

## AGENDA FOR

## PLANNING CONTROL COMMITTEE

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**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 I 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:-

<b>Date:</b>	Tuesday, 28 March 2017
<b>Place:</b>	Peel Room, Bury Town Hall
<b>Time:</b>	7.00 pm
<b>Briefing Facilities:</b>	<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 to be 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>
<b>Notes:</b>	<p>Food will be available from 5.00 pm (Lancaster Room) Pre-meeting briefing/virtual site visits at 6.00 pm (Lancaster Room) Details of Site Visits/Member Training will be circulated separately for the information of Members and Officers</p>

The Agenda and Reports for the meeting are attached.

The Agenda and Reports are available on the Council's Website at [www.bury.gov.uk](http://www.bury.gov.uk) – Council and Democracy.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. H. Kenyon', with a stylized flourish at the end.

**Stephen Kenyon CPFA**  
***Interim Executive Director of Resources and Regulation***

**Electronic or fax service of Legal documents is not accepted**

**Town Hall, Knowsley Street, Bury, BL9 0SW**  
[www.bury.gov.uk](http://www.bury.gov.uk)

## **AGENDA**

### **1 APOLOGIES FOR ABSENCE**

### **2 DECLARATIONS OF INTEREST**

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

### **3 MINUTES OF THE MEETING HELD ON 28 FEBRUARY, 2017** *(Pages 1 - 4)*

### **4 PLANNING APPLICATIONS** *(Pages 5 - 170)*

#### **a SUPPLEMENTARY AGENDA** *(Pages 171 - 188)*

### **5 DELEGATED DECISIONS** *(Pages 189 - 200)*

A report from the Head of Development Management on recent delegated decisions since the last meeting of the Planning Control Committee.

### **6 PLANNING APPEALS** *(Pages 201 - 210)*

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

### **7 URGENT BUSINESS**

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

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**Minutes of: PLANNING CONTROL COMMITTEE**

**Date of Meeting:** 28 February, 2017

**Present:** Councillor J Black (In the Chair)  
Councillors R Caserta, A Cummings, S Haroon,  
J Harris, S Kerrison, A Matthews, E O'Brien, C  
Preston, I Schofield, R Skillen and Y Wright

**Public attendance:** 40 members of the public were in attendance

**Apologies for  
absence:** Councillor M D'Albert

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**PCC.560 DECLARATIONS OF INTEREST**

There were no declarations of interest made at the meeting.

**PCC.561 MINUTES**

**Delegated decision:**

That the Minutes of the meeting held on 24 January, 2017 be approved as a correct record and signed by the Chair.

**PCC.562 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: 60673, 60812, 60870, 60997, 61022 and 61048.

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

Prior to the Committee meeting, Site Visits had taken place in relation to Planning Applications 61022, 60812 and 60673.

Councillor Cathcart spoke as a Ward Councillor in respect of Planning Application 60673.

**Delegated decisions:**

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

**60673 Eton Hill Business Park, Eton Hill Road, Radcliffe, Manchester – Radcliffe East Ward**

Erection of 18 no. Small industrial units for Class B1 (Business), Class B2 (general industry) and Class B8 (storage and distribution) with associated car parking and service yard

**60767 Site adjacent to 24 Bolton Road, Bury – Bury West – Church Ward**

Replacement of externally illuminated 48-sheet advertising display with 48-sheet digital display

**60812 Land at side 46 Merton Road, Prestwich, Manchester – Prestwich – Holyrood Ward**

Demolition of existing garage and erection of new dwelling

**60870 Bast House Farm Barns, Manchester Road, Ramsbottom, Bury – Ramsbottom & Tottington Ward**

Conversion of two redundant agricultural buildings to create 6 no. dwellings

**Land at Bank Street, Whitefield, Manchester – Whitefield & Unsworth – Pilkington Park Ward**

Demolition of existing buildings and erection of two storey office (Class B1) building and associated

**60974 Side of 10 Scotland Place, Ramsbottom, Bury – Ramsbottom & Tottington, Ramsbottom Ward**

Erection of 1 no. attached dwelling

**60997 Land to the rear of Sandy Lane, Prestwich, Manchester – Prestwich – St Mary's Ward**

Demolition of existing garages and erection of 2 no. semi detached houses

2. That the following application be **deferred** to a future meeting of the Planning Control Committee:-

**61022 45 Bury Old Road, Prestwich, Manchester – Prestwich – Sedgley Ward**

Extension and change of use to existing dwelling to form first floor self contained flat with post graduate study centre on ground floor; Formation of new vehicular access from Kings Road

(During the debate and prior to the determination of the application, Councillor Caserta proposed an alternative motion to the Officer Recommendation to approve the application, to defer the application for the Committee to consider additional information in relation to the Travel Plan and further clarification of the use of the building as a study centre. This motion was Seconded by

Councillor O'Brien and the Committee voted in favour of the motion to defer the application).

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

**61048 57 Parr Lane, Bury – Whitefield & Unsworth – Unsworth Ward**

Second floor extension to form three storey building

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 Wright and agreed by the Committee for the following reason:-

**REASON**

1. The proposed extension would be seriously detrimental to the visual amenity of the locality by reason of its height, size, massing and design. The proposed development therefore conflicts with UDP Policy EN1/2 Townscape and Built Design and guidance with Supplementary Planning Document 16 Design and Layout of New Development in Bury.

**PCC.563 DELEGATED DECISIONS**

A report from the Development Manager was submitted listing all recent Planning application decisions made by Officers using delegated powers. Councillor Caserta sort clarification as to the decision relating to planning application 60790 which was provided at the meeting. Councillor Wright requested further details relating to the delegated decision in respect of planning application 60689.

**Delegated decision:**

That the report be noted.

**PCC.564 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.565     PLANNING OUTCOMES REPORT**

The Head of Development Management submitted a report providing a summary on the visits undertaken and analysis provided by Members on the outcomes tour undertaken on 5<sup>th</sup> August 2016.

**Delegated decision:**

That the report be noted.

**CHAIR  
COUNCILLOR J Black**

**(Note: The meeting started at 7.05 pm and ended at 8.27 pm)**

<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>28 March 2017</b>
<b>By:</b>	<b>Development Manager</b>
<b>Status:</b>	<b>For Publication</b>

### **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.

<b>01</b>	<b>Township Forum - Ward:</b> Whitefield + Unsworth - Pilkington Park	<b>App No.</b> 60696
	<b>Location:</b> Land at rear of Porada, 231 Bury New Road, Whitefield, Manchester, M45 8QP	
	<b>Proposal:</b> Change of use of grassed area to car park	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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<b>02</b>	<b>Township Forum - Ward:</b> Bury East	<b>App No.</b> 60798
	<b>Location:</b> Land off Rochdale Road, Bury, BL9 7AX	
	<b>Proposal:</b> Proposed development of 6 no. shops and 24 no. flats in 3 and 4 storey building	
	<b>Recommendation:</b> Minded to Approve	<b>Site Visit:</b> Y
<hr/>		
<b>03</b>	<b>Township Forum - Ward:</b> Bury East	<b>App No.</b> 60808
	<b>Location:</b> The Bridles, 2 Riders Gate, Bury, BL9 7RD	
	<b>Proposal:</b> Change of use of existing stable block to pet crematorium with incinerator	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> Y
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<b>04</b>	<b>Township Forum - Ward:</b> Whitefield + Unsworth - Pilkington Park	<b>App No.</b> 60924
	<b>Location:</b> 54 Ringley Road, Whitefield, Manchester, M45 7LL	
	<b>Proposal:</b> Demolition of existing dwelling and erection of 7no. flats	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
<hr/>		
<b>05</b>	<b>Township Forum - Ward:</b> Ramsbottom and Tottington - Ramsbottom	<b>App No.</b> 61015
	<b>Location:</b> Lumb Carr Farm, Lumb Carr Road, Ramsbottom, Bury, BL8 4NH	
	<b>Proposal:</b> Single storey extension at rear	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
<hr/>		
<b>06</b>	<b>Township Forum - Ward:</b> Ramsbottom and Tottington - Ramsbottom	<b>App No.</b> 61016
	<b>Location:</b> Lumb Carr Farm, Lumb Carr Road, Ramsbottom, Bury, BL8 4NH	
	<b>Proposal:</b> Listed building consent for single storey extension at rear	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
<hr/>		

<b>07</b>	<b>Township Forum - Ward:</b> Bury East - Redvales	<b>App No.</b> 61018
	<b>Location:</b> The Oddfellows House, 94 Manchester Road, Bury, BL9 0TH	
	<b>Proposal:</b> Change of use from mixed use development to create 5 no. self-contained flats; refurbishment of Oddfellows meeting house and erection of 2 no. semi-detached dwellings	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
<hr/>		
<b>08</b>	<b>Township Forum - Ward:</b> Prestwich - Sedgley	<b>App No.</b> 61022
	<b>Location:</b> 45 Bury Old Road, Prestwich, Manchester, M25 0EY	
	<b>Proposal:</b> Extension and change of use to existing dwelling to form a mixed use comprising first floor self contained flat (Class C3) with post graduate study centre on ground floor (Class D1); Formation of new vehicular access from Kings Road.	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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<b>09</b>	<b>Township Forum - Ward:</b> Whitefield + Unsworth - Pilkington Park	<b>App No.</b> 61056
	<b>Location:</b> Garden at side of 3 Wentworth Avenue, Whitefield, Manchester, M45 7GQ	
	<b>Proposal:</b> Residential development of 1 no. bungalow	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
<hr/>		
<b>10</b>	<b>Township Forum - Ward:</b> Prestwich - Holyrood	<b>App No.</b> 61089
	<b>Location:</b> Garden at side of 29 Ludlow Avenue, Whitefield, Manchester, M45 6TD	
	<b>Proposal:</b> Erection of detached dwelling	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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<b>11</b>	<b>Township Forum - Ward:</b> Prestwich - St Mary's	<b>App No.</b> 61159
	<b>Location:</b> 449A Bury New Road, Prestwich, Manchester, M25 1AF	
	<b>Proposal:</b> Change of use of ground floor from cafe (Class A3) to cafe/wine bar (Class A3/A4)	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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**Ward:** Whitefield + Unsworth - Pilkington Park

Item 01

**Applicant:** Porada

**Location:** Land at rear of Porada, 231 Bury New Road, Whitefield, Manchester, M45 8QP

**Proposal:** Change of use of grassed area to car park

**Application Ref:** 60696/Full

**Target Date:** 05/01/2017

**Recommendation:** Approve with Conditions

### **Description**

The site is located within the All Saints Conservation Area. Permission was granted for the change of use from a bank to a restaurant in August 2011 and for the lowering of the windows along the front elevation in January 2012. The adjacent restaurant, which was formerly a bank, is on the draft local list. This development has been completed.

There are commercial properties to the north and east of the site and Whitefield Metrolink station is located to the southeast. There are residential properties to the west and open space to the south, with offices beyond.

The applicant seeks retrospective permission for the retention of a car park, which is located to the south of the existing restaurant building. The car park would provide 3 spaces and would be accessed from Bank Street. The car park would be surfaced with tarmac planings and a knee rail and hedgerow would be provided along the southern and eastern boundaries of the car park.

### **Relevant Planning History**

54177 - Change of use from bank (Class A2) to restaurant (Class A3) at 231 Bury New Road, Whitefield. Approved with conditions - 24 August 2011.

54716 - Non-material amendment following grant of planning permission 54177 for 4 no. larger replacement windows at front at 231 Bury New Road, Whitefield. Approved with conditions - 13 January 2012.

54751 - Erection of conservatory to the south side at 231 Bury New Road, Whitefield. Refused - 1 March 2012

55239 - Erection of conservatory to the south side (resubmission) at 231 Bury New Road, Whitefield. Approved with conditions - 18 July 2012.

### **Enforcement**

15/0022 - Creation of car park at land at Porada, 231 Bury New Road, Whitefield. Case closed - 15 June 2015.

### **Publicity**

The neighbouring properties were notified by means of a letter on 14 November and a press notice was published in the Bury Times on 24 November 2016. Site notices were posted on 23 November 2016.

7 letters have been received from the occupiers of 12, 16 Church Lane, 1 Bank Street, 12 Clarence Avenue and 1 Avondale Road, which have raised the following issues:

- Fully supportive of the car park, but the access road is overused and is in an unsafe state due to constant wear and tear from vehicles.
- State of the access road causes issues for elderly, wheel chair users and those with pushchairs. Could be easily avoided if repairs were managed by the applicant.

- The small garden area at the corner of Church Lane and Bury New Road was a delight and would like to see the garden and hedge restored to as it was before Porada ripped it all away.
- The car park is located to the side of Porada and is considerably more visible in terms of its impact on the environment and Conservation Area.
- Residents were shocked to discover half this area had been dug up and covered with gravel to facilitate additional car parking for Porada. Car bonnets have overhung the pavement causing difficulties for pedestrians.
- Porada have now relinquished 40% of the car park and will restore it to a grassed area. Why is Porada claiming 60% of the land when the Council has the right to 100% of it.
- It is an eyesore at the entrance to the Conservation Area.
- The proposal does nothing to enhance the centre of Whitefield. The change of use is inappropriate and should not be allowed within the Conservation Area.
- I believe that the proposal does impact negatively upon the amenity and character of the area.
- The proposal conflicts with Policy 14 of the All Saints Whitefield Conservation Area Appraisal and Management Plan.
- The size of the restaurant has not changed since consent was granted, so why is additional car parking required?
- The timber barrier is of rural character and is unsuited to an urban location. It is incorrectly aligned.
- The car park use has an adverse impact upon an architecturally imposing building in Whitefield, which was designed by Maxwell and Tuke - the architects of Blackpool Tower.
- Following works to widen the carriageway, it is more important than ever to retain green spaces.
- The proposal does not preserve or enhance the character of the Conservation Area.
- The land is higher than Bury New Road and has a major impact upon the visual amenity of the area.

The neighbouring properties and objectors were notified of revised plans on 14 February 2017.

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

### **Consultations**

**Traffic Section** - No objections in principle. Further comments to be reported in the Supplementary Report.

**Drainage Section** - No objections, subject to the inclusion of condition relating to surface water drainage.

**Property & Technical Services** - No comments.

### **Unitary Development Plan and Policies**

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/7	Throughroutes and Gateways
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
S1/3	Shopping in District Centres
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

## **Issues and Analysis**

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

**Principle** - The site is located to the south east of the Porada restaurant and involves the retention of the car park, which was constructed on the grassed area.

Policy EN1/2 states the Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the Borough's towns. Factors to be considered include:

- the relationship of the proposal to the surrounding area;
- the design and appearance of access, parking and servicing provision;
- landscaping, including the use of natural landscape features, and open space provision.

Policy EN1/3 states that development proposals will be required to make provision for incidental open space and landscaping.

Policy EN1/7 states that the Council is keen to improve the quality of development along through routes and gateways and will require new proposals fronting major throughroutes to display a high standard of design and landscaping.

The development would be located next to a main throughroute and would maintain a landscaped area of between 3.6 metres and 10.7 metres in depth adjacent to Church Lane and Bury New Road. The retention of the landscaped area would maintain the character and appearance of the locality and the development would not have a significant adverse impact upon the visual amenity of the area. Therefore, the development would be in accordance with Policies EN1/2, EN1/3 and EN1/7 of the Bury Unitary Development Plan.

**Design and layout** - The car park would be surfaced in tarmac planings, which would be a permeable surface, with timber delineation between the bays, which would be acceptable within the locality. The development would provide a timber knee rail and a box hedge along the perimeter of the car park, which would screen the car park and would be similar to the planting, which was removed when the car park was created.

The car park would be located to the front of the adjacent dwellings on Church Lane and the car park and glare from headlights would not affect the properties on Church Lane. There would be at least 50 metres between the car park and the properties on Bury New Road. Therefore, given the distance, the development would not have an adverse impact upon the amenity of the neighbouring properties. Therefore, the proposed development would not have an adverse impact upon the visual amenity of the area and would be in accordance with Policies EN1/2 and EN1/7 of the Bury Unitary Development Plan.

**Impact upon the conservation area** - The national legislative framework for development affecting listed buildings and conservation areas is provided by the Planning (Listed Buildings and Conservation Areas) Act 1990. This sets out the duty on local planning authorities to have regard to listed buildings and any buildings or land within a conservation area, when determining applications for planning permission. It is essential that these legal duties are considered, alongside the contents of the NPPF and other planning policies and guidance.

The Town and Country Planning (Listed Building and Conservation Area) Act 1990 imposes

a duty under Section 72 on Local Planning Authorities to pay 'special attention to the desirability of preserving or enhancing the character or appearance of that area' (section 72(1))

Paragraph 131 of the NPPF states that when determining planning applications, Local Planning Authorities should take account of:

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

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

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Policy 3 of the All Saints Conservation Area Management Plan states that the Council will resist all proposals to develop the large open spaces within the Conservation Area with buildings.

Policy 12 states that as part of proposals that require planning permission, the Council will discourage the removal of hedges that contribute to the character or appearance of the Conservation Area.

The development involves the retention of the car park, which was formed on the grassed area to the south east of the Porada restaurant. Prior to the works taking place, the site was grassed with a hedgerow to the boundary with Bank Street and the car park to Porada. The initial works by the applicant created a hardstanding over the majority of the area between Bank Street and the existing footpath connecting Church Lane to Porada with a thin grass strip adjacent to Church Lane (see photo from August 2015).

The development would be reduced from the initial works undertaken by the applicant to form the car park. The car park would provide 3 spaces and a grassed area of between 3.6 metres and 7 metres in depth would be provided between the car park and Church Lane. The grassed area between the existing footpath and Bury New Road would be unaffected by the proposals and would be retained. The development includes the provision of a timber knee rail to the eastern and southern boundaries of the car park, with a hedge planted immediately adjacent. The proposed hedgerow would screen the knee rail and car park from view. In addition, the views of the site from Whitefield Metrolink Station and Bury New Road would consist of a grassed area and hedgerow with vehicles beyond, which would be similar to the view prior to the works taking place. Therefore, it is considered that the development, with the addition of the hedgerow would preserve the character of the Conservation Area and would comply with Policy 12 of the Conservation Area Management Plan.

The adjacent building (Porada) is an architecturally imposing building and is identified within the Conservation Area Management Plan as being an important building but is not a listed building. The development would affect the setting of the building. However, the views of the building from Bury New Road include vehicles in the existing car park to the rear of the building, albeit partly screened by the hedgerow. The development would not materially

change the view and as such, the development would preserve the setting of the building in the Conservation Area.

Therefore, the development would result in the reinstatement of the hedgerow and the reinstatement of a third of the original grassed area and would preserve the character of the Conservation area. Therefore, the proposed development would be in accordance with Policies EN1/1, EN1/2, EN2/1 and EN2/2 of the Bury Unitary Development Plan, the Conservation Area Management Plan and the NPPF.

**Highways issues** - The proposed development would provide 3 parking spaces and would be accessed from Bank Street off Church Lane as per the existing car park. There would be acceptable levels of visibility at the junction and the Traffic Section has no objections in principle and further comments will be reported in the Supplementary Report. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies HT2/4 and EN1/2 of the Bury Unitary Development Plan.

### **Response to objectors**

- The issue of repairs to the private access road is a private issue and is not a material planning consideration.
- The proposed landscaping would screen the timber knee rail and car park from view and would lessen the impact of it upon the locality.
- The development would reduce the size of the car park and prevent vehicles from overhanging the pavement.
- Land ownership is a private matter and is not a material planning consideration.
- The impact of the development upon the Conservation Area has been addressed in 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.

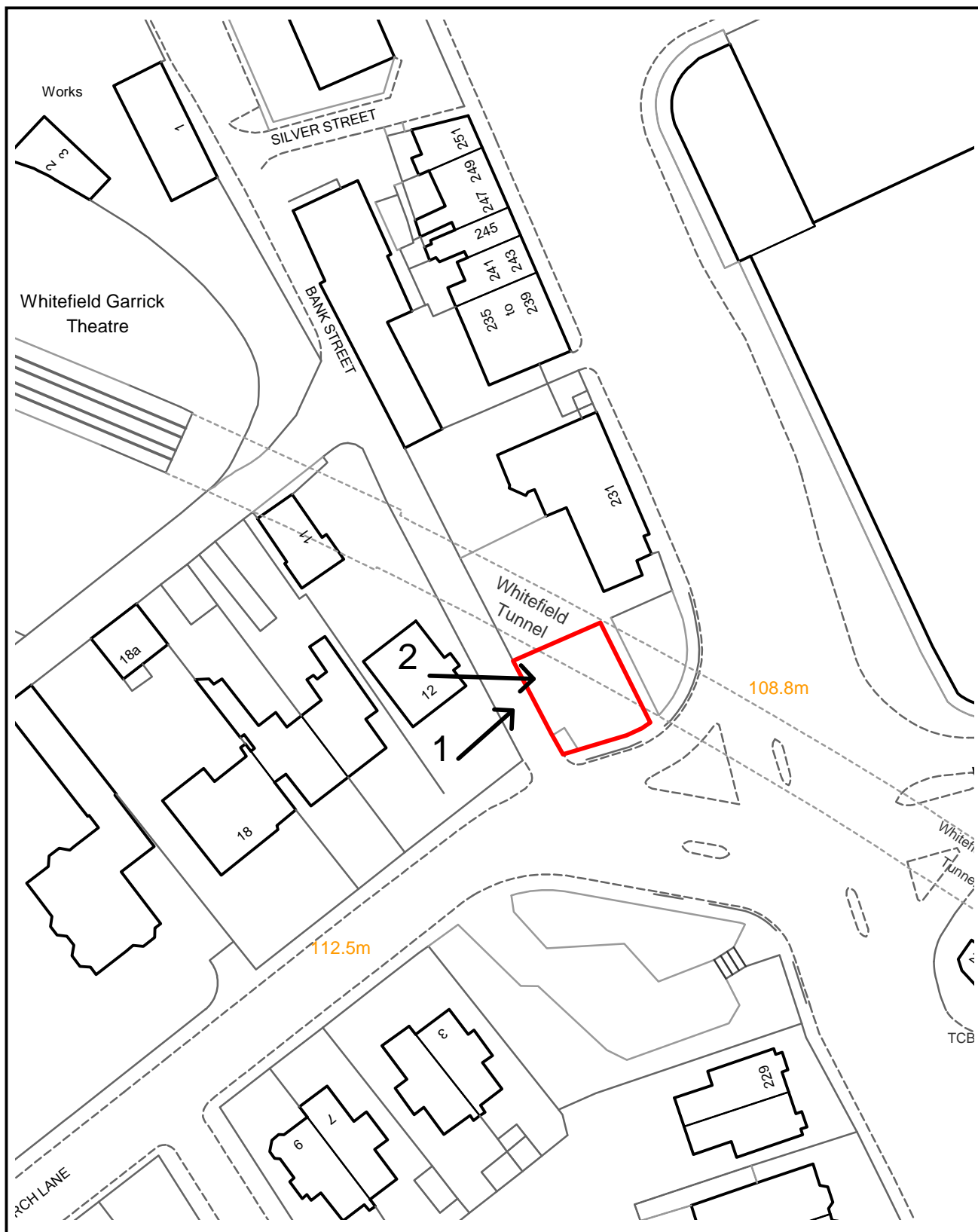
**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. This decision relates to drawings numbered 0.01 B and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
2. Within 1 month of the date of the decision, the landscaping scheme, including the hedgerow hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.  
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 60696**

**ADDRESS:** Land at rear of 231 Bury New Road  
Whitefield

**Planning, Environmental and Regulatory Services**

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



**Bury**  
COUNCIL



60696

Photo 1



Photo 2





60696

Google Street View 2014

Google Maps Whitefield, England



Image capture: Aug 2014 © 2017 Google

Google Street View 2015

Google Maps Whitefield, England



Image capture: Aug 2015 © 2017 Google



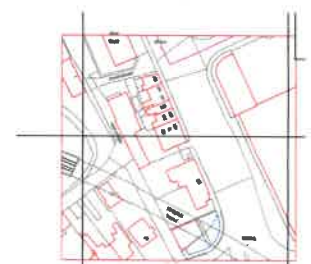
SURVEY STATIONS			
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SE1	380456.791	406143.513	1
SE1A	380466.204	406164.774	1
SE1B	380452.339	406196.667	1
SE2	380440.536	406120.971	1
SE3	380439.192	406170.193	1
T1	380438.917	406188.082	1

01/08/2016

## NOTES

ORIGINAL A1

DO NOT SCALE FROM THIS DRAWING.  
ALL DIMENSIONS TO BE CHECKED ON SITE.  
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LOCATION PLAN 1/1250

SITE PLAN / CARPAK LAYOUT 1/100

INVENTED MAP  
NUMBERED 1/1

REVISIONS DRAWN CHECKED

SCALE 1/100 DATE 0016

CLIENT FORMATION

TITLE PORADA RESTAURANT, 28 BURY NEW ROAD, WINDFIELD, BURY, M20 1JH

PROPOSED REDUCED CARPAK OF 100% PAH TO BE CHECKED ON SITE. THE 100% PAH CARPAK WILL BE ASSIGNED TO THE 100% PAH CARPAK.

DRAWING No. 0008

**Ward:** Bury East

Item 02

**Applicant:** Decorum (NW) Ltd

**Location:** Land off Rochdale Road, Bury, BL9 7AX

**Proposal:** Proposed development of 6 no. shops and 24 no. flats in 3 and 4 storey building

**Application Ref:** 60798/Full

**Target Date:** 13/03/2017

**Recommendation:** Minded to Approve

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

**The Development Manager has requested a site visit.**

#### **Description**

The site relates to a vacant gap site along Rochdale Road. The land is currently used for informal parking and no consents have been granted for this use. The site did contain a public house and dwellings, but these were demolished in three phases between 1994 and 2002.

The site is bounded by roads to all boundaries. There are commercial properties located to north with residential properties beyond, which front onto Fletcher Street. There are retail units to the west with Yarwood Street beyond. The dual carriageway forms the boundary to the south with retail units and a car park beyond. There are retail/commercial units to the east, including a 3 - 4 storey mill building to the east across York Street.

The proposed development involves the erection of a single building containing 6 shops (Class A1) and 24 apartments. The proposed building would be 4 storeys in height with the retail units on the ground floor and the apartments on the upper floors. The proposed building would be constructed from blue composite cladding and a rubber flat roofing system. There would be 11 two bedroom flats and 13 one bedroom flats. 14 parking spaces would be provided at ground level and would be accessed from Back Rochdale Road. The proposed retail units would be serviced from Back Rochdale Road.

#### **Relevant Planning History**

40585 - Outline - development of petrol filling station at site of 65 - 81 Rochdale Road, Bury. Approved with conditions - 12 November 2003.

01732/E - proposed retail and residential development at land off Rochdale Road, Bury. Enquiry completed - 10 November 2015.

#### **Publicity**

The neighbouring properties were notified by means of a letter on 13 December 2016 and a press notice was published in the Bury Times on 22 December 2016. Site notices were posted on 15 December 2016.

1 letter has been received in support of the application from the occupiers of 65 Rochdale Road, which has raised the following issues:

- I believe the proposed development will be beneficial to the surrounding area and attract



footfall to the area.

- It will greatly improve the appearance along the gateway to Bury town centre.

3 letters have been received from the occupiers of 23, 31 Fletcher Street and Claybank Works, which has raised the following issues:

- The proposal would result in the intensification of the use of a site with inadequate parking and servicing arrangements, which is likely to lead to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety.
- The proposal would result in the loss of existing parking facilities for the adjacent car shops, repair garage and car wash use, which would be unacceptable and would lead to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety.
- The applicant must be more considerate to the location, which is minutes away from the rock development.
- The quality of the architecture is poor and the height and style of the building is ridiculous.
- There is not enough parking proposed for 24 flats.
- Will there be enough parking spaces for the shops, flats and their visitors?
- There is not enough parking for existing residents and businesses.
- Loss of daylight to the existing dwellings.

The neighbouring properties were notified of revised plans on 9 March 2017.

Any comments received will be reported in the Supplementary Report.

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

### **Consultations**

**Traffic Section** - No objections on highway grounds. Further comments and conditions will be reported in the Supplementary Report.

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

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

**Waste Management** - No waste management plan for this development.

**Environment Agency** - No objections, subject to the inclusion of conditions relating to contaminated land and controlled waters.

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

**Designforsecurity** - Comments awaited.

**GM Fire Service** - Comments awaited.

### **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
EN1/7	Throughroutes and Gateways
EN1/8	Shop Fronts
EN6	Conservation of the Natural Environment
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
RT2/2	Recreation Provision in New Housing Development
S1/1	Shopping in Bury Town Centre
S2/1	All New Retail Proposals: Assessment Criteria

HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
TC2/1	Upper Floors
TC2/2	Mixed Use Development
TC2/3	Vacant and Cleared Sites
Area	Rochdale Road/Lord Street/York Street
BY10	
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 (Retail)** - Policy S1/1 states that the Council will protect, maintain and enhance the role of Bury Town Centre as a sub-regional shopping centre and promote the centre as a focal point for further development.

Policy S2/1 states that the Council will support new retail development proposals which accord satisfactorily with the following factors:

- are within or immediately adjoining the main shopping area of existing centres;
- sustain or enhance the vitality and viability of a centre;
- are accessible by and would encourage greater use of public transport.

Policy TC2/2 states that the Council will encourage and support compatible mixed use development within the town centres.

The proposed development would provide 6 retail units (Class A1) with apartments on the floors above. The site is located within a secondary shopping area and was identified within the Unitary Development Plan as being suitable for retail/office development. The proposed development would comply with these uses. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policies S1/1, S2/1 and TC2/2 of the Bury Unitary Development Plan.

**Principle (Residential)** - Following revocation of the North West Regional Strategy on 20 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 housing land.

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

The site is located within the urban boundary and is within a mixed use area. As such, the proposed development would not conflict with the surrounding uses and is in a sustainable location with good access to public transport and services. The site contained a pub, which has since been demolished and as such, is previously developed land. 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 site is located on a corner plot on the edge to the town centre. The proposed building would vary from 3 storeys in height rising to 4 storeys on the corner at the York Street end. The proposed building would be of a modern, contemporary design with a vertical emphasis to the openings. This would respect the appearance of the older buildings in the locality, while the materials of a blue rainscreen cladding facade and flat roof would respect the more modern buildings at The Rock development. The site is located in a prominent location on a gateway into the town centre and as such, the proposed building would be a landmark position and would hold the corner in urban design terms. The design is considered to be appropriate and therefore, the proposed development would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

**Impact upon surrounding area** - Due to the height of the proposed building, a tv signal report has been submitted. The report concludes that no interference to digital terrestrial television is expected. The report concludes that whilst there is an area of interference to the north-northwest of the site, the report states that there would be no disruption as there are no viewers within this area. However, the residential properties on Fletcher Street are on the edge of the area of interference and as such, it is considered appropriate to place a condition on any grant of consent requiring appropriate surveys and mitigation measures should an issue arise post completion. Therefore, the proposed development, subject to conditional control, would not have an adverse impact upon tv signal in the locality and would be in accordance with the NPPF.

**Impact upon residential amenity** - SPD6 provides guidance on aspect standards between residential properties and as such, would be relevant in this case. The proposed development should maintain the required aspect standard between directly facing residential properties.

There would be 37 metres at the closest point between the proposed building (at 3 storeys in height) and the 2 storey dwellings on Fletcher Street and there would be 54 metres between the proposed building (4 storeys in height) and the existing dwellings on Fletcher Street. Both these distances would be in excess of the 23 and 26 metre aspect standard respectively in SPD6.

There would be 5 metres between the proposed building and the retail/commercial units to the west. As there are no windows within the gable elevation of the proposed building, this would be acceptable.

There would be between 6.8 and 8.7 metres between the proposed building and the commercial units to the north of the site. The proposed apartments would be on the first and second floors and there would not be any direct overlooking between the properties.

There would be between 13 and 19 metres between the proposed building and the existing retail/commercial units on York Street. As there are no windows in the gable elevation of the proposed building, this distance would be acceptable.

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

**Highways issues** - The proposed development would implement a one way system to Back Rochdale Road allowing traffic to travel from York Street to Yarwood Street. The side street connecting Back Rochdale Road to Rochdale Road would be one way also, allowing

traffic to travel southwards. Waiting restrictions would be placed on Back Rochdale Road and the side street. The proposed development would be serviced from Back Rochdale Road from a single loading bay and 14 parking spaces would be provided and allocated to the proposed apartments.

Appropriate levels of visibility would be maintained at the junction of York Street and Rochdale Road, which would allow good levels of inter-visibility between drivers and pedestrians crossing the road. The Traffic Section has no objections in principle and conditions will be reported in the Supplementary Report.

Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

**Parking** - The site is in a high access area identified in SPD11. It states that the maximum standards for this development would be:

- Retail (Class A1) - 1 space per 25 square metres
- 1 space per 1 bedroom unit
- 1.5 spaces per 2 bed unit

This equates to 62 spaces.

The proposed development would provide 14 spaces. The site is located within the town centre and is accessible by foot, car and bicycle and is within walking distance of the Metrolink. As such, the site is in a highly accessible location and given the availability of alternative means of transport, the level of parking provision is considered to be acceptable in this instance. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

**Planning obligations** - An off-site contribution of £37,486.80 would be required for recreation in accordance with Policy RT2/2 of the Bury Unitary Development Plan and SPD1. This would be secured through Section 106 agreement. The applicant agrees to this provision.

### **Response to objections**

The issues relating to loss of daylight, design, traffic, highway safety and parking have been addressed in the main report.

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

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

**Recommendation:** Minded to Approve

**Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered TRI-1751-01, 13-27-33A, 13-27-36, 13-27-40, 13-27-41, 13-27-43 (Ground and first floors), 13-27-43 (Second and third floors) and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.  
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
4. No development shall commence unless and until:-
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
  - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.  
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has



submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure the protection of controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

7. The developer shall, with regard to television reception in the area containing the application site, provide the Local Planning Authority with studies that assess the impact of the development on television signal reception within the potential impact area identified in the survey by GTech Surveys Limited within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the Local Planning Authority in response to identified television signal reception problems within the potential impact area.

The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out in the survey listed above.

The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the Local Planning Authority, whichever is the earlier.

Reason: To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception, as advised in Section 5 of the National Planning Policy Framework.

8. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 20 l/s.  
Reason: To ensure a satisfactory means of drainage, promote sustainable development and to manage the risk of flooding and pollution pursuant to Policy EN5/1 - New Development and Flood Risk and Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework.
9. Foul and surface water shall be drained on separate systems.  
Reason: To secure proper drainage and to manage the risk of flooding and pollution pursuant to Policy EN5/1 - New Development and Flood Risk and Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework.

10. The retail use hereby permitted shall not be open to customers outside the following times:  
08.00 to 23.00 - daily

Reason: To safeguard the amenities of the occupiers of nearby residential

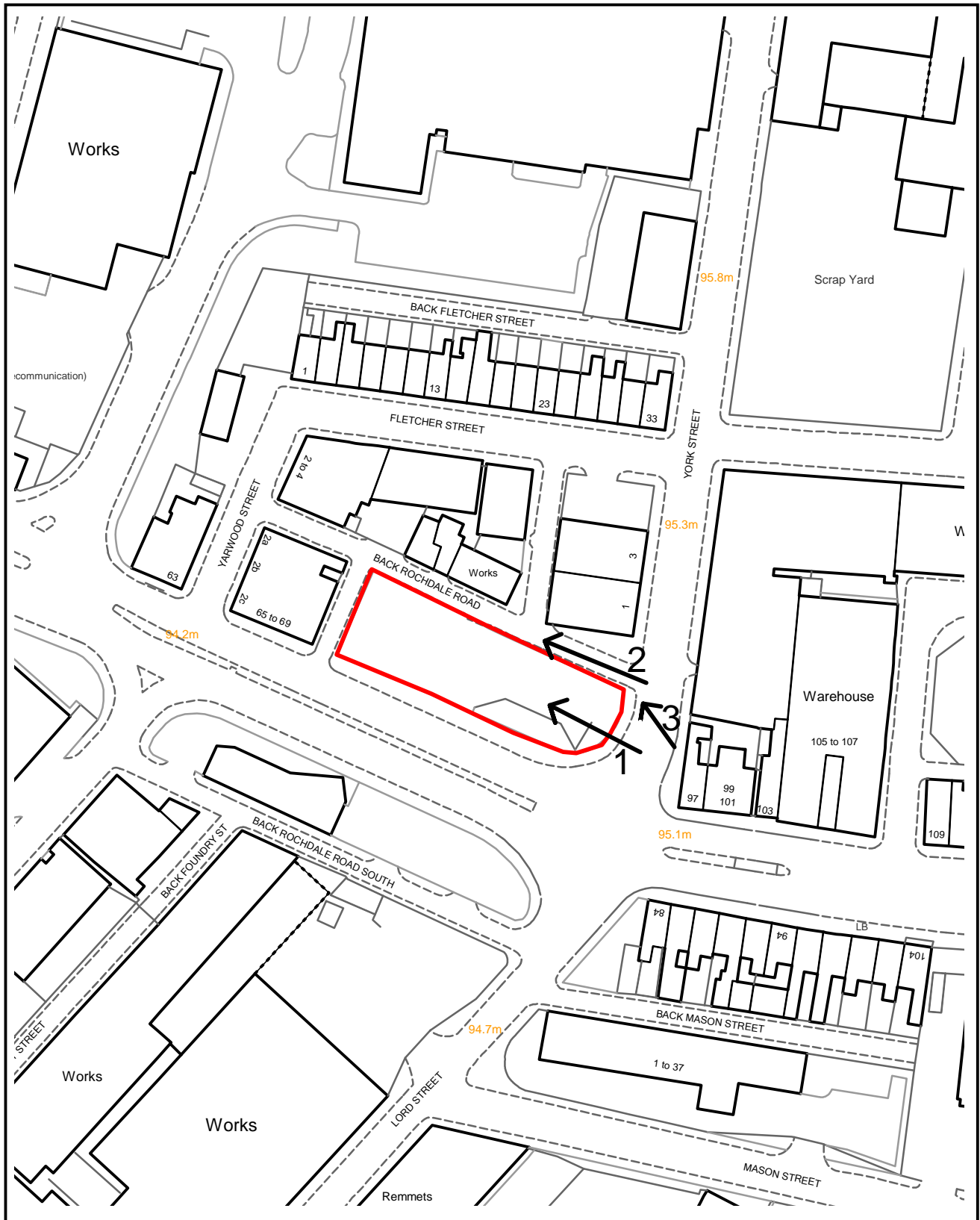
accommodation pursuant to Policies S2/5 – New Local Shopping Provision Outside Recognised Shopping Centres and S2/6 – Food and Drink of the Bury Unitary Development Plan.

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

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

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 60798**

**ADDRESS:** Land Off Rochdale Road  
Bury

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

60798

Photo 1



Photo 2



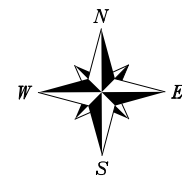
60798

Photo 3



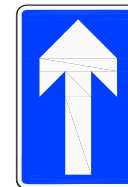
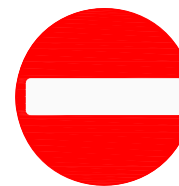


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## NOTES

THIS IS NOT A CONSTRUCTION DRAWINGS AND IS INTENDED FOR ILLUSTRATIVE PURPOSES ONLY.



REV.	E	REVISED WITH LATEST LAYOUT	SM	TR	MARCH 17
	D	AMENDMENTS TO DRAWING	SM	TR	MARCH 17
	C	REVISED ON LATEST LAYOUT	SM	TR	MARCH 17
	B	REVISED ON LATEST LAYOUT	SM	TR	MARCH 17
	A	FORWARD VISIBILITY SPLAYS ADDED	SM	TR	FEB 17
		DETAILS	DRAWN	CHECKED	DATE

CLIENT:  
**ARSHID KAYANI**

PROJECT:  
**ROCHDALE ROAD, BURY**

DRAWING TITLE:  
**PROPOSED HIGHWAY IMPROVEMENTS**

SCALES:  
**1:250 @ A3**

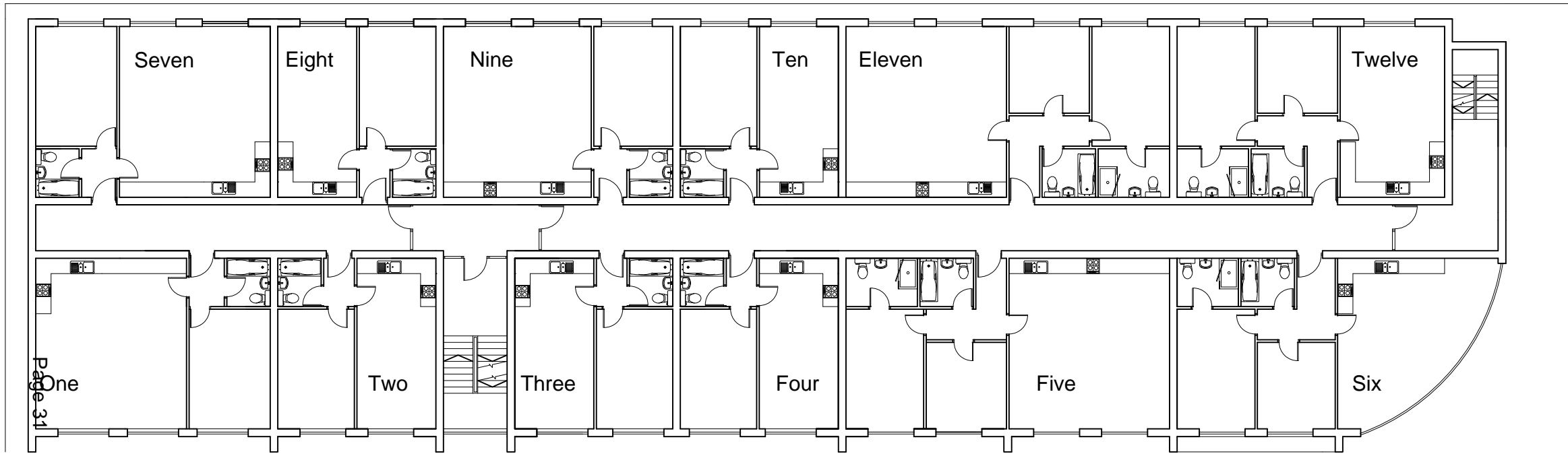
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Manchester,  
M15 4PY

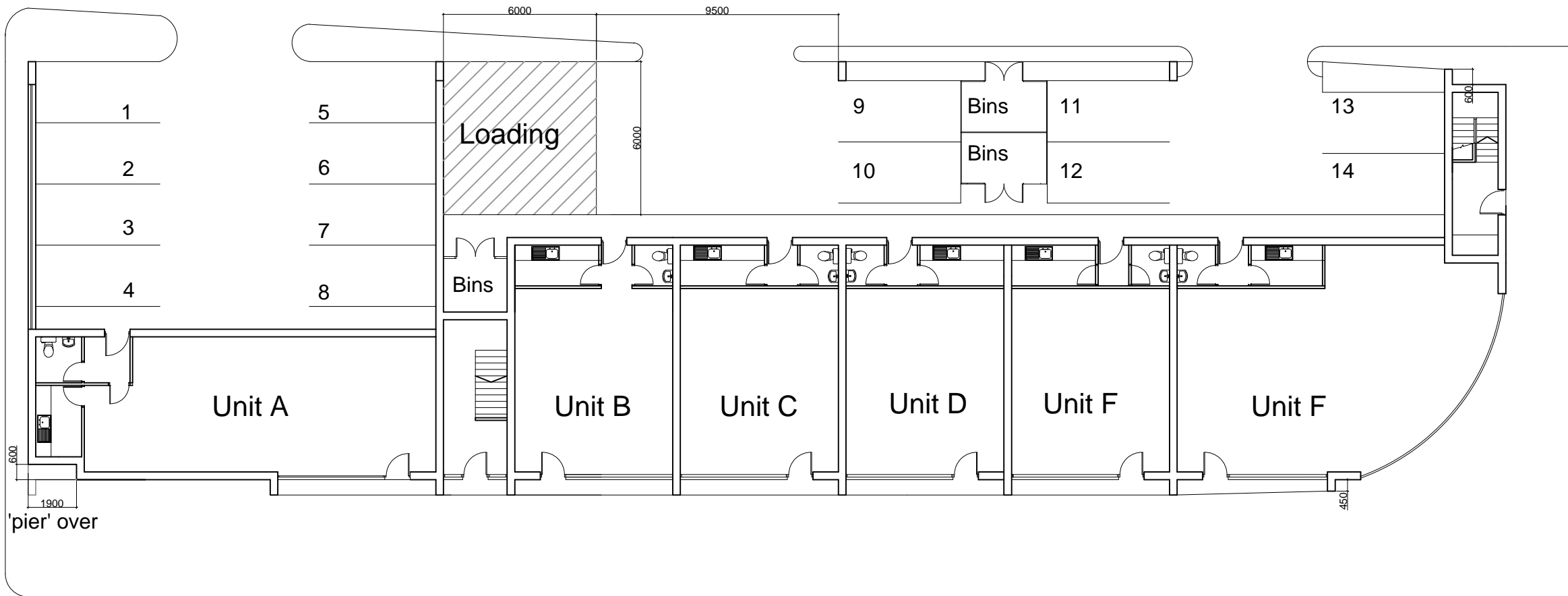
Email: [info@crofts.co.uk](mailto:info@crofts.co.uk)  
Tel: 0161 667 3746  
Web: [www.crofts.co.uk](http://www.crofts.co.uk)

**croft**  
Transport Solutions

DRAWING NUMBER:	1545-01	REVISION:	E
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First Floor - 12 Units (8 x 1 bedroom and 4 x 2 bedroom apartments)



Rochdale Road

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all works to be carried out in accordance with current health and safety regulations.

do not scale from prints.

contractor to check all dimensions on site prior to commencement of works.

client:

project: Site at Rochdale Road

drawing: Ground and First Floors

scale: 1/200 date: October 2016

drawing no.: 13-27-

**abacus architectural limited**

21 union street  
ramsbottom  
lancashire  
bl0 9an

tel: 01706 824 777  
email: mail@abacusarchitectural.com

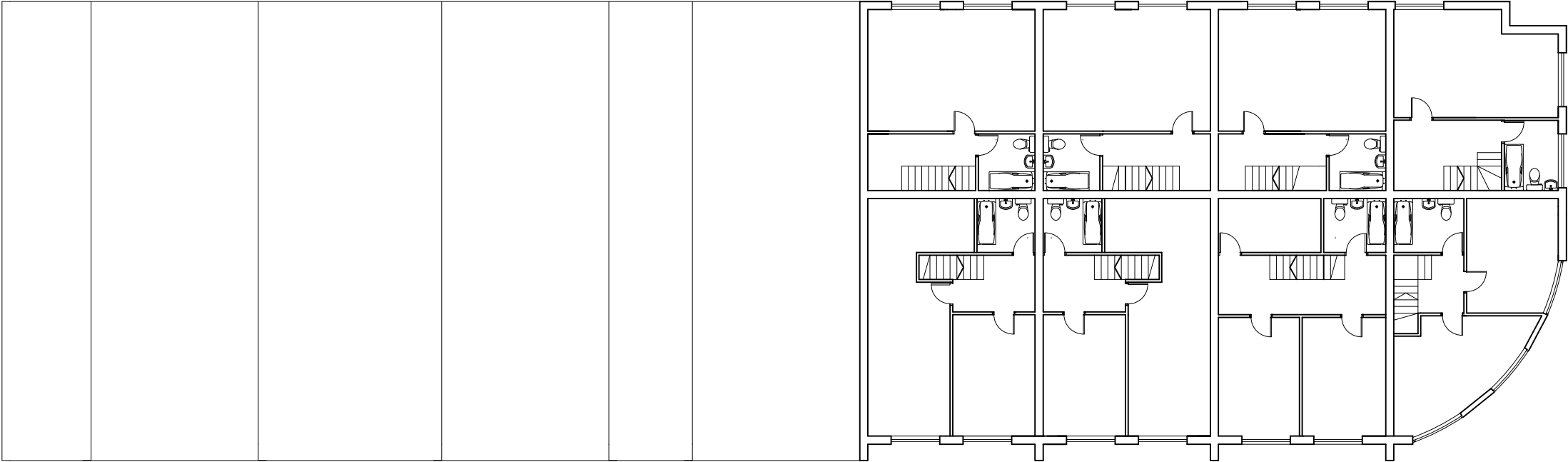
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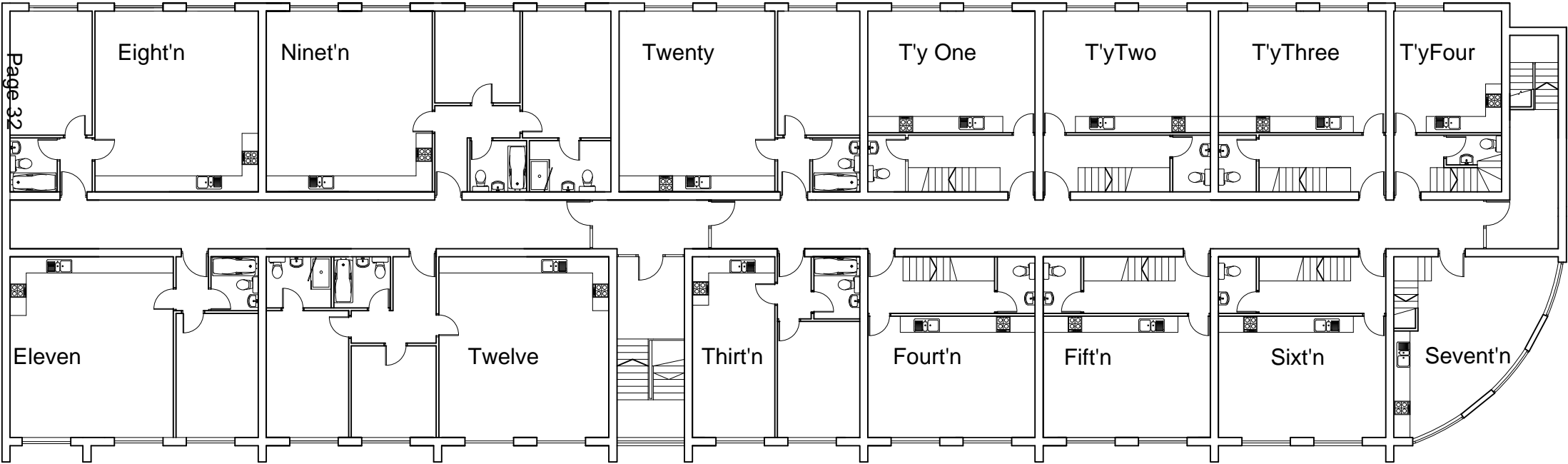
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contractor to check all dimensions on site prior to commencement of works.



