is important to note that any details of the likely effects of the Housing & Planning Bill are not yet known and therefore its implications cannot yet be fully understood.

6.0 Brownfield registers

- 6.1 Government has committed that 90% of suitable brownfield land will have permission for housing by 2020 and to the introduction of statutory brownfield land registers. Brownfield registers will be the vehicle for granting PiP. The expectation is that LAs will take a proactive approach to their registers and only reject sites when there is no realistic prospect of housing development. Government also expect that the large majority of sites which do not already have planning permission will be granted PiP. Exceptions to this are likely to be where the development raises environmental/habitat issues.
- 6.2 There is a danger that the overwhelming focus on delivering new housing, albeit in a piecemeal fashion and without adequate consideration of the supporting development requirements, may mean that insufficient land is available for alternative uses that may be to the broader good, e.g. land for employment, schools, health centres, shops, parks, transport or other infrastructure essential to the functioning of towns and cities.
- 6.3 GM authorities have bid to pilot the development of the brownfield registers and have successfully secured £100k for the 10 authorities. There are several issues relating to both the preparation of the registers and their intended use, which AGMA has concerns about, which will explore during the pilot phase and until this work is

completed, it is difficult to respond to many of the questions raised in the consultation.

- 6.4 Similarly the need to consult on the brownfield land registers (as well as other procedures) seems to be creating a level of bureaucracy around the process which is both time consuming and open to legal challenge which is contrary to the stated intention. It appears that the brownfield register is becoming a 'development plan lite' process which will add to confusion, workload and in a GM context, will probably not deliver any more houses.
- 6.5 There is concern that that the burden to prepare the register falls on the LPA, which has to undertake a lot of the work that a developer commonly would (in relation to infrastructure requirements for example) do, without the ability to generate fee income.

7.0 Complaints/FOI's

7.1 The Local Planning Authority receive a number of complaints that must be split into

- Service complaints – which are handled by the Directorate
- Complaints post decision – which are handled by the Directorate
- Enforcement Complaints – which are handled by the Directorate

It should be noted that objections to an application, which are normal representations to be taken into account as part of the determination process, are not formal complaints. These are duly considered and are reported to PCC as part of any officer reporting in relation to an application.

7.2 The section does not monitor the numbers of complaints in relation to the above except for how they relate to enforcement matters, which are separately reported to the PCC.

7.3 In relation to the other remaining complaints, the Council currently has a three stage complaints procedure and each respective step considers individual complaints at increasing managerial levels. However, increasingly people are using the three-step process in relation to decisions already made and issued. This is proving to be highly problematic in terms of time taken to respond to these complaints in this way, for which there are pre-defined legal alternatives. Essentially, once a decision has been issued, the options are that revocation/modification could be undertaken or a judicial review challenge made.

7.4 As far as revocation and modification are concerned, this process is a more extreme option, fraught with significant financial costs and across the country is relatively infrequently used. Where it is considered that the process for determining an application was correctly made and reflects having a strong conviction in correctly assessing a scheme and where appropriate consideration by the Planning Control Committee (which is different to third parties not agreeing to the decision), then this

option would not be entertained without very good and substantial planning reason. The remaining option open to third parties with sufficient 'standing' therefore would be a judicial review, which remains the most appropriate means of challenging an issued decision granting planning permission.

- 7.5 To explain the burden of responding to complaints put through to the Local Planning Authority in the Council's three step complaints procedure, the man hours associated can be extremely high. For example, were ten (10) people to write and complain that they did not like an issued decision and would then go on to try to argue against a response, using the tree step process, thirty (30) separate letters would need to be issued. Following this, the Local Government Ombudsman would be the last port of call, which itself would impose demands upon time in cumulating the information for and appropriately responding to the LGO. However, a successful judicial review by third parties is the only way to quash a planning permission, save for exceptional circumstances of revocation.
- 7.6 By way of more recent example, the Council currently has over twenty stage one complaints before it in relation to just one matter that was before the PCC for decision in April 2016. Where all persons were to exhaust all three stages of the complaint process, this is going to result in over sixty pieces of considered and separate correspondence, which is before any complainant may elect to escalate matter to the LGO. This is an example of the considerable burden on resources from dealing with complaint matters.
- 7.7 These impacts are being considered by the Directorate and in close working relationship with Legal Services, on whether the Development Management function should remain subject to existing procedures or whether an alternative process would work better. It is perhaps also important to note that the vast majority of complaints are, following due investigation, found to be not upheld.

8.0 Conclusion

- 8.1 Planning still remains a topic area that generates significant interest both from the public and the Government's perspective. It is evident that the legislative approaches remain committed to the reduction of intervention by LPAs, with the main intention to facilitate sustainable development. However, whether the role of the public in this process is secured will yet to be revealed as legislation evolves and the implementation of the Housing and Planning Bill becomes more apparent.
- 8.2 Planning in Bury evidences increased development activity and therefore a buoyant economy and in response to this Bury Council are one of the leading authorities in delivering decisions that maintain it at the top of the authorities in the country.

List of Background Papers:-

Housing and Planning Bill

AGMA response to Technical Consultation on Implementation of Planning Changes

PS1/2 Returns

Contact Officer

David Marno
Head of Development Management
Planning Services
Department for Resources and Regulation
Office: +44 (0) 161 253 5291
Email to: d.marno@bury.gov.uk
Web site: www.bury.gov.uk/e-planning