Third Floor - 12 Units (Bedrooms to the Duplex Apartments)



Second Floor - 14 Units (4 x 2 bedroom and 4 x 1Bedroom Duplex Units, 2 x 2 bedroom and 4 x 1 bedroom apartments)

client:

project: Site at Rochdale Road

drawing: Ground and First Floors

scale: 1/200 date: October 2016

drawing no.: 13-27-43

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## Front Elevation

Steel frame building with lightweight fully insulated Kingspan 'Benchmark' or similar facade system.

Base, fascia and horizontal trim to be sapphire blue; 20 D 45

1st panel above base; Porcelain blue, 20 C 33

2nd panel above base; Powder blue, 20 D 41

Remaining panels; Cornflower blue, 20 E 51

Aluminium double glazed windows, Larkspur blue; 20 C 37

Single ply EPDM roofing system, with all trims etc.

Square section aluminium rainwater goods and downpipes; Larkspur blue; 20 C 37

client:

project: Proposed Retail and Office Units,  
Rochdale Road, Bury

drawing: Elevation to Rochdale Road

scale: 1/200                      date: October 2016

drawing no.: 13-27-40

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do not scale from prints.

contractor to check all dimensions on site prior to commencement of works.



client:

project: Proposed Retail and Office Units,  
Rochdale Road, Bury

drawing: Rear Elevation

scale: 1/200                      date: October 2016

drawing no.: 13-27-41

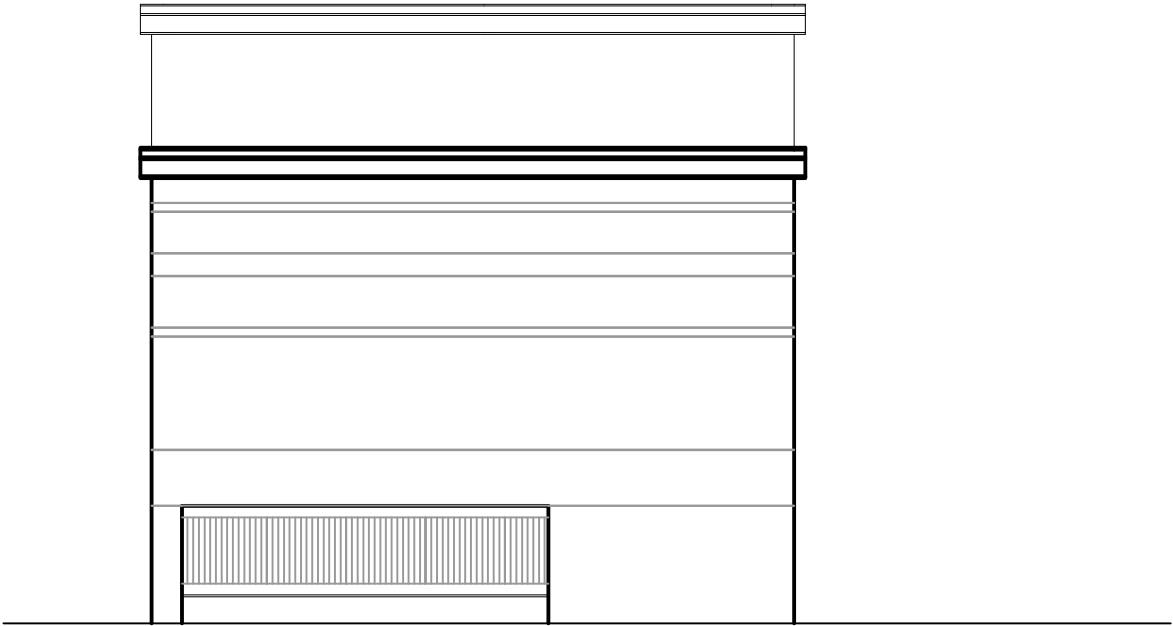
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lancashire  
bl0 9an

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Gable to York Street



Gable to Side Street (West)

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all works to be carried out in accordance with current health and safety regulations.

do not scale from prints.

contractor to check all dimensions on site prior to commencement of works.

client:

project: Proposed Retail and Office Units,  
Rochdale Road, Bury

drawing: Side Elevations

scale: 1/200 date: September 2016

drawing no.: 13-27-36

**abacus architectural limited**

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bl0 9an

tel: 01706 824 777  
email: mail@abacusarchitectural.com

**Ward:** Bury East

Item 03

**Applicant:** Mr John Wilson

**Location:** The Bridles, 2 Riders Gate, Bury, BL9 7RD

**Proposal:** Change of use of existing stable block to pet crematorium with incinerator

**Application Ref:** 60808/Full

**Target Date:** 09/01/2017

**Recommendation:** Approve with Conditions

**The Development Manager has recommended a site visit take place prior to the Planning Control Committee Meeting.**

### **Description**

The application relates to a site which is located in a semi rural area and Green Belt land. The site is surrounded by open land to the north, east and south and there is residential development to the north west. Access to the site is via Smethurst Hall Road which leads from this housing estate and to Riders Gate via an unmade and unadopted lane which is in the ownership of the applicant but which serves the properties on Riders Gate, by a rights of access.

The site comprises 2 Riders Gate, a large dwellinghouse, a building in use as a cattery business and a vacant single storey building which was previously let out as stables for up to 14 horses. This business has now ceased and the building is not currently in use. The building is positioned directly next to the cattery and at a lower level. There is an area to the rear and side of the building, which could previously have been used to exercise horses and which is bounded by low fencing, beyond which the land falls away fairly steeply to a valley.

The building is brick built with sheet roofing and has a roller shutter door on the front and rear elevations. It is 30m long, 15m wide (footprint of 450 sqm) and 6m at the highest point.

The application seeks the change of use of the former stable block to a pet crematorium with an incinerator. The incinerator would be accommodated internally towards the rear of the building, with a separate public reception room and storage facilities. A wide central aisle would allow a vehicle to enter the building to access the incinerator which would be accessed via the existing roller shutter door on the front. The only other physical alterations to the building would comprise the insertion of an entrance door and window to the reception area, and a 1m high flue projecting from the roof plane at the rear where the incinerator would be positioned.

The incinerator equipment would be a PETCREM 200 type which is mechanically designed to burn to a maximum of 50kg per hour. This is classed by the Department for Environment, Food and Rural Affairs and Animal and Plant Health Agency (DEFRA) as a Low Capacity Incinerator as the machine cannot physically burn more than 50kg an hour. Given this capacity, it would not require a license from DEFRA but would require authorisation under a D6 waste exemption instead, regulated by DEFRA.

The applicant would be required to register for the waste exemption and will need to meet all the limits and conditions of the exemption. The Environment Agency can take enforcement action or prosecute if the limits and conditions of the exemption are not met or that harm has been caused to people or the environment. Each waste exemption license

lasts 3 years and would need to be renewed if the operation is to continue for a longer period.

The incinerator is manufactured by Addfield who are approved and certified manufacturers and suppliers of this particular incinerator and comply with all EU Regulations.

Operation and capacity - The maximum capacity of the proposed incinerator would be 50kg/hour in accordance with EU legislation. Therefore, the number of cremations per day would be dependant on the weight of the animals to be cremated. As a guide, an average size pet would typically take 1 hour to cremate. The applicant states it is the intention to cremate animals individually and that the cremation of 10 animals per day would be a high estimation.

It is anticipated that the crematorium would be used by individual pet owners from the Borough who would otherwise have to travel further afield to have their pets cremated. It could also be used by local vets.

Hours - Proposed as Monday to Friday 8am to 5pm and Saturday 8am to midday. There would be no Sunday or Bank Holiday working.

### **Relevant Planning History**

55109 - Excavation of drainage pond. Deposit of earth to create horse paddock.

(Retrospective) - Approve with Conditions 20/06/2012

55570 - Excavation of drainage ponds - Withdrawn by Applicant 23/10/2012

55834 - Excavation of drainage ponds (resubmission with additional details) - Approve with Conditions 28/01/2013

### **Publicity**

31 letters sent on 16/11/2016 to properties at Summit Close, Riders Gate, Smethurst Hall Road, Rochdale Old Road.

Site notice posted 13/12/2016.

One petition with 44 signatures received in objection to the application and 20 letters (16 listed) of objection received from Smethurst Hall House, 9, 13 Summit Close, 1A, 2, 4, 8, 10, 18, Smethurst Hall Road, 143, 456, 446, 462 Rochdale Old Road, Rochdale Old Road (no number included), 3 Riders Gate; 1 Smethurst Hall; 2 responses no address provided:

- I live in a building of historic importance in a residential area, which would be affected;
- Residents do not want the foul smell, ash and pollution of animals being incinerated on their doorstep;
- The main road is busy and there will be an increase in traffic which would affect residents;
- Deterioration in the state of the road and damage to local property as a result of the traffic and larger vehicles;
- The area is mostly rural and residential, popular with dog walkers and will not be a nice place to live if approved;
- Noise associated with the machinery and processing;
- Effect on the value of house properties;
- Have had experience of working and delivering to pet crematoriums - produce a strong and foul odour;
- Inappropriate within a rural area;
- Disturbing that the applicant runs a cattery and wants to open a crematorium - most unusual;
- Emotional concern - do not like the thought of it;
- Affect the health of local residents;
- Have researched the process of incinerating animal carcasses and found evidence that suggests there will be smell and a detrimental impact on the environment;
- The application is not in keeping with the natural beauty of the local areas, countryside and domestic housing;

- The use of diesel for fuelling the project is a backward step;
- Many local residents are old and infirm and cannot join in the protest against the application - it does not mean they want the crematorium;
- Many residents did not know about the project and those that did not receive a letter have had no time to object; the site notice went up one day before the consultation period ended;
- Surely people in Jericho should have the last say;
- The neighbouring properties have tolerated the farmyard smells that horses and manure make, especially in Summer - what will happen to the horse manure tipped into the valley and stream contaminating the stream, which borders Bury and Rochdale to the River Roch and Green belt?;
- The holly and sycamore trees below this swathe of horse manure approx 30m wide are dead and we will never know the effect this had on wildlife in the Green belt area;
- Where will the excess ash go?;
- Reduced enjoyment of our property;
- Whilst having been reassured by the owner, I cannot help but be worried about the smell and foul odour, traffic, noise and pollution and saleability of my house;
- Have had issues with the incineration of human remains, biological and chemical waste at Fairfield Hospital with soot fall out affecting the fabric of our home - this was reported to the Environmental Agencies but because of Crown Immunity no further action was taken;
- As a retired Clinical Physiologist, I specialise in Respiratory and Cardiac Physiology in the NHS - any degradation in air quality is proven to impact on Human Health;
- Perhaps not a valid objection but stables and horses conjure up pleasant thoughts whereas a pet crematorium conjures up macabre thoughts of dead animals of all sorts being burnt and although disposal has to happen somewhere it should not be near residential properties;
- We all know that McDonalds sell beef burgers but we would not site an abattoir next door to it!;
- Directional signs would devalue property;
- Letter received from the applicant states that the stables are empty and a use needs to be found for it - appears to be a veiled threat that some sort of unpleasant use would be found for it;
- The building could carry on as stables and it is in an area of horse ownership;
- Purely a financial decision as the new activity would be very lucrative;
- The applicant stating the small and smoke created would be less than for a wood burning stove means nothing as these can be very pollutant;
- In reality how often would Defra check the building;
- Why would we want another incinerator when we have just got rid of the one from Fairfield Hospital. The fumes and odour cannot be of any benefit to the health of any nearby residents - the plan to build in this residential area is wrong.

Detailed letter of objection from Smethurst Hall House, highlighting environmental and the health impacts on local residents from pollution the incinerator would cause:

- Expected emissions on figures other than the maximum waste values is not stated - lack of transparency is a great concern;
- Would like clarification on the additional waste streams, how they are managed - it is the general assumption that increased waste streams may result in significantly higher expected emission/odour and smoke;
- Smoke and odour are expected to be 0% not detectable under normal operating conditions' according to the Addfield Report (again for the minimum waste amount). Query what the smoke and odour emission are with the maximum or moderate waste values. And what is 'standard operating conditions?' Carbon dioxide emissions are based on minimum values of 7.4% atmospheric CO<sub>2</sub> is 0.04%;
- The applicant has stated 10? animal carcasses per day. What does the '?' mean? Is this 10 more than 10 - if so how much more;
- Capacity of waste is stated as 500kg per day - if distributed over 10 carcasses this is approx 50kg per carcass. This is 50kg/hour. Local Air Pollution and Control (LAPPC)

regulations state that the criteria for local regs is below 50kg/hour. The applicant would beat the limit for burn rate - therefore argue that the incinerator would affect air quality;

- Potential for the applicant to exceed the 50kg/hour and therefore the proposed hours of business operation;
- Foul odour and smoke would be produced by the incinerator - that means for 5 days a week 10 hours a day there will be a putrid smell which would be a health risk and spoil enjoyment of outdoor space;
- The 1m high chimney would not be sufficient. The Crawshawbooth pet crematorium is approx 34ft in height on the roof and the building higher than residential properties. This site and location of stables is lower than the residential properties which would not disperse pollution above these properties;
- Emissions of hydrogen chloride, arsenic, lead, chromium, cadmium, mercury, sulphur dioxide, carbon monoxide and carbon dioxide are taken from the executive summary from the Individual Cremator PetCrem 200 specification sheet provided by the manufacturer;
- There have been large studies that show higher rates of adult and childhood cancers and birth defects in populations nearby to incinerators;
- Some emissions listed are known as toxic and hazardous to health;
- Would like to know the applicant has a plan to safely monitor the emissions regular to protect the health and well being of local residents. the British Society for Ecological Medicine (2008) highlight that monitoring of emissions of incinerators is poor, leading to dangerous levels of emissions.

Response to objections by the applicant, summarised as follows:

- The PETCREM200 machine has a capacity of 50kg per hour. DEFRA do not require a license when incinerating animal by-products when burning less than 50kg an hour and therefore the PETCREM 200 sits within this.
- It is not expected to actually burn 50kg per hour, this is just the capacity of the machine.
- In the UK planning permission is only required for animal incinerators and/or sites burning more than 50kg an hour. In such situations a high capacity license would need to be obtained.
- Standard operating conditions refers to using the machine as it is intended to be used which means operating at a minimum of 850 degrees centigrade as per Defra guidance and the animal by-products regulations 2011/142.
- The number of cremations per day is dependant on the weight of the animals to be cremated. It is intended to cremate animals of different sizes individually, so it is not possible to give an exact number, although 10 animals per day is a high end estimation. The numbers would be dictated by the size of the animal and the capacity of the machine to incinerate only up to 50 kg per hour.
- The response by the Commercial Section of the Environmental Health Section advises a condition that it is demonstrate that the discharge stack height has been calculated in accordance with the HMIP Technical Guidance Note D1 (Guidelines on Discharge Stack heights for Polluting Emissions) and this is standard planning practice.
- Smoke and odour discharge of 0% is calculated and is a visual indicator. Specific emissions are not required to be monitored on low capacity sites that operate under the capacity of 50kg per hour. However, there is an obligation to ensure that secondary chamber is operating at temperatures above 850 degrees to ensure that all smoke and odour is eradicated. This is monitored monthly and is a Defra requirement.
- The machine operates on diesel, LPG, and N-gas.
- Defra would not approve a low capacity incinerator which does not require a license or planning approval to own and operate if this was the case.
- To conclude, the incinerator in question is a small low capacity Defra/UK government approved machine which requires no license or planning permission to own and operate for personal use. The machine emits 0% smoke and 0% odour and is provided by Addfield, the preferred supplier to the association of private pet cemeteries and crematoria.

Response from Smethurst Hall House to the applicant's rebuttal:

- The applicant has not answered the concerns which have been raised about the health implications and there is no reassurance of how the risk of the incinerator would be managed or minimised;
- Am no expert in incineration but am an expert in public health and research, and therefore have a good knowledge of the area and would question the expertise of the applicant in managing such a business;
- The applicant quotes the machine is DEFRA approved with statements of safeness and low emissions - however DEFRA in January 2017 reported that in the UK air pollution is high and an incinerator would only add to levels;
- The health risks of incinerators such as cancer, heart disease and birth defects still stand as relevant and this research is not outdated contrary to the claims of the applicant;
- The lack of research both quantitative and qualitative informing health risks and incinerators is recognised by 'Friends of the Earth' who has carried out research;
- Friends of the Earth state there is lack of research in relation to health impacts of incineration and assessing health risks is not easy, the air pollution levels that are likely to be harmful are unknown and there is uncertainty as to what extent health could be affected;
- I have provided a table of statistics which states that there is no safe level for pollutants and air emissions such as oxides, particulate matter and dioxins, all of which are produced by the Addfield incinerator;
- Therefore the incinerator is not appropriate in a residential area;
- I hope this reinforces my concerns and that this research is considered satisfactory and that the Council take a precautionary approach due to the significant health risks that the incinerators pose.

Letter of support received from No 19 Smethurst Hall Road with the following comments:

- Excellent application to make use of a working farm and to make it viable and sustainable;
- Landowners or farmers have to use their land to maximise potential and create an income - this option is far more acceptable than other uses;
- The farm has always been in use and up to quite recently was used for stabling where there was constant traffic early morning - traffic from a pet crematorium would be no more than previously;
- There has been a petition raised by 'local' residents and many who have signed do not live in close proximity, cannot even see the property and would not be affected by any assumed increase in traffic;
- Some residents particularly the elderly may have been pressurised and intimidated to sign the petition.

Additional information received from the applicant regarding the specification and functions of the proposed incinerator and regulations and restrictions of the development. Residents re-consulted by letter dated 20/2/2017.

One letter received from No 4 Smethurst Hall Road - still object to the application.

Those who have made representations have been informed of the Planning Control Committee meeting.

### **Consultations**

**Environment Agency** - No objection.

**Greater Manchester Ecology Unit** - No objection. Recommend informatives advising the applicant of their responsibilities under the Habitat Regulations and Wildlife and Countryside Act.

**Environmental Health - Commercial Section** - No objection subject to a condition to ensure the incinerator would operate in accordance with the manufacturer's guidelines, together with an assessment in relation to emissions from the stack in terms of height and dispersal.



**Environmental Health Contaminated Land** - No objection subject to an informative advising the applicant of the requirement for approval from the Animal and Plant Health Agency (Defra) prior to the commencement of operation of the incinerator.

**Drainage Section** - No comments to make and no condition required.

**Traffic Section** - No objection subject to conditions.

### **Unitary Development Plan and Policies**

NPPF	National Planning Policy Framework
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
OL1	Green Belt
OL1/4	Conversion and Re-use of Buildings in the Green Belt
HT2/4	Car Parking and New Development
EN6/3	Features of Ecological Value
EN8/2	Woodland and Tree Planting
EC4/1	Small Businesses
EC6/1	New Business, Industrial and Commercial
H3/1	Assessing Non-Conforming Uses
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** - Under National Planning Policy in the NPPF, Paragraph 90 allows for the reuse of buildings in the Green Belt provided they area of permanent and substantial construction, and where they meet two objectives of preserving the openness of the Green Belt and where they do not conflict the purposes of including land in the Green Belt.

SPD9 - Conversion of Buildings in the Green Belt offers additional guidance for conversion proposals, normally requiring a structural survey and demonstration that the proposals would not have a materially greater impact on the openness of the Green Belt.

A structural survey of the stables supported by evidence and done by a qualified surveyor would normally be required under SPD9 and in order to fully meet the requirements of Paragraph 90. The applicant has submitted a self assessment of the building. The building was granted permission in 2000 and is constructed of red brick with concrete footings. It is of substantial build with internal concrete block walls. The Survey concludes that the building is in sound and good condition which would be capable of conversion with no requirement for any building, improvement or remedial works. It is therefore considered that the building would be capable of conversion to facilitate the proposed development and as such would comply with Paragraph 90 and SPD9.

The development would be a straightforward conversion, requiring little in the way of physical alterations, proposing a door and window on the front elevation and a 1m high flue. Given the minor scale of the alterations, it is therefore considered that there would be no additional impact on the openness and character of the Green Belt and therefore no conflict with Paragraph 90 which seeks to preserve the openness of the Green Belt.

On the basis of capacity and proposals as set out, it is likely that vehicle movements would

be reduced when compared to those associated with the current lawful use as stables, and as such it is considered that there would be no additional impact on the openness of the Green belt in this respect.

The proposed development is therefore considered to comply with Paragraph 90 of the NPPF.

### **Pollution and Air Quality**

Chapter 11 - Conserving and enhancing the natural environment seeks to prevent new development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution and aim to minimise pollution and impacts on the local and natural environment.

UDP Policy EN7/1 - Atmospheric Pollution seeks to limit atmospheric pollution and will not permit development which would result in unacceptable levels of pollution and/or would not be compatible to achieving long term air quality standards.

The Environmental Health Commercial Section and Contaminated Land/Air Quality Section have been consulted on the application.

Capacity - The applicant states that it is the intention to cremate animals individually, to offer a personal and compassionate service to individual pet owners. On this basis of individual cremations, and with an incinerator capacity of a burn rate of a maximum of 50kg per hour, the scale and intensification proposed development would be limited to up to 10 cremations per day. This can be ensured through a condition that there would be no more than 10 cremations a day. In turn, it would also reduce the number of trips to the crematorium by those visiting the site.

The ashes would be given back to each owner for burial or spreading. Ashes would not be retained or disposed of at the site, as a license would be required.

There are facilities within the building to store animal carcasses. As the scale of the development would be controlled by the physical capacity of the equipment itself, the number of animal carcasses which could be stored would not result in any more cremations which could be carried out at one time.

Hours of operation proposed by the applicant as 8am to 5pm weekdays and 8am to midday on Saturdays (with no Sunday or bank Holiday working), would in itself limit the operation, scale and in turn, the external impacts beyond the site itself.

The hours proposed are considered to be normal working times and acceptable to carry out a business operation and it would be a time when people would be out and about during the daytime carrying out daily activities. It is also worth considering that the building was previously used as stables for up to 14 horses, which could generate larger volumes of traffic and activity, at more unsociable times.

Given the above, the proposed hours would be restricted by a suitably worded condition, and considered to be reasonable and appropriate to control the development proposed and visiting arrangements.

License and certification - The proposed incinerator would burn at a rate of less than 50kg per hour which is classified by DEFRA as a low capacity incinerator and could be operated without the need for a license from DEFRA. The operation would though require authorisation and approval from DEFRA and the applicant would be required to register for 'Waste exemption: D6 disposal by incineration', prior to the commencement of the operation of this type and the capacity of incinerator. All the limits and conditions of the exemption would need to be met by the applicant. A vet would check the application to make sure the operation would meet the Animal By-Products Regulations and inspectors would then visit the site to ensure it operated legally. The pet crematorium could not

operate without the waste exemption authorisation.

The incinerator is classed as a Low Capacity Incinerator and would be set up by the approved manufacturer to be mechanically impossible for the burn rate to go above 50kg of animal by-products per hour. If the site were to incinerate more than 50kg of materials per hour (which the proposed equipment does not have the capacity for) an application must be made to the DEFRA for approval as a high capacity incinerator site.

The documentation submitted with the application confirms that the proposed incinerator is DEFRA approved. The proposed development would be regulated and monitored by DEFRA procedures and standards and any breach of the approval and authorisation granted by DEFRA would be subject to prosecution under DEFRA legislation.

The Environmental Health Section are satisfied that the application submission would comply with DEFRA standards and that the proposed development would not require a separate license.

A planning condition would also be imposed that the development '*could only be carried out in accordance with the incinerator proposed in this application*'. This would ensure that capacity and the scale of the development could be regulated and controlled to a standard which would be considered acceptable and which would not have a detrimental impact on the amenity of local residents or environment.

Emissions and monitoring - As a low capacity incinerator operating under a capacity of 50kg per hour, specific emissions are not required to be monitored. However, under DEFRA and to be deemed compliant, the incinerator is required to operate at temperatures above 850 degrees centigrade to ensure that all smoke and odour is eradicated and ensure a clean burn process. This is done via an integrated thermometer displayed on a control panel. This practice is to be carried out on every tenth burn to comply with DEFRA regulations. The applicant states that the PETCREM 200 is constructed with an integrated thermometer which displays the internal temperature on a display monitor.

Again, the equipment would be monitored under the separate legislation of DEFRA.

In terms of controls under the planning system, as the nominal burn rate of the incinerator would be less than 50kg an hour it would fall below the criteria to meet the Local Air Pollution Prevention and Control (LAPPC) Regulations and as such the Environmental Health Section are satisfied that the development would be compliant and acceptable.

With regards to the flue, this would be located on the roof plane towards to the rear of the building at a height of 1m. To ensure correct dispersion from the flue would be achieved, the Environmental Health Section have recommended that a condition be included for the applicant to demonstrate that the discharge stack height has been calculated in accordance with the HMIP Technical Guidance Note D1 (Guidelines on Discharge Stack heights for Polluting Emissions) . Subject to this condition, there are no objections to the principle of the development from the EH Section.

The EH Section have been notified of the concerns which have been raised by local residents with regards to odour and smoke emissions as a result of the incinerator operations and the health implications that this may have on residents and the local environment, and have responded as follows:

Comments/response regarding objectors concerns to Pollution and Air Quality (response in italics):

1. Concern of the calculated emissions supplied by the applicant and the maximum or moderate emissions of smoke and odour and carbon dioxide which would be generated by the incinerator: *The proposed incinerator, at a capacity of no more than 50 kg per hour is DEFRA type approved and DEFRA regulated. A license to operate the equipment proposed would not be required. Certification has been submitted with the*

*application which would meet the relevant regulations.*

2. Concern regarding additional waste streams. (Waste streams refer to the type of material being processed. In this case it would be animal carcasses). *Confirmation has been provided by the applicant that only Animal By-Products would be incinerated.* This would be controlled and restricted by the capacity of the proposed incinerator equipment and DEFRA regulated.
3. Concern of exceeding the cremation of 10 animal carcasses per day: *The applicant has confirmed that 10 carcasses a day would be burned. Pet Crematorium fall under Waste Exemption D6 which includes incineration in a purpose built incinerator with a design capacity of less than 50kg per hour, which is proposed in this application. It is unlikely that given the capacity of the machine, the size of animal carcasses and the control of hours of operation, that this would be exceeded.*
4. The Waste management form appears to indicate operations would be a limit of burn rate and concern of possible exceedence of 50kg/hr burn rate over 10 hours: *The incinerator will be set up so that it is mechanically impossible to exceed the burn rate of 50kg/hr. The equipment would not have the physical capacity to burn more than 50 kg per hour.*
5. Concern that a foul odour and smoke will be produced and that particulate matter and other emissions would be produced: *A D1 assessment of the chimney height would be required by a planning conditions to ensure correct dispersion from the outlet chimney.*
6. Studies into adult and childhood cancer and links to cancer causing emissions etc: *The study is not applicable to low capacity incinerators.*

*Any monitoring of emissions?: Monitoring is not required as it is a low capacity incinerator. The operator of the incinerator would be required by DEFRA Regulations to monitor emissions output (see emissions and monitoring section above).*

Conclusion of the EH Section - The information submitted to support the application would meet the relevant DEFRA regulations. The crematorium operation would require authorisation and compliance with conditions imposed by DEFRA. A condition would also be recommended that the applicant demonstrate the stack height emissions have been calculated in accordance with the HMIP Technical Guidance Note D1 (Guidelines on Discharge Stack heights for Polluting Emissions).

No intrusive ground works are proposed and there are no comments to make in this respect.

Given the above analysis, the authorisation from, and compliance with DEFRA regulations and the planning conditions which can be imposed, the proposed development is considered to be acceptable and would comply with UDP Policies EN1/2 - Townscape and Built Design, EN7/2 - Atmospheric Pollution, H3/1 - Assessing Non-Conforming Uses and chapter 11 of the NPPF.

**Parking** - There is an existing hardstanding area which can accommodate 12 cars which is used for parking by visitors to the cattery and those who previously stabled horses at the site.

It is likely that the proposed development would generate less traffic from members of the public or vets visiting the crematorium than 14 stables, where potentially there could be twice daily trips per horse owner. Trips would also be limited to the hours which would be granted consent, which would be 8am to 5pm weekdays and 8pm to midday on a Saturday. The capacity of the incinerator equipment to operate up to 50kg per hour would also constrain the numbers of people who could visit the site at one time.

The Highway's Section have raised no objection to the development subject to conditions to provide the proposed parking bays and turning areas be provided and as such is considered to be acceptable and comply with UDP Policy HT2/4 - Car parking and New Development.

**Access** - This would be via Riders Gate, the unadopted road which leads off Smethurst Hall Road. Riders Gate is owned by the applicant but the properties on the lane have rights of access over it. It is in a poor state in some places and would benefit from some improvement works. There would be a certain amount of traffic which would use Riders Gate to visit the site, and the application states that there is the intention to resurface this access lane. It is considered it would therefore be reasonable to require the applicant to carry out some repair works to the road, to which the applicant is agreeable. This would be secured by way of a suitably worded condition where the applicant would set out a programme of works to be agreed and approved by the Highway's Section.

As such, it is considered that the access arrangement would be beneficial and would better the situation which currently exists, and therefore would be compliant with UDP Policies EC4/1 - Small businesses, EC6/1 - assessing New Business, Industrial and Commercial Development, H3/1 - assessing Non-Conforming Uses and EN1/2 - Townscape and Built Design.

**Visual appearance** - The appearance of the building would alter very little, apart from the 1m high flue projecting from the north east roof plane and 2 openings. The site is self contained and the building set at a lower level to the car park, dwellinghouse of 2 Riders Gate and the adjacent cattery building. There are wide ranging views from across the valley and the building is visible. However, the stack would not be a significant feature at 1m in height and the minimal external alterations would not be perceptible from these long range views, and as such, the alterations are considered acceptable and comply with UDP Policy EN1/2 - Townscape and Built Design, OL1/4 - Conversion and Re-Use of Buildings in the Green Belt and Paragraph 90 of the NPPF.

**Ecology** - No ecological information has been supplied with the application, but as the development would have minor impacts on the building which is low risk for species such as bats and as the removal of one conifer may have bird nesting potential, informatives are recommended of the applicant's responsibilities should protected species be found during any works.

As such, the development is considered to be acceptable and would comply with EN6/3 - Features of Ecological Value.

#### **Response to objectors -**

- The residents were notified by letter on 16/11/2016 with a statutory 21 days to make representations. A site notice was posted on 13/12/2016 also with a period of 21 days in which to make representations. Residents were re-notified of additional information on 20/2/2017 with 10 days to make representations. All publicity requirements have been met.
- Impact on property values are not material planning considerations.
- The physical alterations to the building and the site would minimal and the proposed use of the building would not be discernible from outside the site boundary.
- The objections which relate to impact on health, odour, air pollution, degregation of quality of life, inappropriate use in a residential area and traffic have been covered in the above report.
- Concerns have been expressed regarding the capabilities of DEFRA and the licensing regime nit being effective to control/monitor site operations. Planning appeal decisions have confirmed that where there is a pre-existing controlling regime or body, it is entirely reasonable to expect that body to operate and carry out its duties and it is not the place of the planning system to question this.

## **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 - Addfield - General arrangements of individual cremator MP.200-GA PETCREM 200 specification; Site location plan received 14/11/16; Site plan - layout of car park received 14/11/16; 16/276/01; 16/276/02; 16/276/03; 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.
3. Only the PETCREM200 Incinerator manufactured by Addfield, with a maximum capacity of no more than 50 kg per hour, shall be used in the development hereby approved. Only one machine of this specification and type shall be used on the site in the development hereby approved.  
Reason. To control emissions and limit operation and output of the incinerator and maintain acceptable levels of air quality and to secure the satisfactory development of the site in terms of human health, the amenity of local occupiers and the wider environment pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment and Bury Unitary development Plan Policies EN7 - Pollution Control and EN7/1 - Pollution Control.
4. No development shall commence unless and until details have been submitted to demonstrate that the discharge stack height equipment hereby approved has been calculated in accordance with the HMIP Technical Guidance Note D1 (Guidelines on Discharge Stack Heights for Polluting Emissions). The approved equipment only shall be implemented and thereafter maintained in accordance with the Technical Guidance and approved details.  
Reason. Information has not been submitted at application stage. To protect the amenities of occupiers of nearby properties pursuant to Bury Unitary Development Plan Policy EN7/1 - Atmospheric Pollution.
5. The turning facilities indicated on the approved plans shall be provided before the use hereby approved commences 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 EC6/1 - Assessing New Business, Industrial and Commercial Development, EN1/2 - Townscape and Built Design and HT2/4 - Car parking and

New Development.

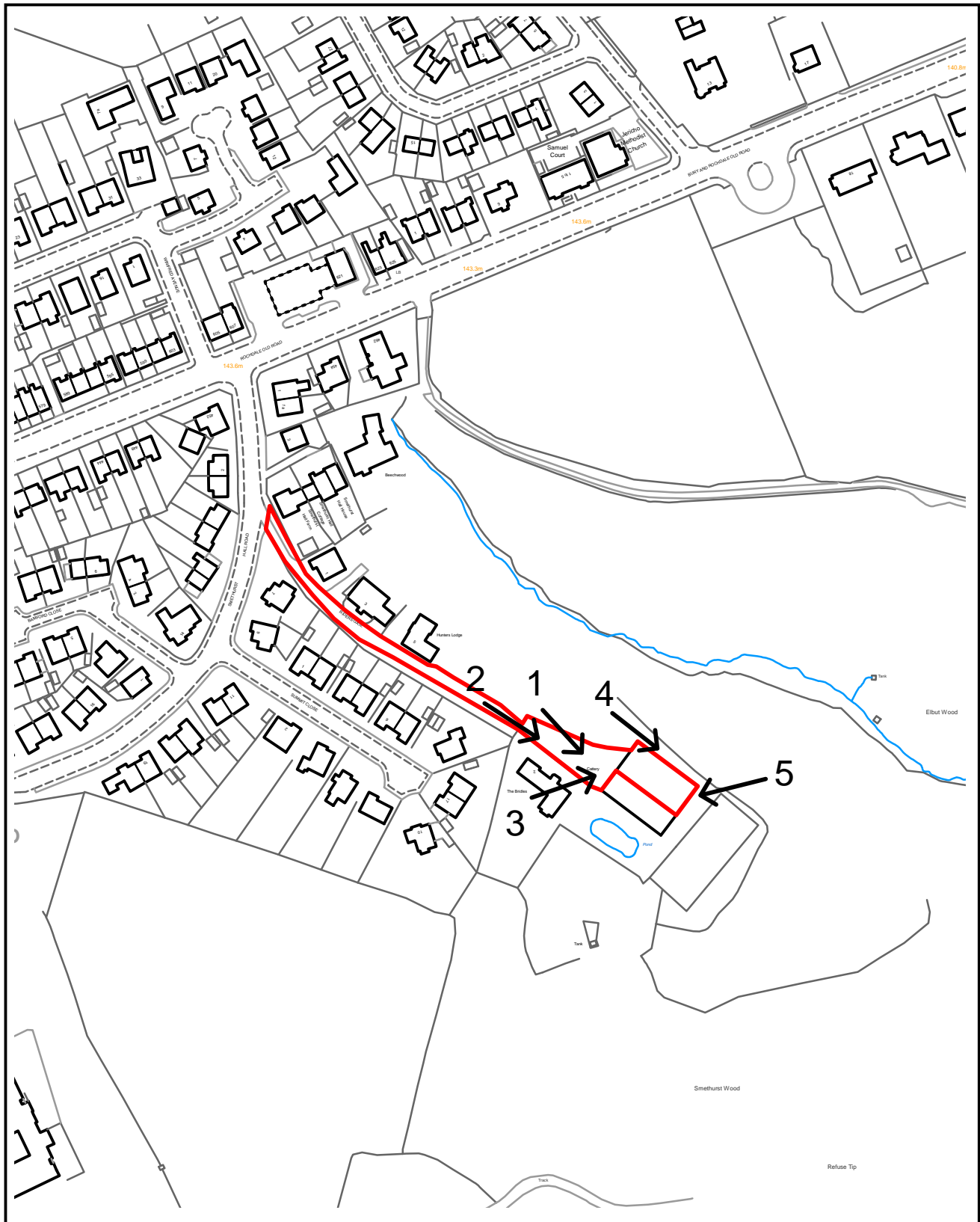
6. The staff and visitor car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the use hereby approved commencing and thereafter maintained at all times.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies EC6/1 - Assessing New Business, Industrial and Commercial Development, HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
7. No work or activities associated with the development hereby approved, including use of the incinerator hereby approved, shall take place outside the hours 8am to 5pm Monday to Friday and 8am to midday on Saturdays. There shall be no Sunday or Bank Holiday operations.  
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN7 - Pollution Control, EN7/1 - Atmospheric Pollution, H3/1 - Assessing Non-Conforming Uses and chapter 11 - Conserving and enhancing the natural environment of the NPPF.
8. There shall be no customers or visitors to the development hereby approved outside the following times:  
Monday to Friday 8am to 5pm and Saturdays 8am to midday.  
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN7 - Pollution Control, EN7/1 - Atmospheric Pollution, H3/1 - Assessing Non-Conforming Uses and chapter 11 - Conserving and enhancing the natural environment of the NPPF.
9. 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 6 months or first planting season, from the date the building is first brought into use; 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.
10. No development shall commence unless and until a programme of works, setting out the details and schedule of repair works to Riders Gate have been submitted to and approved by the Local Planning Authority. The approved programme of works/details subsequently approved shall be implemented in full before the development hereby approved is brought into use.  
Reason. Insufficient information submitted at application stage. To ensure good highway design, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EC6/1 - Assessing New business, Industrial and Commercial development, EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.
11. There shall be no more than 10 cremations per day carried out for the development hereby approved.  
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN7 - Pollution Control, EN7/1 - Atmospheric Pollution and EC6/1 - Assessing New Business, Industrial and Commercial

Development.

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



# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 60808**

**ADDRESS: The Bridges  
2 Riders Gate  
Bury**

**Planning, Environmental and Regulatory Services**



**Bury**  
COUNCIL

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60808

Photo 1



Photo 2



Photo 3



Photo 4



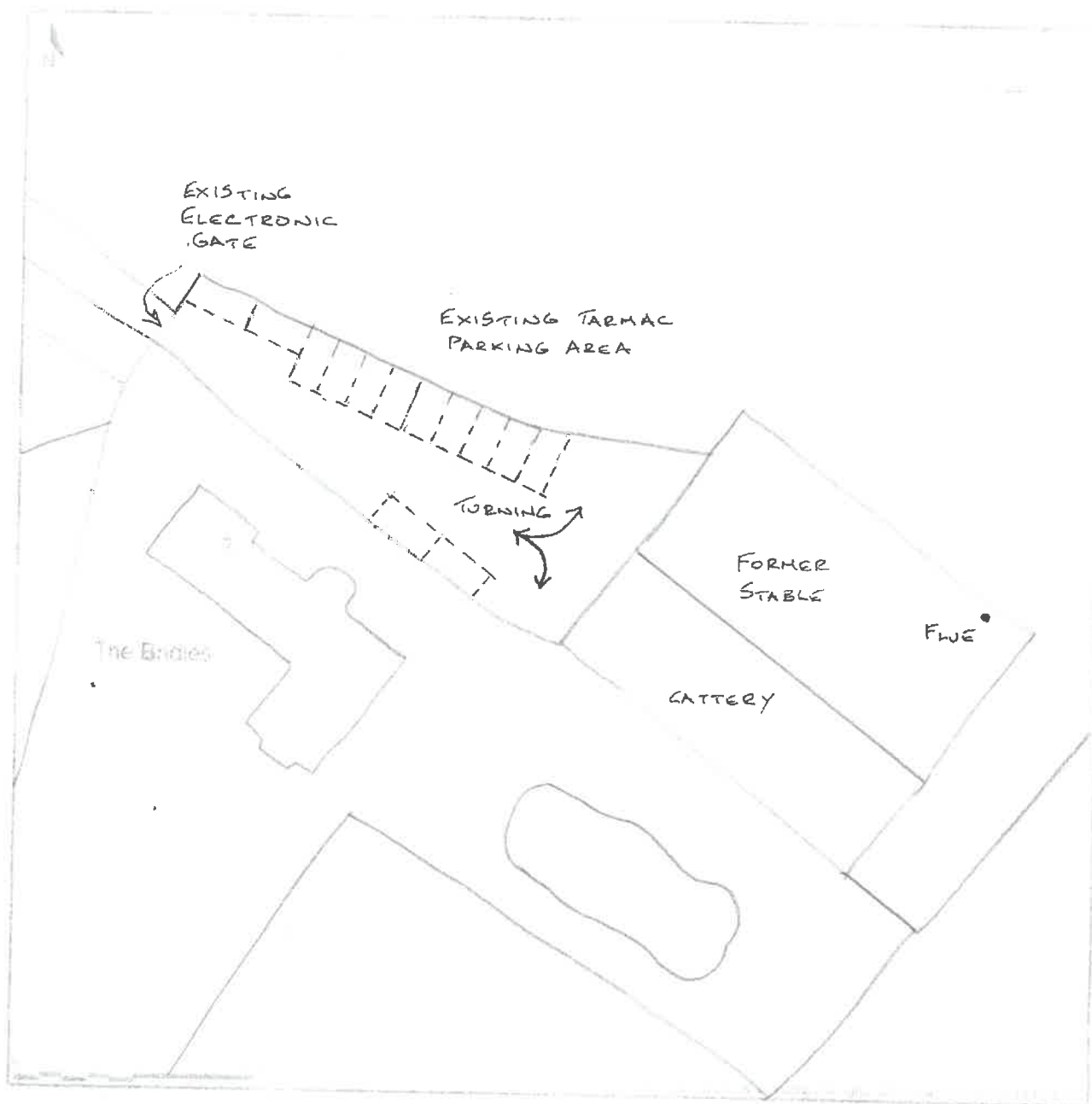


Photo 5





The Bridles, 2 Riders Gate, Bury, BL9 7RD



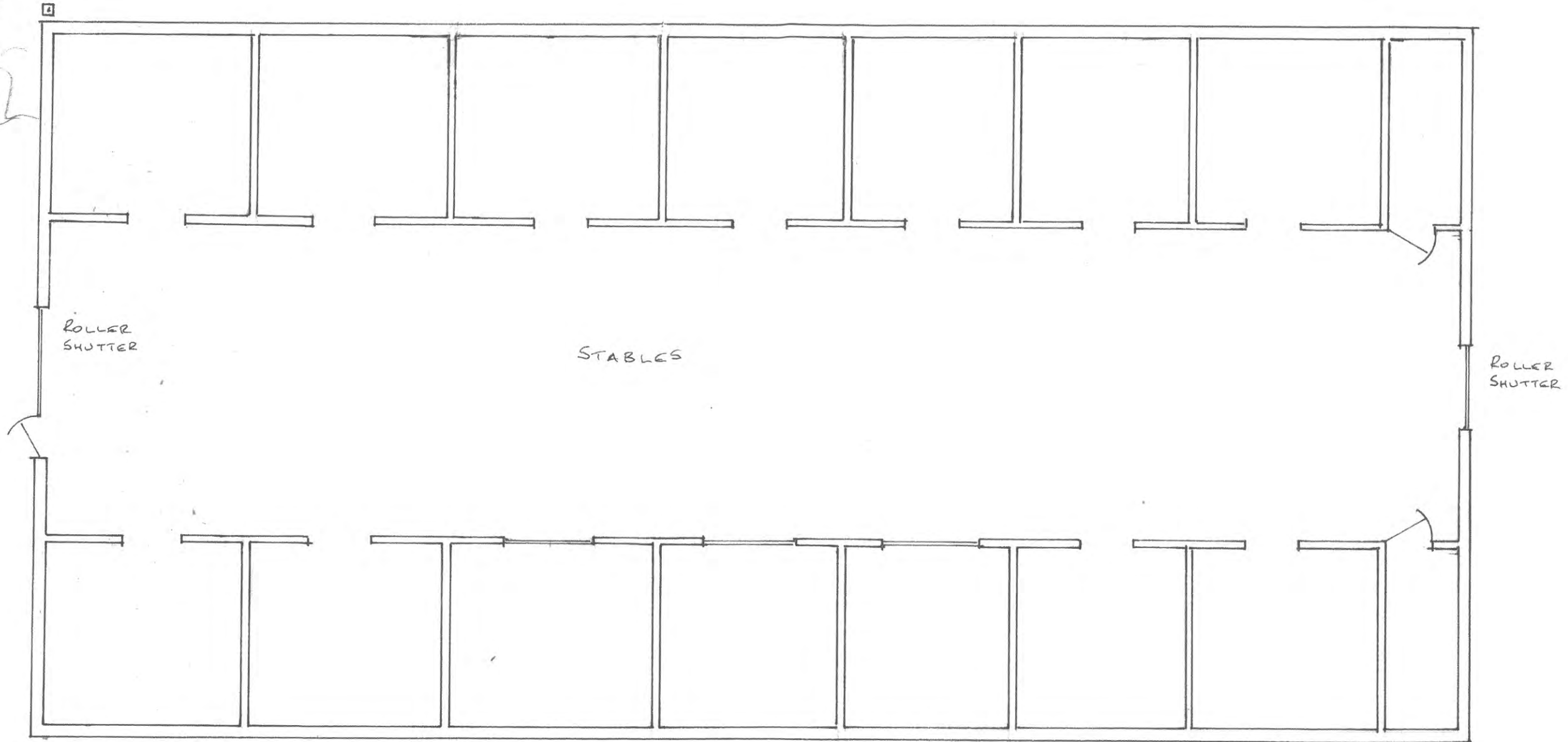
Bridle Plan shows area bounded by: 524854.42, 524854.42, 524854.42, 524854.42 (all values of 1:500). The representation of roads, tracks or paths is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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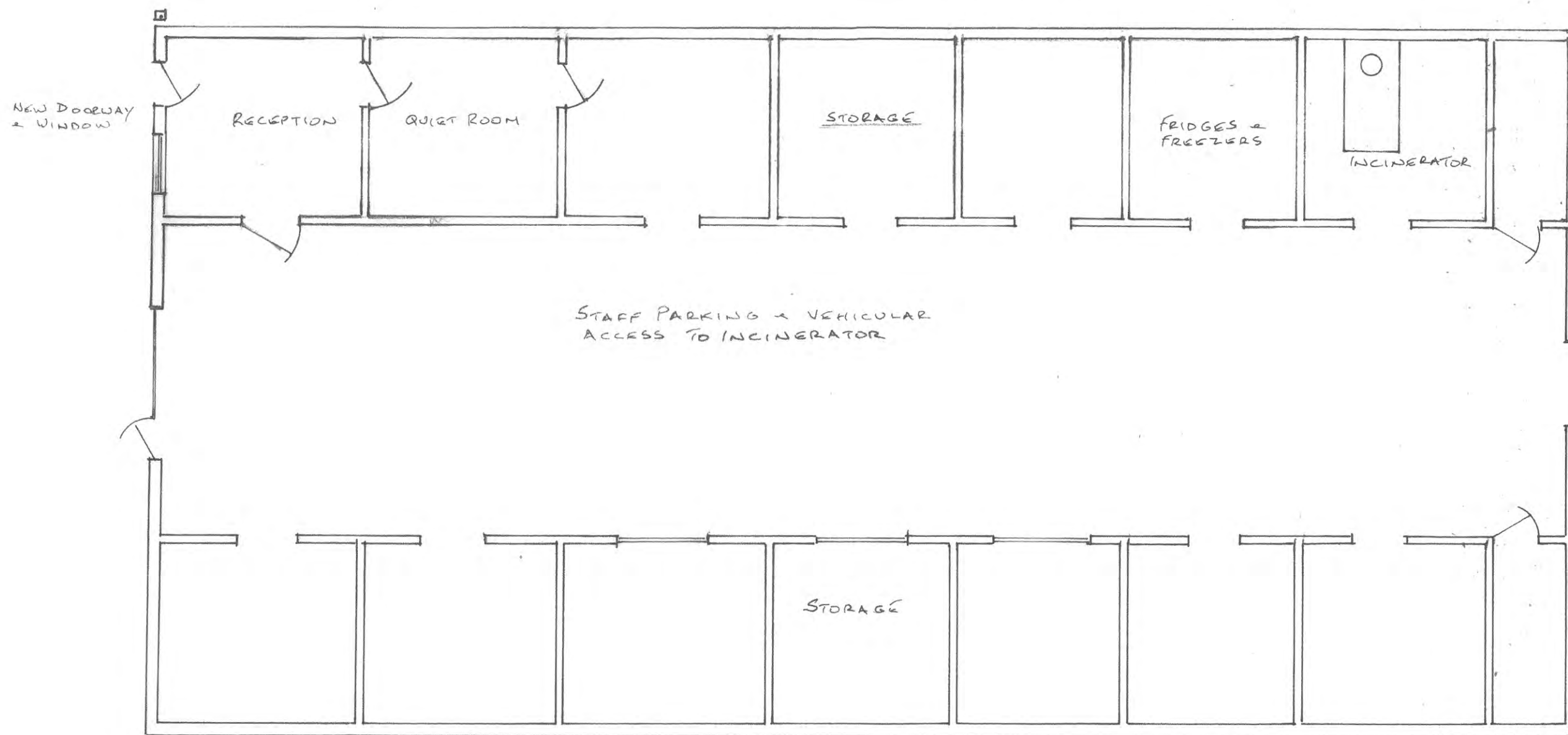
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SITE PLAN (1:500 Q A4)

CONIFER TO  
BE REMOVED



1. EXISTING PLAN



3 PROPOSED PLAN

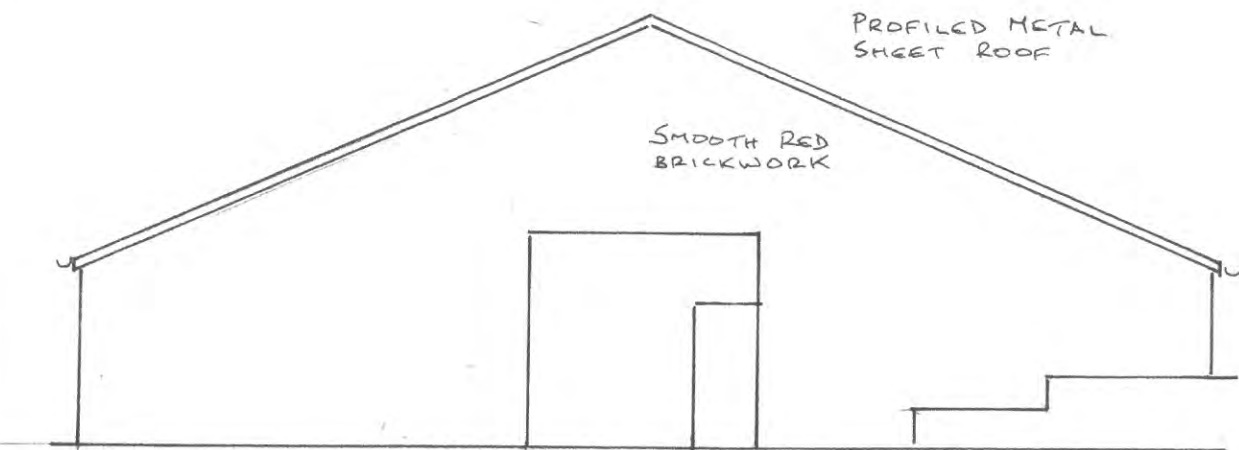
SCALE 1:100 @ A3

4/4/16

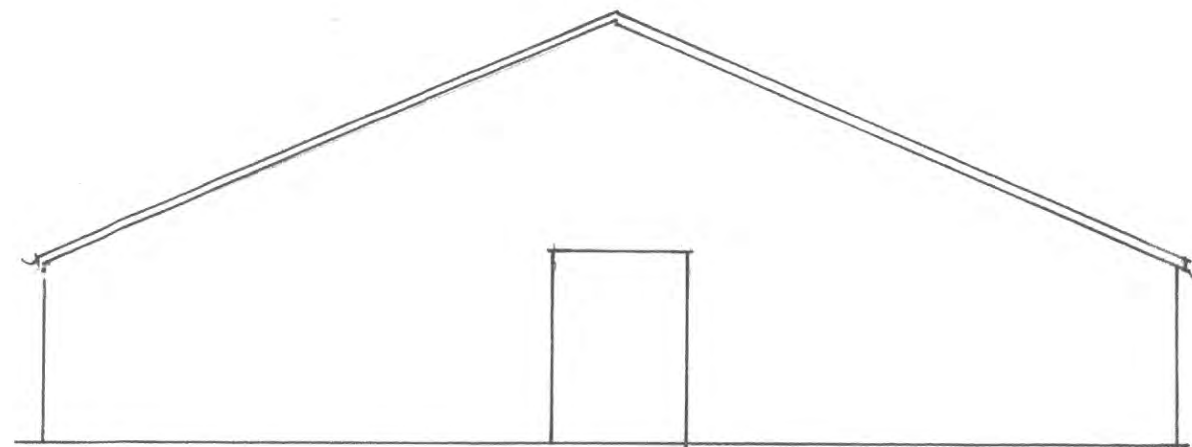
16/276/02

PET CREMATORIUM

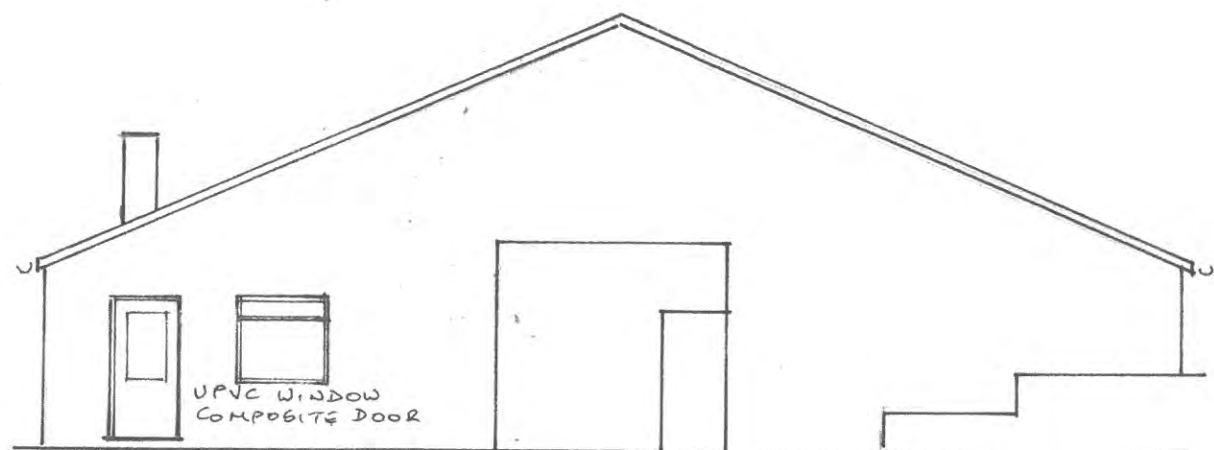
2 RIDERS GATE, BURY BL9 7RD



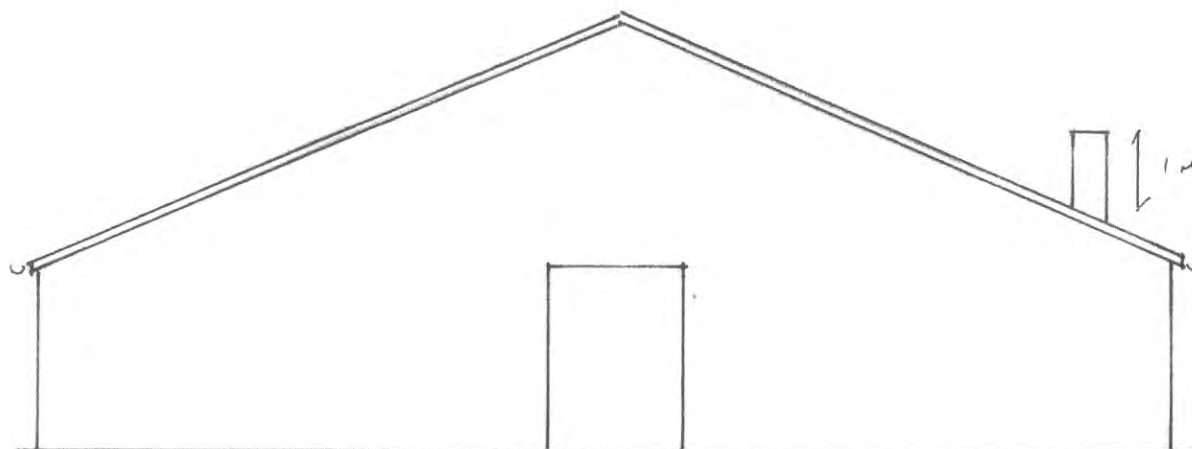
EXISTING FRONT ELEVATION



REAR ELEVATION

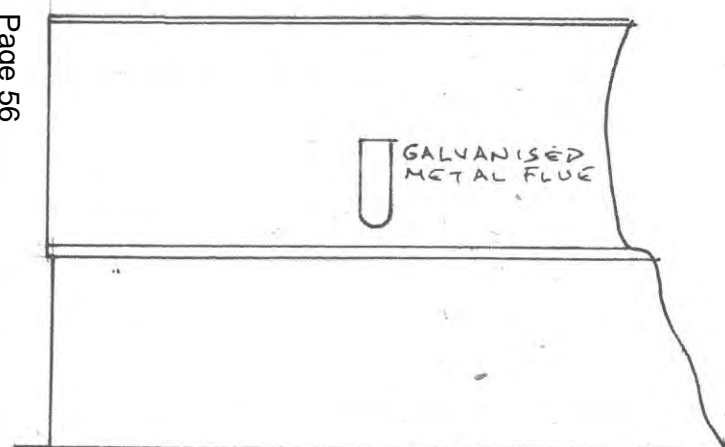


PROPOSED FRONT ELEVATION



REAR ELEVATION

Page 56



PROPOSED SIDE ELEVATION  
(PART)

3 ELEVATIONS

SCALE 1: 100 @ A3

4/11/16

16/276/03

PET CREMATORIUM  
2 RIDERS GATE, BURY BL9 7RD



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

**Item** 04

**Applicant:** Mr Samuel Don

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

**Proposal:** Demolition of existing dwelling and erection of 7no. flats

**Application Ref:** 60924/Full

**Target Date:** 08/02/2017

**Recommendation:** Approve with Conditions

### **Description**

The site contains a large detached dwelling, which is two storeys in height and is constructed with rendered elevations with a tile roof. There is a large front garden and rear garden with mature trees on the periphery. The site is accessed from Ringley Road via a driveway and there is a 2 metre high brick wall along the frontage with Ringley Road.

There are residential properties to the south, east and west of the site and Stand Golf Course is located to the north.

The proposed development involves the demolition of the existing dwelling and the erection of a four storey building containing 7 apartments. The proposed development would be located centrally within the site and would be constructed from brickwork with a flat roof. The site would be accessed from Ringley Road with a small car park (7 spaces) at ground floor level and a ramp leading down to a basement car park of 7 spaces.

### **Relevant Planning History**

01593/E - Demolition of existing dwelling and erection of 2 no. blocks comprising of 8 no. flats at 54 Ringley Road, Whitefield. Enquiry completed - 11 February 2015.

59053 - Outline application for the demolition of existing dwelling and erection of 7 no.flats at 54 Ringley Road, Whitefield. Refused - 21 April 2016.

### **Publicity**

The neighbouring properties were notified by means of a letter on 14 December 2016.

9 letters were received from the occupiers of Stand Unitarian Chapel, 52, 56, 61 Ringley Road, which raised the following issues:

- Objections are the same as the previous application as the changes are minimal.
- The plans have been slightly amended from the four storey building that was refused. The amendments are so minor that they don't make any difference and the building is too large for the plot.
- The proposed building extends further to the rear of my property and well beyond my extension.
- Both my house and garden would be overlooked and would cause a serious loss of privacy.
- It would overshadow my house and encroach on its light and air.
- The new flats would start well in front of the existing house and would project further at the rear.
- The new building would be far higher than the existing house and all the surrounding properties.
- There would be an underground car park, making the building 5 storeys high.
- There is not enough parking on site and it is not possible to use some of the spaces at

the front.

- There is subsidence within Whitefield and the construction of a 5 storey building would add to this. If subsidence occurs, there would be legal proceedings issued for negligence against all parties concerned including Bury Council.
- The applicant has not contacted the neighbouring properties with regard to the application or any difficulties during construction.
- There are no 3d drawings and as a result you cannot tell from the plans how much they would impact upon the neighbouring properties.
- Concern about increased traffic flow in the area.
- Ringley Road narrows in front of No. 54 and this would exacerbate the existing traffic problems in the vicinity.
- The size and design of the proposed building is not appropriate. The plot is far too narrow.
- The proposed residents would overlook the front and rear gardens and into our home.
- There is little space (1.5 Metres ) between the proposed build and the existing dwelling, leading to an oppressive and claustrophobic feel.
- There is little room for manoeuvres in the underground car park.
- The 14 spaces would be used by residents - where would visitors park?
- A full bat survey is required and this cannot be provided until May.
- Any removal of the vegetation at the front would impact upon our privacy.
- A swept path analysis of the car parking should be requested.
- The bin store is too prominent in the streetscene.
- Concerned about the proposed balconies and specifically the penthouse apartment.
- Access onto Ringley Road
- On site parking issues
- Lack of on-road parking
- Traffic congestion
- The new plans do not deal with any of the reasons the Council gave previously for refusing planning permission.

The neighbouring properties were notified of revised plans on 14 March 2017.

1 letter has been received from the occupiers of 56 Ringley Road, which has raised the following issues:

- The latest plans appear almost identical to the former plans and I object.
- The latest plans are STILL for a FOUR storey block of flats, despite the first application being refused as four storeys was too large for the remaining houses in the area.
- The size, scale and mass has been increased from the first application.
- The latest plans go far beyond the building line of the existing houses.
- The occupants of the flats can look directly into my bedroom and lounge extensions, which is an unacceptable invasion of my privacy.
- A FOUR storey block of flats by reason of its size, scale and position would still be a PROMINENT and INTRUSIVE feature on Ringley Road and would be HUGELY DETRIMENTAL to the visual amenities of the area.
- A FOUR storey block of flats would be DETRIMENTAL to my adjoining property by OVERSHADOWING my property due to height, size and position.
- A FOUR storey block of flats would be DETRIMENTAL to the AMENITIES of my adjoining property by reason of its height, size and position.
- The latest plans PROVE that there is still INSUFFICIENT room for parking for a FOUR storey block of flats on the plot in question which I have referred to in detail in previous objections.
- AND FINALLY there would be a total lack of PRIVACY to my own property not just to the rear where my bedrooms and garden would be OVERLOOKED but also to the front of the property where the flats would start far in advance of my house.

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

## **Consultations**

**Traffic Section** -

**Drainage Section** - Comments awaited.

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

**Waste Management** - Comments awaited.

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

**GM Ecology Unit** - No objections, subject to the inclusion of a condition relating to bats.

## **Unitary Development Plan and Policies**

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1/2	Townscape and Built Design
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
OL1/2	New Buildings in the Green Belt
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

## **Issues and Analysis**

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

**Principle** - Following revocation of the North West Regional Strategy on 20 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 housing land.

Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity,

the nature of the local environment and the surrounding land uses.

The site is located within the urban area and there is residential development to the south, east and west and a golf course to the north. The proposed development would not conflict with the surrounding land uses and would be in a sustainable location with regard to services and public transport. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

**Design and layout** - The proposed development would be four storeys in height and would be located centrally within the plot. The proposed development is located in an area of predominantly large detached houses of differing styles, character and heights. The detached dwellings are predominately two storeys in height with pitched roofs and there is a block of flats located to the south, which is four storeys in height with a flat roof.

The art deco theme has incorporated curvilinear corners, horizontality to residential window openings, with the central vertical transitional arrangements formed by glazing in the building providing a line of symmetry. The upper floors reduce in from the sides to provide a stepped appearance and the upper floor pavilion sits back recessively from the front elevation.

The key amendments from the previously refused scheme are:

- The penthouse has been reduced from 3 bedrooms to 2 and the floor has been reduced in width by 2.85 metres
- The third floor has been reduced by 1.5 metres in width
- The ground and first floors have been reduced by 0.2 metres in width.
- The overall height of the building has been reduced by 1.5 metres.

These respond to the concerns the Local Planning Authority had in relation to the bulk, massing and height of the previous scheme.

The proposed building would be constructed from render with a single ply membrane flat roof, which would be acceptable. Therefore, the proposed development would not be unduly prominent within the streetscene and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

**Impact upon the surrounding area** - The level of private amenity space would be acceptable and the proposed bin store in the southern corner would be large enough to accommodate the required level of bins. The existing boundary treatments of a brick wall to the frontage with Ringley Road and a timber fence to all other boundaries would be retained, which would be acceptable. Therefore, the proposed development would not be a prominent feature in the locality and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

**Impact upon residential amenity** - Whilst there are no set standards in terms of separation distances between newly built properties and existing dwellings, SPD6 is used as a guide to assess relationships and aspect standards between properties and new built development.

The proposed site plan indicates that the proposed building would project 6 metres in front of No. 52 Ringley Road and 5.6 metres in front of No. 56 Ringley Road, but would be level with the garage to No. 56. However, the proposed site plan indicates that the proposed development would comply with the 45 degree rule for both properties and as such, the proposed development would not have a significant adverse impact in terms of loss of light and privacy to the front elevation of the adjacent dwellings.

The proposed building would project beyond the rear elevation of the adjacent dwellings at ground, first floor and second floor and to a lesser extent at the third floor. Again, the proposed development would comply with the 45 degree rule and as such, would not have a significant adverse impact upon the amenity of the neighbouring properties.

The proposed building would include windows in the gable elevations and these windows

would be obscure glazed to prevent any overlooking or loss of privacy to the neighbouring properties. This would be secured by a condition.

The proposed windows to the front elevation would be curved and as such would allow some views across the front gardens of the adjacent properties. Currently, there are banks of mature conifer trees to the boundaries with the adjacent properties, which would protect privacy. However, it should be noted that these trees could be removed in the future and are not suitable for a Tree Preservation Order. The curved nature of the proposed openings does allow for a more direct relationship, but this would not be significantly more adverse than the potential to overlook from the existing dwelling. In addition, the proposed development would overlook the front garden, which would also be visible from the main road. As such, it is considered that the proposed development would not have a significantly adverse impact upon the amenity of the neighbouring properties.

The proposed development includes the provision of terraces and balconies on the rear elevation and screens would be provided at ground, first and second floor level. It is not clear whether a screen would be provided at fourth floor. As such, a condition will be attached to any grant of planning consent requiring details of a screen to be provided.

Therefore, the proposed development would have an adverse impact upon the amenity of the neighbouring properties and would conflict with Policies H2/1, H2/2, H2/6 and EN1/2 of the Bury Unitary Development Plan.

**Bats** - The proposed development would involve the demolition of the existing dwelling and a bat survey was submitted with the application. A daytime inspection of the building was undertaken and no signs of bats were found. While the risk posed to bats is not so great to warrant an emergence survey prior to determination, a survey should be undertaken prior to any demolition works taking place. GM Ecology Unit has no objections to the proposal, subject to the inclusion of a condition requiring the submission of a further bat survey prior to the demolition of the building. Therefore, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

**Highways issues** - The proposed development would be accessed from Ringley Road and the appropriate visibility splays would be provided. A separate pedestrian access from Ringley Road to the proposed building would be provided. The proposed access road would be 5.5 metres wide, which would be wide enough for cars to pass and re-pass. A traffic management system would be put in to place, which would allow traffic in one direction only up or down the ramp. The Traffic Section has no objections in principle to the proposed development and further comments and conditions will be included in the Supplementary Report. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

**Parking** - SPD 11 states that the maximum number of parking spaces is 1.5 per 2 bed dwelling. This equates to 10.5 parking spaces.

The proposed development would provide 7 parking spaces in an undercroft parking area and 7 parking spaces at the front of the property, which would equate to 14 spaces, which would be in excess of the parking standards. Ringley Road narrows outside the application site and there are waiting restrictions on Ringley Road. As such, any vehicles parking on-street would have a significant impact upon the free flow of traffic and pedestrian safety and on this basis, it is considered that an over provision of parking would be acceptable in this instance. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

#### **Response to objectors**

- The issues relating to the height, scale, bulk massing and design of the building, bats, car parking, traffic generation, overlooking and loss of privacy have been addressed in

the main report.

- The issues relating to construction are not material planning considerations and cannot be taken into consideration.

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

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

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

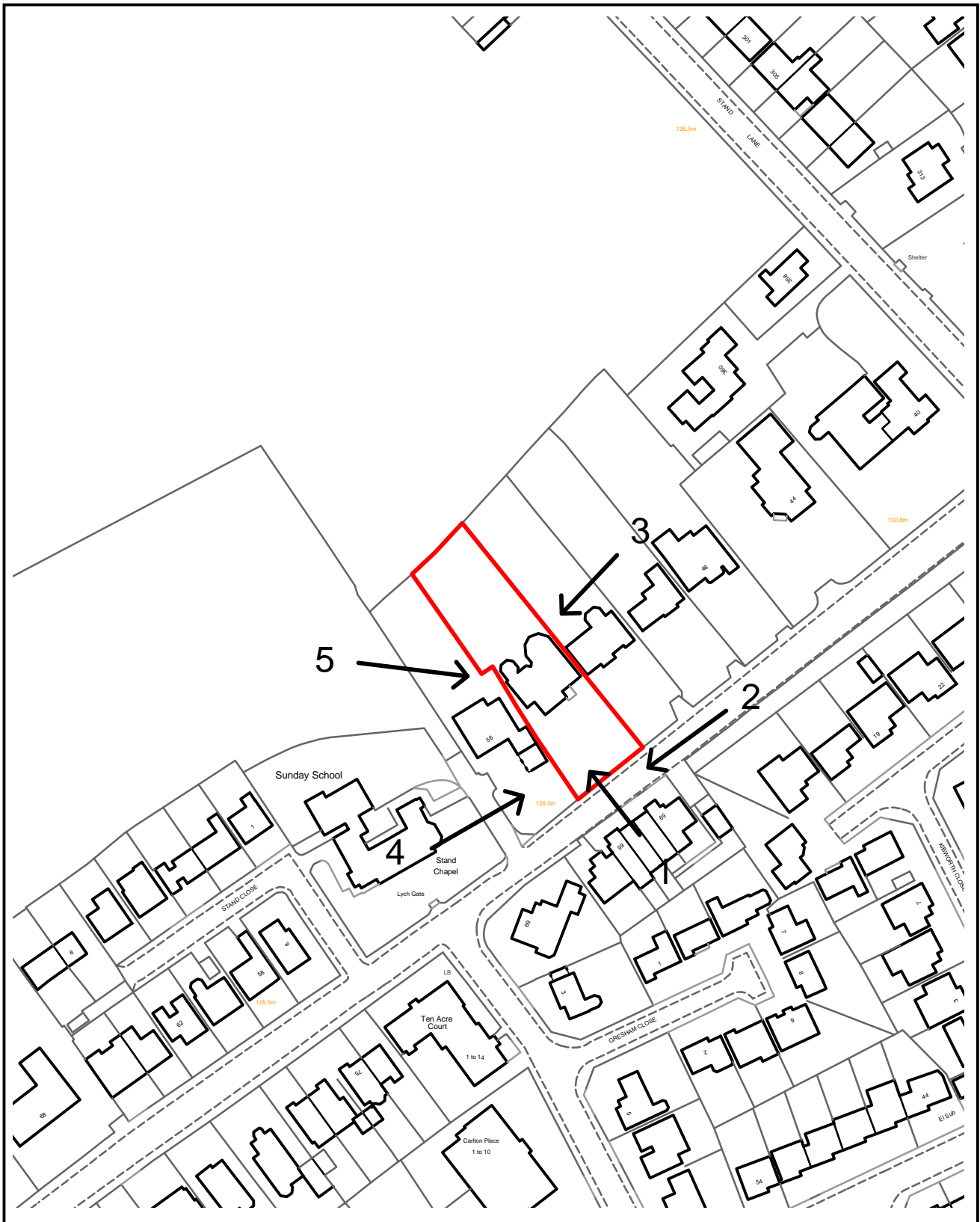
1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered R-0345 SLP, TRI-1417-01, R-0345-01 A, R-0345-02 A, R-0345-03 A, R-0345-05 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. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.  
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
4. The approved Remediation Strategy and associated works as detailed in letter dated 5 January 2017 (reference CL800.050117.1) 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 demolition works shall commence unless or until a survey to establish whether the building is being utilised by bats and a programme of mitigation measures has been submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall be fully implemented prior to the commencement of works and shall remain in situ until the demolition works are completed.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 –

Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

6. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 20 l/s.  
Reason: To ensure a satisfactory means of drainage, promote sustainable development and to manage the risk of flooding and pollution pursuant to Policy EN5/1 - New Development and Flood Risk and Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework.
7. The windows in the north eastern and south western elevations shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.  
Reason: To protect the privacy of adjoining occupiers pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
8. Prior to the commencement of the development hereby approved, detailed drawings at a scale of 1:20, shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented prior to first occupation of the building hereby approved.  
Reason: To ensure a satisfactory form of development and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
9. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being first brought into use.  
Reason: To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

# Viewpoints



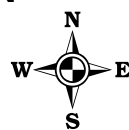
## PLANNING APPLICATION LOCATION PLAN

**APP. NO 60924**

**ADDRESS: 54 Ringley Road  
Whitefield**

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL



60924

Photo 1



Photo 2





Photo 3



Photo 4



Photo 5







# NOTES

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Do not scale from this drawing.

All dimensions are to be checked on site prior to construction, manufacture of any components and ordering of materials and equipment.

Any discrepancies are to be reported to the architect for clarification.

All materials and workmanship to be in accordance with the current British Standards and codes of practice.

This drawing is to be read in conjunction with all relevant Architectural, Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialist drawings and specifications.



## KEY

- PROPOSED TREES
- BLACK TARMAK
- STONE PAVING
- PAVED AREA
- GRASSED AREA
- 1.0m HIGH GARDEN FENCE

## ABBREVIATIONS

CBL	CABLE COVER
CH	CABLE HEIGHT
CL	COVER LEVEL
GU	GULLY
LP	LAMP POST
MH	MAN HOLE
TP	TELEGRAPH POLE
TW	TOP OF WALL
WV	WATER VALVE

## PLANNING

A Existing operational survey indicated watercourse to be preserved  
the plan, including gully and lamp post relocation.

REV DESCRIPTION DATE DATE

CLIENT  
MR & MRS DON

PROJECT  
54 Ringley Road, Bury

TITLE  
Proposed Site Layout

SCALE 1:200@A1	DATE Nov 15	DRAWN AL	CHECKED -
DESIGNED BY R-0345-01	CAD REFERENCE NO.	REVISION A	



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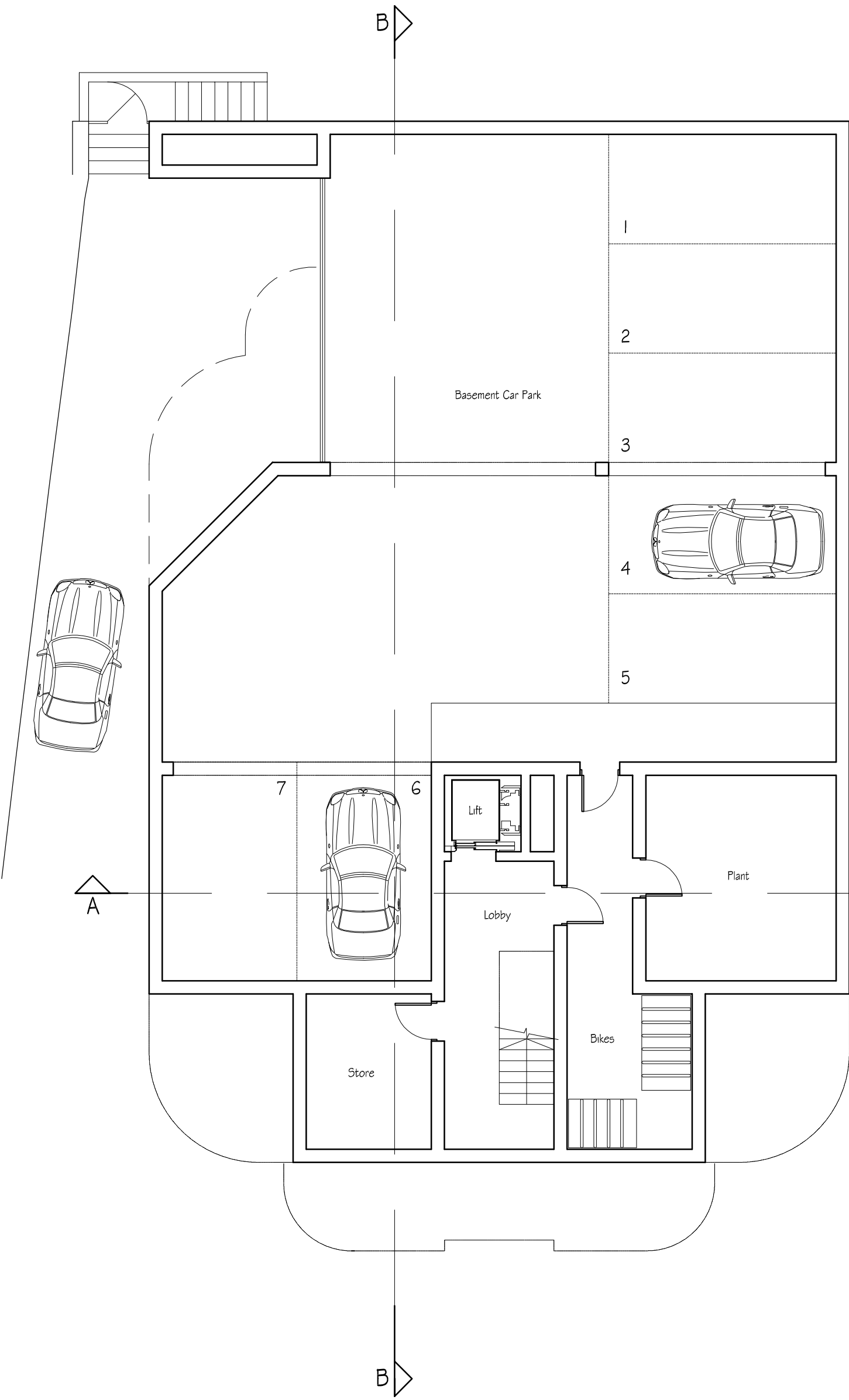
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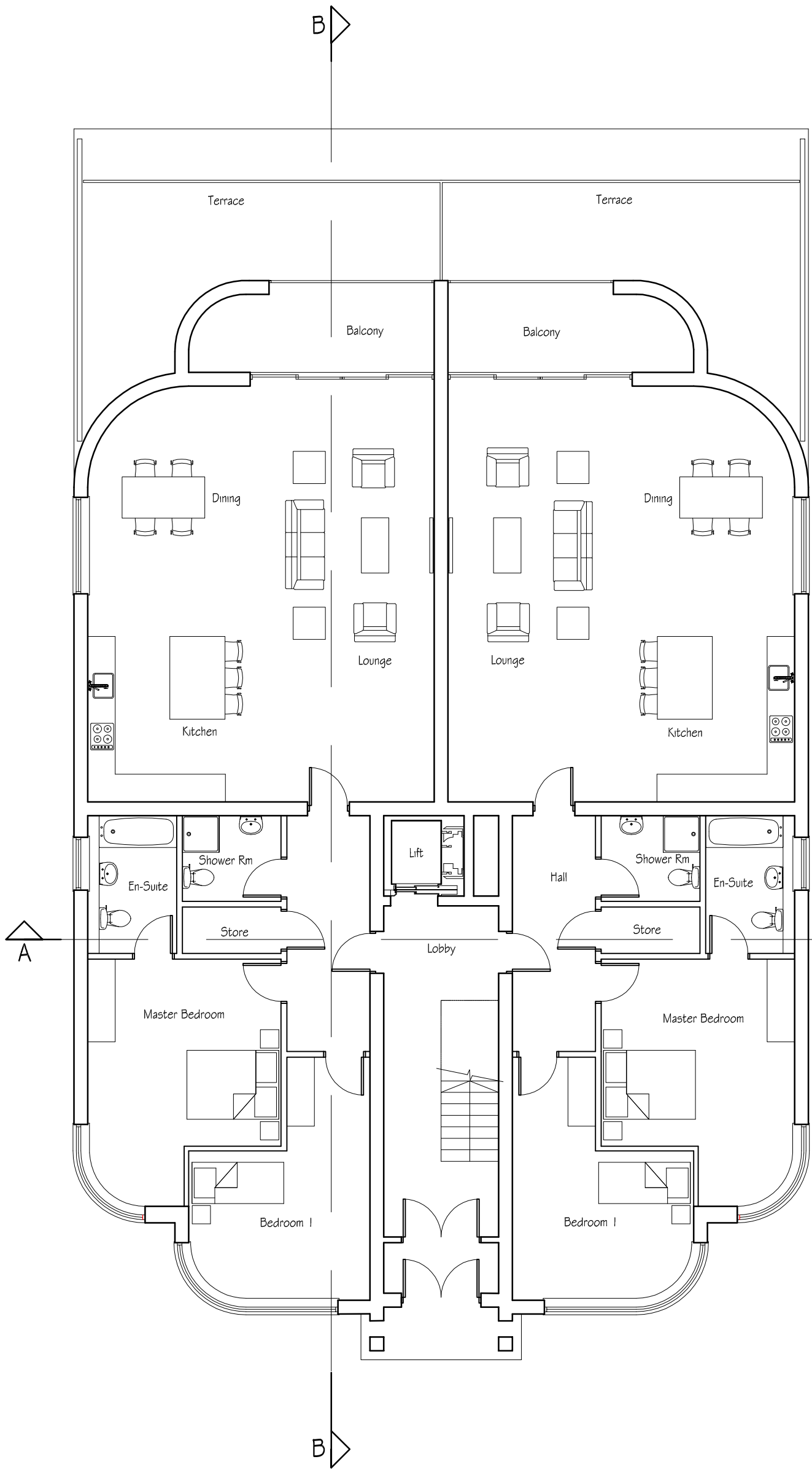
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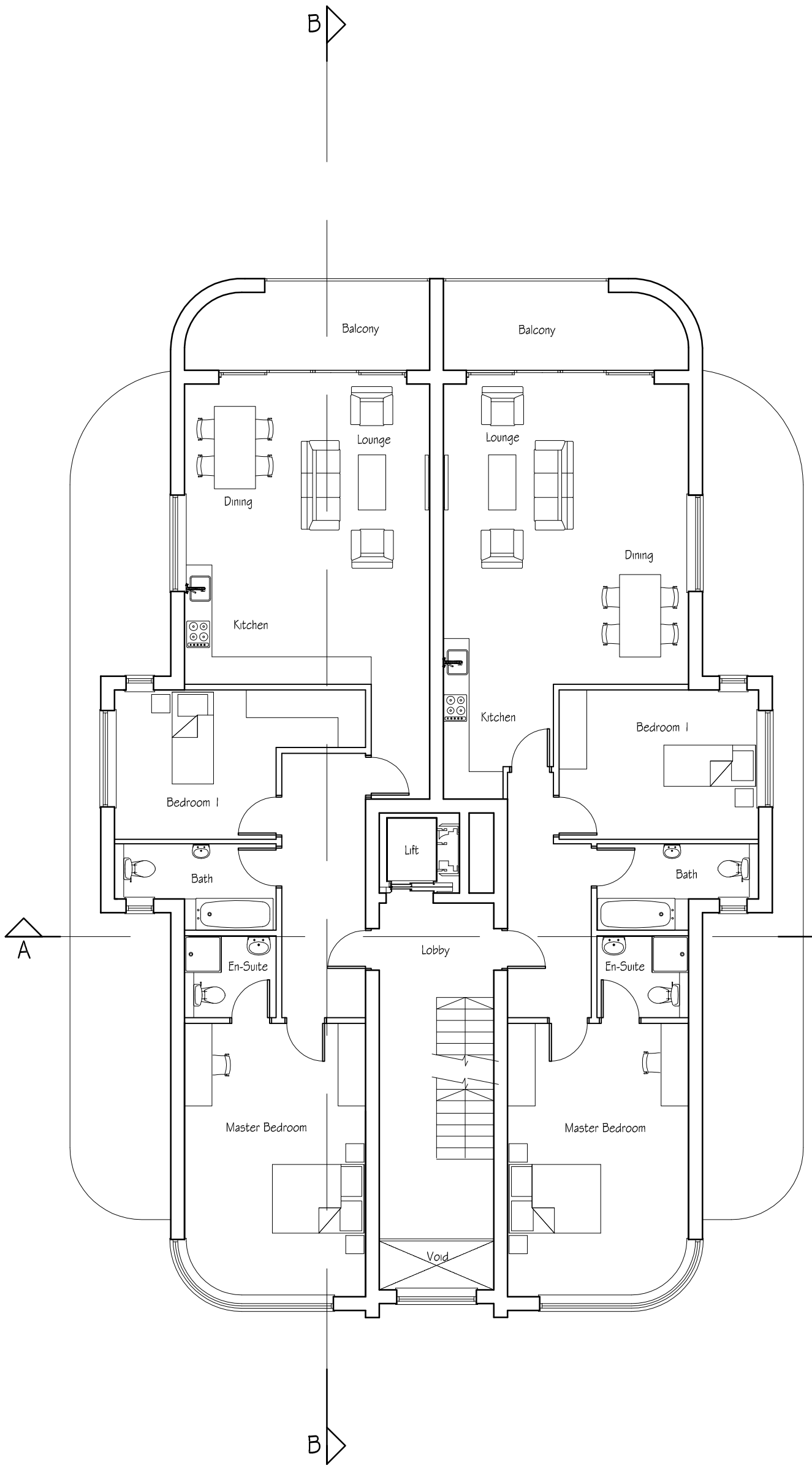
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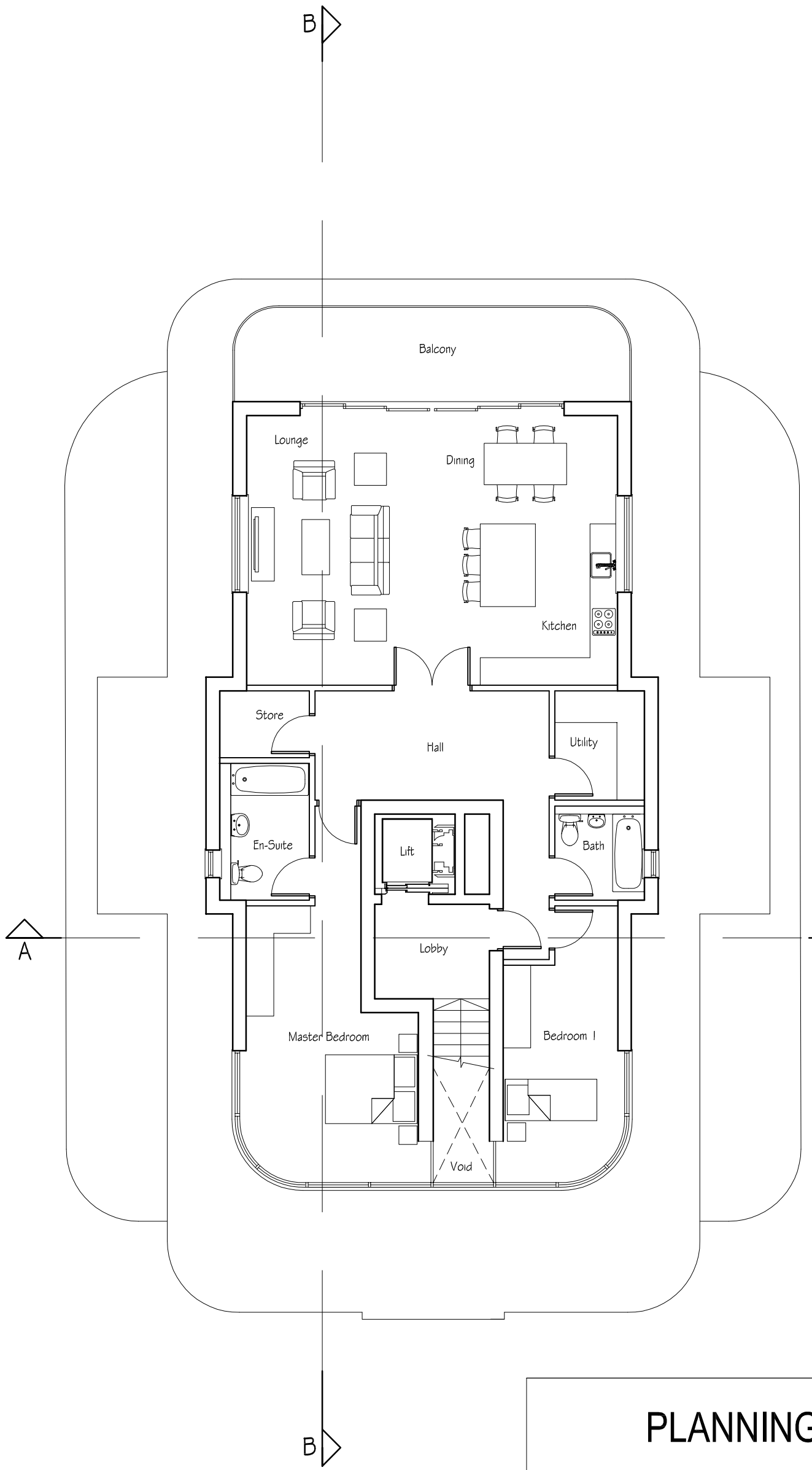
Proposed Basement Floor Plan



Proposed Ground and First Floor Plan



Proposed Second Floor Plan



Proposed Third Floor Plan

PLANNING

A Basement will altered to allow easy vehicular access into underground secure car park. AL 06/03/17

REV DESCRIPTION CHECK DATE

CLIENT  
MR & MRS DON

PROJECT  
54 Ringley Road, Bury

TITLE  
Proposed Plans

SCALE	DATE	DRAWN	CHECKED
1:100@A1	Nov 16	AL	-
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0345-02		A	



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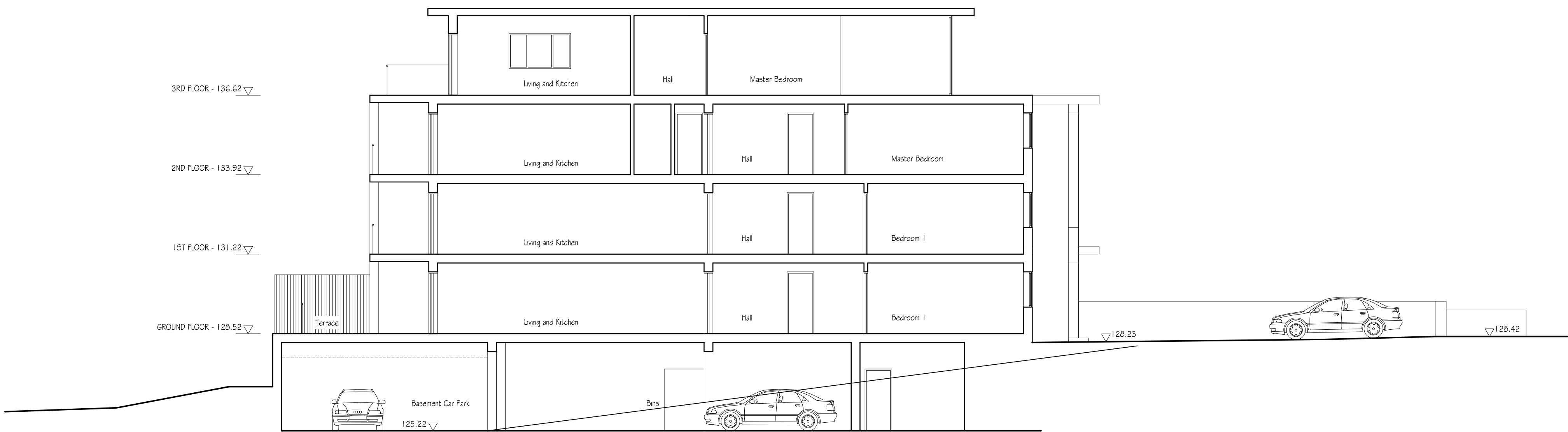
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This drawing is to be read in conjunction with all relevant Architectural, Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.



Proposed Site Section A-A



Proposed Site Section B-B

## PLANNING

A Section A-A extended and ground levels indicated to Planners' comments. AL 13.03.17

REV DESCRIPTION CHECK DATE

CLIENT

MR & MRS DON

PROJECT

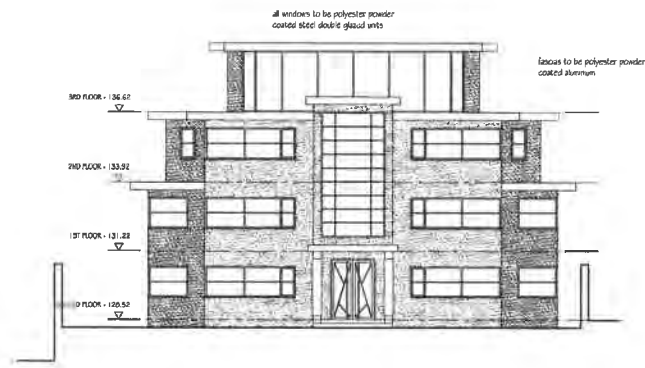
54 Ringley Road, Bury

TITLE

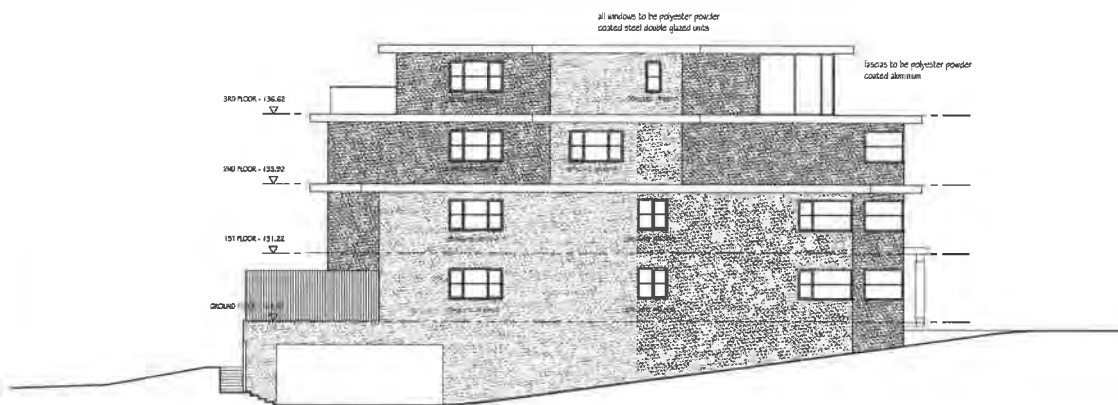
Proposed Sections

SCALE	DATE	DRAWN	CHECKED
1:100@A1	Nov 16	AL	-
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0345-03		A	

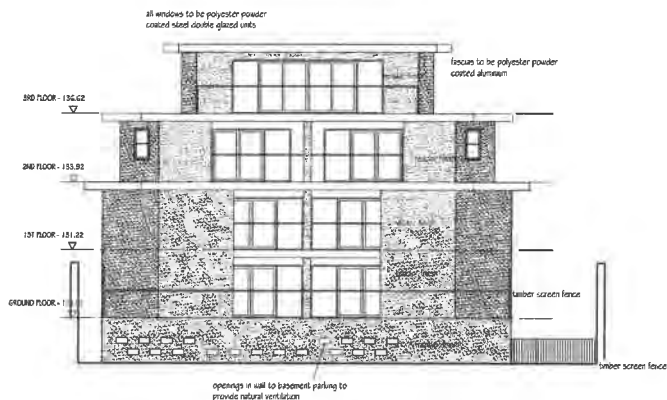




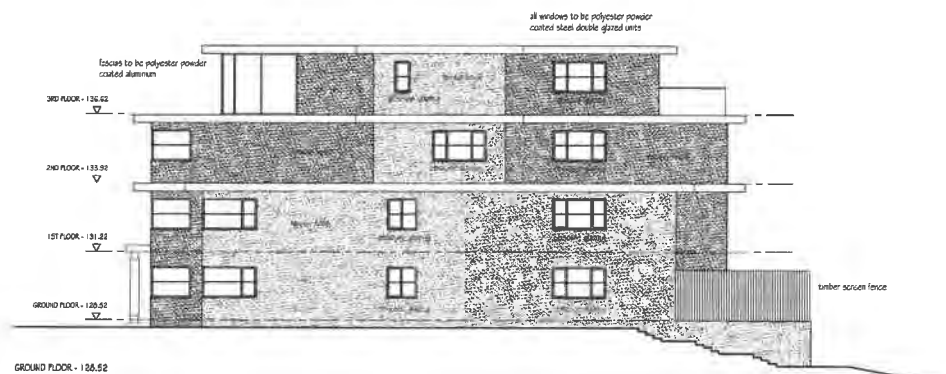
Proposed Front Elevation



Proposed Side Elevation  
(As viewed from no. 56)



Proposed Rear Elevation



Proposed Side Elevation  
(As viewed from no. 52)

W013

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Any discrepancies are to be reported to the architect for clarification.

All materials and workmanship to be in accordance with the current British Standards and codes of practice.

This drawing is to be read in conjunction with all relevant Architectural, Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialist drawings and specifications.

## PLANNING

REF: DESCRIPTION DATE DATE

CURT  
MR & MRS DON

PROJECT  
54 Ringley Road, Bury

TITLE  
Proposed Elevations

SCALE	DATE	DRAWN	CHECKED
1:100@A1	Nov 16	AL	-
ISSUED FOR	DATE	BY	REVISION
R-0345-05			-

equilibrium  
ARCHITECTS

429-427 Midway Road, Bury, Lancashire BL3 4JL T: 0161 761 7077 F: 0161 761 7288  
info@equilibriumarchitects.co.uk www.equilibriumarchitects.co.uk







**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 05

**Applicant:** Mr Christopher Stroud

**Location:** Lumb Carr Farm, Lumb Carr Road, Ramsbottom, Bury, BL8 4NH

**Proposal:** Single storey extension at rear

**Application Ref:** 61015/Full

**Target Date:** 24/03/2017

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a Grade II Listed dwelling located within Holcombe Conservation Area. A separate application for Listed Building consent has also been submitted. The dwelling is an 18th Century two storey, stone rubble property with light stone splay mullion windows. The dwelling has been fully refurbished following the grant of consent in 2004, including the construction of a stone built two storey extension to the rear.

Planning permission is sought for the construction of a single storey rear extension, extending the ground floor of the later two storey extension to the property. The proposed extension projects approximately 2.7 metres. The proposed extension would be constructed from blockwork and render, with a natural slate roof that incorporates conservation style rooflights. The windows to the rear have stone cills, with the proposed new side windows also having stone heads.

### **Relevant Planning History**

01844/E - Proposed single storey rear extension - Enquiry completed 24/06/2016

42140 - Refurbishment of and extension to existing farmhouse conversion of existing barn into dwelling - Approve with Conditions 14/04/2004

42141 - Listed building consent - refurbishment of and extension to existing farmhouse; conversion of existing barn into dwelling - Approve with Conditions 14/04/2004

61016 - Listed building consent for single storey extension at rear - Pending

### **Publicity**

Letters sent to the 3 immediately adjoining neighbours on the 27/01/2017.

Press Notice 02/02/2017.

Site Notice 02/02/2017.

One objection received from Ramsbottom Heritage Society in relation to the Listed Building Consent at the site:

- Proposed extension should be constructed from stonework to match the existing dwelling rather than render due to the prominence and location of extension.
- No objection raised to the size or location of the extension.

### **Consultations**

Public Rights of Way Officer - Comments awaited

National Grid - Comments awaited

## **Unitary Development Plan and Policies**

H2/3	Extensions and Alterations
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
OL1	Green Belt
OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors
EN2/3	Listed Buildings
EN9/1	Special Landscape Areas
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework

## **Issues and Analysis**

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

## **Principle (Green Belt)**

Paragraph 89 of the NPPF states a Local Planning Authority should regard the construction of new buildings as inappropriate within the Green Belt. One exception to this is the extension or alteration of a building providing that it does not result in disproportionate additions over and above the size of the original dwelling. UDP Policy OL1/2 - New Buildings in the Green Belt and Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt further support the NPPF requiring extensions of existing dwellings within the Green Belt to not result in disproportionate additions over and above the size of the original dwelling.

In relation to residential extensions Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties and UDP Policy H2/3 - Extensions and Alterations seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

## **Layout**

The proposed extension is stepped in from the corner of the 21st Century two storey addition to the dwelling allowing for the stone quoins of this extension to be clearly seen and adding to the impression of subservience when viewed in relation to the whole dwelling. When combined with the volume of the two storey extension the proposal does not constitute an increase of more than 30% above the volume of the original dwelling as specified within SPD 8. As such, the proposed extension is considered to be acceptable in terms of scale and massing, would not overwhelm the existing dwelling or result in over development of the residential amenity space associated with the premises and would not impact on the openness of the Green Belt.

The use of render allows the extension to be identified as a modern addition to the dwelling, whilst the use of stone heads and cills to the windows and the slate for the roof replicate the materials of the original and extended dwelling. The mono pitch roof replicates the pitches of the roof of the main dwelling and the later extension, and the new windows are suitably aligned and sized. As such it is considered that the design, and materials of the proposed extension are acceptable.

The extension would also be visible at a distance from the public footpath that runs along the front and west of the site, but would be viewed against the backdrop of the existing

building. It is considered that a small scale residential extension would not be detrimental to the character of the area.

It is therefore considered that the proposal is acceptable and would not impact on the character of the existing or adjoining premises, or the openness of the Green Belt pursuant to Policies H2/3, OL1/2 of the Bury Unitary Development Plan, associated Supplementary Planning Documents and the NPPF.

The impact of the proposal on the character of the Listed Building will be dealt with within the report for associated Listed Building Consent application 61016.

### **Impact on Conservation Area**

As the site is located within Holcombe Conservation Area it is necessary to consider the proposal in terms of the Town and Country Planning Listed Building and Conservation Act. In this regard proposals should either preserve or enhance the Conservation Area and in terms of policy consideration NPPF paragraphs 133, 135, 138 and EN2/1 - Character of the Conservation Area and EN2/2 - Conservation Area Control of the UDP.

Lumb Carr Farm and its associated barns are identified within the Holcombe Conservation Area Appraisal as a recent conversion of a farmhouse and barns. These dwellings make up part of a former farming hamlet that are a characteristic of the Conservation Area. The rear of the property can be viewed from Lumb Carr Road, however due to the intervening hedges and boundary treatments it is considered that the ground floor addition would be largely screened from this public vista.

In this instance it is considered that a small scale residential extension, using appropriate materials, located to the rear of the dwelling, with only glimpses available from the public highway would preserve the character and appearance of the Conservation Area. Therefore, the proposal would be in accordance with Policies EN2/1 and EN2/2 of the Bury UDP and paragraphs 133, 135 and 138 of the NPPF.

### **Residential Amenity**

Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties and UDP Policy H2/3 - Extensions and Alterations seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

It is noted that the proposed extension projects more than 3 metres beyond the rear of No. 202 Lumb Carr Road, and would impact on a 45 degree line as taken from the midpoint of this window. In this instance therefore the proposed extension has been assessed on a 25 degree line taken on the vertical plane from the mid point of the nearest window. The eaves of the proposed extension do not impact on this line and as such comply with SPD 6 guidance.

The proposed extension relates to a kitchen area which is a non-habitable room and as such is not subject to the aspect standards as set out within SPD 6. In any case there are no dwellings directly to the north and west of the site, and the proposed window in the east elevation would be screened by an existing boundary hedge which extends above eye line. In this instance therefore it is considered that the proposal would not lead to a detrimental loss of privacy to the immediately adjoining neighbours.

### **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.

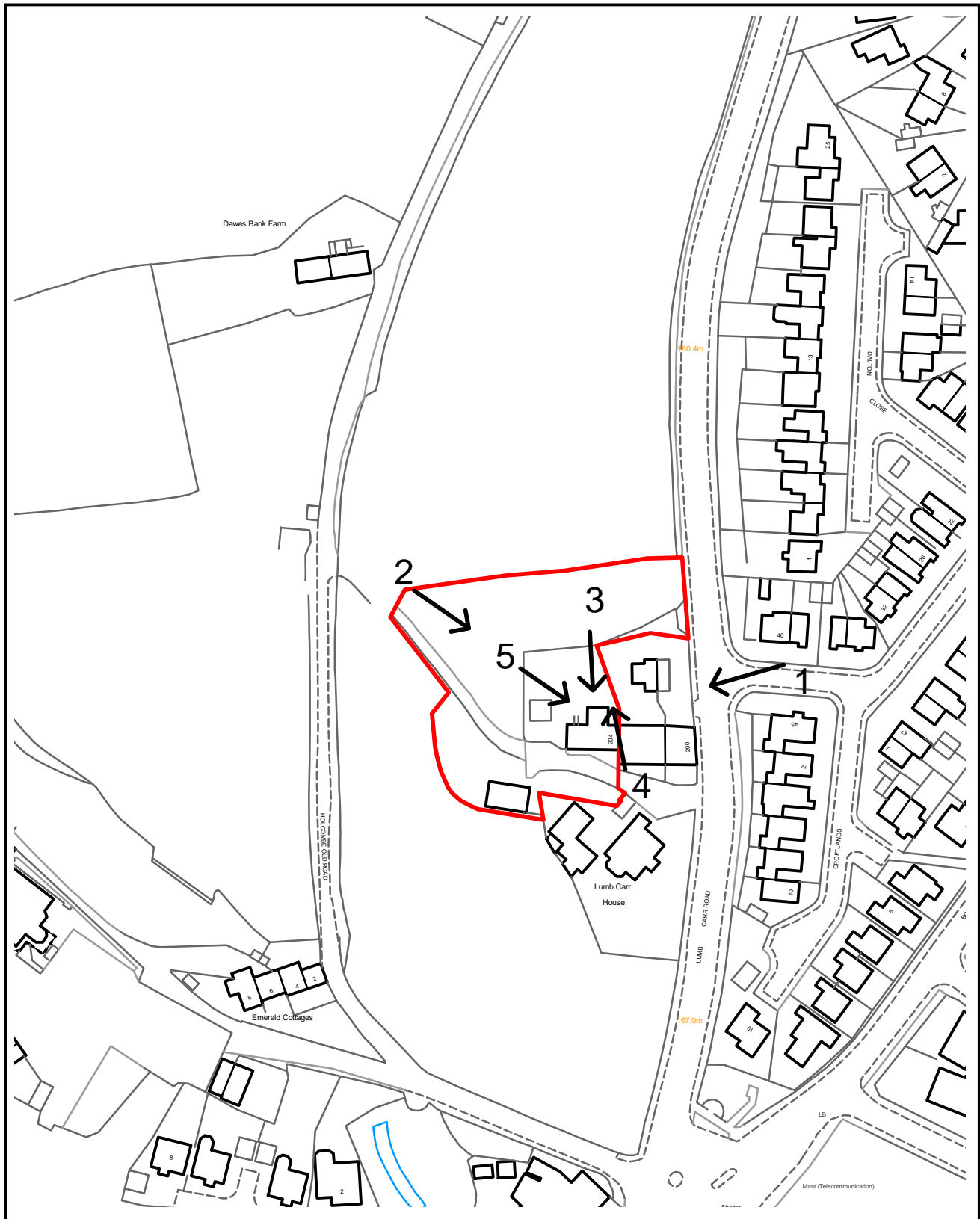
**Recommendation:** Approve with Conditions

**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 received on 7th March 2017 as modified by the email from Chris Stroud dated 6th March 2017 and drawings received on 28th February 2017 as modified by the letter from C.J. Stroud dated 25th February 2017. The development shall not be carried out except in accordance with the details 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 H2/3 - Extensions and Alterations.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 61015**

**ADDRESS: Lumb Carr Farm, Lumb Carr Road  
Ramsbottom**

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

61015

Photo 1



Photo 2





Photo 3



Photo 4



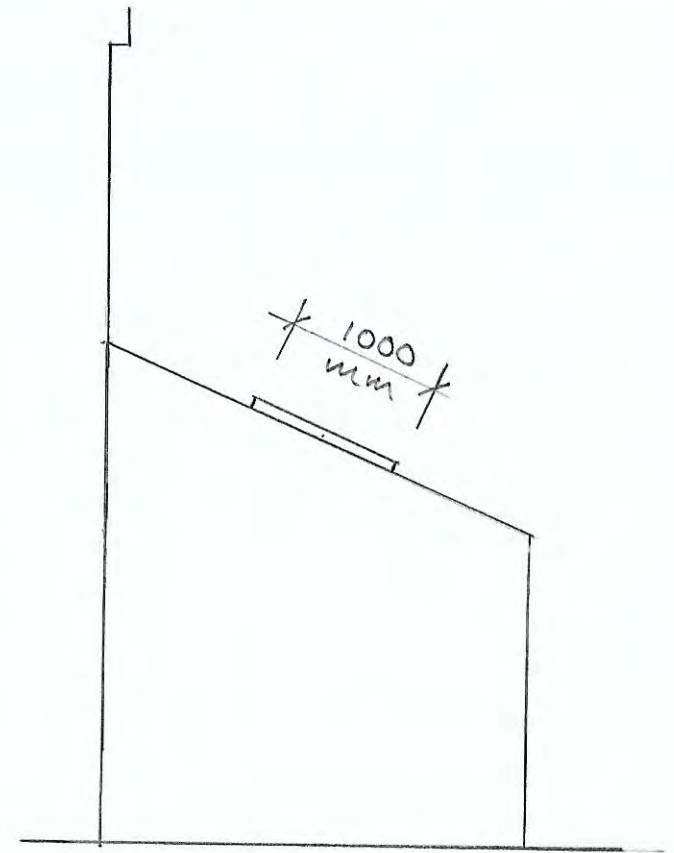
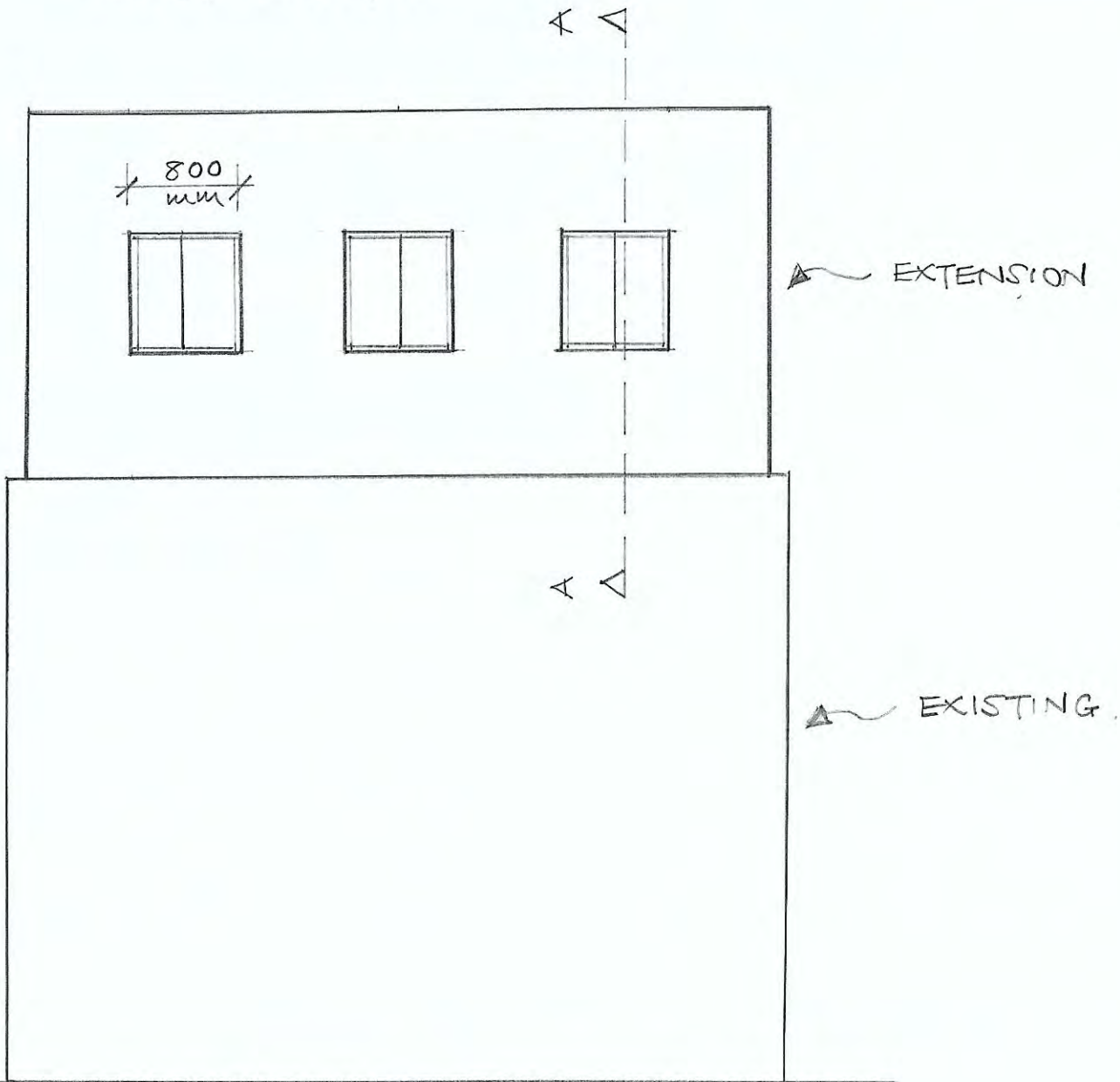


Photo 5





3 NO. 800mm x 1000mm  
RECTANGULAR CONSERVATION  
ROOF LIGHTS.

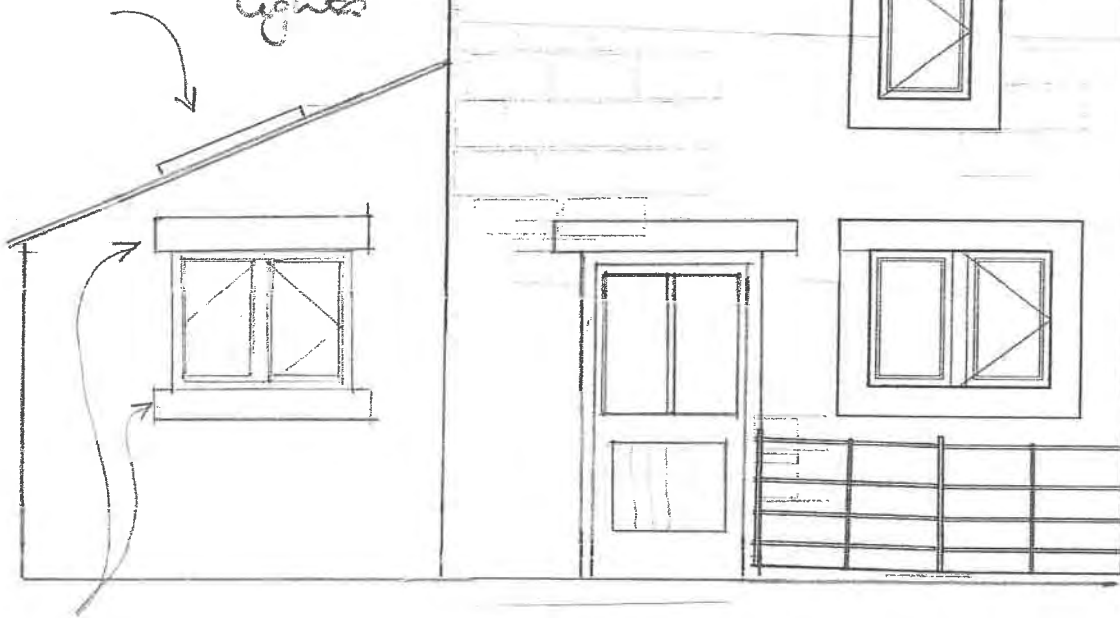


SECTION A-A.  
1:50



LUMB CARR FARM  
PROPOSED EXTENSION  
ROOF PLAN - 1:50

800 x 1000 mm  
conservation roof  
lights



stone window  
head & cill

West Elevation Proposed  
1:50

SCALE 1:50

A1

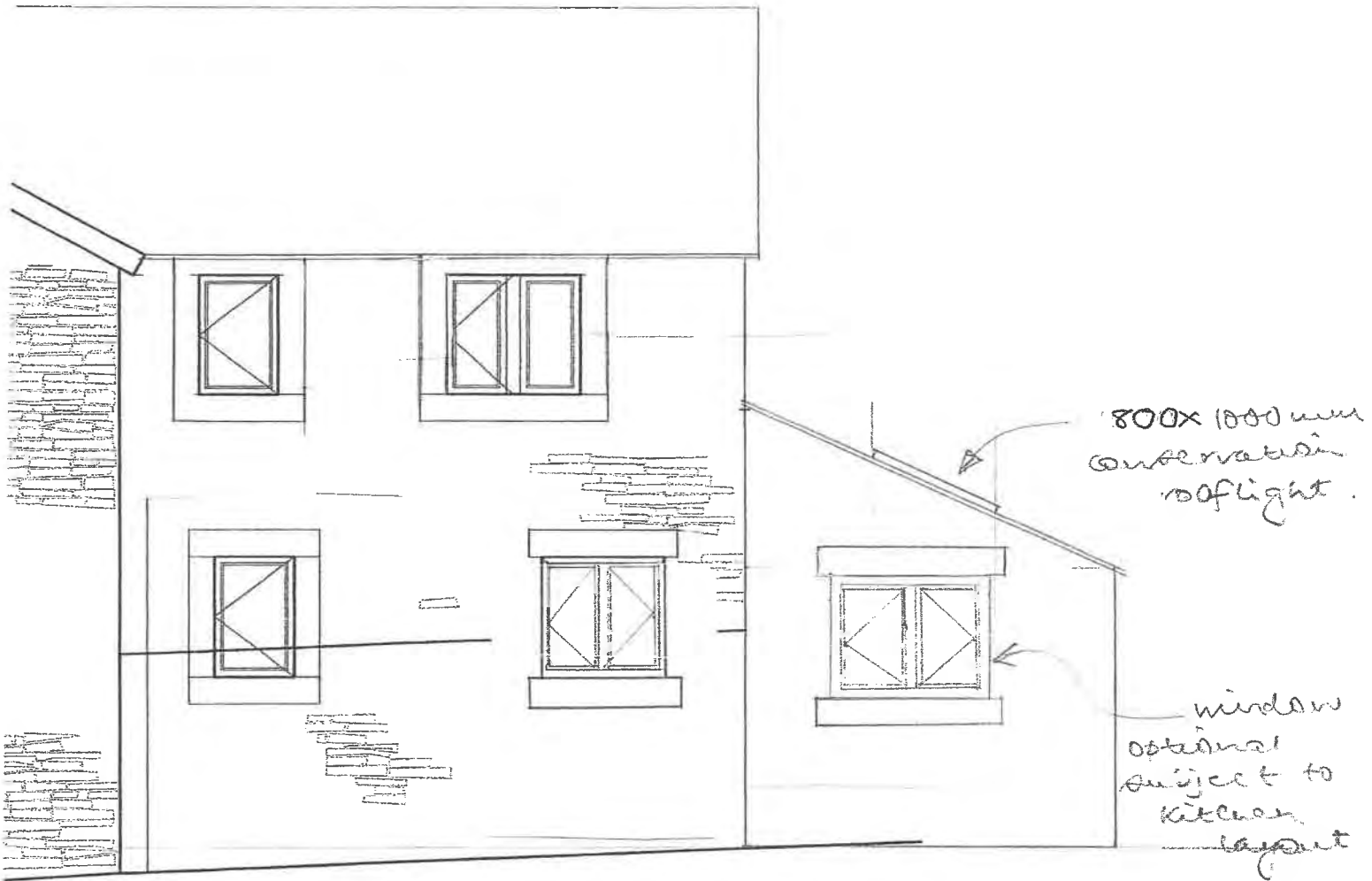
Contractor must verify all dimensions  
on the site before commencing any work  
or preparing manufacturing drawings.

DATE May 05

DRAWN BY mjbs

APPROVED BY

ISSUED TO SITE



East Elevation Proposed

1:50 .



800 x 1000 mm  
conservation  
roof lights.

North Elevation Proposed.  
scale: 1:50

new wall  
sit back  
50mm from  
existing corner.

**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 06

**Applicant:** Mr Christopher Stroud

**Location:** Lumb Carr Farm, Lumb Carr Road, Ramsbottom, Bury, BL8 4NH

**Proposal:** Listed building consent for single storey extension at rear

**Application Ref:** 61016/Listed Building  
Consent

**Target Date:** 24/03/2017

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a Grade II Listed dwelling located on Lumb Carr Road. The list entry for the building describes it as probably 18th Century, 2 storeys and constructed from rubble with light stone splay-mullioned windows. The dwelling has been fully refurbished following the grant of consent in 2004, including the construction of a stone built two storey extension to the rear.

Listed Building consent is sought for the construction of a single storey rear extension, extending the ground floor of the later two storey extension to the property. The proposed extension projects approximately 2.7 metres. The proposed extension will be constructed from blockwork and render, with a natural slate roof that incorporates conservation style rooflights. The windows to the rear have stone cills, with the proposed new side window windows also having stone heads.

### **Relevant Planning History**

01844/E - Proposed single storey rear extension - Enquiry completed 24/06/2016

42140 - Refurbishment of and extension to existing farmhouse conversion of existing barn into dwelling - Approve with Conditions 14/04/2004

42141 - Listed building consent - refurbishment of and extension to existing farmhouse; conversion of existing barn into dwelling - Approve with Conditions 14/04/2004

61015 - Single storey extension at rear - Pending

### **Publicity**

Letters sent to the 3 immediately adjoining neighbours on the 27/01/2017.

Press Notice 02/02/2017.

Site Notice 02/02/2017.

One objection received from Ramsbottom Heritage Society:

- Proposed extension should be constructed from stonework to match the existing dwelling rather than render due to the prominence and location of extension.
- No objection raised to the size or location of the extension.

### **Consultations**

Ancient Monuments Society - Comments awaited

Council for British Archaeology - Comments awaited

The Georgian Group - Comments awaited

Society for the Protection of Ancient Buildings - Comments awaited

The 20th Century Society - Comments awaited

Conservation Officer - No objections subject to conditions relating to timber frames, within a minimum set back of 75mm from the outer wall and control over the colour of the render.

### **Unitary Development Plan and Policies**

H2/3	Extensions and Alterations
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
OL1	Green Belt
OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors
EN2/3	Listed Buildings
EN9/1	Special Landscape Areas
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework

### **Issues and Analysis**

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

### **Impact on the Listed Building**

The national legislative framework for development affecting listed buildings and conservation areas is provided by the Planning (Listed Buildings and Conservation Areas) Act 1990. This sets out the duty on local planning authorities to have regard to listed buildings and any buildings or land within a conservation area, when determining applications for planning permission. It is essential that these legal duties are considered, alongside the contents of the NPPF and other planning policies and guidance.

The Town and Country Planning (Listed Building and Conservation Area) Act 1990 imposes a duty under Section 72 on Local Planning Authorities to pay 'special attention to the desirability of preserving or enhancing the character or appearance of that area' (section 72(1))

Paragraph 131 of the NPPF states that when determining planning applications, Local Planning Authorities should take account of:

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

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

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

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

The proposed extension is located to the rear of a modern extension that was constructed during 2005/2006 and as such would not interfere with the original architectural features or historic fabric of the premises. The extension proposed is set in from the corners of the two storey extension maintaining the stone quoin detailing, and identifying that the extension is a later addition. This is further reinforced by the use of block work and render for the construction of the walls of the proposed extension.

The use of stone cills and heads for the windows, and the slate roof replicate materials used in the main dwelling and as such would protect the setting of the Listed Building. The rooflights proposed are also Conservaton rooflights with the emphasis on the vertical lessening their impact. The form of the proposed extension, with pitched roof to replicate the roofs of the original and adjacent buildings is considered to be acceptable.

It is therefore considered that the proposal would preserve the character and setting of the Listed Building and as such complies with Policy EN2/3.

### **Response to objection**

As stated above it is considered that the use of render, as opposed to stone, would identify the extension as a later addition and not as part of the original building and as such is considered acceptable.

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

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

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.  
Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. This decision relates to drawings received on 7th March 2017 as modified by the email from Chris Stroud dated 6th March 2017 and drawings received on 28th February 2017 as modified by the letter from C.J. Stroud dated 25th February 2017. The development shall not be carried out except in accordance with the details 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 EN2/3 - Listed Buildings

4. The new windows in the extension to which this consent relates shall be timber framed and set back within the openings a minimum of 75mm from the outer wall face.  
Reason. In order to preserve the special architectural or historic interest of the building.

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



**Ward:** Bury East - Redvales

**Item** 07

**Applicant:** South East Lancashire Oddfellows

**Location:** The Oddfellows House, 94 Manchester Road, Bury, BL9 0TH

**Proposal:** Change of use from mixed use development to create 5 no. self-contained flats; refurbishment of Oddfellows meeting house and erection of 2 no. semi-detached dwellings

**Application Ref:** 61018/Full

**Target Date:** 31/03/2017

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a two storey detached building with associated parking, close to Bury town centre. It commands a fairly prominent position on a main road frontage close to a junction. The building is a non designated heritage asset and being considered for the draft local list.

Directly adjacent to the site, to the north, is a triangular piece of land which are public gardens and enclosed by low wrought iron decorative railings with stone pillars. The railings and pillars are on the draft local list as a designated heritage asset. Beyond this, on the corner of Manchester Road and Manchester Old Road is a Grade II Listed Building comprising a Drinking Fountain and Horse Trough circa 1897. It is an ornate arched canopy of Portland stone on granite ionic columns. There is iron scrollwork in heads of arches, cornice and balustrade with carved decorative features.

To the south are residential terrace properties, to the rear is Manchester Old Road which is residential in character and opposite the front of the site to the east is a mix of offices and residential accommodation.

The building is known as Oddfellows, a non-profit making society which provided social activities, care and support to members and the community. The building is used to host meetings and is also let to other community groups. There is also a single apartment located within a single storey annex

The building is generally in good condition and structurally sound. The main part of the building is stone built with a rendered side and rear frontage. The building has been added to in the past by a slightly lower flat roofed 2 storey and single storey side addition on the northern elevation. This is also rendered. The main building has an attractive frontage and the site is bounded by decorative wrought iron railings and brick pillars.

The site is accessed by foot from an entrance off Manchester Road and vehicular access off Manchester Old Road through an opening in the boundary wall. The remainder of the site is used for parking with 29 spaces, with some being let out for private usage. There is also an electricity sub-station located adjacent to the southern boundary which is enclosed by a low level fence.

The application proposes to redevelop the site to provide a mixed use scheme to convert part of the Oddfellows building to create 5 No. self contained flats, refurbishment of the extended part of the building for continued Oddfellows use, and the erection of a pair of 2 No. semi detached dwellings. There would be associated parking, amenity areas and landscaping.

**Conversion of Oddfellows** - The main part of the building would be converted to provide 5 No. apartments over 3 floors which include the insertion of 2 dormers in the rear roof slope. The extension would accommodate the Oddfellows Society to provide two meeting rooms with facilities. There would be a new door opening created to form the entrance to Oddfellows. Other external alterations would comprise general maintenance and improvement works and include the re-render of the extension.

**Proposed dwellings** - The dwellings would be a pair of semi detached properties fronting Manchester Road to provide 4 No. bedrooms and living accommodation over 3 floors. The properties would have a terrace like appearance and follow the heights of the adjacent terrace properties on Manchester Road. Each property would have amenity space in a rear garden and bin store provision.

**Site layout** - New pedestrian accesses would be created off Manchester Road to each of the dwellings, the entrance to the apartments and entrance to Oddfellows, with the existing vehicular access at the rear off Manchester Old Road retained.

There would be 2 parking spaces for each dwelling, 7 allocated for the apartments and the remaining 5 for the use by Oddfellows. Landscaping of the site and resurfacing of the parking areas are also proposed.

A communal bin store would be located at the rear of the site accessed directly from Manchester Old Road.

The electricity sub station would be retained within the car park area and does not form part of the application site.

Background to the application - The site is currently owned and occupied by The Oddfellows Society at ground floor with rented commercial offices and a manager's residence at first floor. The Oddfellows Society are seeking to downsize their facility and maximise the potential of the building to provide valuable investment to enable the Society to continue to function and to facilitate community activities.

The existing commercial office accommodation has not been let for 36 months and the apartment vacant for 27 months. The Society cannot afford to maintain the existing level of accommodation due to the falling demand. However, it is still an integral service to local residents and provides meeting rooms for various community groups as well as the Oddfellows institution, and therefore a need to retain this facility, albeit at a smaller scale.

The redevelopment of the site and conversion of the buildings to provide additional accommodation has been put forward as the solution to maximise the benefits the site has to offer, and to enable the facility to continue its works.

### **Relevant Planning History**

None relevant

### **Publicity**

48 letters sent to properties on Knowsley Street, Manchester Old Road and Manchester Road.

Site notice posted 15/2/2017.

Press advert in the Bury Times 16/2/2017.

One objection received from No 1 Manchester Old Road which raises the following issues:

- This will cause further cars to enter Manchester Old Road which is unacceptable to all residents;
- There are too many applications being approved in this area causing more traffic and there is already inconsiderate parking from office workers in Bury;
- This is causing problems with deliveries and access to garages;
- There is school parking for the collection of children and drop offs - the whole area is

- like a car park;
- Residents have to pay to park why should others park for free.

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 a condition to provide a drainage scheme.

**Environmental Health Contaminated Land** - No objection subject to conditions.

**Waste Management** - Advisory to applicant to contact the Cleansing Department regarding waste collection.

**United Utilities (Water and waste)** - No objection. Recommend conditions to submit a drainage scheme.

**The Coal Authority** - No objection subject to conditions.

**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
H2/4	Conversions
EN1/2	Townscape and Built Design
EN2/3	Listed Buildings
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
CF1/1	Location of New Community Facilities
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

### **Issues and Analysis**

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

**Policies** - 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 - Further Housing Development considers factors including the need to direct development towards the urban area, availability of infrastructure, need to avoid the release of peripheral open land, unless consistent with urban regeneration, the suitability of the site in land use terms with regard to amenity, nature of the local environment and surrounding land uses and other policies and proposals of the Plan.

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 H2/4 - Conversions considers factors of:

- effect on the amenity of neighbouring property;
- general character of the area;
- amenity of occupants;
- effect on the street scene and any external changes

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

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

Chapter 12 - Conserving and enhancing the natural environment of the NPPF, states that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. The conservation of heritage assets can make a positive contribution to sustainable communities including their economic vitality and the desirability of new development can make a positive contribution to local character and distinctiveness. UDP Policy EN2/3 - Listed Buildings seeks to actively guard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features. It is also important to consider the effect that a proposed development would have on the setting of a Listed Building.

### **Principle - Residential development**

New dwellings - The new dwellings would be in a sustainable location surrounded by established dwellings in the locality and would therefore not conflict with the surrounding land uses. There would be existing infrastructure in place to facilitate the dwellings and the scale and massing of the proposed development would reflect those of other properties in the area.

The principle is therefore considered to be acceptable and would comply with UDP Policies H1/2, H2/1, H2/2 and H2/6 and the principles of the NPPF.

Conversion - The proposed development would be a mixed use scheme and the part conversion of the existing building into residential accommodation would enable an alternative use to be introduced which would encourage the continued occupation of a building which is located on a prominent site on one of the major thoroughfares to the town centre. The development would also allow for the Oddfellows Society to benefit from use of the remaining part of the building for their business and meeting purposes, and not have to find alternative premises. The redevelopment of the site would aid the regeneration of the building and contribute towards the housing needs in the area.

The principle is therefore considered to be acceptable and comply with UDP Policies H1/2, H2/1, H2/2, H2/4 and the principles of the NPPF.

### **Principle - Setting of a Listed Building and Non-designated heritage asset**

The site is approximately 35m south of a Grade II Listed structure and is directly adjacent to a non designated heritage asset. The existing building itself is also a non designated heritage asset and being considered for inclusion on the draft local list.

The proposed re-development of the building and the site would ensure the continued preservation of the existing building within this prominent and important location of the Borough. It would regenerate and make use of an asset which would secure its longevity and continued contribution as a heritage asset and protect the setting of a Listed Building.

As such, the development is considered acceptable in principle and would comply with EN2/3 and the NPPF.

### **Layout**

Proposed dwellings - The proposed dwellings would be semi-detached and would provide living accommodation at ground floor and 4 No. bedrooms over the 1st and 2nd floors. The dwellings would be sited to the south of the site adjacent to the existing building in an area which is currently used for parking. They would be set 3.8m from the side elevation of Oddfellows and forward of this building line by 3.6m. From the boundary with No 96 Manchester Road, there would be a distance of 1.2m to the new dwellings, which would be positioned 1m back from the front elevation of No 96.

The dwellings would project 10m in length and be 4.8m wide and served by a pedestrian path off from Manchester Road which would lead to front gardens and the main entrances. Paths would run down the side of the dwellings and at the rear would be 8m long gardens, patios and amenity space with cycle and bin store provisions.

Two parking spaces would be provided for each dwelling at the side and rear of the houses which would be accessed from the existing opening off Manchester Old Road.

The proposed layout plan demonstrates that the single dwellings with associated access, parking and amenity area can be accommodated within the plot, and the siting and layout of the development would also reflect the character of the surrounding area and relate well to the street scene within which it would be set.

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

Proposed conversion - The building would be split into two separate uses with the Oddfellows meeting house located in the 'L' shape extension and the 5 No. apartments, set over 3 floors, in the main part of the building. Each use would have a separate pedestrian access created off Manchester Road leading directly to the main entrances, with ramps incorporated to facilitate level access. Grassed amenity space to the frontages would soften the appearance of the site from the main road.

At the rear, there would be a communal bin store for the two uses which would be contained within a brick built structure which would also form part of the boundary wall to Manchester Old Road.

Parking would be allocated separately at the rear of the site for each use, with 6 spaces for use by Oddfellows and 5 spaces designated for residential parking for the apartments.

Access to the whole site would be via a single existing vehicular access from Manchester Old Road which would be enclosed by a metal sliding gate. The narrower access at the north western corner of the site would be bricked up and an on street parking space provided on the main road instead. Hardstanding areas and pedestrian/vehicular access within the site would be demarcated by different surfacing materials which would also define the residential and community uses.

The front of the site is bounded by an attractive brick wall with decorative black wrought iron railings which would be replicated across the front of the site where it is proposed to block up the existing pedestrian access. New wrought iron gates with brick piers would be inserted to form the new entrance points to the site which would provide continuation along

the frontage. Similar boundary treatment would be applied at the rear of the site.

The electricity substation would remain in its current position adjacent to the southern boundary which is enclosed by a low wooden picket fence.

It is considered that the proposed layout and redevelopment of the existing building and additional dwellings would adequately be accommodated within the site area and would also provide sufficient levels of associated amenity, parking and bin storage, without detriment to the character of the surrounding area or the street scene.

As such, the layout is considered acceptable and would comply with UDP Policies H2/1 - The Form of Residential Development, H2/2 - The Layout of New Residential Development and H2/4 - Conversions.

### **Scale, design and appearance**

Proposed dwellings - The proposed dwellings would be sited fronting Manchester Road and would continue from the row of existing terrace houses which characterise this frontage. Roof heights and eaves levels would align to also add continuity to the built form along the street frontage. Elevationally, the new dwellings would present attractive and well presented facades, with the incorporation of traditional features such as the size, design and positioning of the ground floor bay windows, upper window openings, brick work and cornice and parapet detailing, which would reflect and echo the terrace properties which characterise the locality. The rear of the properties would be similarly designed, with this facade detailed to present a coherent and harmonised development.

The dwellings would be constructed in brick, colour and texture to be approved by condition, with a slate roof finish which would be in keeping with the area. Windows would be upvc and a specification also requested by condition to ensure they would be of acceptable specification within the settings of these properties. Conservation roof lights would be inserted into the roof space which would be proportionate in size and position to the roof area.

It is therefore considered that the design and appearance of the new dwellings would present a high quality frontage along Manchester Road and would be in keeping with the scale and character of the residential properties in the area and would protect the setting of a Listed Building. As such, the proposals are considered to comply with UDP Policies H2/1 - The Form of New Residential Development, EN1/2 - Townscape and Built Design and EN2/3 - Listed Buildings.

Conversion - It is not proposed to carry out extensive external alterations to the main part of the Oddfellows building. The only physical alteration would be the insertion of two dormer windows to the rear roof slope. These would be relatively small additions and would be proportionate to the roofspace. Two conservation area roof lights in each of the other roof slopes would be inserted, and these would be also be uniformly positioned and in scale with the roof area.

The existing windows and facades are in relatively good condition and would just require cleaning and general maintenance.

In the flat roof side building, it is proposed to remove the existing concrete parapet and replace it with new 'artstone' moulded cornice parapet and along the side elevation. Part of the flat roof to the single storey side element would be slightly raised to match the existing. These additions and alterations would provide more of a finish to this part of the building and improve its general appearance. It is also proposed to re-render these elevations which would enhance the overall appearance of the building. A new front entrance door would be provided in place of a window which would require little intrusion to the main facade of the building.

It is considered that the proposed alterations, maintenance and repair works which would be

carried out to the Oddfellows building would revitalise and upgrade the building, would preserve and enhance the setting of a nearby Listed Structure and therefore are considered to be acceptable and comply with UDP Policies H2/1 - The Form of New Residential Development, EN1/2 - Townscape and Built Design and EN2/3 - Listed Buildings.

**Residential amenity** - SPD6 contains supplementary guidance on householder extensions and acceptability of separation distances between new buildings, and is used as guidance to aid assessment of new residential development.

Generally, a separation distance of 20m is required between directly facing habitable room windows and 13m between a principle ground floor window and a 2 storey blank wall. Where there would be a difference in levels or additional storey, an additional 3m is generally sought.

New dwellings - The proposed semi detached properties would be located adjacent to the boundary with No 96 Manchester Road. The dwellings would be set back 1m from the front elevation of No 96 and there would be no impact from the new build to the front of this property. On the side elevation, there are no habitable room windows in either No 96 or proposed in the new dwelling and privacy and overlooking would not be an issue.

At the rear, Nos 1 and 3 Manchester Old Road would be side on to the rear of the development site. This area is proposed for parking, which would be no different to the existing arrangement. As there are no windows in the side elevation of either of these properties, there would be no issues of overlooking from this property.

Conversion - It is proposed to insert two dormer windows into the roof space at the rear. There are no properties directly facing the building on Manchester Old Road which would be overlooked. The closest property to Oddfellows would be No 24 Manchester Old Road and as this is offset and not facing the building and with a separation distance of 30m, aspect standards would be satisfied.

Apart from roof lights, there are no proposals to insert any additional windows in the original building. There are existing windows in the south elevation which would be to the apartment's bedrooms and living areas and which would face the new dwellings. It is proposed to obscure glaze these to rule out any concerns of overlooking or privacy. This would be a condition of an approval.

As such, it is considered that the new dwellings and building conversion would not have a detrimental impact on outlook, overlooking or privacy and as such would be compliant with UDP Policies H2/1 - The Form of Residential Development, H2/4 - Conversions and SPD6.

In terms of traffic and parking, the number of vehicles to the site would be restricted by the capacity of the car park which would be significantly reduced from the existing arrangement. Use of Oddfellows tends to be periodic and as this element of the proposal would be reduced in size by the development, the numbers of vehicles using the car park would be reduced.

The scale of the residential development would be modest and as such it is considered that traffic generation would not be of a significance to cause detriment to the amenity of local occupants.

This is discussed in more detail in the parking and access section below.

**Bin store** - For the conversion, the bin store would be located at the rear of the site with the rear wall of the store forming part of the boundary to Manchester old Road. A new access would be created directly from the road for collection purposes. Bin stores for the new dwellings would be provided within the curtilage of the properties and taken out to the public highway on collection days similar to the arrangement for other properties in the area.



**Access and parking** - There is a single vehicle access at the rear off Manchester Road and this would serve the development as a whole. Within the site, 2 parking spaces would be provided for each of the 4 bed dwellings. Whilst this is one less than usually required in SPD11 guidance, the site is located in a high access area in very close proximity to the town centre with bus and metrolink services nearby. 7 parking spaces are proposed for the 5 No. apartments and this provision is similarly considered acceptable in this location.

There are no specific standards for parking requirements in SPD11 for a community uses/society groups such as Oddfellows and therefore parking provision in this instance is considered on individual merits. Whilst there would be a loss of parking for this use, the Oddfellows accommodation would be significantly reduced from the existing provision, being accommodated in the extended part of the building and comprising only of two meeting rooms. The application also states that whilst some of the 29 existing parking spaces have been let out on an individual space requirement this revenue has been falling steadily.

It is proposed to provide 4 dedicated spaces for use by Oddfellows. Taking a B1 office use as a yardstick for parking provision, 4 spaces would be required as an approximation and this would be satisfied by the proposed development.

One on-street parking space for visitors on Manchester Road would be created by the removal of the secondary access which would also improve the parking situation in the area.

As such, it is considered that the proposed access and parking would be acceptable to serve the scale and types of development and as such would accord with H2/2 - the layout of New Residential Development, H2/4 - Conversions, HT2/4 - Car Parking and New Development and CF1/1 - Location of New Community Facilities.

**Ecology** - A bat survey has been submitted with the application and GMEU have been consulted on the proposals. The site consists of hardstanding and a building. The only likely ecological constraints would be bats and birds utilising the building as a roost/nest site.

Bats - The building was assessed by a suitably qualified consultancy known to GMEU. Emergence surveys have also been carried out and no evidence of bats was found though some activity was recorded in the area. GMEU are satisfied with the findings of the assessment and recommend an informative advising the applicant of their responsibilities under the Habitat Regulations.

Nesting birds - No evidence of nesting birds was recorded but the assessment noted the potential. An informative is therefore recommended advising the applicant of responsibilities under the Wildlife and Countryside Act.

Contributing to and Enhancing the Natural Environment - The NPPF states that the planning system should contribute to and enhance the natural and local environment. Given the negligible ecological value currently associated with the site any soft landscaping would result in an enhancement. This is occurring through provision of garden space. GMEU are satisfied this can be conditioned.

**Coal Authority** - The application site falls within a defined Development High Risk Area and within the site and surrounding area are coal mining features and hazards which would need to be considered. The applicant has submitted a Coal Mining Assessment and the Coal Authority have been consulted.

The report recommends that further work be undertaken to define the risks for the proposed new build houses on this site and that further work should comprise the drilling of boreholes to determine the presence/absence of coal seams beneath the site, the thickness of the

seams and any indication of workings within the seams.

The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment report; that coal mining legacy potentially poses a risk to the proposed development and that the intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on site.

In the event that the site investigations confirm the need for remedial works to treat areas of shallow mine workings to ensure the safety and stability of the proposed development, this should be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.

The applicant has requested that the condition relate only to the commencement of the proposed dwellings, so as not to delay refurbishment works could continue on the existing building.

This has been confirmed as acceptable by the Coal Authority and the condition would be worded appropriately to relate to the new build only.

### **Response to objectors**

- The issues raised with regard to traffic and parking have been covered in the above report.
- Residential parking permits and existing school traffic are not material or relevant considerations to the application.

### **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 - 6259 - L01; P01; P02 A; P03 A; P04 A; P05 A; P06 A; S01 A; L02 F; E01; E02 A; E03 A; E04 A; Non Residential Mining report CON29M 4 January 2017; protected bat species report June 2016 Updated August 2016 version 2) by ecology services 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. Following the provisions of Condition 3 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

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

7. No development of the new dwellings hereby approved shall be carried out unless and until details of the following have been submitted for approval by the Local Planning Authority:

- The submission of a scheme of intrusive site investigations;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a report of findings arising from the intrusive site investigations;
- The submission of a scheme of remedial works for approval; and
- Implementation of those remedial works.

The works shall be implemented as approved and within agreed timescales.

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

8. No development shall commence unless and until details of surface water

drainage proposals have been submitted to and approved by the Local Planning Authority. The proposed scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and 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 where appropriate. 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 and to ensure and promote sustainable development pursuant to Bury Unitary Development Plan Policy EN5/1 - New Development and Flood Risk and chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

9. Before the first occupation of the apartments hereby approved, the windows on the south elevation annotated as bedroom and living areas on approved plans P03 A and P04 A shall be obscure glazed. Details and specification of the level of obscurity shall be submitted to the Local planning Authority for approval. The approved details shall thereafter be implemented and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/1 - The Form of New Residential Development and H2/4 - Conversions and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

10. Details/Samples of the materials to be used in the external elevations, including a specification and detailed section plan of the windows in the proposed dwellings, 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 H2/1 - The Form of New Residential Development.

11. The reinstatement of the redundant vehicular access onto Manchester Old Road to adjacent footway levels indicated on approved plan reference 6259 L02 Revision F, incorporating the provision of an additional on-street resident's parking bay and all associated white lining and signing works required to secure its implementation, shall be implemented to an agreed specification and approved by the Local Planning Authority prior to the development hereby approved being occupied.

Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, CF1/1 - The Location of New Community Facilities and HT6/2 - Pedestrian and Vehicular Conflict.

12. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority 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 or on land within the applicant's control 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. Insufficient information provided at application stage. 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.

13. 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 demolition/construction.

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

14. The turning facilities indicated on approved plan reference 6259 L02 Revision F shall be provided before the development is first occupied and the areas used for the manoeuvring of vehicles from adjacent parking spaces shall subsequently be maintained free of obstruction at all times.

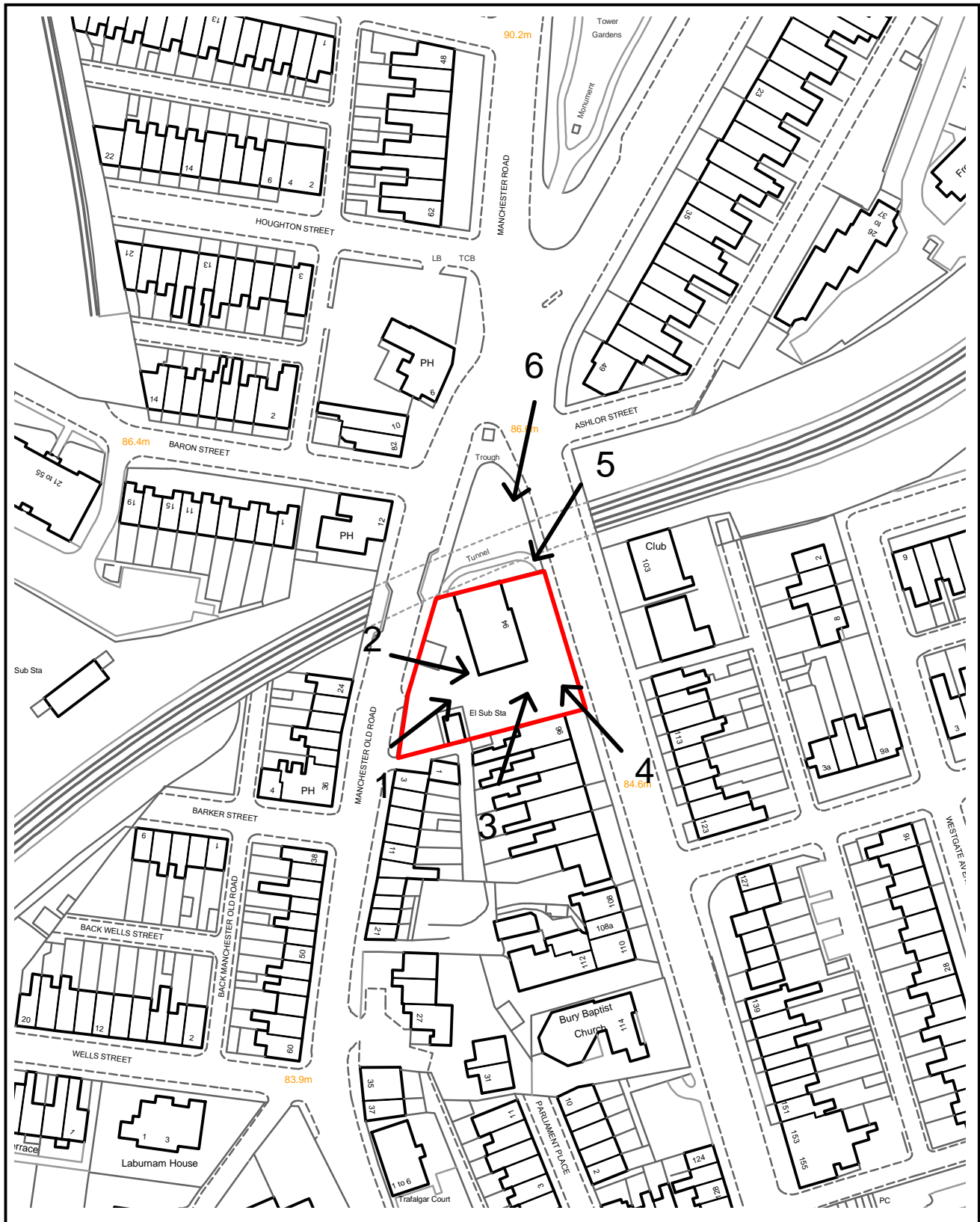
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, CF1/1 - The Location of New Community Facilities, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

15. The car parking indicated on approved plan reference 6259 L02 Revision F shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 - The Layout of New Residential Development 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 61018**

**ADDRESS: The Oddfellows House  
94 Manchester Road**

**Bury  
Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL



61018

Photo 1



Photo 2





Photo 3



Photo 4



Photo 5



Photo 6



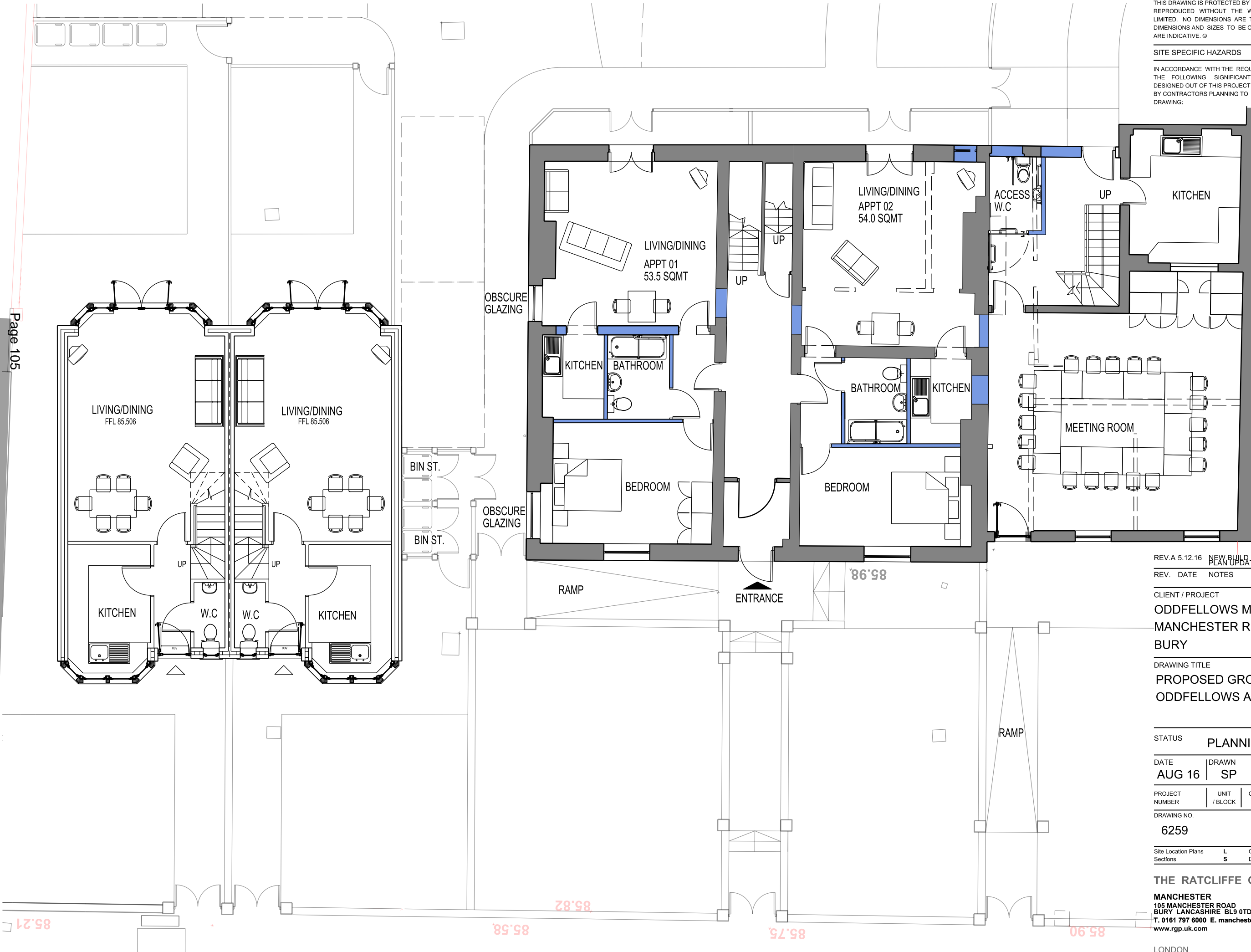


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SITE SPECIFIC HAZARDS

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CDM REGULATIONS 2015 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING:

- KEY:
- EXISTING WALLS
  - NEW WALLS
  - EXISTING WALLS TO BE REMOVED



REV. A 5.12.16	NEW BUILD HOUSE GROUND FLOOR	EZ
REV. DATE	NOTES	INIT.

CLIENT / PROJECT  
**ODDFELLOWS MEETING HOUSE**  
**MANCHESTER RD**  
**BURY**

DRAWING TITLE  
**PROPOSED GROUND FLOOR PLAN**  
**ODDFELLOWS ACCOMODATION**

STATUS  
**PLANNING**

DATE	DRAWN	CHECK	SCALE @ A3
AUG 16	SP		1:100

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
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DRAWING NO.  
**6259** **P03** **A**

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix; Colour	C

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SITE SPECIFIC HAZARDS

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CDM REGULATIONS 2015 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING:

KEY:

- EXISTING WALLS
- NEW WALLS
- EXISTING WALLS TO BE REMOVED

EXISTING LOWER FLAT ROOF LIFTED TO MATCH SINGLE STOREY FLAT ROOF WITH ALL WORK OVERHAND TO AVOID IMPACT UPON GARDEN ADJACENT

REV.A 05.12.16 FIRST FLOOR PLAN UPDATED	EZ
REV. DATE	NOTES
	INIT.

CLIENT / PROJECT  
ODDFELLOWS MEETING HOUSE  
MANCHESTER RD  
BURY

DRAWING TITLE  
FIRST FLOOR PLAN  
ODDFELLOWS ACCOMODATION

STATUS  
PLANNING

DATE	DRAWN	CHECK	SCALE @ A3
AUG 16	SP		1:100

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER

DRAWING NO.  
6259 P04 A

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix; Colour	C

THE RATCLIFFE GROVES PARTNERSHIP  
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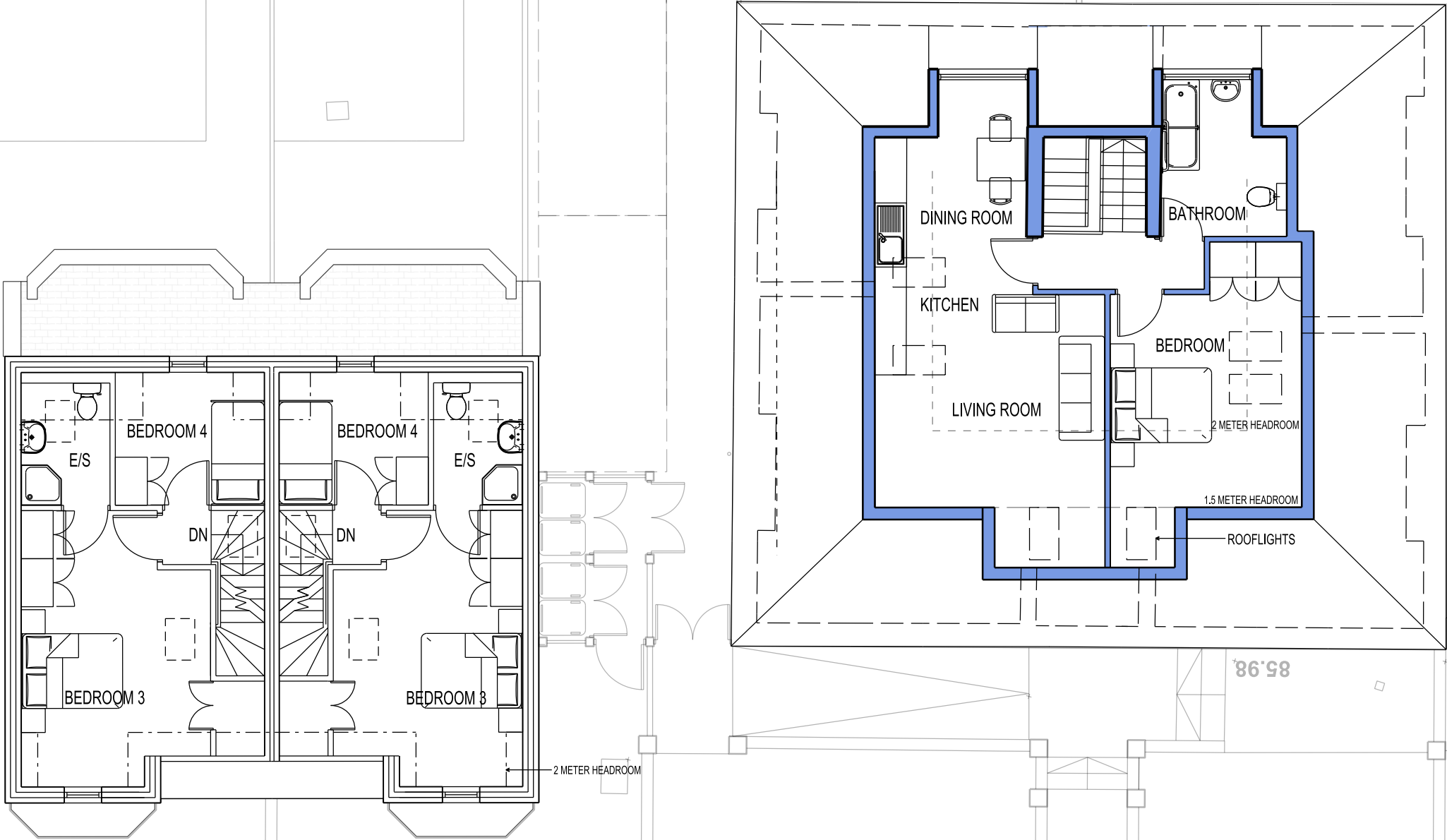
Page 106

07/12/2016 15:38:50 P:\06gm\6201-6300\6259\1 Sheets\6259-P04.dgn ewellia.zwolinska Bury, Manchester Road

SITE SPECIFIC HAZARDS

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- KEY:
- EXISTING WALLS
  - NEW WALLS
  - EXISTING WALLS TO BE REMOVED



REV.A 05.12.16	SECOND FLOOR PLAN UPDATED	EZ
REV.	DATE	NOTES
		INIT.

CLIENT / PROJECT

ODDFELLOWS MEETING HOUSE

MANCHESTER RD

BURY

DRAWING TITLE

SECOND FLOOR PLAN

ODDFELLOWS ACCOMODATION

STATUS

PLANNING

DATE	DRAWN	CHECK	SCALE @ A3
AUG 16	SP		1:100

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER

DRAWING NO.

6259

P05

A

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix; Colour	C

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SITE SPECIFIC HAZARDS

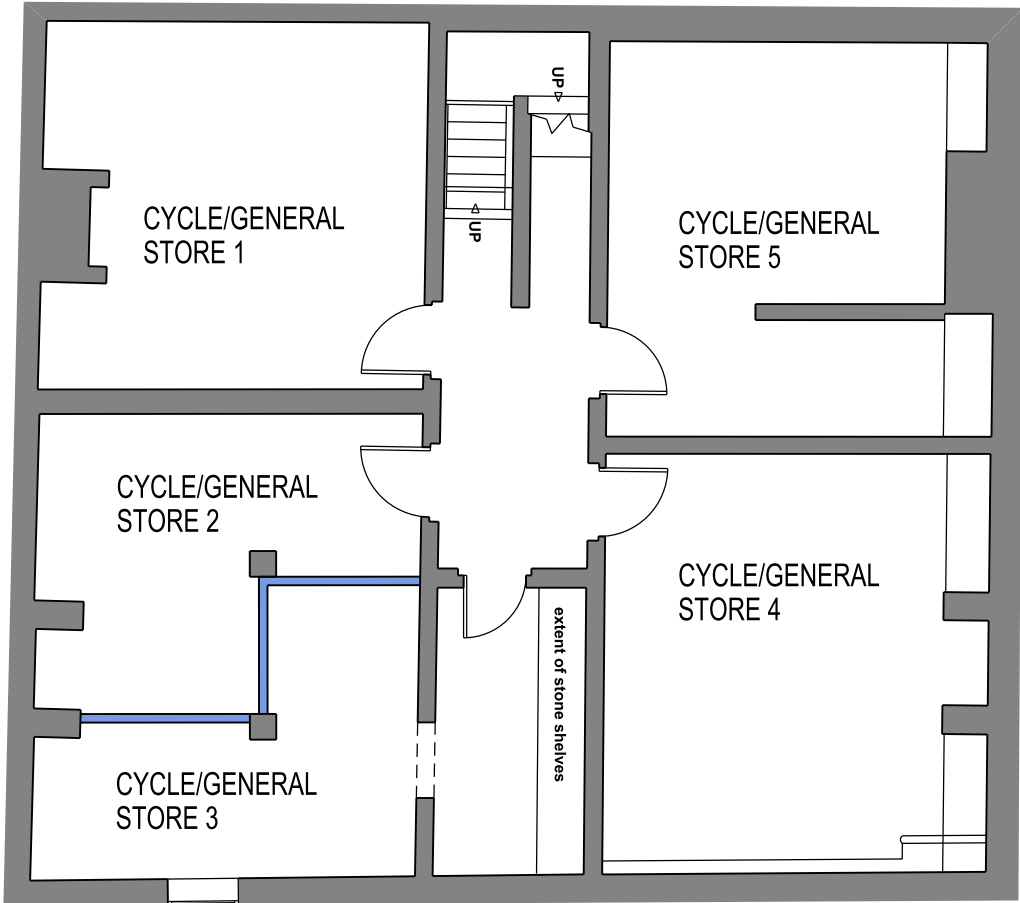
IN ACCORDANCE WITH THE REQUIREMENTS OF THE CDM REGULATIONS 2015 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING:

KEY:

EXISTING WALLS

NEW WALLS

EXISTING WALLS  
TO BE REMOVED



REV.A	02.12.16	BASEMENT PLAN UPDATED	EZ
REV.	DATE	NOTES	INIT.

CLIENT / PROJECT  
ODDFELLOWS MEETING HOUSE  
MANCHESTER RD  
BURY

DRAWING TITLE  
PROPOSED BASEMENT FLOOR PLAN  
ODDFELLOWS ACCOMODATION

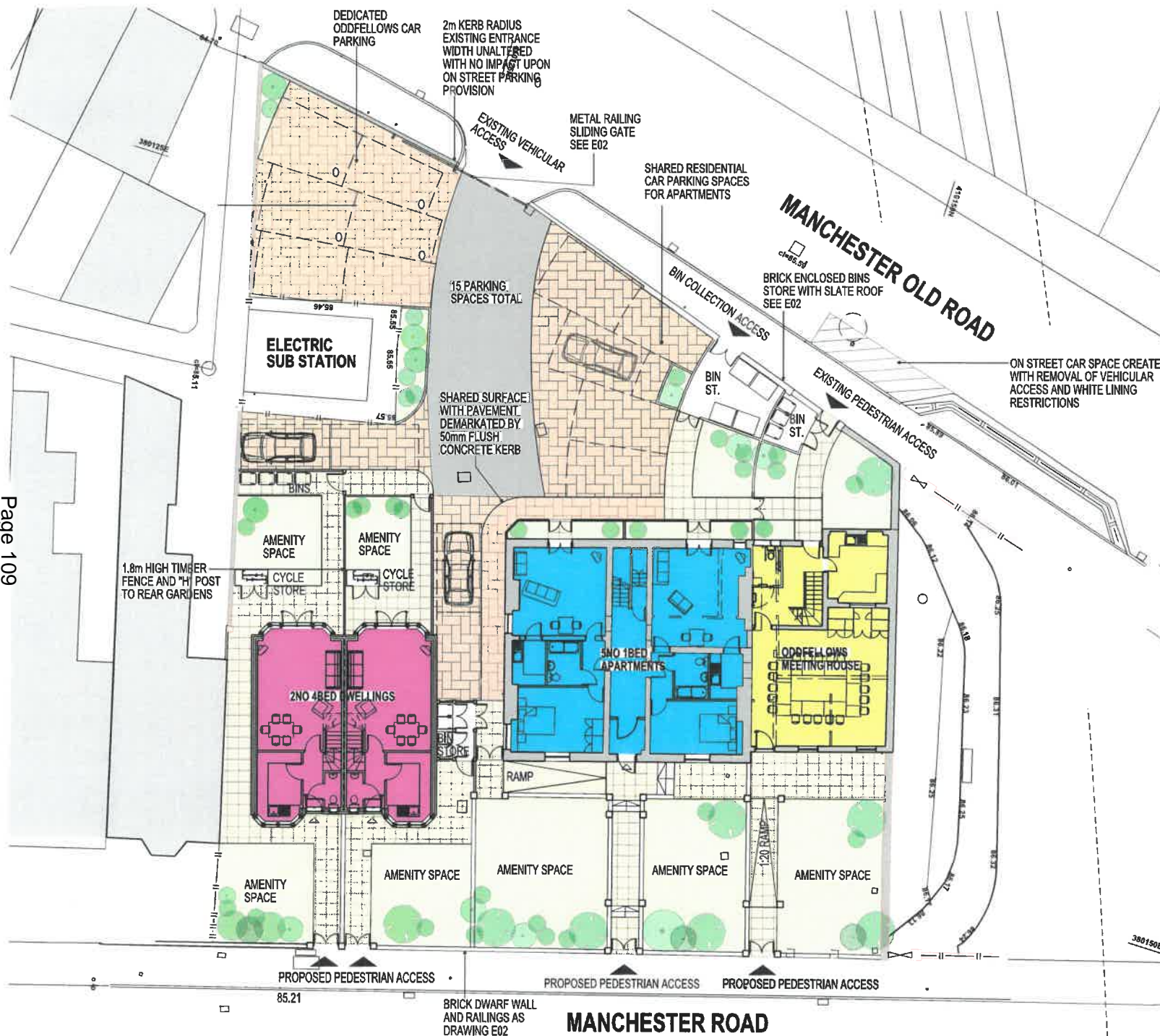
STATUS		PLANNING			
DATE	DRAWN	CHECK	SCALE @ A3		
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PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER	
DRAWING NO.					
6259		P06		A	
Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix; Colour	C

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**KEY:**

-  TARMAC FINISH FOR MAIN CIRCULATION AREA  
 MARSHALL'S ORIGINAL TEGULA PRIORA PERMEABLE BLOCK COLOUR - HARVEST  
 MARSHALL'S METROPOLITAN FLAG PAVING COLOUR - BUFF

REV.F 03.01.17	CYCLE STORE ADDED	SP
REV.E 07.12.16	NOTES ADDED	EZ
REV.D 02.12.16	Updated to DTPC comments	RSL
REV.C 01.12.16	Access gate to Oddfellows added	RSL
REV.B 30.11.16	UPDATED TO PLANNING OFFICERS COMMENTS	RSL
REV.A 27.09.16	PARKING LAYOUT ADJUSTED	SP
REV. DATE	NOTES	INIT.

CLIENT / PROJECT  
ODDFELLOWS MEETING HOUSE  
MANCHESTER RD  
BURY

**DRAWING TITLE**  
**PROPOSED SITE PLAN**  
**ODDFELLOW ACCOMODATION**

STATUS	PLANNING
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DATE AUG 16	DRAWN SP	CHECK	SCALE @ A3 1:200
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PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
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DRAWING NO. 6259 L02

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Profile Colour	C

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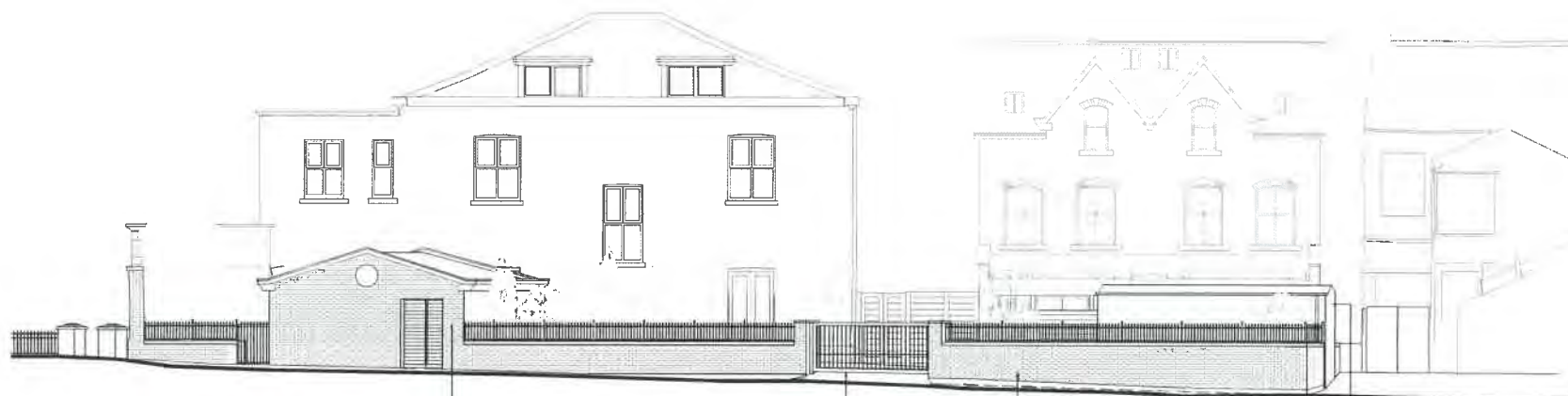
#### SITE SPECIFIC HAZARDS

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MANCHESTER ROAD STREET SCENE

MIN. 465mm MAX. 953mm DWARF WALL IN BRICKWORK TBD WITH DECORATIVE METAL RAILING AND BRICK PIERS WITH ARTSTONE CAPPINGS.



MANCHESTER OLD ROAD STREET SCENE

NEW ENCLOSED BIN STORE FOR "ODDFELLOWS" AND APARTMENTS

NEW SLIDING GATE ACCESS

BRICK DWARF WALL TO REAR WITH "SIMPLIFIED" RAILINGS

EXISTING SUBSTATION

REV. A 05.12.18 ELEVATIONS UPDATED  
REV. DATE NOTES

CLIENT / PROJECT  
ODDFELLOWS MEETING HOUSE  
MANCHESTER RD  
BURY

DRAWING TITLE  
PROPOSED STREET SCENE  
ELEVATION

STATUS PLANNING

DATE SEPT 16  
DRAWN SP  
CHECKED  
SCALE @ A2  
1:100

PROJECT NUMBER  
6259  
UNIT / BLOCK  
E02  
DATE  
LETTER  
A

DRAWING NO.  
6259  
E02  
A

Site Location Plans  
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GA Plans  
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Elevations  
Profile Colour  
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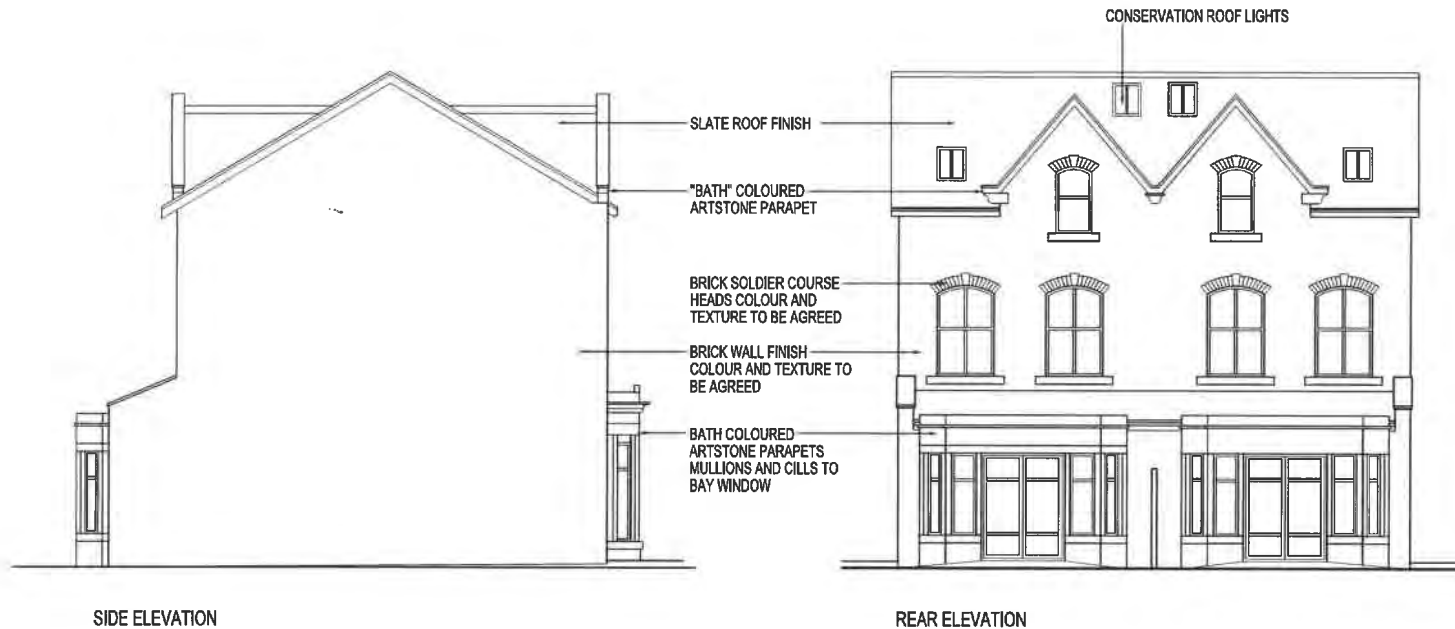
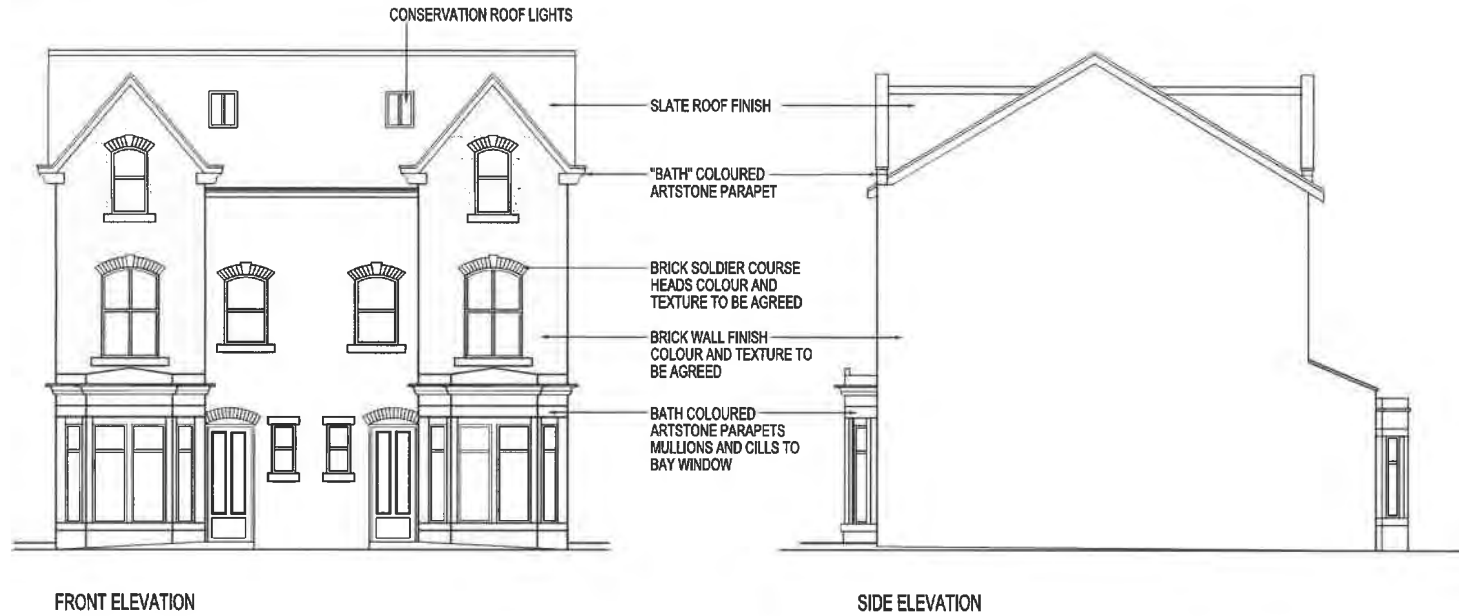
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REV. A 05.12.16 NEW BUILD ELEVATIONS UPDATED EZ  
REV. DATE NOTES INFT.

CLIENT / PROJECT  
**ODDFELLOWS MEETING HOUSE**  
**MANCHESTER RD**  
**BURY**

DRAWING TITLE  
**PROPOSED**  
**NEW BUILD ELEVATIONS**

STATUS **PLANNING**

DATE **SEPT 16** DRAWN **SP** CHECK **SP** SCALE @ A3 **1:100**

PROJECT NUMBER UNIT / BLOCK C / SFB CODE TYPE & NUMBER REVISION LETTER

DRAWING NO. **6259** E03 A

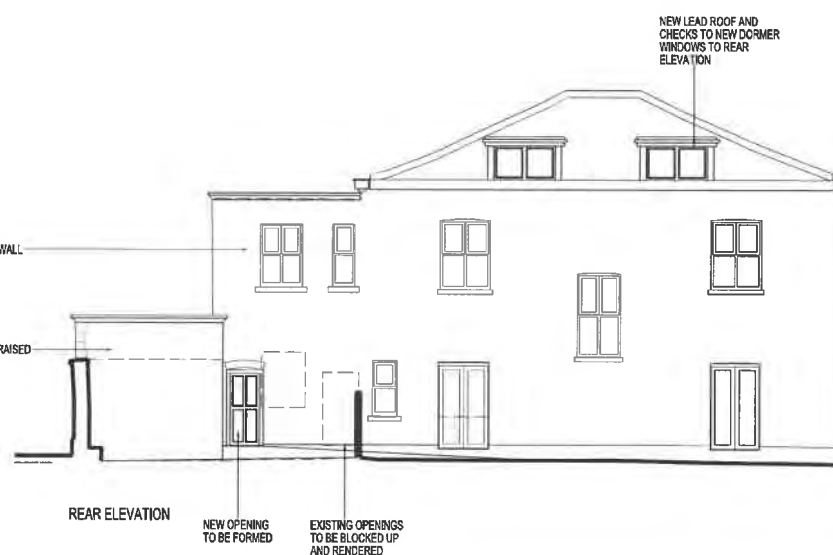
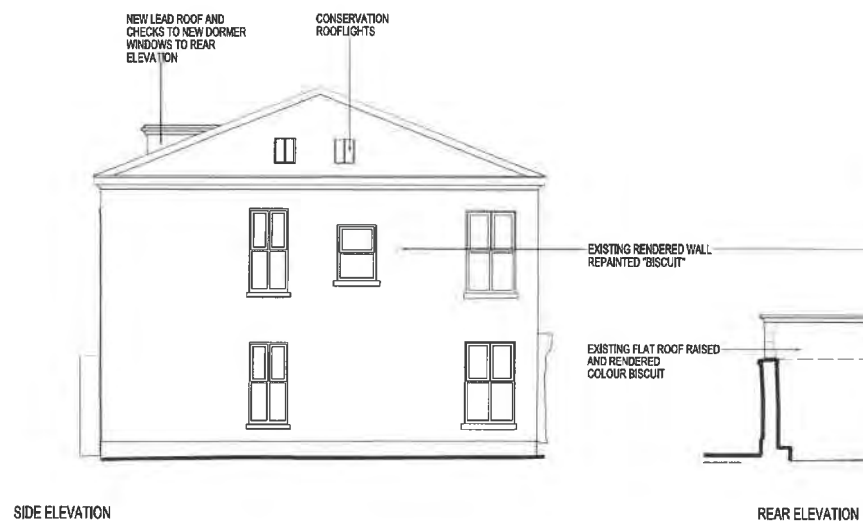
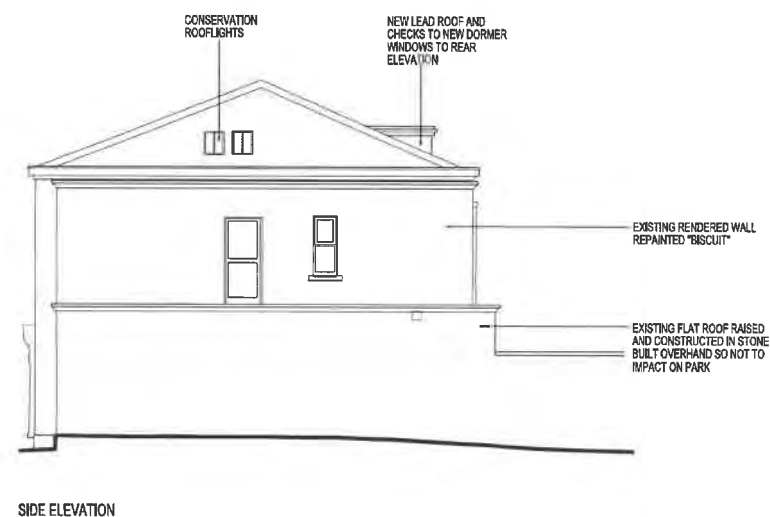
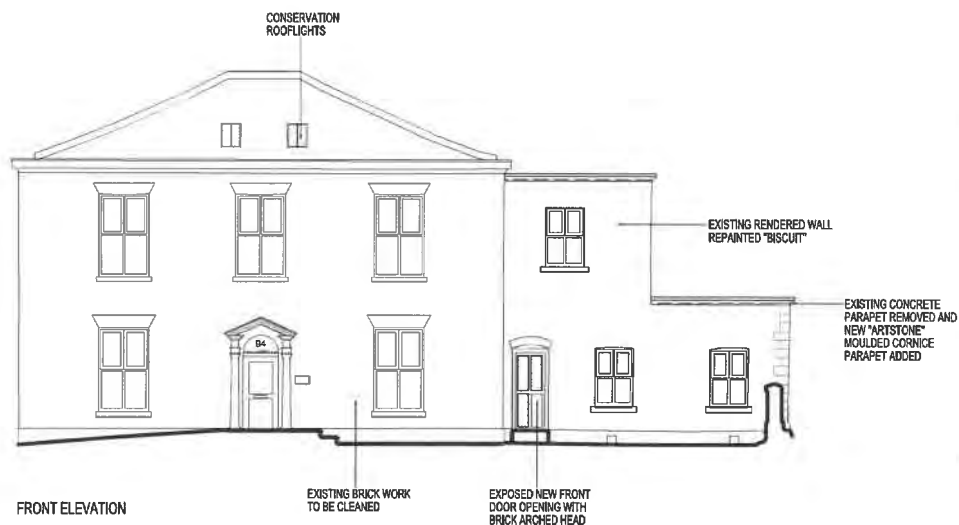
Site Location Plans L GA Plans P Elevations E  
Sections S Details D Prefabric Colour C

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**SITE SPECIFIC HAZARDS**

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REV. A 05.12.16 ELEVATIONS UPDATED  
REV. DATE NOTES

CLIENT / PROJECT  
**ODDFELLOWS MEETING HOUSE  
MANCHESTER RD  
BURY**

DRAWING TITLE  
**PROPOSED  
ELEVATION  
ODDFELLOWS**

STATUS  
**PLANNING**

DATE  
**SEPT 16**

DRAWN  
**SP**

CHECK  
**1:100**

PROJECT  
NUMBER  
**6259**

UNIT  
/ BLOCK  
**E04**

CS / SITE  
CODE  
**A**

TYPE &  
NUMBER  
**6259**

REVISION  
LETTER  
**A**

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**Ward:** Prestwich - Sedgley

**Item** 08

**Applicant:** Kollel Heichal Hatorah

**Location:** 45 Bury Old Road, Prestwich, Manchester, M25 0EY

**Proposal:** Extension and change of use to existing dwelling to form a mixed use comprising first floor self contained flat (Class C3) with post graduate study centre on ground floor (Class D1); Formation of new vehicular access from Kings Road.

**Application Ref:** 61022/Full

**Target Date:** 10/03/2017

**Recommendation:** Approve with Conditions

**This application was deferred from the previous Planning Control Committee in order to obtain further information on the nature of the proposal and implications with regard to potential noise outbreak.**

### **Description**

The application is a resubmission following a refusal for a similar scheme in August last year - see Relevant Planning History.

The site comprises a two storey semi-detached dwellinghouse on the corner of Bury New Road and Kings Road. The existing access onto the driveway is from a point near the north east corner. The site is bounded to the south side, to the rear and to the east, across Bury New Road by houses. To the north, across Kings Road is a row of shops forming the neighbourhood centre.

The proposal comprises;

- a single storey extension to the side and rear,
- the conversion of the property to form a flat at first floor with an enclosed access stair at the rear,
- the conversion of the ground floor to a teaching/study facility, known as a Kollel, and,
- closure of the existing vehicular access at the front/corner and creation of a new vehicular access at the rear/side.

The extension would project out 5m from the side/north elevation and run back 12.5m from the front elevation, 4.5m past the existing rear elevation. The extension to the side would have a hipped roof and this would drop down to a flat roof at the rear. The extension would be finished in brick and tile to match the existing building.

The existing access on the corner of Kings Road and Bury Old Road would be closed off and a pedestrian access formed in its place with the footway and kerbs reinstated. A new access point onto Kings Road would be formed at the rear with space for parking two vehicles with a turning facility and a cycle store.

The extended ground floor would comprise a main study area (approx 70sqm), new side entrance, WC, cloakroom and small library. This element would fall within the D1 Use Class. The residential accommodation on the upper floor would be for post graduate students and comprise a bedroom, living room, kitchen diner and bathroom.

The proposed hours of opening are set out in the application form as follows:  
0930 - 1930 Monday to Friday and Sundays and Bank Holidays  
0900 - 1300 Saturday

It is stated in the supporting letter that at least 90% of those attending would live within walking distance of the centre. According to the agent, the Kollel Heichal Hatorah is an institute for Post Graduate Rabbinical Study established some 15 years ago. It has developed into a centre of excellence in attracting students from around the world. To date it has functioned in rented accommodation within the area but this application is an opportunity to purchase its own premises.

### **Relevant Planning History**

01927/E - Conversion of semi detached dwelling to ground floor study hall and first floor flat - Enquiry completed 13/12/2016

60323 - Extension to existing dwelling to form ground floor self contained flat for 3 persons and first floors to be used as post - graduate study centre - Refused 24/08/2016 for the following reasons (summarised).

- The proposed parking arrangements are sub-standard and are likely to lead to conflicts between pedestrians and vehicles at a hazardous point on the highway network.
- The proposed car parking provision of one disabled parking space for the uses proposed is inadequate and detrimental to the free flow of traffic and road safety.
- The proposed two storey extension would be seriously detrimental to the visual amenity of the streetscape by reason of its height, size and position.

### **Publicity**

The following neighbours were notified by letter dated 18/01/17. Nos.121, 122, 123, 124,126, 128, 130 Kings Road, Nos.2-12(even) Dellcot Close, Nos.31-55(odd) and 32, 34, 36 and 48 Bury Old Road, 1 and 3 Danesway, 125-141 Albert Avenue, 1, 2A and 3 Castle Hill Road, 2 East Meade.

Objections received from residents at Nos.37 and 43(attached semi) Bury Old Road and 4 Dellcot Close. The objections are summarised below:

- The proposal doesn't differ greatly from the previous refusal and therefore should be similarly refused.
- The new access will increase risks to pedestrians and other vehicles close to what is an already busy and dangerous junction.
- There are other uses in the area that add to existing traffic problems (shops, school, day nursery, medical centre, synagogue and mosque).
- Vehicles coming and going from Kings Road have difficulties already due to visibility, traffic flow and illegal parking. The proposal would add to this.
- The proposal does not have sufficient on-site parking and there is little on-street parking or public parking nearby.
- Students using cars would end up blocking accesses and causing further problems.
- Over time, other parts of the site would be used to park cars and the front entrance would revert back to a vehicular access.
- Increase in noise levels from the proposed activity would cause further disturbance, particularly to the attached neighbour at No.43 Bury Old Road. There may be chanting, singing and debates which would increase noise.
- Over-intensive use of the site.
- The use would be better in a detached property and not a semi-detached one.
- Housing in this area is difficult to come across. This institution should go to a different location that does not impact the wider community and allow this house to be used as a home, as intended. It could be located in an existing synagogue or Shul.
- The extensions are disproportionate to other houses in the row.
- The fencing does not match the style of other nearby fences and would be a blight to the area.
- Are toilet facilities sufficient for a facility of this size and concerns about sewage treatment.
- Mixing residential purposes and religious studies may not be compatible and would be unsuitable.
- A religious building in such close proximity, would increase risk of potential anti semitic attacks.

- A group of men living together where families with young children reside could cause child endangerment in various ways.

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

### **Consultations**

**Traffic Section** - No objection.

**Drainage Section** - No objection

**Environmental Health** - Further information needs to be submitted as to the nature of the proposed studies and implications with regard to noise outbreak. A condition relating to noise insulation is recommended.

### **Unitary Development Plan and Policies**

EN1/2	Townscape and Built Design
H2/3	Extensions and Alterations
CF2	Education Land and Buildings
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
SPD6	Supplementary Planning Document 6: Alterations & Extensions
NPPF	National Planning Policy Framework
CF1/1	Location of New Community Facilities
EN7/2	Noise Pollution
H3/1	Assessing Non-Conforming Uses

### **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.

**National Planning Policy Framework** - Section 8 of the NPPF, relates to community and highlights the need to have good community/ cultural facilities. Section 4 relates to transport and states that developments that generate a significant amount of movement should exploit opportunities for the use of sustainable transport modes and aim for a balance of land uses so that people can be encouraged to minimise journey lengths.

**UDP Policy EN1/2 - Townscape and Built Design.** The Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. Factors to be considered when assessing proposals will include:

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

**H2/3 Extensions and Alterations.** Applications for house extensions and alterations will be considered with regard to the following factors:

- a) the size, shape, design and external appearance of the proposal;
- b) the character of the property in question and the surrounding area;
- c) the amenity of adjacent properties;

- d) visibility for pedestrians, cyclists and drivers of motor vehicles.

CF1/1 Location of New Community Facilities. Proposals for new and improved community facilities will be considered with regard to the following factors:

- a) impact on residential amenity and the local environment;
- b) traffic generation and car parking provision;
- c) the scale and size of the development;
- d) where applicable, access to shops and other services;
- e) if the use is intended to serve a local community, or catchment area, the suitability of the chosen location in relation to that community or catchment area;
- f) accessibility by public and private transport;
- g) the needs and requirements of the disabled;

Policy CF2 Education Land and Buildings. The Council will, where appropriate, consider favourably proposals for the provision, improvement and dual use of educational facilities.

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

EN7/2 Noise Pollution. In seeking to limit noise pollution the Council will not permit:

- a) development which could lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users;
- b) development close to a permanent source of noise.

HT2/4 Car Parking and New Development. The Council will require all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards.

**Need** - The proposed development would be located in the heart of the community that the proposed development would serve and would be of a scale that would be appropriate. The issues of residential amenity, parking and access issues will be addressed later in the report. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy CF1/1 of the Bury Unitary Development Plan.

**Visual amenity** - The extension is single storey and set in from the side boundary with Kings Road. With the existing boundary hedge, the extension with the hipped roof would not appear particularly prominent within the streetscape. The flat roof extension at the rear is at least 6m from the rear boundary with Dellcot Close and again, the existing boundary hedge would help screen the new build from the road.

The proposal, in terms of size and appearance, would not have a seriously detrimental impact on the streetscape and would generally comply with UDP Policy EN1/2 Townscape and Built Design.

**Residential amenity** - This area of Bury Old Road is busy and relatively noisy, however undoubtedly there would be increased activity in and around the site throughout the day. From what the applicant has stated, the activities within the study centre would not be particularly noisy or cause undue disturbance to the attached neighbour. Notwithstanding this, given the noise sensitive residential use within the attached property, it is considered appropriate to attach a condition requiring the party walls of the property to be treated to reduce noise outbreak in accordance with current building regulations standards.

The hours of opening, between 9.30am and 7.30pm on most days is not particularly unneighbourly and should not cause serious harm to amenity. The proposal is to open on a Sunday, being a normal day within the Jewish faith. The concern is that the Sunday opening may well cause issues if the neighbour is not Jewish. The hours of opening are set out in an

appropriate condition but can be amended should the Planning Control Committee decide to do so.

It is noted that the study use falls with the wider D1 Non-residential use class which also includes public halls, places of worship, creches etc. To prevent the space being used for these more noisier functions, it would be reasonable to attach a condition removing the 'permitted development' rights that would normally allow changes within the same use class and restrict the ground floor use to that of 'educational/study' use only. As such the proposal, on balance, complies with the NPPF and UDP Policies EN7/2 Noise Pollution and H3/1 Assessing Non-Conforming Uses and CF2 Education.

In response to concerns about potential noise outbreak into the adjoining house, raised at the previous Planning Control Committee, the applicant has submitted a letter outlining the proposed study schedule for the Kollel. This is attached to the back of this report.

The extensions are set away from the shared boundary with the neighbour and there are no serious residential amenity issues arising from the side and rear extensions.

**Parking and Access** - The Council's parking standards, set out in SPD 11 expands upon parking policies within the UDP. The guidance note indicates the maximum standards for parking, which would be 1 space per 2 full time staff for a further education use. There are minimum standards for students using bicycles and motorbikes - 1 per 10 students and 1 per 600 students respectively.

The Traffic Section has some concerns that there is limited off-street parking in an area that has ongoing parking issues. The proposed car parking provision of two parking spaces with some cycle parking is minimal to say the least.

It is stated by the applicant that at least 90% those attending the centre are local residents within walking distance and that the proposed parking is adequate. A list of the Kollel member's addresses has been supplied 23 of the 31 members have an M25 (Prestwich area) postcode. The remaining 8 have an M7 (Broughton, Kersal areas) postcode. With up to 25/30 students attending the centre at any one time, this is not a small facility within the locality and whilst it may well be the case that many of those attending are local, they may not necessarily come on foot. Given the parking problems in and around Kings Road, there remains a need to take account of those using their car and balance out the cultural benefits of the centre to the community which it serves and weighed against the disbenefits in terms of parking.

Given the above concerns in relation to parking, it is considered appropriate to attach a condition requiring a Travel Plan to be submitted prior to commencement of development. This would set out suitable measures that can be employed to reduce private vehicular use and promote more sustainable methods of travel to and from the site - walking, cycling, public transport, car sharing etc.

The applicant is investigating the possible shared use of the car park at the Jewish Cultural Centre on the corner of Bury Old Road and Park Road, just over 300m away to the south east. Further information about this possible arrangement will be reported in the Supplementary Planning Report.

**Objections** - Most of the objections set out in the 'Publicity' section above are planning related and are dealt with in the report. Those issues relating to potential anti-semitic behaviour and the presence of 'groups of men' are not considered to be sustainable reasons for objection on planning grounds.



## **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 location plan and drawings numbered location plan, 01, 02, 03, 04, 11/C, 12/A, 13/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. Details/Samples of the (materials/bricks) to be used in the external elevations and areas of hardstanding, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.  
Reason. 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.
4. The sound insulation of the party walls shall be improved in accordance with Building Regulations Approved Document E (2015), the details of which shall be submitted to and approved by the Local Planning Authority and implemented prior to the study centre hereby approved commencing and thereafter maintained.  
Reason. Details have not be provided and to reduce nuisance from noise to the occupiers of the adjoining dwelling pursuant to NPPF and UDP Policy EN7/2 Noise Pollution.
5. The ground floor of property shall be used for educational study purposes only and not for community worship or any other use within the D1 use class.  
Reason. In the interests of residential amenity pursuant to UDP Policy EN7/2 Noise Pollution.
6. The study centre hereby approved shall not be used outside the following times:  
0900hrs to 1930hrs daily  
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policies EN7/2 Noise Pollution, H3/1 Assessing Non-Conforming Uses.
7. Prior to the commencement of development, a Travel Plan, setting out measures to promote the greater use of sustainable travel to and from the site by staff and students/visitors and reduce the reliance on private vehicle use, shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall

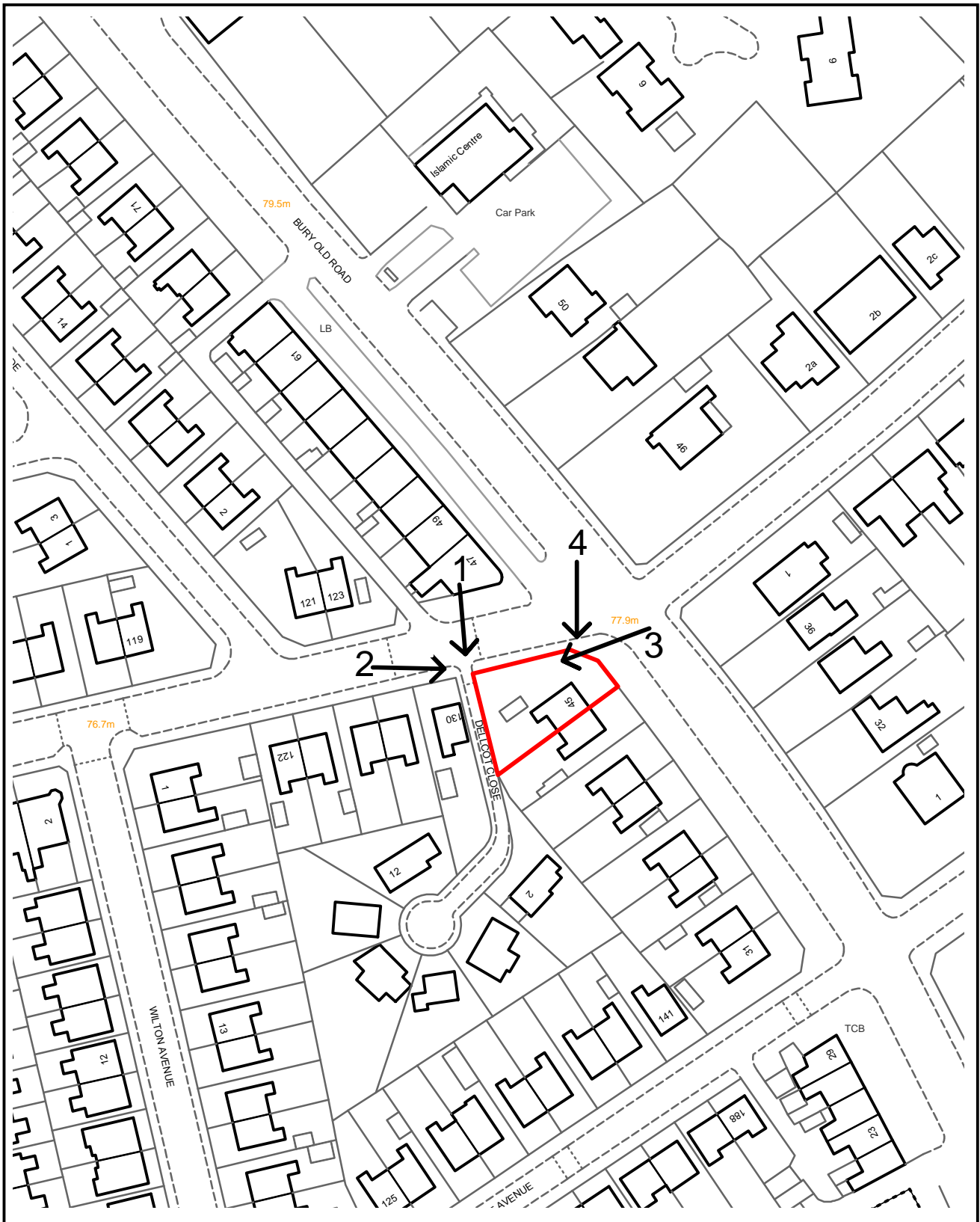
be implemented in full and thereafter maintained.

Reason. A Travel Plan has not been submitted and in order to deliver sustainable travel pursuant to the NPPF and UDP Policy HT4 New Development.

8. The development hereby approved shall not be brought into use unless and until the vehicular access alterations indicated on approved plan reference M2258 11 Revision C, incorporating the formation of the proposed footway crossing off Kings Road and reinstatement of the redundant footway crossing to adjacent footway levels at the junction with Bury Old Road, have been implemented to an agreed specification and to the written satisfaction of the Local Planning Authority.  
Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to UDP Policy HT2 Highway Network.
9. The turning facilities within the proposed car parking area indicated on approved plan reference M2258 11 Revision C shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.  
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to UDP Policy HT2/4 Car Parking and New Development.
10. The car and cycle parking indicated on approved plan reference M2258 11 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 UDP Policy HT2/4 Car Parking and New Development.
11. The proposed boundary railings shall be powder coated black.  
Reason. In the interests of visual 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 61022**

**ADDRESS: 45 Bury Old Road  
Prestwich**

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

61022

Photo 1



Photo 2





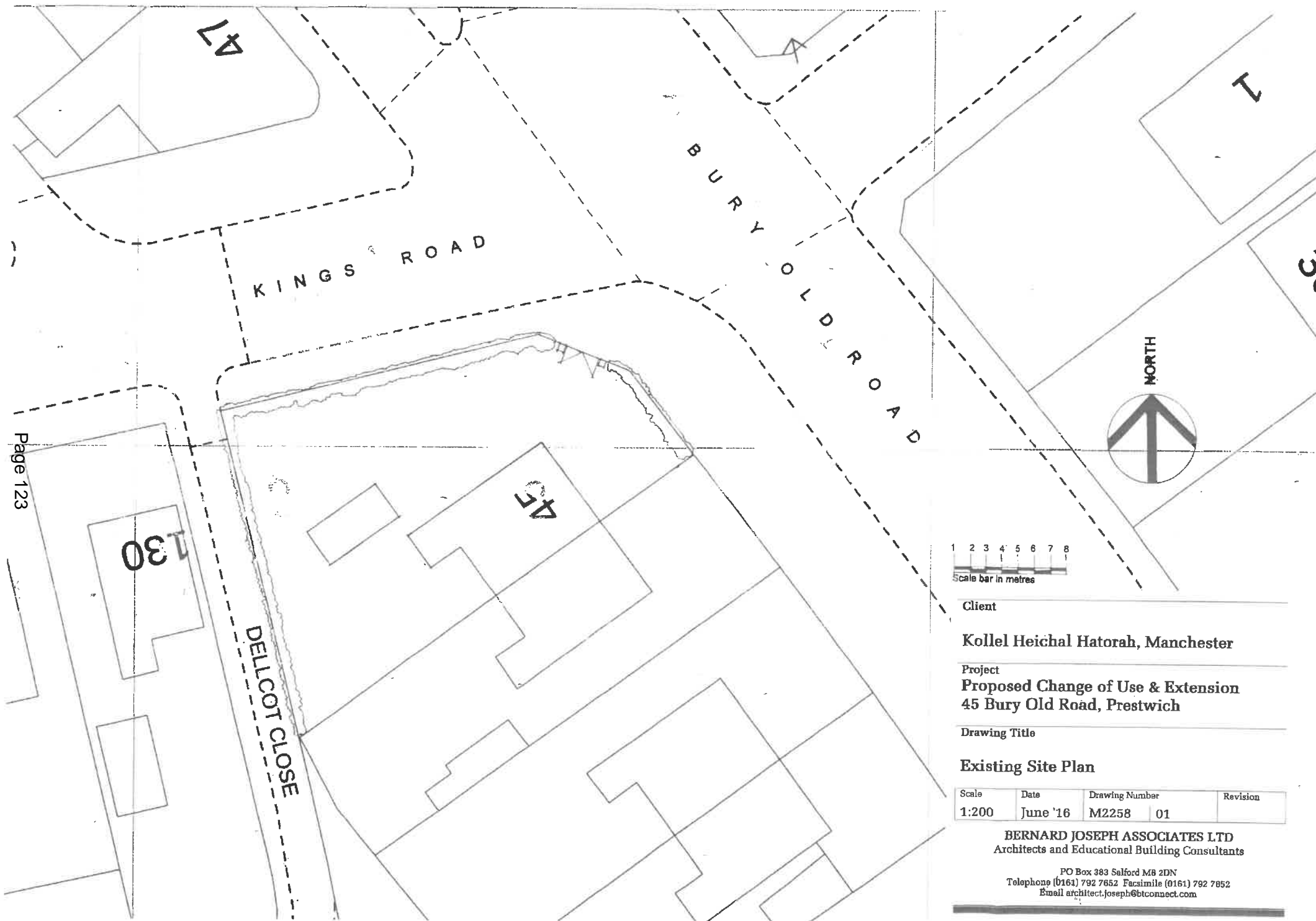
61022

Photo 3



Photo 4





Page 123

Client

Kollel Heichal Hatorah, Manchester

Project

Proposed Change of Use & Extension  
45 Bury Old Road, Prestwich

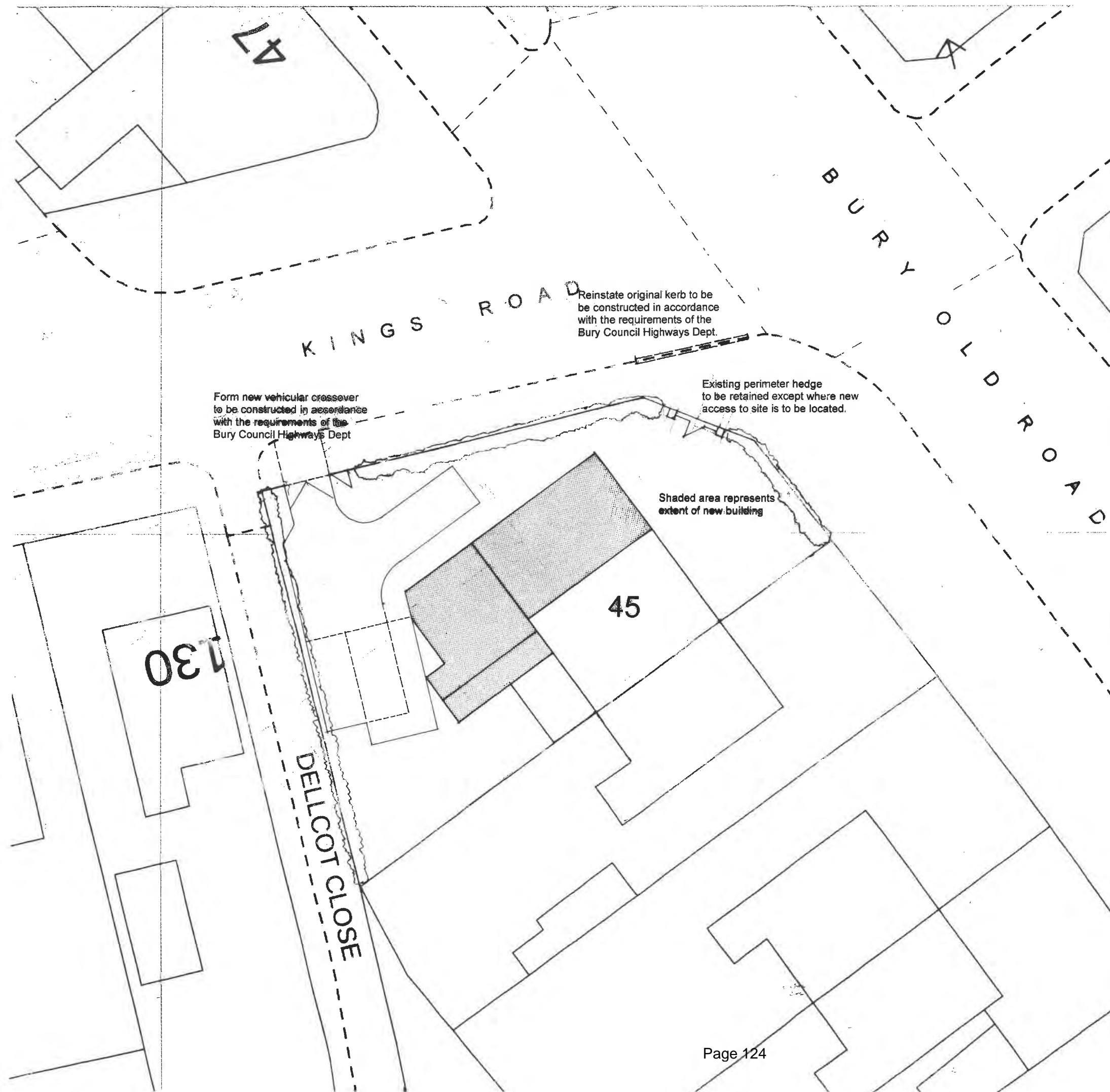
Drawing Title

Existing Site Plan

Scale	Date	Drawing Number	Revision
1:200	June '16	M2258 01	

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Architects and Educational Building Consultants

PO Box 383 Salford M8 2DN  
Telephone (0161) 792 7652 Facsimile (0161) 792 7852  
Email architect.joseph@btconnect.com



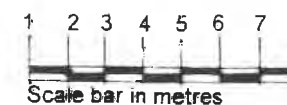
Form new vehicular crossover  
to be constructed in accordance  
with the requirements of the  
Bury Council Highways Dept

Reinstate original kerb to be  
be constructed in accordance  
with the requirements of the  
Bury Council Highways Dept.

Existing perimeter hedge  
to be retained except where new  
access to site is to be located.

Shaded area represents  
extent of new building

NORTH



Client

Kollel Heichal Hatorah, Manchester

Project

Proposed Change of Use & Extension  
45 Bury Old Road, Prestwich

Drawing Title

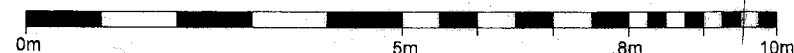
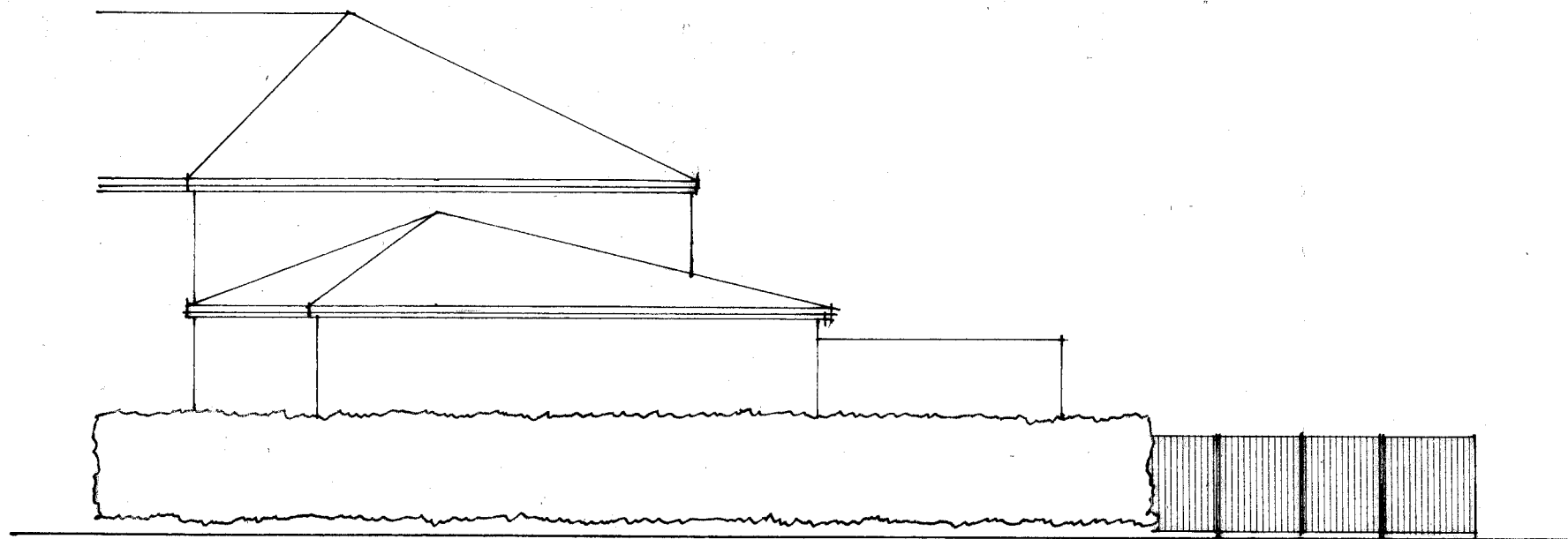
Proposed Site Plan

Scale	Date	Drawing Number	Revision
1:200	Dec '16	M2258 10	A

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A3 Format @ 1:100 Scale

A Revision	Dec '16 Date	Redrawn Description
---------------	-----------------	------------------------

1. Contractor is responsible for all setting out and must check dimensions on site before work is put in hand.
2. Written dimensions only to be taken. This drawing must not be scaled.
3. Architect to be immediately notified of suspected omissions or discrepancies.

Client

Kollet Heichal Hatorah, Manchester

Project

Proposed Change of Use & Extension  
45 Bury Old Road, Prestwich

Drawing Title

Proposed Elevation to Kings Road

Scale 1:100	Date Jan '17	Drawing Number M2258   14	Revision
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DO NOT SCALE — IF IN DOUBT ASK

# NOTES.

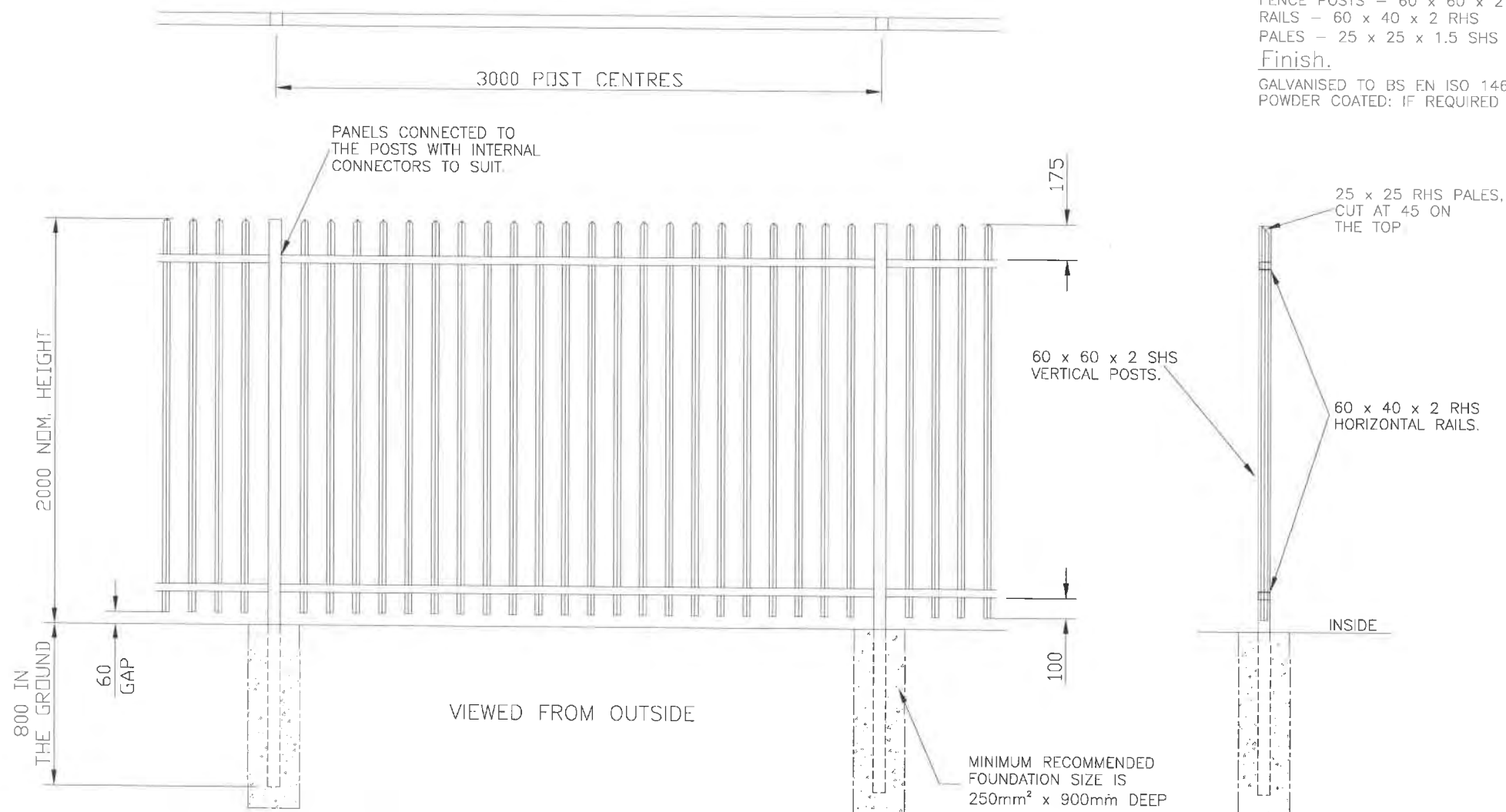
ALL DIMENSIONS ARE IN mm (U.N.O)  
CAPS UNDERNEATH FENCING ARE  
NOMINAL DUE TO GROUND LEVELS.

## Materials.

FENCE POSTS — 60 x 60 x 2 SHS  
RAILS — 60 x 40 x 2 RHS  
PALES — 25 x 25 x 1.5 SHS

## Finish.

GALVANISED TO BS EN ISO 1461:1999  
POWDER COATED: IF REQUIRED



**Jacksons**  
**FINE FENCING**

Stowting Common  
Near Ashford,  
KENT. TN25 6BN  
Telephone : 01233 750393  
Fax: 01233 750403  
Int. Tel : +44 (0)1233 750393

Page 126

This Drawing Is The Property Of H.S. Jackson & Son (Fencing) Ltd.  
And May Not Be Copied Or Reproduced In Any Way Without Prior Written Permission.

27/07/06

ORIGINAL ISSUE

Drawn WB  
Date 27/07/06  
Checked  
Size A3  
Scale 1:20 U.O.S

TITLE 2m HIGH BARBICAN FENCING WITH  
DUG IN POSTS, SALES DRAWING.

CUSTOMER

ACK No.

Drawing No.

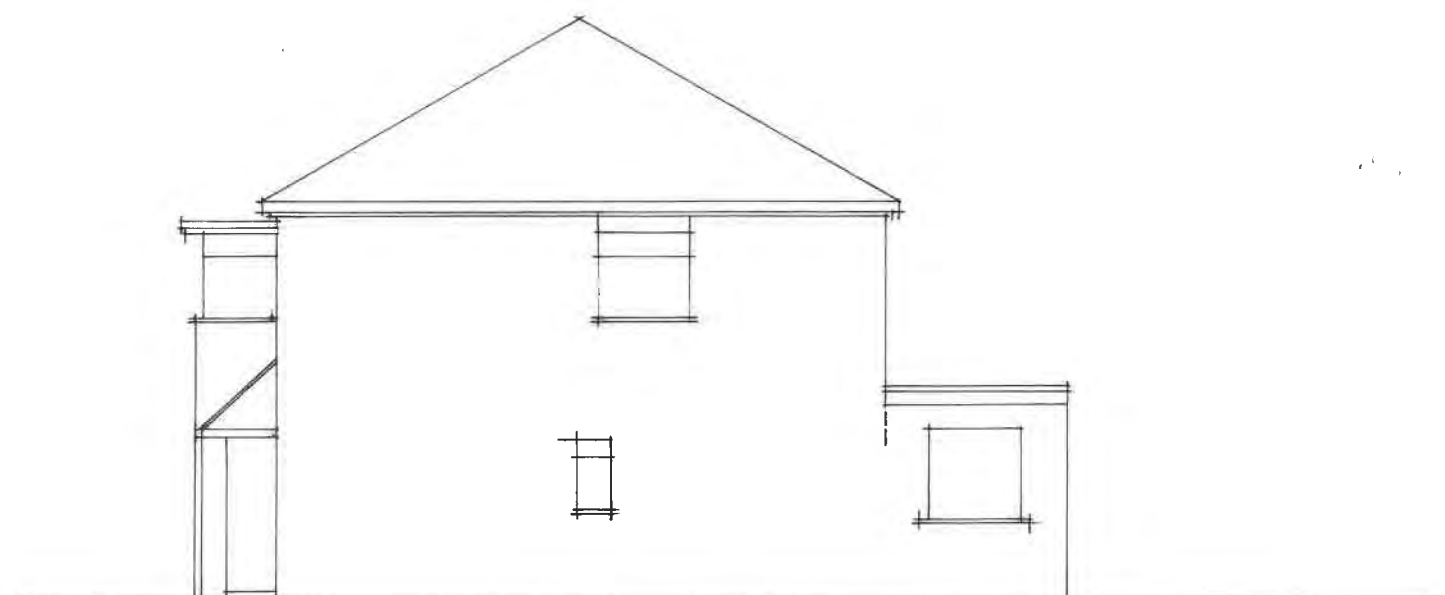
06 J1/01064

Sheet 4a of 14



**WEST ELEVATION**

**EAST ELEVATION**



**NORTH ELEVATION**

Scale:



Client

**Kollel Heichal Hatorah, Manchester**

Project

**Proposed Change of Use & Extension  
45 Bury Old Road, Prestwich**

Drawing Title

**Existing Elevations**

Scale	Date	Drawing Number	Revision
1:100	June '16	M2258 04	

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**WEST ELEVATION**



**EAST ELEVATION**



**NORTH ELEVATION**

Scale:



Client

**Kollel Heichal Hatorah, Manchester**

Project

**Proposed Change of Use & Extension  
45 Bury Old Road, Prestwich**

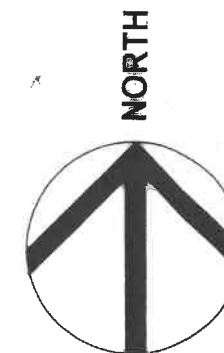
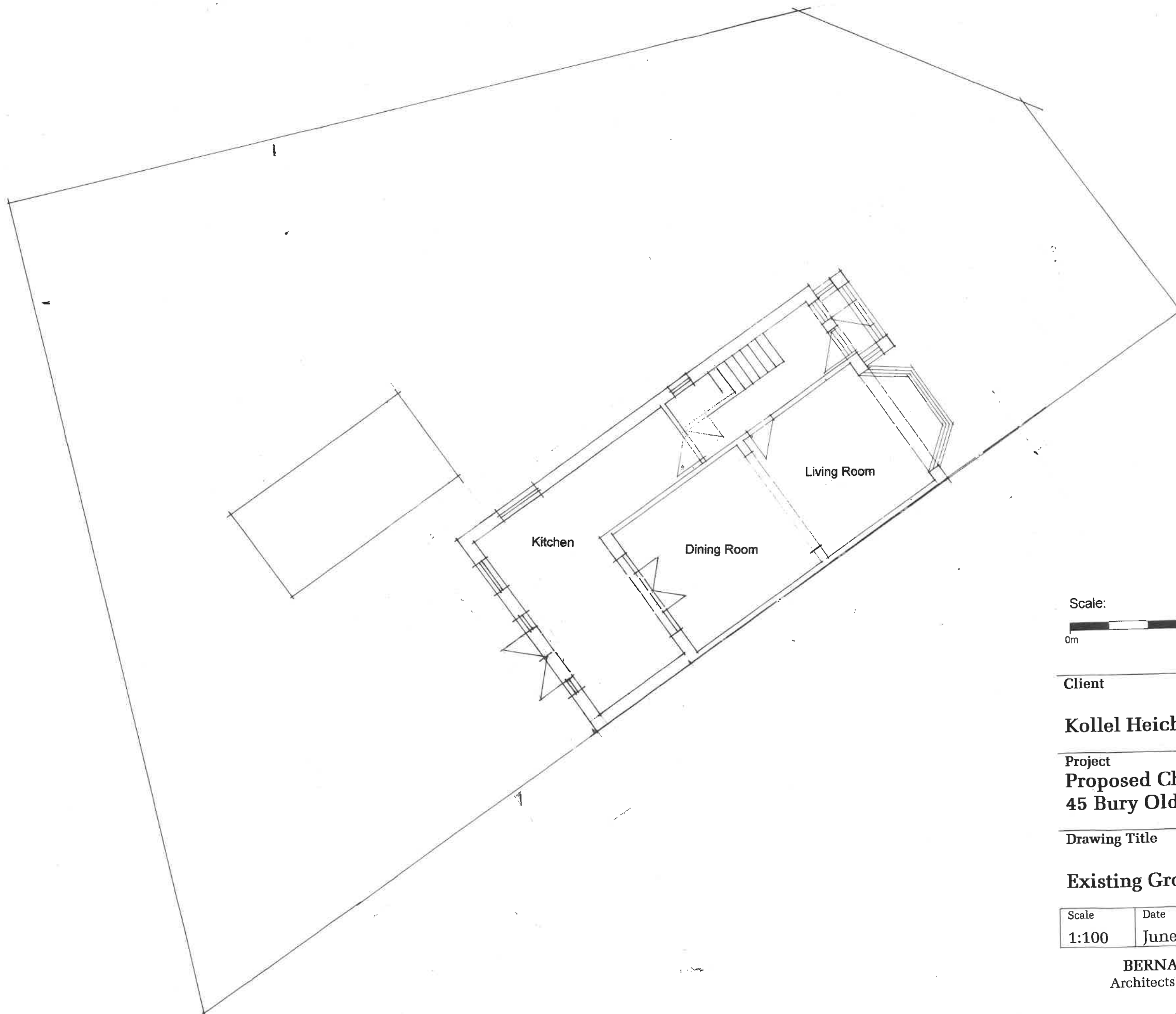
Drawing Title

**Proposed Elevations**

Scale	Date	Drawing Number	Revision
1:100	Dec '16	M2258 13	A

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Client

**Kollel Heichal Hatorah, Manchester**

Project  
**Proposed Change of Use & Extension**  
**45 Bury Old Road, Prestwich**

Drawing Title

**Existing Ground Floor Plan**

Scale	Date	Drawing Number	Revision
1:100	June '16	M2258 02	

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Form new vehicular and pedestrian access to site complete with 2 metre gates and fence as per detail.

6 no cycle spaces

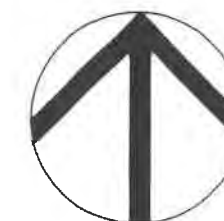
Existing gates to be removed and replaced with new 1.3 metre high metal fence and pedestrian gate as per detail.

Shaded area represents extent of new building

Study Hall

Library

NORTH



A3 Format @ 1:100 Scale

Client

Kollel Heichal Hatorah, Manchester

Project

Proposed Change of Use & Extension  
45 Bury Old Road, Prestwich

Drawing Title

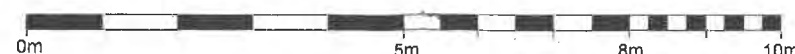
Proposed Ground Floor Plan

Scale	Date	Drawing Number		Revision
1:100	Dec '16	M2258	11	A

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Scale:







Client

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Project

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45 Bury Old Road, Prestwich**

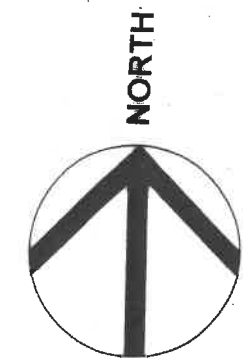
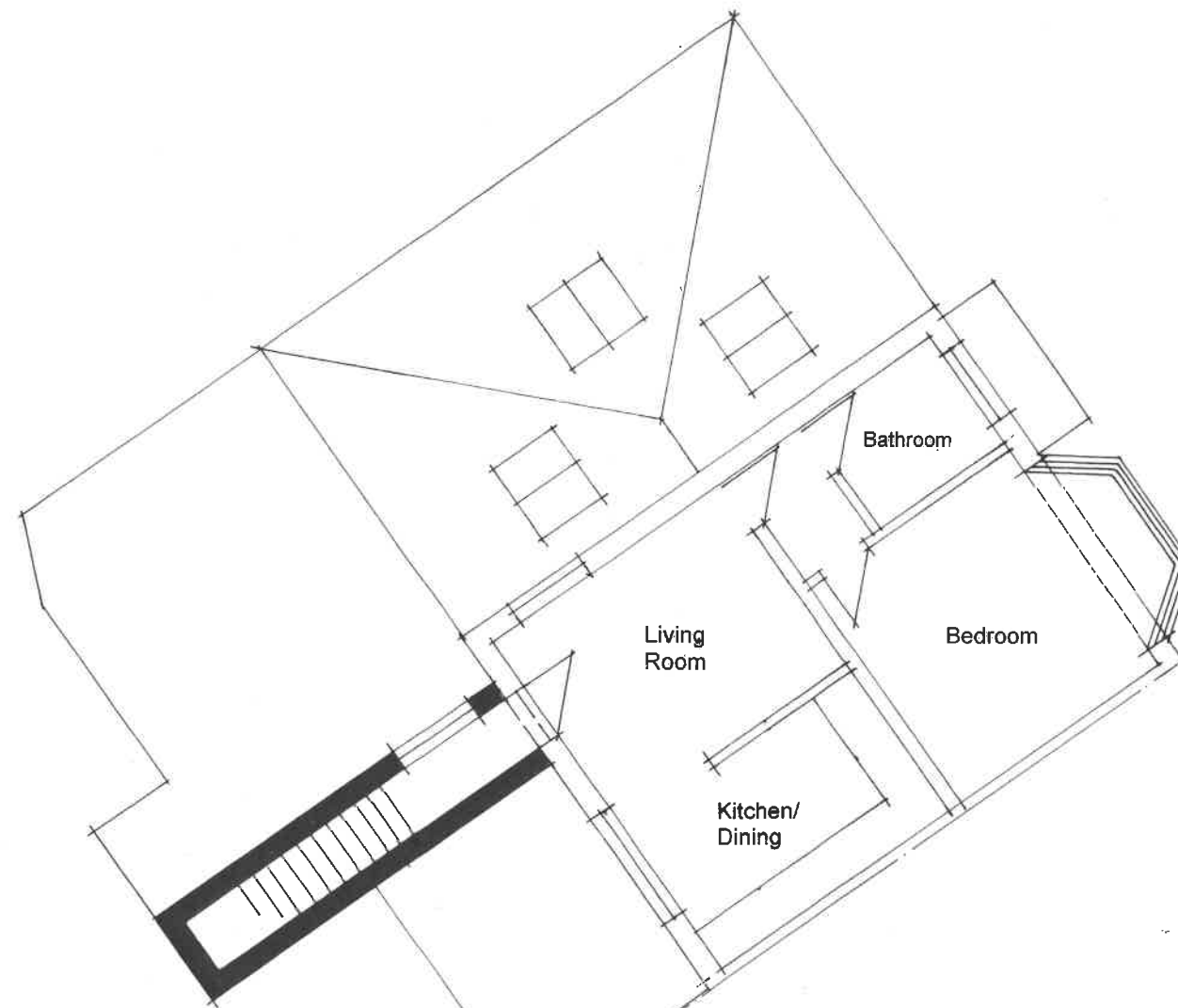
Drawing Title

**Existing First Floor Plan**

Scale	Date	Drawing Number	Revision
1:100	June '16	M2258 03	

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A3 Format @ 1:100 Scale

Client

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Project

**Proposed Change of Use & Extension  
45 Bury Old Road, Prestwich**

Drawing Title

**Proposed First Floor Plan**

Scale	Date	Drawing Number		Revision
1:100	Dec '16	M2258	12	A

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Email architect.joseph@btconnect.com

Scale:



כולל  
היכל התורה  
kollel  
heichal  
hatorah

כולל היכל התורה  
heichal hatorah institute  
Manchester

All Correspondence to:  
24 Roston Road, Salford  
Manchester M7 4PS  
Tel: 0161-740 8076  
0161: 740 3686  
Fax: 0161-950 9266  
Reg Charity No: 1095687

נשיא הכולל

הרב ד"ר בנימין זאב קויפמאן שליט"א  
(ראש הכולל - מולל הרבנים)

ראש הכולל

הרב חיים מיכאל דוב ווייסמאנדל

ROSH HAKOLLEL  
Rabbi MB Weissmandl

TRUSTEES  
Rabbi A Hassan  
Mr M Brunner  
Mr C Kahn

To whom it may concern

Proposed Study Centre, 45 Bury Old Road, Prestwich

In my capacity as Administrator for the Heichal Hatorah Institute, I have been asked to write to confirm the daily schedule.

Study Sessions are held six days a week. From Sunday to Thursday, there are two sessions, mornings and afternoons. On Friday there is one session only.

Morning sessions begin at 9.30 am and run till 1pm. Afternoon sessions begin at 3.15pm and end at 7pm. These sessions consist of quiet study of a set text, with a weekly lecture on a Friday by the Institute's Principal.

Yours faithfully,

Benjamin Cope

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

**Item** 09

**Applicant:** Mr Ronald Hayman

**Location:** Garden at side of 3 Wentworth Avenue, Whitefield, Manchester, M45 7GQ

**Proposal:** Residential development of 1 no. bungalow

**Application Ref:** 61056/Full

**Target Date:** 27/03/2017

**Recommendation:** Approve with Conditions

### **Description**

The site forms the side garden of No 3 Wentworth Avenue, a detached bungalow located on a corner plot of a residential estate. The estate is characterised by a mix of housetypes of varying scale, massing and design. To the rear of the site is No 2 Fairhaven Avenue, a two storey detached house which is side on and has a carport directly adjacent to the shared boundary. The plot follows the bend of Wentworth Avenue and Fairhaven Avenue and this boundary is heavily treed with conifer planting.

No 3 is elevated above the road by approximately 1m, and has a sloping looped driveway with an access into and out of the site. The side garden to the west of No 3 comprises a fairly extensive piece of land, more or less rectangular in shape and 16m wide and 14m deep at its narrowest points and there is a patio which backs onto the garden boundary with No 2 Fairhaven Avenue.

The application proposes a new dwelling in the side garden of No 3 Wentworth Avenue.

The dwelling would be a detached bungalow and would be positioned to follow the same building line, roof height and eaves level of No 3 Wentworth Avenue. It would be 1.4m from the shared boundary with this property and 2.4m from its side elevation and would be separated by a new boundary fence.

The proposed bungalow would comprise 3 bedrooms and living accommodation with a garden at the side and patio area at the rear. The existing conifer tree planting would be retained to the boundary with Fairhaven Avenue and reduced in height.

Access would be via one of the driveway entrances which is currently part No 3 Wentworth Avenue and which would be modified to provide 2 No. parking spaces which would be located directly in front of the new dwelling.

The proposed dwelling would be designed in a similar context to the adjacent bungalow in terms of its appearance, scale and massing but would have fully cream colour rendered elevations.

In terms of No 3 Wentworth, this property would retain the patio area at the rear as its outdoor amenity space and create its own access and driveway from the existing access to the east.

### **Relevant Planning History**

None

### **Publicity**

Letters sent on 30/1/2017 to 19 properties at Nos 2-16 (evens) and 1-5 (odds) Wentworth Avenue, 1-5 (odds) Fairhaven Avenue, 31, 33 Hillingdon Road.

One letter of objection received from No 2 Fairhaven Avenue which raises the following issues:

- There is a deed that states the householder at No 3 Wentworth Avenue cannot build on the piece of land they own - we are in progress to confirm there is a clause of that kind on our deeds;
- As per the plans, the new property will be too close to our building and reduce the amount of sunlight that we currently have at the side of our garage.

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

### **Consultations**

**Traffic Section** - No objection subject to condition.

**Drainage Section** - The standard drainage condition for new dwellings would be included.

**Environmental Health Contaminated Land** - No objection subject to conditions

**Waste Management** - Informative included to advise the applicant to contact the team to arrange waste collection.

**United Utilities (Water and waste)** - No objection

### **Unitary Development Plan and Policies**

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
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.

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 be located within an established residential area and would therefore not conflict with the local environment in terms of character and surrounding land uses. There would be existing infrastructure in place to facilitate a single dwelling and the proposed access would adequately serve the development.

The principle is therefore considered to be acceptable and would comply with UDP Policies H1/2, H2/1, H2/2 and H2/6 and the principles of the NPPF.

**Layout of new dwelling** - The proposed dwelling would be located in the side garden of No 3 Wentworth Avenue. It would be set 1.4m from the shared boundary with this property and 2.4m from its side elevation. The front building line would follow that of No 3 and have a comparable relationship within the street scene.

The footprint of the bungalow would extend 9.8m towards the rear of the site, with a 2.7m deep utility room added on to the rear elevation. It would be 15m at its maximum width to leave a minimum distance of 5.5m to the side boundary of Fairhaven Avenue. This area at the side would form part of the garden for the new dwelling, with a patio 7m deep when measured from the main rear elevation to the boundary with No 2 Fairhaven.

The existing driveway access to the west of No 3 would be utilised as a single access and driveway for the new dwelling. Although the site itself is level, similar to No 3, it is elevated above the road by approximately 1m and the driveway would slope upwards to the front of the property where it is proposed to provide a ramped access to the main entrance. The site layout plan shows that 2 parking spaces could be accommodated on the driveway set out in a tandem arrangement.

It is proposed to retain the existing conifer hedge and dwarf wall which currently bounds the side garden area and corner to Fairhaven Avenue. At the rear, there would be a 1.8m high timber boundary fence to No 2 Fairhaven.

The proposed layout demonstrates that a single dwelling with associated access, parking and amenity area could be accommodated within the plot, and the siting and the layout of the development would also reflect the character of the surrounding area and would relate appropriately to the scale and massing of No 3 Wentworth Avenue.

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

As a 'garden' development, and to protect the amenity of adjacent occupiers, it is considered to be appropriate and reasonable to remove permitted development rights.

**Layout of No 3 Wentworth Avenue** - The development would result in the loss of the whole of the side garden of this property. The layout demonstrates that there would still be a side garden to the east of the house, plus the patio area at the rear which is between 4-7m in depth and extends along the entire width of the plot, which is considered to be adequate amenity space.



The remaining access and driveway would become the single entrance into the site and would also provide 2 driveway spaces located in front of the double garage. Parking provision is considered to be acceptable and there has been no objection to this arrangement by the Highway's Section.

**Design and appearance** - The elevation plans demonstrate that the proposed dwelling would be designed to reflect the appearance of No 3 Wentworth Avenue and the design, height and eaves level would also follow the same built form.

The front elevation would feature a pitched roof detail and windows would be symmetrically and suitably proportioned. At the rear, large window openings and patio doors would open out onto the patio area.

The elevations would be entirely cream rendered and whilst the 2 adjacent properties are both brick, the site is within a housing estate which comprises a diverse a mixture of house types and materials. The property opposite has a white rendered frontage and as such it is considered the materials proposed would be acceptable in this location.

It is considered that the design and appearance of the proposed dwelling would reflect the character of the locality and the street scene and therefore considered acceptable and in compliance with UDP Policies H2/1 - The Form of New Residential Development and EN1/2 - Townscape and Built Design.

**Residential amenity** - SPD6 contains supplementary guidance on householder extensions and acceptability of separation distances between new buildings, and is used as guidance to aid assessment of new residential development.

Generally, a separation distance of 20m is required between directly facing habitable room windows and 13m between a principle ground floor window and a 2 storey blank wall. Where there would be a significant difference in levels or additional storey, an additional 3m is generally sought.

Relationship to No 2 Fairhaven Avenue - This property is a 2 storey dwelling and would be side-on to the development site. It has a brick built car port directly adjacent to the shared boundary. As the new dwelling would be a bungalow, it would be lower than No 2 and with the rear elevation 7m away from the boundary, would not be an obtrusive or overbearing build. There are no habitable room windows in the side elevation of this property and therefore no issues of overlooking to No 2. The proposal would comply with all aspect standard requirements of SPD6.

The position of the new dwelling would be such that there would be no overlooking over the garden area of No 2.

As such, the relationship of the new dwelling No 2 Fairhaven is considered to be acceptable.

Relationship to No 3 Wentworth Avenue - The proposed dwelling would be similarly aligned and there would be no habitable room windows on the side elevation of the new build which would affect privacy to the property or overlooking of their garden area. The relationship between the two dwellings and separation distances would be acceptable and the proposals would comply with Policies H2/1 - The Form of New Residential Development, H2/6 - Garden and Backland Development and SPD6.

**Bin store** - There would be adequate room to accommodate the bins at the side or rear of the property. Waste collection would be as the existing curtilage arrangements for the houses in this area.

**Access and parking** - No 3 Wentworth Drive currently has a looped driveway with a separate in and out access. The new dwelling would utilise part of this driveway which

would be located directly in front of the property. There would be some minor modification required to facilitate the development, but as an existing opening, there are no objections from Highways to this being used as access to the new property.

In terms of parking, 2 driveway spaces would be provided. Cars would have to reverse out of the spaces onto the highway, but this is the case for many of the properties on this estate, and given Wentworth Avenue is a cul de sac, there would not be excessive traffic travelling at speed in the area.

The Highway's Section have raised no objection to the proposals subject to conditions, which is considered to comply with H2/2 - The Layout of New Residential Development H2/6 - Garden and Backland Development and HT2/4 - Car Parking and Servicing.

#### **Response to objector**

- The issue raised with regards to residential impact have been covered in the above report.
- Matters regarding the deeds of property or sites are not material planning considerations and are private matters for the applicants/residents to address.

#### **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 1/1; 1/2; 2/1; 2/2A; 3; 4 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

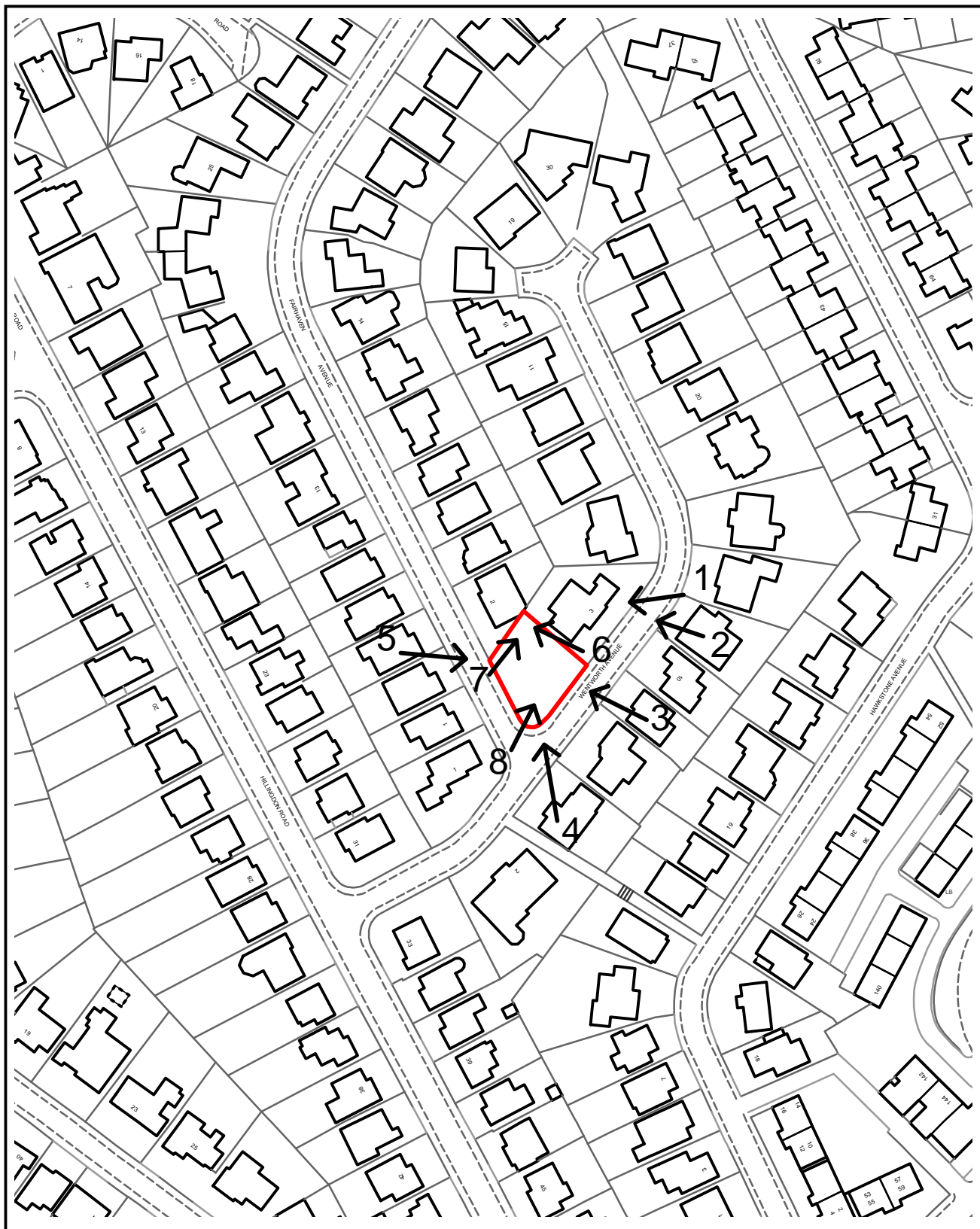
and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

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. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.  
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, H2/6 - Garden and Backland Development and SPD6.
6. 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 LPA.  
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.
7. No development shall commence unless and until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. The proposed scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and 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 where appropriate. 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 and to ensure and promote sustainable development pursuant to Bury Unitary Development Plan Policy EN5/1 - New Development and Flood Risk and chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
8. The revised car parking arrangements indicated on approved plan reference 'Drawing No. 4', incorporating a 5m minimum length hardstanding measured from the back of the adopted highway, shall be surfaced and made available for use to the written satisfaction of the Local Planning Authority prior to the dwelling hereby approved being occupied and thereafter maintained at all times.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 - The layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

9. The driveways hereby approved shall be constructed of a porous/permeable material or with provision to drain within the site.  
Reason. To ensure and promote sustainable development pursuant to Bury Unitary Development Plan Policy EN5/1 - New Development and Flood Risk and chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
10. 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 H2/1 - 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 61056**

**ADDRESS: Side of 3 Wentworth Avenue  
Whitefield**

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

61056

Photo 1



Photo 2





Photo 3



Photo 4



Photo 5



Photo 6



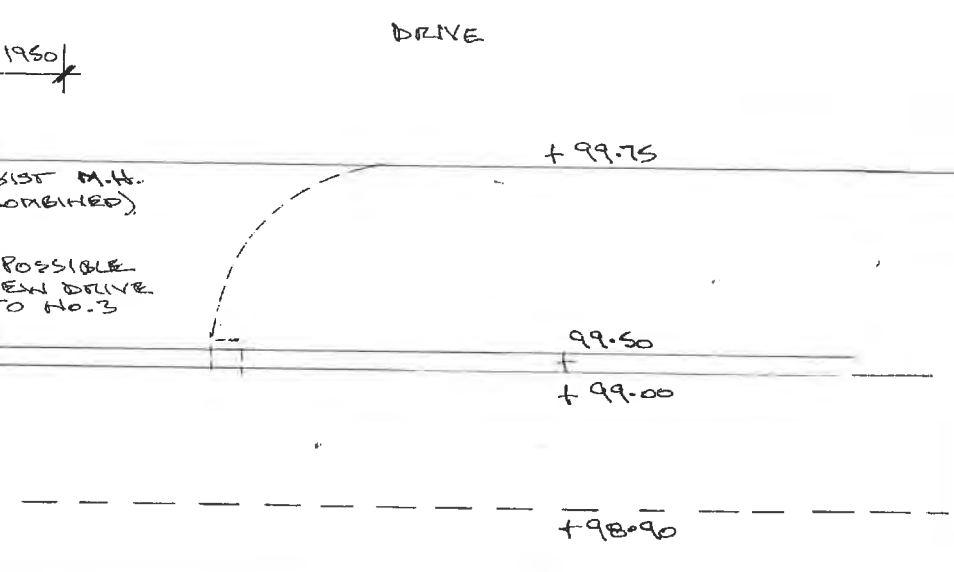
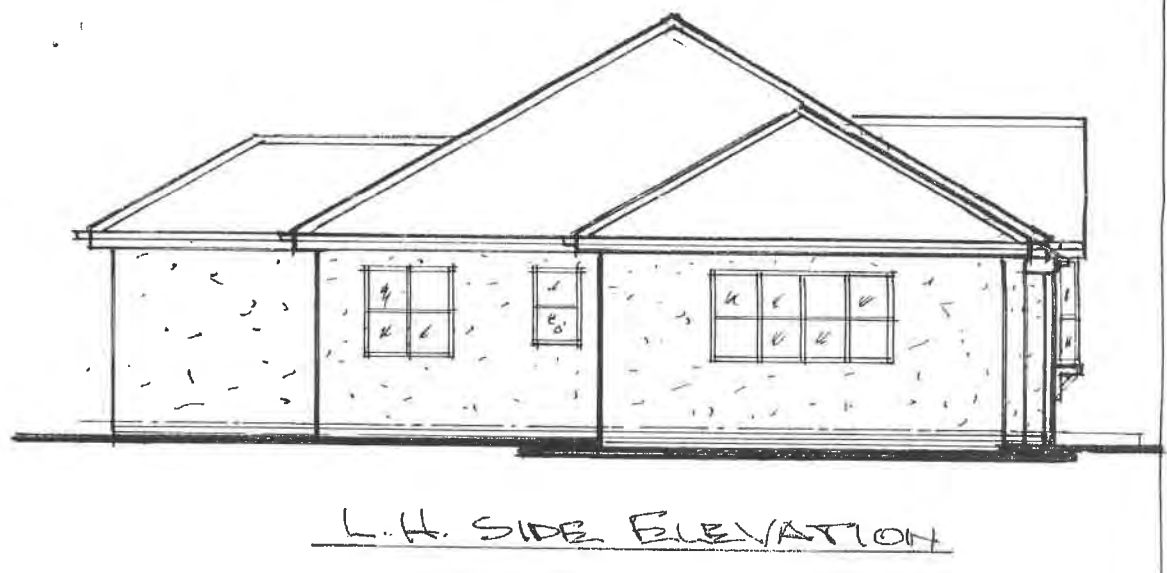
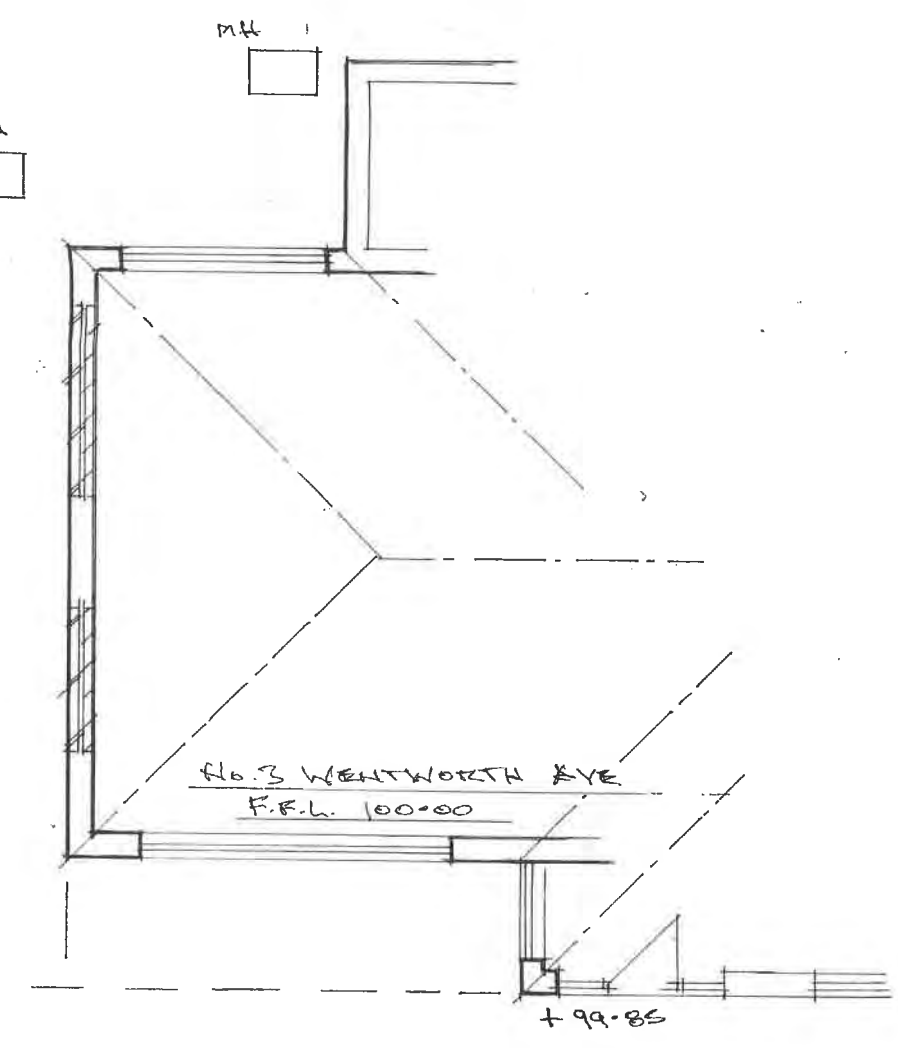
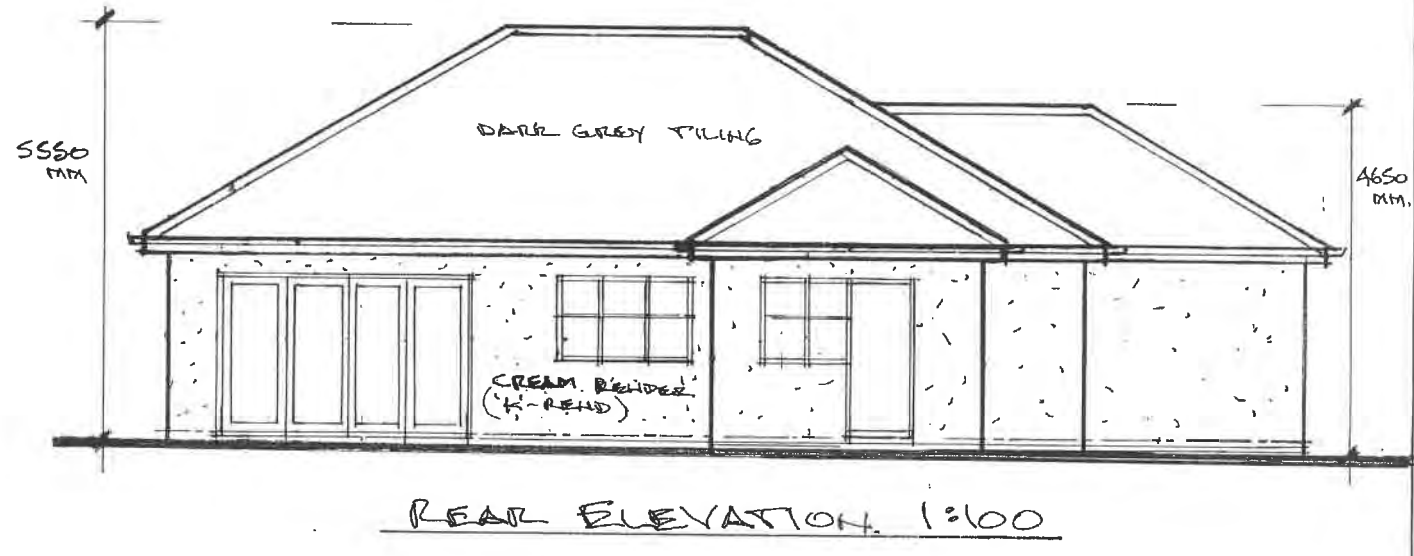
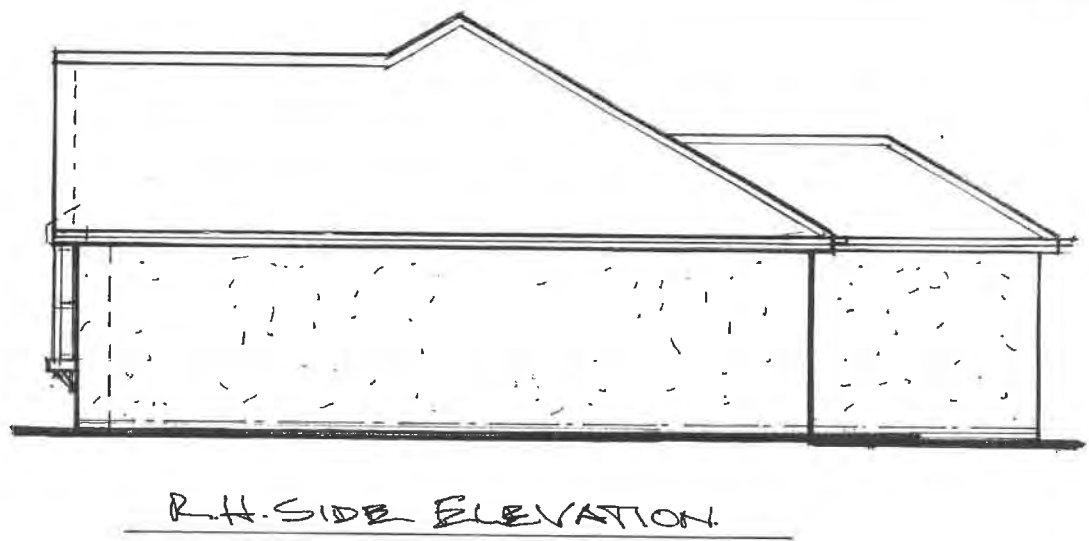


Photo 7



Photo 8





Architectural & Building Services			
NEIL BUTTERWORTH			
Tel: Mobile: 07785 275483			
89 Higher Ainsworth Road, Radcliffe, Manchester, M26 4JJ.			
Job Title PROPOSED NEW DETACHED HOUSE ON LAND (SIDE GARDEN), OF 3 WENTWORTH AVE., WHITEFIELD, FOR MR & MRS R. HAYMAN.			
Drawing Title PROPOSED PLANS & ELEVATIONS			
Scale 1:100	Date NOV 16	Drawn by N.B.	Drawing No. 2/1
Page 146			



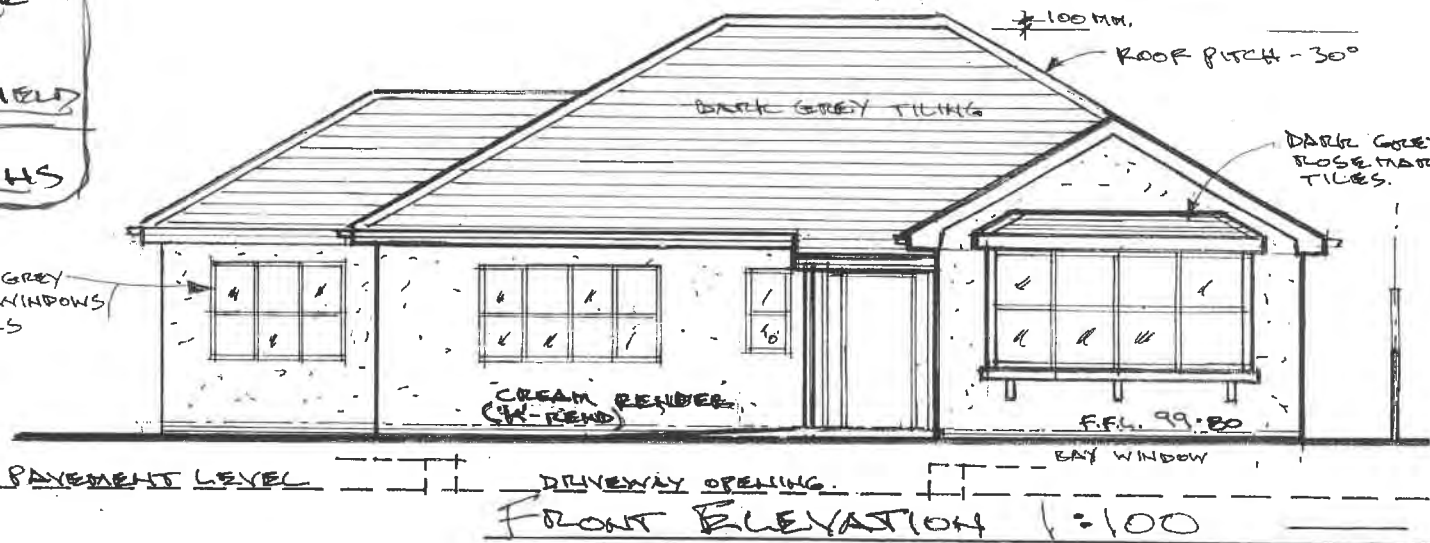
PROPOSED DETACHED HOUSE  
ON LAND OF  
3 WESTWORTH AVE, WHITEFIELD  
PROPOSED PLANS ELEVATIONS

SCALE  
1:100

PLAN No 2/2A

REV. A. PARKING TO FRONT.  
ADDED TO 90°  
PARKING. 9.3.17. NB

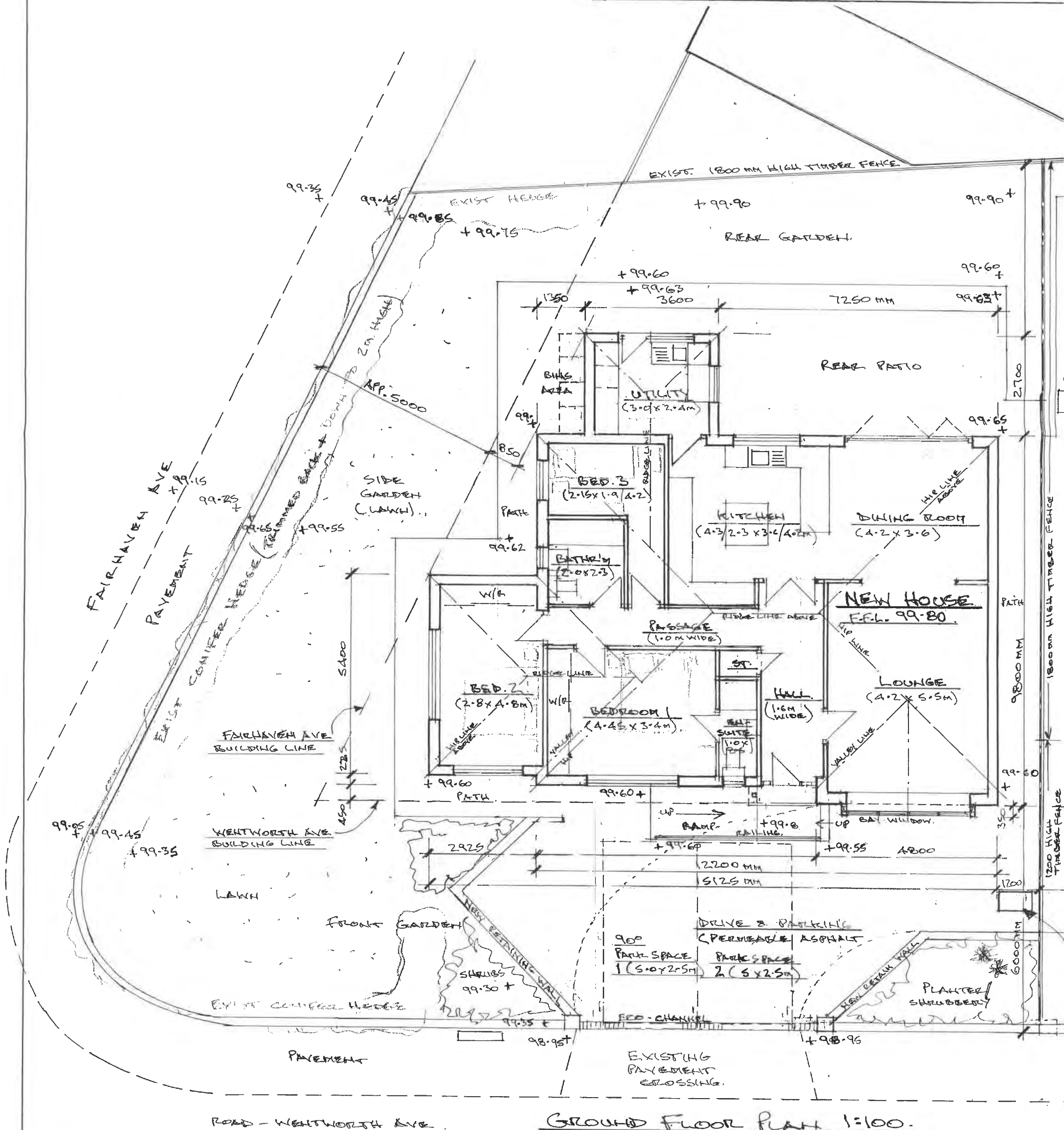
DARK GREY  
UPVC WINDOWS  
DOORS

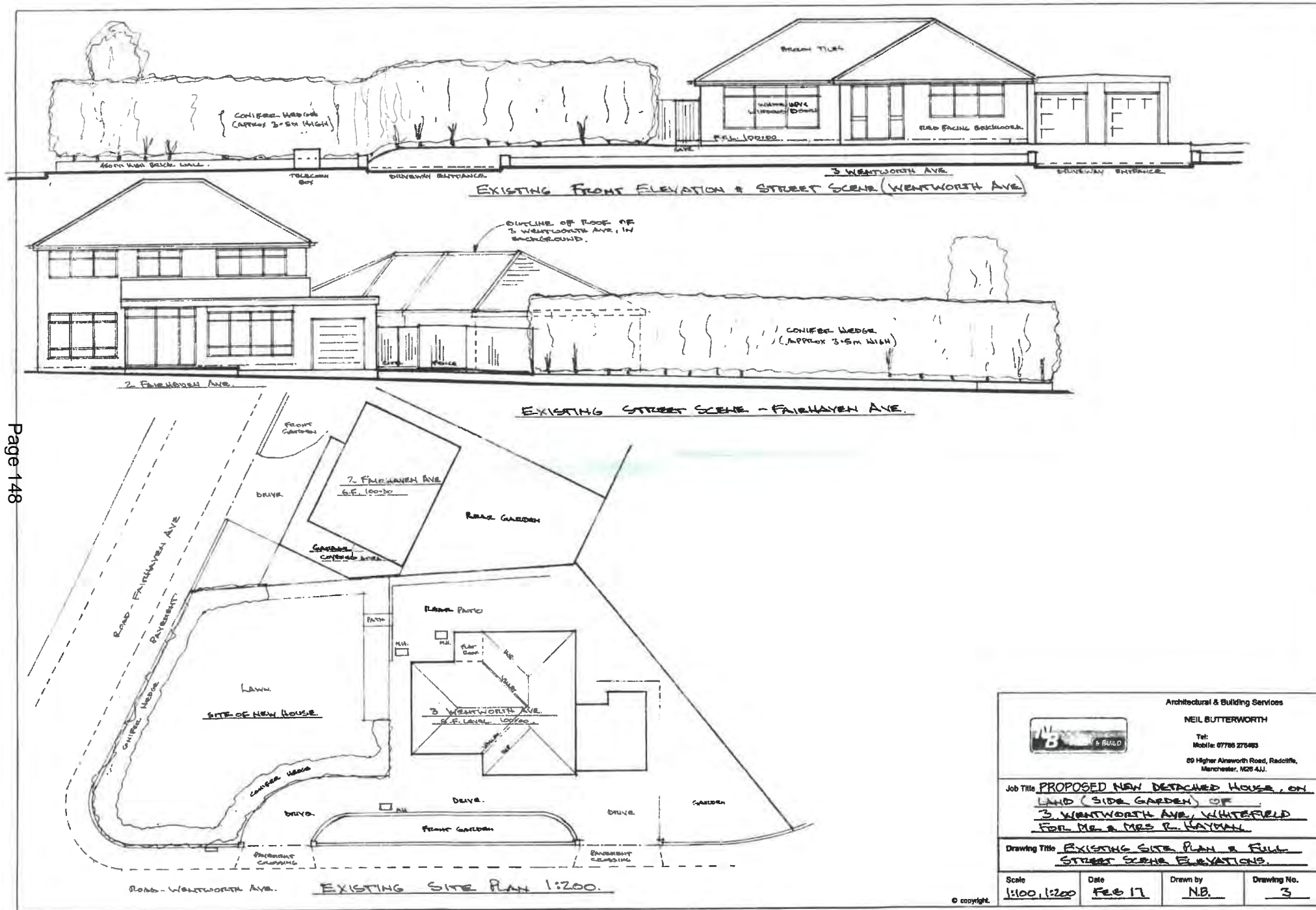


PAYEMENT LEVEL

DRIVEWAY OPENING

FRONT ELEVATION 1:100

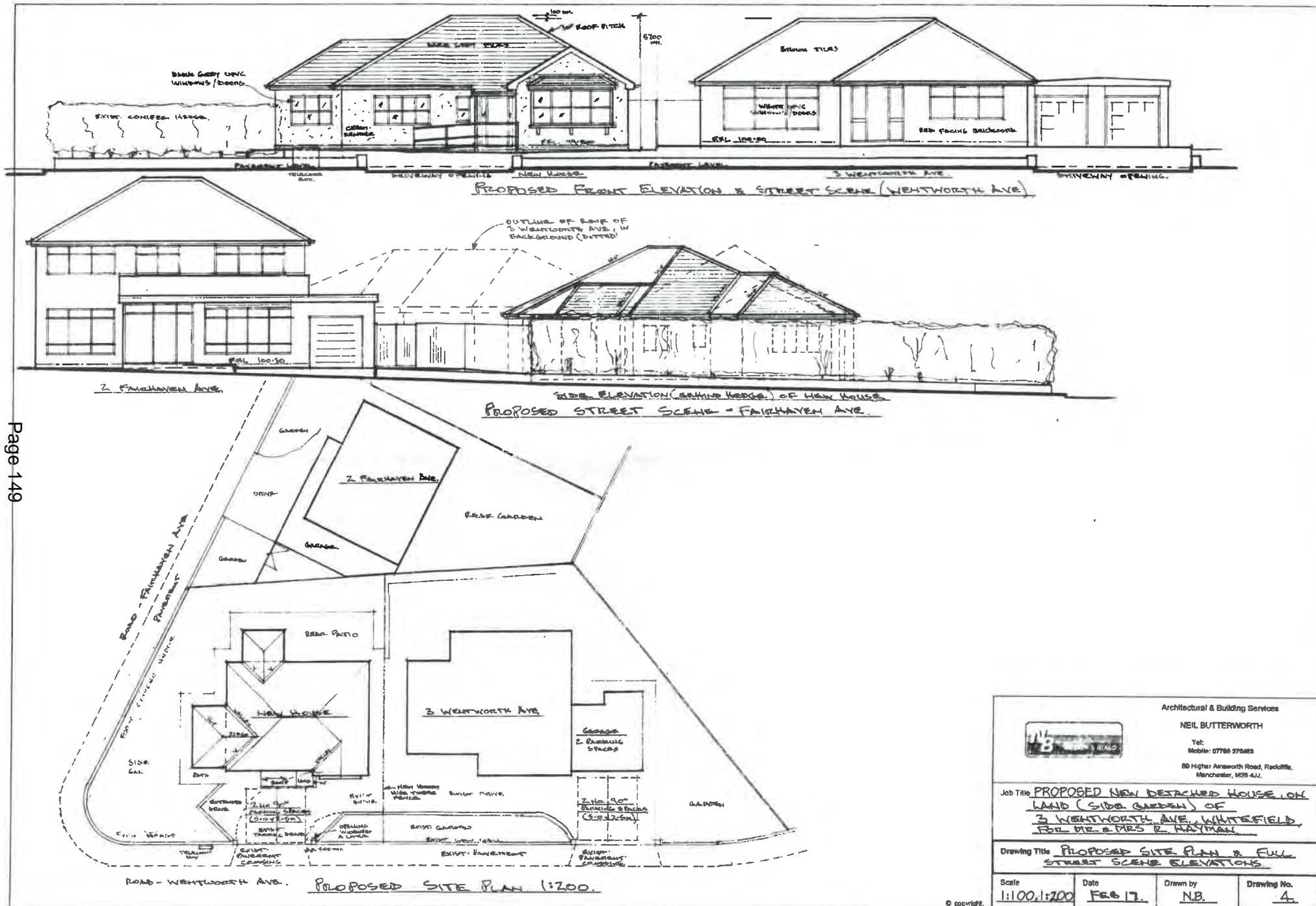




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Architectural & Building Services			
NEIL BUTTERWORTH			
Tel: 07788 275483			
85 Higher Alnworth Road, Radcliffe, Manchester, M26 4JJ.			
Job Title <b>PROPOSED NEW DETACHED HOUSE, ON LAND (SIDE GARDEN) OF 3 WENTWORTH AVE, WHITEFIELD FOR MR &amp; MRS R. HAYMAN</b>			
Drawing Title <b>EXISTING SITE PLAN &amp; FULL STREET SCENE ELEVATIONS</b>			
Scale	Date	Drawn by	Drawing No.
1:100, 1:200	FEB 17	N.B.	3





Architectural & Building Services NEIL BUTTERWORTH			
Tel: 07766 275483 Mobile: 07766 275483 80 Higher Ainsworth Road, Radcliffe, Manchester, M26 4JJ.			
Job Title <u>PROPOSED NEW DETACHED HOUSE ON LAND (SIDE GARDEN) OF 3 WENTWORTH AVE, WHITEFIELD, FOR MR &amp; MRS R. HAYMAN</u>			
Drawing Title <u>PROPOSED SITE PLAN &amp; FULL STREET SCENE ELEVATIONS</u>			
Scale 1:100, 1:200	Date FEB 17	Drawn by N.B.	Drawing No. 4

**Ward:** Prestwich - Holyrood

**Item** 10

**Applicant:** Miss Alison Rogers

**Location:** Garden at side of 29 Ludlow Avenue, Whitefield, Manchester, M45 6TD

**Proposal:** Erection of detached dwelling

**Application Ref:** 61089/Full

**Target Date:** 31/03/2017

**Recommendation:** Approve with Conditions

### **Description**

The application relates to the side garden area of 29 Ludlow Avenue. The property is a two storey red brick and rendered, semi-detached house located within an area characterised by similar styled two storey houses. There is a detached garage on the site with a driveway onto Ludlow Avenue.

The proposal involves demolishing the existing garage and erecting a 3-bed, detached two storey house adjacent to the existing house. The proposed house would have a footprint measuring 8.6m by 7m with a small porch on the front. It would be in line with the adjacent house with 1m wide footways on either side of the new shared side boundary with No.29 Ludlow Avenue. On the other/south side, there would be a gap of 1.5m to the boundary with the existing footway, increasing to 2m at the rear corner. The eaves height would be 5m and the ridge height, 7.4m.

A new driveway would be formed in front of the proposed house for up to two cars. The new house would be constructed in red brick with render and tile to match the adjacent property. A new 1.8m timber panelled fence would be erected along the side boundary, adjacent to the footpath.

### **Relevant Planning History**

None relevant.

### **Publicity**

The following neighbours were notified by letter dated 03/02/17.

Nos.25, 27, 31, 34-48(even) Ludlow Avenue, 44 Derby Road, 20, 21 and 23 Taunton Grove.

Objections received from the residents at 27, 31, 40, 44 and 46 Ludlow Avenue. Concerns are summarised below:

- A detached house is out of character in an estate of semi-detached houses.
- Detrimental to the visual amenity of the area.
- Overdevelopment of a private garden.
- Increased parking problems.
- It will be difficult to resist similar proposals in future.
- The new building would reduce light onto the adjacent footway between Ludlow Avenue and Taunton Grove and make it less safe for the public using it.
- Overlooking and loss of light to the garden of No.27 Ludlow Avenue.
- Disturbance to wildlife.
- Disturbance to sewage and utilities.
- Proposal conflicts with the NPPF and UDP Policies H2/1 and H2/6 relating to housing and garden development.

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

## **Consultations**

**Traffic Section** - No objection in principle. Conditions will be reported in the Supplementary Report.

**Drainage Section** - No objection.

**Environmental Health** - No objection.

**Public Rights of Way Officer** - No objection.

**United Utilities** - No objection.

## **Unitary Development Plan and Policies**

EN1/2	Townscape and Built Design
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD16	Design and Layout of New Development in Bury
HT2/4	Car Parking and New Development

## **Issues and Analysis**

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

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

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

**Principle** - UDP Policy H1/2 - Further Housing Development states that the Council will have regard to various factors when determining a proposal for residential development including the availability of infrastructure, the suitability of the site, the nature of the local environment and the surrounding land uses.

The application site and surroundings are within the urban area and is residential in character. As such the proposed development would be appropriate in land use terms and would not conflict with the surrounding uses. Furthermore it is considered that there is adequate infrastructure to support the development. Subject to compliance with other policy considerations, the proposed development would be in accordance with Policy H1/2. The details and layout of the application will need to be considered against the criteria listed in Policies H2/1 - Form of New Residential Development and H2/2 -Layout of New Residential Development as well as guidance provided in SPD16 - Design and Layout of New Development.

Policy H2/1 The Form of New Residential Development sets out factors to be assessed,

including

- height and roof style,
- impact on residential amenity,
- density and character of the locality,
- position in relation to neighbours and materials to be used.

Policy H2/2 The layout of New Residential Development relates to layout and states that proposal should take account of;

- car parking and access,
- density,
- space between dwellings,
- landscaping,

Policy H2/6 - Garden and Backland Development states that the Council will not permit proposals which will result in the loss of private gardens and backland for infill development unless such proposals can be shown not to adversely affect the character and amenity of the area.

When assessing proposals, special regard will be given to:

- a) the concentration of such development in the surrounding area;
- b) the relative density of the proposal to that of the surrounding area;
- c) the impact on neighbouring properties and the local environment;
- d) access arrangements.

Policy EN1/2 relates to general design of a new build on the streetscene and states that proposals should not have an adverse impact on the character of the townscape.

**Visual amenity and character of the streetscape** - With a frontage of 14.6m and an area measuring approximately 416sqm, the plot of 29 Ludlow Avenue is sizeable and considered capable of accommodating an additional dwelling without appearing to constitute overdevelopment or be out of character within the locality. The crucial issue is the size and siting of the dwelling within the plot.

In terms of the site itself, it would have a frontage of 9m and an area of approximately 265sqm. This compares with No.42 Ludlow Avenue, opposite, which has a frontage of 8.2m and an area of 290sqm. With regard to siting and massing, the proposed house would be centrally positioned on the new plot and generally in line with other properties along this side of Ludlow Avenue. With an eaves height of 5m and a maximum ridge height of 7.4m, the proposed house, with a hipped roof, would not be dissimilar in scale and height to the neighbouring properties in the vicinity.

The proposed dwelling with a conventional design and in line with the residential pattern, would be considered to be in keeping with the character of the streetscape.

In terms of visual amenity, the proposal is acceptable and complies with UDP Policies EN1/2, H1/2, H2/2 and H2/6 and associated guidance.

**Residential Amenity** - The site is overlooked from the side and rear. The ground floor kitchen windows and first floor landing/WC windows on the side of 27 and 29 Ludlow Avenue are non-habitable and do not impact the proposal. The windows on the side of 23 Taunton Grove are also kitchen, landing and WC and do not raise any privacy or residential amenity issues. Windows on the rear elevation of the new house would not have a serious impact on privacy and overlooking.

The proposal meets the aspect standards within the Council's planning guidance document SPD6 Alterations and Extensions to Residential Properties and in terms of residential amenity, the revised proposal is considered to be acceptable and complies with UDP Policies H1/2, H2/2 and H2/6.

**Parking and Access** The dwelling would have a separate driveway to accommodate up

to two cars and the existing house would also retain a driveway and parking area at the front. The proposed access and parking for both the existing and proposed dwellings would be satisfactory and would comply with UDP Policy H2/2 The Layout of New Residential Development and SPD11 relating to parking and new development.

**Drainage** - The proposed hardstanding/parking areas would be constructed with permeable surfacing to reduce surface water run-off. A suitable condition would require a sustainable drainage plan to be submitted and approved by the Local Planning Authority prior to commencement of development.

**Waste collection** - Bins would be stored at the rear and brought to the front on collection day, a practice that is commonplace in the neighbourhood. The proposal, in terms of refuse collection is considered satisfactory and accommodates recycling provision. The Traffic Section has no objections, subject to conditions. The proposed development complies with UDP Policy H2/2 The Layout of New Residential Development.

**Land Contamination** - Environmental Health have no objections to the proposals and, as is usual, a condition is proposed to require a Risk Assessment and prior to commencement of works pursuant to UDP Policy EN7 Pollution.

**Ecology** - Trees, in the south east corner of the side garden have been cut down but these were not protected. Given the nature of the site, which is mostly domestic lawn with a garage on it, there would be no serious impact on wildlife from the proposal. Building Regulations would ensure that appropriate sewage/drainage and other utilities are installed.

**Permitted Development** - Given the siting of the house with the side garden and adjacent to the public footway, it is considered appropriate to remove the 'permitted development' rights by a suitable condition to ensure control over any future extensions and alterations to the new house.

**Objectors** - The material planning issues raised by the objectors have been addressed in the above report.

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

The 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 location plan and drawings numbered Sheets 1, 2, 3, 4 and 5/Rev1 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the (materials/bricks) to be used in the external elevations, boundary treatment and areas of hardstanding, together with details of their

manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.  
Reason. 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.

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

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
5. Following the provisions of condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.  
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
6. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.  
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development H2/2 The Layout of New Residential development.
7. Development shall not commence until details of a foul and surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution.  
Reason. Insufficient details have been provided and to ensure the proposed drainage scheme is appropriate and complies with UDP Policies EN5/1 New Development and Flood Risk and EN7/5 Waste Water Management.

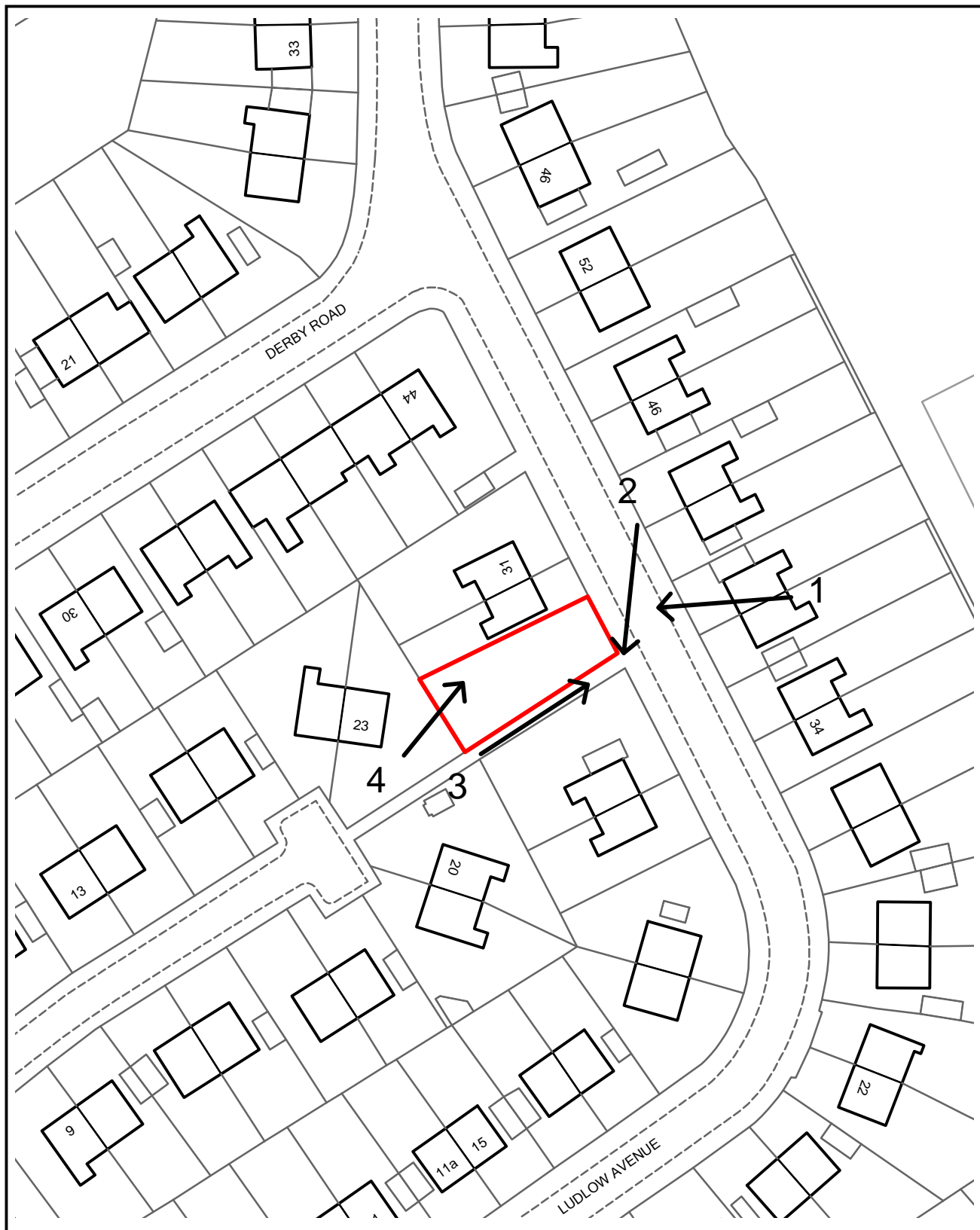


8. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the extension hereby approved being brought into use.

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

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 61089**

**ADDRESS:** Garden at side of 29 Ludlow Avenue  
Whitefield

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

61089

Photo 1



Photo 2



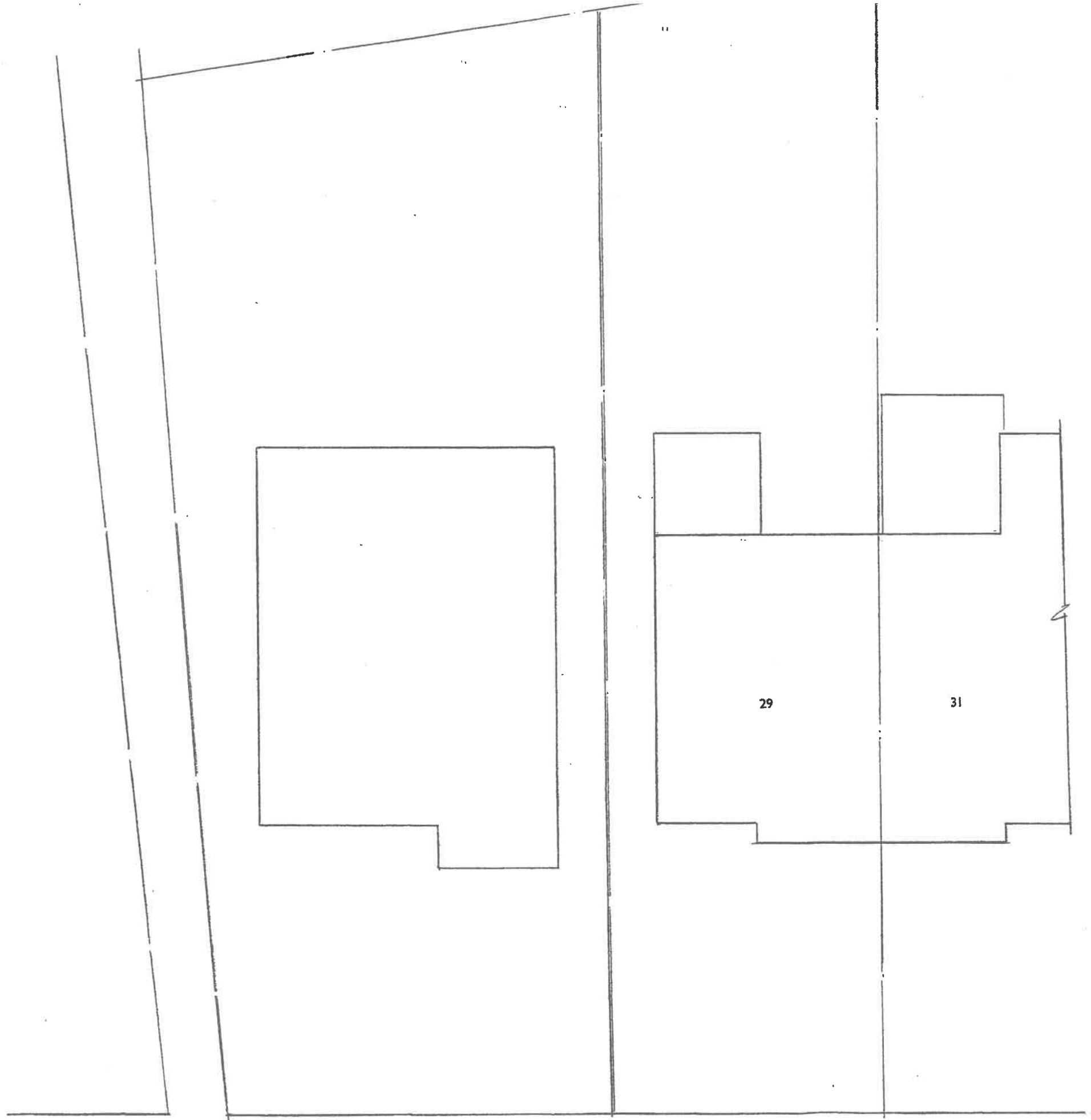


Photo 3



Photo 4



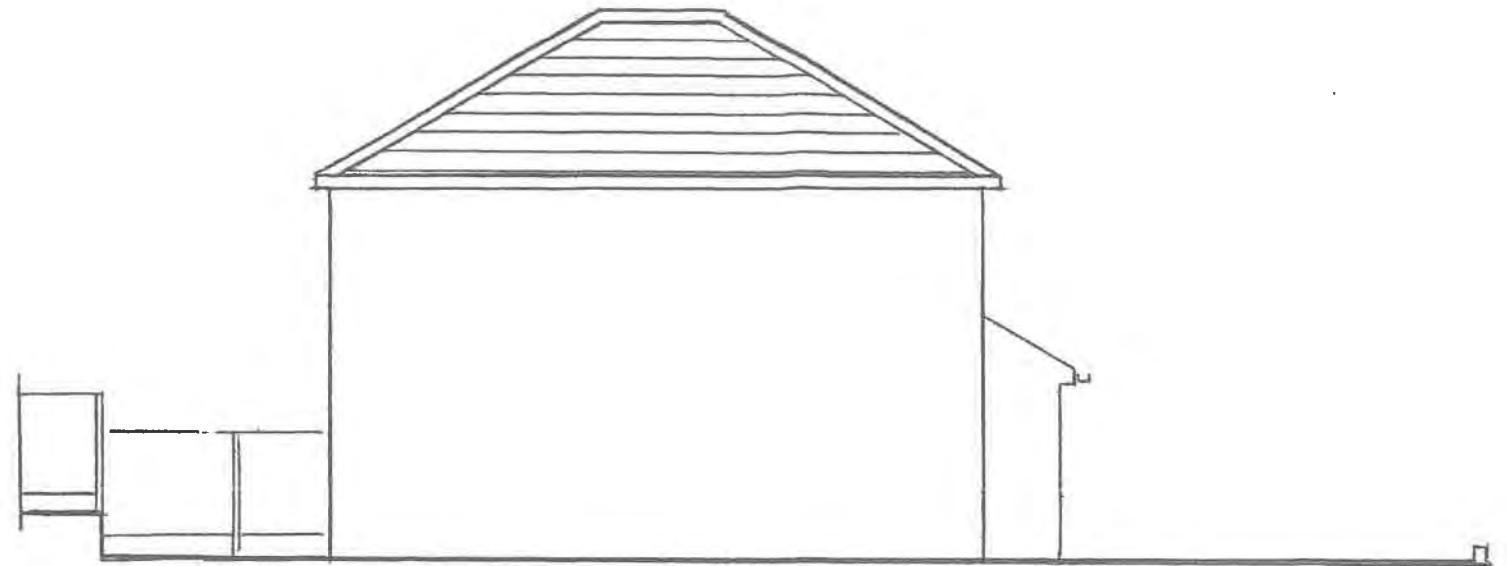


**Thompson Designs**  
Tel 0161 705 1458 Mob 07884 318634

Sheet 3  
Proposed Site Plan  
29 Ludlow Avenue  
Whitefield M45 6TD  
Scale 1 : 100 Date December 2016



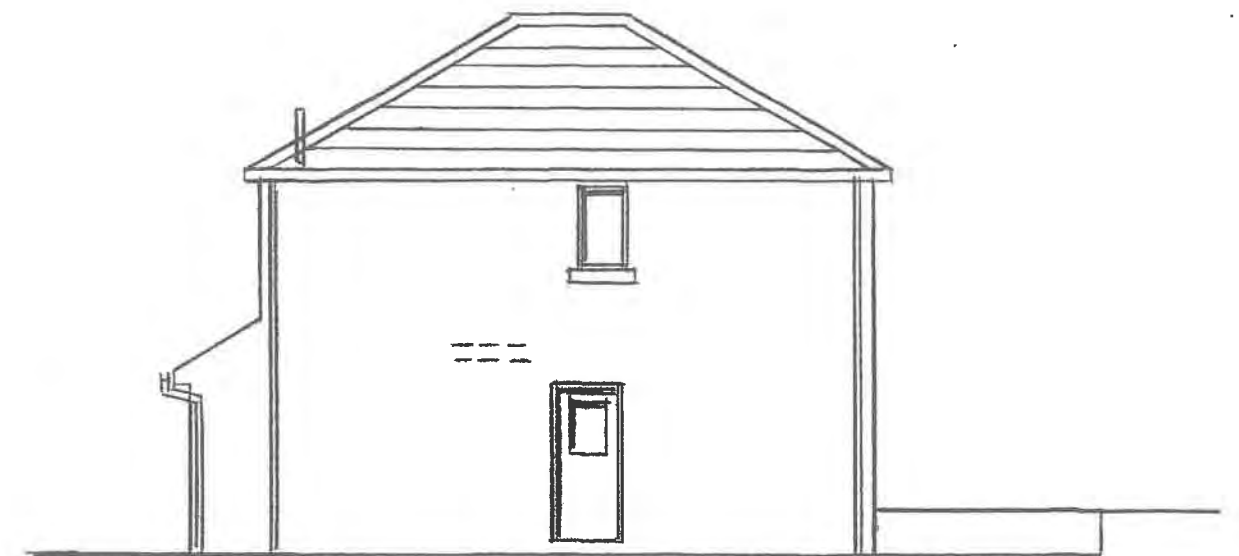
Proposed Front Elevation



Proposed Side Elevation



Proposed Rear Elevation

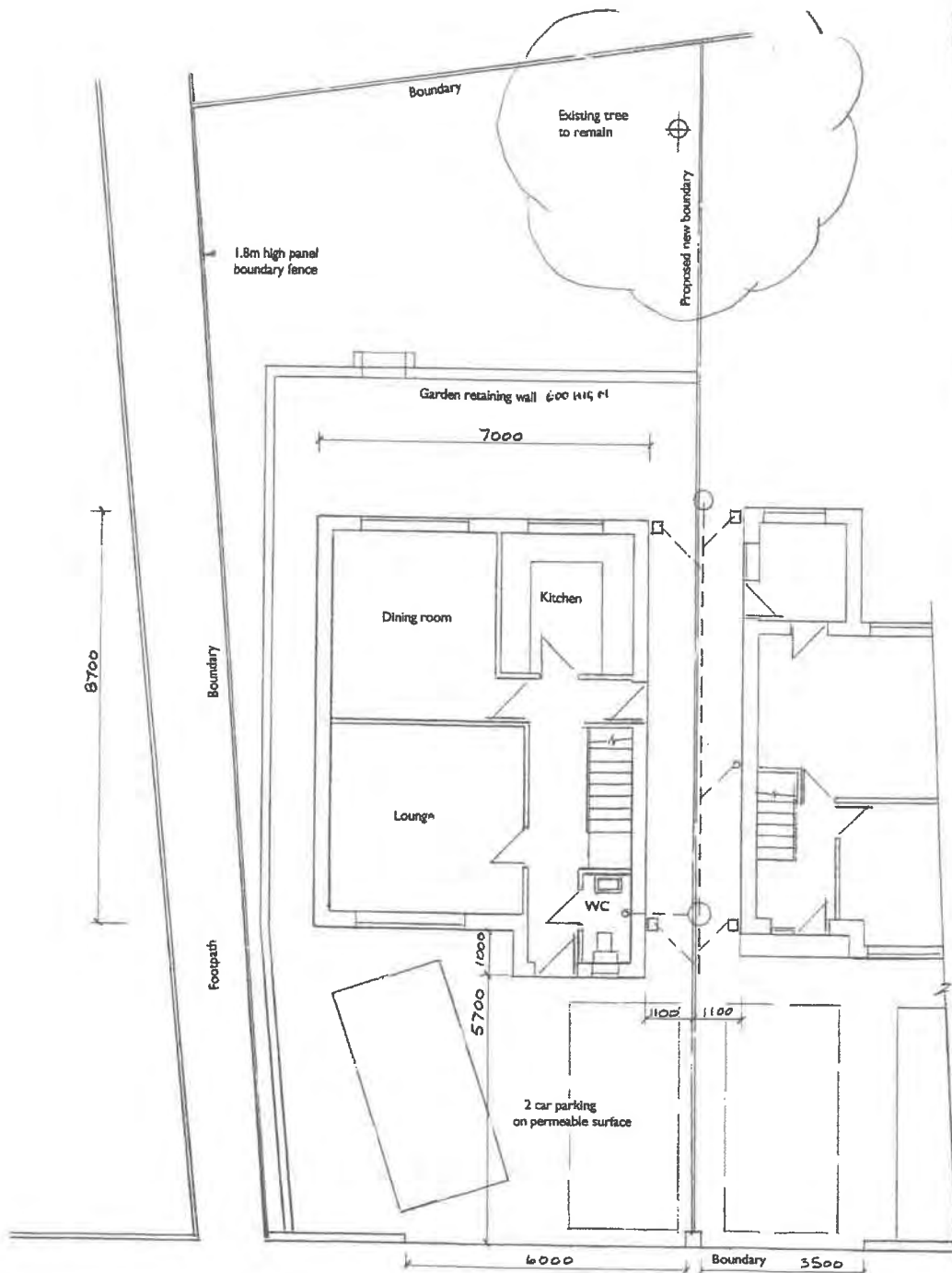


Proposed Side Elevation

**Thompson Designs**  
Tel 0161 705 1458 Mob 07884 318634

Sheet 4  
Proposed Elevations  
29 Ludlow Avenue  
Whitefield M45 6TD  
Scale 1 : 100 Date December 2016





Proposed Ground Floor Plan

Extended drop kerb



Proposed First Floor Plan

**Thompson Designs**  
Tel 0161 705 1458 Mob 07884 318634

Sheet 5  
Proposed Plans  
29 Ludlow Avenue  
Whitefield M45 6TD  
Scale 1 : 100 Date December 2016

REV 1



### NOTES AND AMENDMENTS

ONLY MANHOLES AND SERVICES VISIBLE AT  
TIME OF SURVEY SHOWN

**DRAINAGE INFORMATION MUST BE CHECKED AND  
VERIFIED WITH LOCAL AUTHORITY RECORDS  
PRIOR TO WORK COMMENCING**

**Levels** defining edge of carriageway are observed at channel (bottom of kerb). Unless otherwise stated,

TREE SPREADS ARE SYMBOLIC ONLY AND ARE  
 REPRESENTATIVE OF THE THE AVERAGE SPREAD.  
 THE DISP LINE LAYER DENOTES THE TREES EXTREMITY

## REVISIONS

REG.	DESCRIPTION	GRAND	CMD.	DATE

### Topographical Survey Legend

[illegible]

### BENCH MARK INFORMATION

All levels relate to OSEM Newyork  
Return Generated by VBA GPS

### SURVEY STATIONS

sta1	381593.215	404907.937	104.25
sta2	381599.933	404896.234	104.70
sta3	381582.402	404930.425	103.44

JLP Surveying

**JLW Engineering Consultants Ltd.**  
Suite 25 Radway House,  
King Street,  
Wigan  
WN1 1BT  
Tel - 01942 243313  
Fax - 01942 492340  
Mobile - 07710 426492  
E-Mail - [enquiries@jlew.co.uk](mailto:enquiries@jlew.co.uk)

**PROJECT**  
**20 LUDLOW AVENUE, WHITEFIELD**

**DRAWING TITLE**  
**Topographical Land Survey**

SCALE 1:100	SECTION A1	No. of SHEETS 2	DATE 21.10.16	PROJECT
----------------	---------------	--------------------	------------------	---------

\$16-521-2

Sheet 1  
Topographical Land Survey  
29 Ludlow Avenue  
Whitefield M45 6TD  
Date December 2016

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

**Item** 11

**Applicant:** Mrs Anna Moss

**Location:** 449A Bury New Road, Prestwich, Manchester, M25 1AF

**Proposal:** Change of use of ground floor from cafe (Class A3) to cafe/wine bar (Class A3/A4)

**Application Ref:** 61159/Full

**Target Date:** 24/04/2017

**Recommendation:** Approve with Conditions

### **Description**

The application relates to the ground floor (83sqm) of a two storey red brick Victorian terraced property on a row of mostly commercial properties on the west side of Bury New Road. The property, last used as a cafe, has been vacant for about 3 months. It is within a Secondary Shopping Area and Frontage of Prestwich Town Centre fronting the main road.

The attached property to the south, on the corner of Bury New Road and Sherbourne Street is an off licence. On the north side is a barbers with a flat above. There is a tattoo parlour above the site itself. To the rear are residential properties fronting Warwick Street with blank two storey gables facing the site across the narrow rear access road. There is public pedestrian access from Bury New Road at the front and a pedestrian service access at the rear. There are parking restrictions in the form of double yellow lines along Bury New Road, directly in front of the property.

It is proposed to change the use of the ground floor to a cafe/wine bar. The main bar area at the front would measure 53sqm and there would be a small food preparation area, store and WC area at the rear. There are no significant external alterations proposed and no external flue is proposed.

Proposed opening hours would be as follows:

0900hrs to 2300hrs Monday to Friday.

1000hrs to 0030hrs Saturday/Sunday morning

1000hrs to 2200hrs Sunday/Bank Holidays

The proposed number of employees is indicated as two full time and two part-time.

### **Relevant Planning History**

54532 - Change of use from vacant shop (A1) to hot food takeaway (A5); installation of flue at rear; new shop front; new bin storage area at rear with roller shutters - Approved 24/11/2011 with opening hours to midnight.

55961 - Change of use of ground floor from shop (A1) to tattoo & piercing studio (sui generis) - Approved 21/02/2013

### **Publicity**

The following neighbours were notified by letter dated 27/02/17.

2-8(even), 3-17(odd) Warwick Street, 458, 447-459(odd) Bury New Road, 2 Longfield Centre, 1-6 Sherbourne Court.

Two objections from the landlord and tenant in the flat above the barbers shop at 451 Bury New Road. Concerns are summarised:

- Increased noise and disturbance to resident above the adjacent barbers shop.
- Increased littering outside and also abusive language.
- Increased dangers late at night/closing time.

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

### **Consultations**

**Traffic Section** - No objection.

**Environmental Health** - No objection.

**Waste Management** - No objection.

**Greater Manchester Police** - No objection received

### **Unitary Development Plan and Policies**

Area	The Longfield Centre/Bury New Road
PR1	
S1/2	Shopping in Other Town Centres
S2/3	Secondary Shopping Areas and Frontages
S2/6	Food and Drink
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
EN1/2	Townscape and Built Design
NPPF	National Planning Policy Framework

### **Issues and Analysis**

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

**Use** - The site is within Prestwich Town Centre and in an area characterised by a mix of commercial and community uses.

As the premises are modest in size, were last used as a cafe, not within a prime shopping frontage and has been vacant for at about 3 months, it is considered that bringing a vacant property back into active cafe/wine bar use, would enhance the viability and vitality of the town centre. As such, the proposal, in terms of use, is acceptable and complies with UDP town centre shopping policies S1/2 and S2/3 and Area Policy PR1.

**Visual amenity** - There are no external alterations proposed to the shopfront beyond the assumed signage and cosmetic alterations such as painting. It is considered that the proposal, in bringing the premises back into active use, would improve the character and visual amenity along this part of the centre. As such the proposal is acceptable in terms of visual amenity and the character of the town centre and complies with UDP Policies EN1/2 relating to streetscape.

**Residential Amenity** - Given that the site is within the town centre and is relatively modest in scale, the small cafe/wine bar is not likely to generate excessive noise and disturbance or have a seriously adverse impact on nearby residents. The proposed opening hours are not excessive for a town centre use and it is noted that a previous approval for a hot food takeaway had opening hours to midnight.

With regard to sound insulation to the party walls, a condition would be added to any approval requiring a survey to be carried out to assess the state of the existing party walls to determine whether noise attenuation would actually be required.

The proposal is considered to be acceptable in terms of residential amenity and complies with UDP Policy S2/6 Food and Drink.

**Access** - Access is as existing and relatively level from the footway on Bury New Road and therefore would comply with UDP Policy HT5/1.

**Traffic and Parking** - The site is in the town centre and in a very sustainable location with good links to public transport and public car parks nearby. Given the size of the premises, the traffic generated would be negligible within the town centre as a whole. Whilst the space at the rear for larger service/delivery vehicles is limited, it is likely that suitable arrangements could be made as was the case with the previous cafe use.

The Traffic Section has raised no objection to the proposal which in terms of traffic and parking would be acceptable and comply with UDP Policy S2/6 Food and Drink.

**Objections** - The concerns about noise and disturbance to the neighbour are addressed by the section on 'Residential Amenity'.

**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.

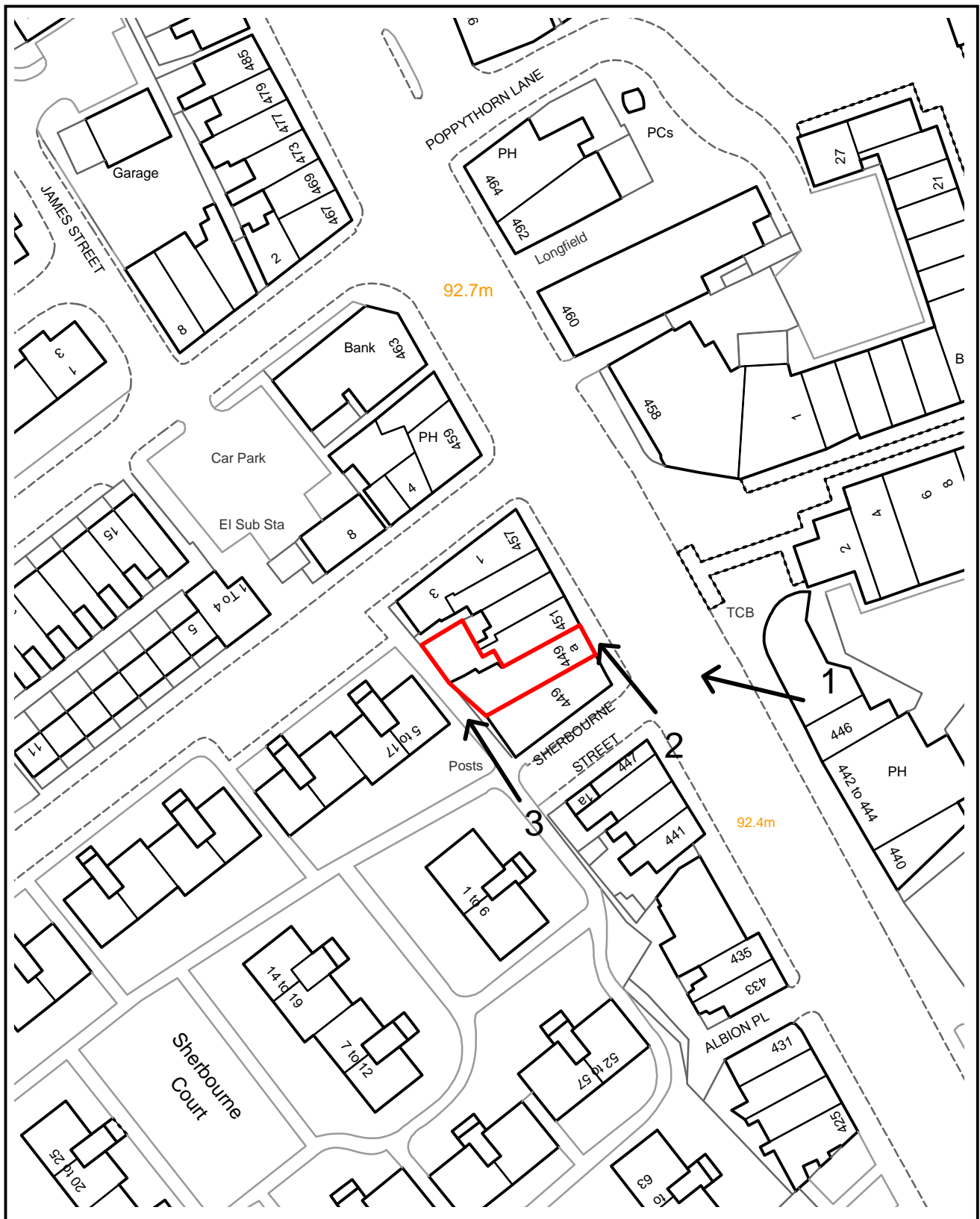
**Recommendation:** Approve with Conditions

**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 drawing numbered C01 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 sound insulation of the party walls shall be improved in accordance with the method outlined in the Building Research Establishment Digest 293 (or similar method), the details of which shall be submitted to and approved by the Local Planning Authority and implemented prior to the use commencing.  
Reason. To reduce nuisance from noise to the occupiers of the adjoining dwelling pursuant to the NPPF and UDP Policy EN7/2 Noise Pollution.
4. The use hereby permitted shall not be open to customers outside the following times:  
0900hrs to 2300hrs Monday to Friday.  
1000hrs to 0030hrs Saturday  
1000hrs to 2200hrs Sunday/Bank Holidays  
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EN7/2 Noise Pollution.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 61159**

**ADDRESS: 449a Bury New Road  
Prestwich**

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL



61159

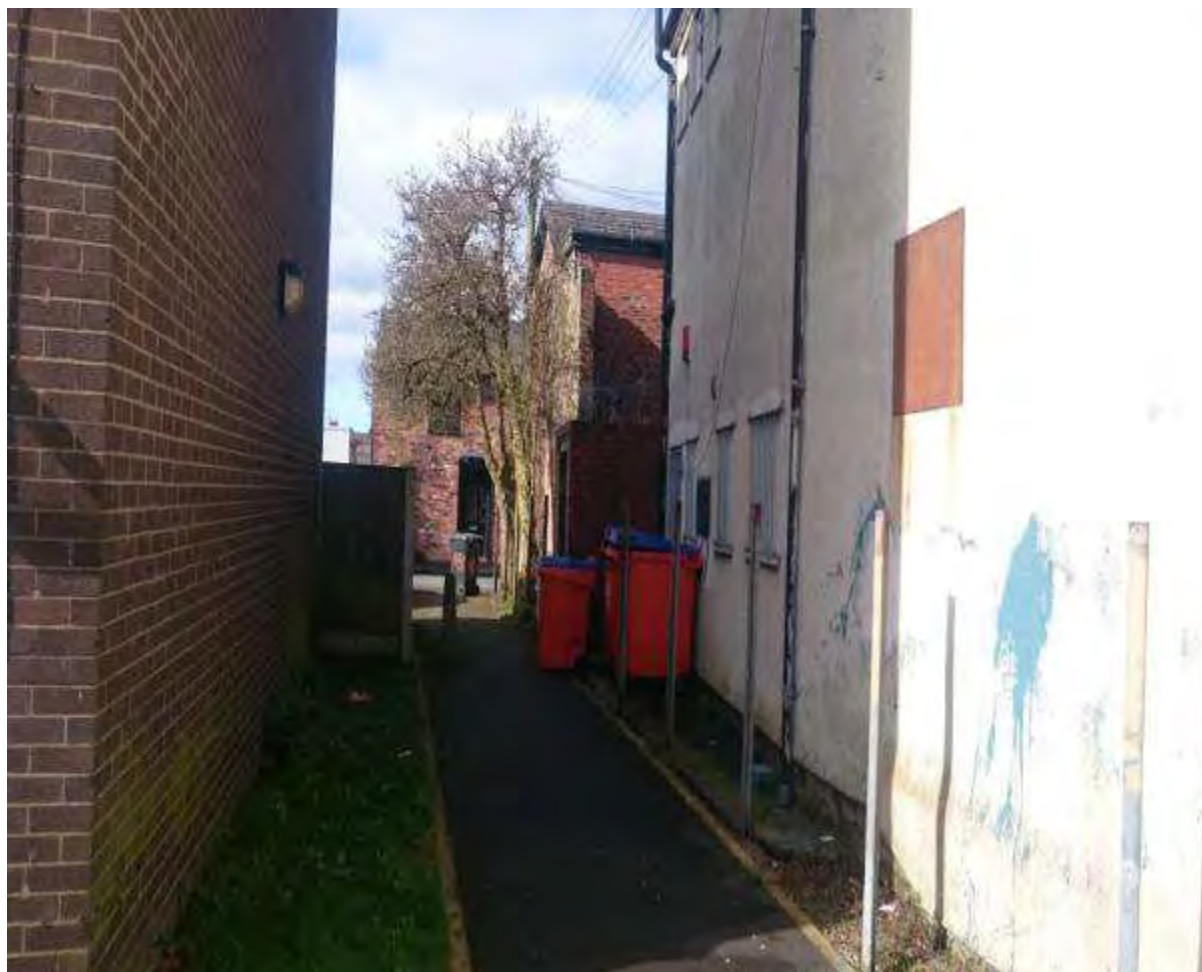
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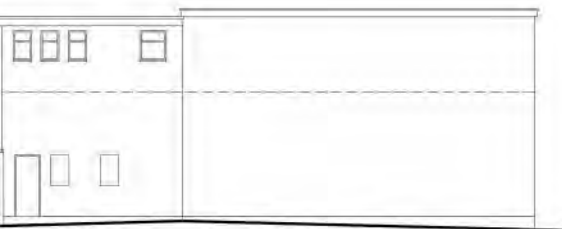


Photo 2

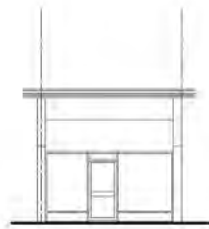


Photo 3

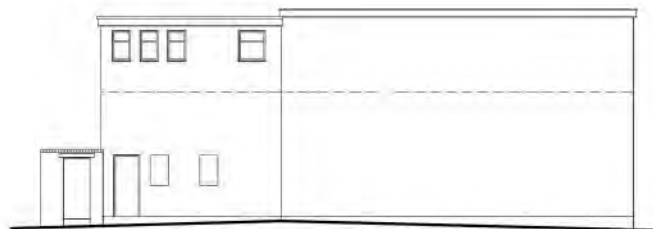




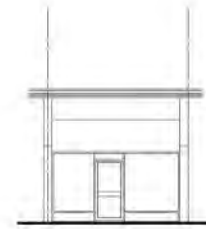
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EXISTING FRONT ELEVATION 1 : 100



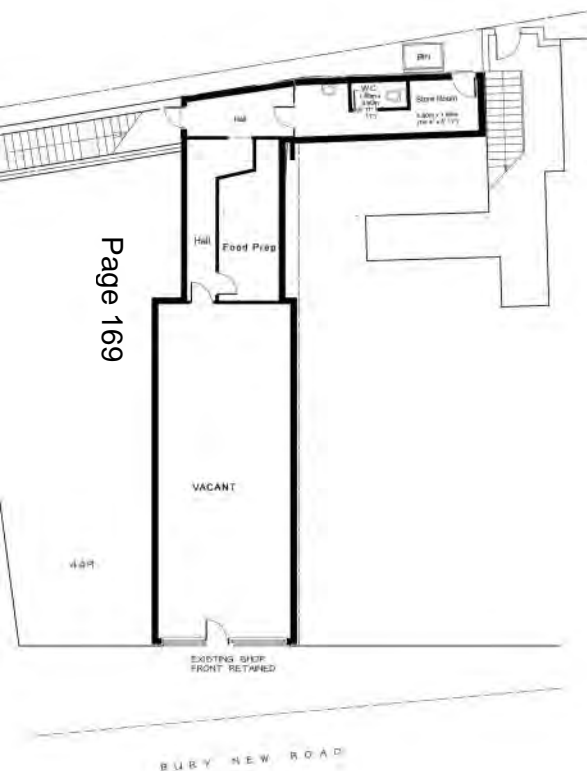
PROPOSED REAR ELEVATION 1 : 100



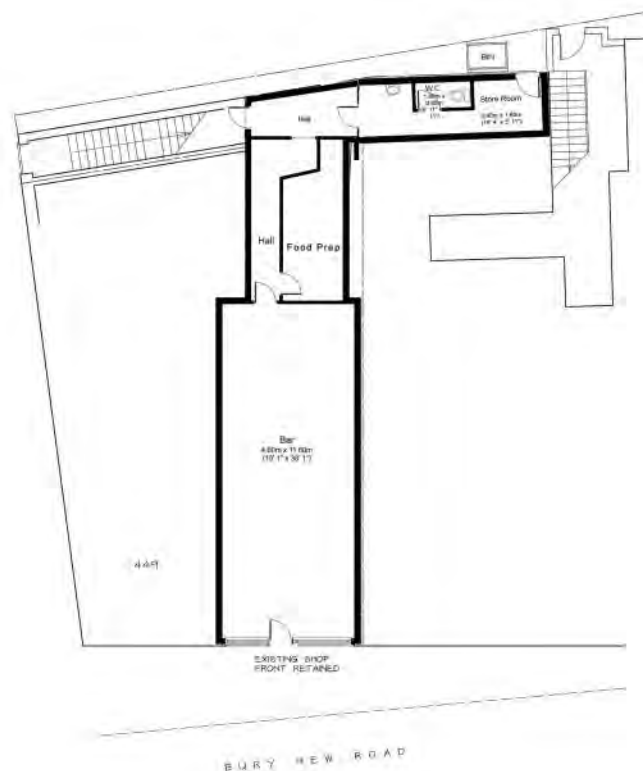
PROPOSED FRONT ELEVATION 1 : 100

notes:

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EXISTING GROUND FLOOR PLAN 1 : 100



PROPOSED GROUND FLOOR PLAN 1 : 100



SITE PLAN 1 : 200



LOCATION PLAN 1 : 1250



status:

PLANNING

client: Anna Moss

job: Proposed Bar  
449a Bury New Road

title: Plans / Site Plan

drawn: DD date: Feb 2017 scale:

job no: 28 drg no: C01

DEN DESIGNS - BROADOAK LANE - MODDERLEY -  
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**BURY COUNCIL**  
**DEPARTMENT FOR RESOURCES AND REGULATION**  
**PLANNING SERVICES**

**PLANNING CONTROL COMMITTEE**

**28 March 2017**

**SUPPLEMENTARY INFORMATION**



**Item:01 Land at rear of Porada, 231 Bury New Road, Whitefield, Manchester, M45 8QP Application No. 60696**

Change of use of grassed area to car park

**Publicity**

1 letter has been received from the occupiers of 1 Avondale Road, which has raised the following issues:

- The substantial knee rail will not improve the overall negative effect this car park has on the gateway to the Conservation Area in the heart of Whitefield.
- The proposed low box hedge will not screen the 4 x 4 cars which currently park there.
- I reiterate my stance (and from previous letters) that the land should be returned to its former glory.

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

**Consultations**

**Traffic Section** - No objections, subject to the inclusion of conditions relating to highway remedial works, turning facilities and car parking.

**Conditions**

Therefore, conditions 3, 4, 5 and 6 should be added in relation to drainage, highway remedial works, turning facilities and car parking:

3. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 20 l/s.

Reason: To ensure a satisfactory means of drainage, promote sustainable development and to manage the risk of flooding and pollution pursuant to Policy EN5/1 - New Development and Flood Risk and Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework.

4. Notwithstanding the details indicated on approved plan reference 0.01 Revision B, the use hereby approved shall not be commenced unless and until the limits of the adopted highway have been established on site and a scheme of highway remedial works at the junction of Bank Street with Church Lane and works to demarcate the limits of the adopted highway on Church Lane with concrete edgings have been submitted to and approved in writing by the Local Planning Authority. The details subsequently approved shall be implemented to an approved timetable.

Reason: To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

5. The turning facilities indicated on approved plan reference 0.01 Revision B shall be provided before the car park hereby approved is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction



at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

6. The car parking indicated on approved plan reference 0.01 Revision B shall be surfaced, demarcated and made available for use and thereafter maintained at all times

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

**Item:02 Land off Rochdale Road, Bury, BL9 7AX Application No. 60798**  
Proposed development of 6 no. shops (Class A1) and 24 no. flats in 3 and 4 storey building

#### **Publicity**

1 letter has been received from the occupiers of Claybank Works, which has raised the following issues:

- No adequate bin storage for 26 residential units.
- Traffic and congestion issues further aggravated by local mosque - daily attendance at the mosque school , over 100 children
- On going parking issues -one way and residents permits
- This land should be commercial use only not residential

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

#### **Consultations**

**Traffic Section** - No objections, subject to the inclusion of conditions relating to a scheme for highway remedial works, a construction traffic management plan, measures to prevent mud from passing onto the highway, a delivery management plan, turning facilities and car parking.

**DesignforSecurity** - No comments received.

**GM Fire Service** - No comments received.

#### **Issues and analysis**

There are three bin stores on the ground floor of the proposed building. However, it is not clear where the bins would be located on collection day and as such, a waste management plan would be the subject of a condition.

**Planning Obligations** - The contribution for recreation provision of £29,677.05 would be spent on the following projects:

- Improvements to infrastructure at Openshaw Park (Phase 1) - £20,000
- Improvements to infrastructure at Clarence Park (Phase 1) - £17,486.80

#### **Conditions**

Therefore, conditions 10 and 11 should be amended to reflect the retail use and car parking and conditions 12 to 17 should be added in relation to a scheme for highway remedial works, a construction traffic management plan, measures to prevent mud from passing onto the highway, a delivery management plan, turning facilities and car parking.

10. The retail use (class A1) hereby permitted shall not be open to customers outside

the following times:

08.00 to 23.00 - daily

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/5 – New Local Shopping Provision Outside Recognised Shopping Centres and S2/6 – Food and Drink of the Bury Unitary Development Plan.

11. The car/service vehicle parking indicated on approved plan references 1545-01 Revision E and 13-27- (Ground and First Floors) shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied and thereafter maintained at all times

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

12. Notwithstanding the details indicated on approved plan reference 1545-01 Revision E and 13-27- (Ground and First Floors), no development shall commence unless and until full details of the following have been submitted to and agreed with the Local Planning Authority:

- Proposals for the introduction of One-way Working and associated prohibition of waiting orders on Back Rochdale Road and the un-named side street linking Back Rochdale Road with Rochdale Road, to a scope to be agreed and incorporating all associated one-way, no entry and turn left signage in positions to be agreed, road markings and all necessary highway remedial works;
- In association with the above, a scheme of highway reconstruction/resurfacing works for the carriageways and footways on both sides of Back Rochdale Road in order to facilitate the proposed site access arrangements and implementation of the above orders, to a scope and specification to be agreed, incorporating the demarcation of the limits of the adopted highway, the widening/rationalisation of the footway on Back Rochdale Road and the un-named side street linking Back Rochdale Road with Rochdale Road where available to accommodate the proposed signage and all associated highway and highway drainage remedial works;
- Formation of heavy duty accesses onto Back Rochdale Road to serve the proposed car park and service yard areas;
- A scheme of highway remedial works on Rochdale Road and York Street to reinstate/repair the adopted footways abutting the proposed building as a result of the construction of the development and following removal/replacement of any affected existing edgings, incorporating the demarcation of the limits of the adopted highway and the widening/rationalisation of the footway on York Street between Rochdale Road and Back Rochdale Road;
- Foundation details for the proposed building confirming no encroachment under the adjacent adopted highways around the perimeter of the site;
- Confirmation of the position of all pedestrian accesses from the adopted highway, incorporating inward opening doors and revised arrangements at Unit D to ensure that the existing traffic signal control box will not restrict pedestrian access to this unit;
- In association with the above, confirmation of door threshold levels for all pedestrian accesses from the adopted highway to ensure that level/Building Regulations compliant pedestrian accesses can be provided at each unit/stairwell.

The details subsequently approved shall be implemented in full prior to the development hereby approved being brought into use/first occupied.

Reason. To ensure bus passenger facilities affected by the development are

replaced, secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway 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  
Policy EN1/2 - Townscape and Built Design.

13. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

- 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 operatives' and construction vehicles;
- Method statement to cover the delivery and storage of materials and all works abutting the adopted highway, including the provision, where necessary of temporary pedestrian facilities/protection measures on the adopted highways abutting the site.

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 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  
Policy EN1/2 - Townscape and Built Design.

14. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.

Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

15. No development shall commence unless and until a Delivery Management Plan has been submitted to and approved in writing by the Local Planning Authority, incorporating a restriction in size of all future service vehicles to approximately 3.5T in weight/5.35m in length or similar, that the proposed access arrangements and service areas have been designed for and as confirmed in the submitted Transport Statement dated November 2016. The Plan and measures subsequently approved shall be implemented before the development is brought into use/first occupied.

Reason. To ensure that the proposed vehicular access arrangements can adequately accommodate all future service vehicles which will visit the site, provision is made

within the curtilage of the site for the loading and unloading of these vehicles and to enable such vehicles to enter and leave the site in forward gear, 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

Policy EN1/2 - Townscape and Built Design.

16. The visibility splays and forward visibility envelope indicated on approved plan reference 1545-01 Revision E shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use/first occupied and subsequently maintained free of obstruction above the height of 0.6m

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to 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

Policy EN1/2 - Townscape and Built Design.

17. The turning facilities within the proposed car park and service yard areas indicated on approved plan references 1545-01 Revision E and 13-27- (Ground and First Floors) shall be provided before the dwellings are first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to 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

Policy EN1/2 - Townscape and Built Design.

18. Prior to the commencement of the development hereby approved, a waste management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the building and shall be maintained thereafter.

Reason. 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 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

Policy EN1/2 - Townscape and Built Design.

**Item:03    The Bridles, 2 Riders Gate, Bury, BL9 7RD    Application No. 60808**

Change of use of existing stable block to pet crematorium with incinerator

Publicity

Further objection received from Smethurst Hall House with the following issues raised:

- The proposal of a pet crematorium with incinerator is not in the interest of the local community and has strong opposition by residents. Planning Committees are held to ensure that communities can raise their views, and this community has strong views against the proposal;

- There have been 16 individual and lengthy objections with valid concerns, plus a petition with 44 signatures;
- The site is not an appropriate location - it is a densely populated residential location. Similar crematoriums are not established in residential areas - eg Pennine Pet Crematorium in Ashton under Lyne is 1.5 miles from the nearest property;
- The incinerator would release smoke and odour that would reduce the enjoyment of resident's properties. The manufacturer claims no smoke/odour produced yet a chimney stack calculation is required to disperse smoke, odour and pollution. It has been compared to the output of a wood burning stove but this 50kg/hr output would be dead animal carcass. the chimney stack at Crawshawbooth is 34 foot to 'disperse emissions';
- Local Government association state that planing decisions should contribute to healthier communities, reduced congestion and safer communities. This application achieves none and has potential to damage the health of residents;
- There are significant concerns in relation to pollution and health effects this pollution has the potential to cause;
- Monitoring results in 2014 from the Addfield PetCrem 200 executive summary of dry gas emissions lists the following known harmful chemicals in the incinerator emissions - arsenic, chromium, mercury, sulphur dioxide, carbon monoxide, hydrogen chloride and an extensive list of dioxins;
- With reference to EN7, the council will have regard to available scientific evidence. Research undertaken by the British Society of Ecological Medicine (2008) reports the following associated health conditions released from the Pet Incinerator - Arsenic - Lung cancer; Chromium - Lung cancer; mercury - learning difficulties/Autism/ADHD; Dioxins - Cancer of the oral/nasal cavity/lymphoma, birth defects, Liver cancer;
- The applicant argues this research is only pertinent to larger scale incineration. this is untrue and dioxins are known to be linked to several cancers even at low emissions. Friends of the Earth is a national expert on organisation on pollution and identifies chemicals and known health impacts which would be present in the PetCrem 200;
- The World Health Organisation has found an increase in respiratory illnesses in areas where there are incinerator emissions;
- Bury UDP EN7 objective 3 states to control development to limit the environmental impact of pollution and encourage improvement in air, water and land quality. Air pollution kills 40,000 people a year in the UK and 12,000 premature deaths were reported in 2013 due to nitrogen dioxide released by diesel vehicles. The incinerator would be operated by diesel up to 9 hours a day;
- There is no plan to monitor emissions due to the incinerator being classed as 'low capacity'
- There is an Association for Private Pet Cemeteries and Pet Crematorium's (APPCC) the applicant has raised no wishes to be part of this organisation which sets standards and codes of conduct to ensure monitoring and quality;
- There is no need for this type of development in Bury - there is an abundance of local pet crematoriums such as Manchester, Sale Crawshawbooth and Wigan;
- The area behind the site appears to be part of the Roch Valley Wildlife Corridor that extends to Jericho and Fairfield - a plan of the Wildlife Links and Corridors plan has been submitted as an appendices by the objector - and dioxins can enter the food chain;
- Policy EN6/4 states the Council will not permit development which could adversely affect wildlife corridors or adjacent to them. A pet incinerator would pose a significant risk to the wildlife Corridor and many breeding animals and their habitat. The applicant has taken no measures to mitigate the impact of the

incinerator and plan to fell at tree.

### **Response to objections**

- The issues which have been raised with regards to health, pollution and emissions have been covered in the main officer report.
- The site is located in the Green Belt and is not in a densely populated area.
- The site is not located within the Wildlife Corridor as defined in the Bury UDP.
- The quote from the objector in relation to UDP Policy EN7 - Pollution Control stops short of what the policy actually says as it goes on to state that "...the Local Authority would seek advice from the relevant Pollution Control Authorities and the Environmental Services Officer". The operations of the business would be monitored by DEFRA and concerns from residents would be reported to the appropriate regulating authority which in this case would be DEFRA.
- A condition has been included which requires a landscaping scheme to be submitted for approval. the removal of the tree can therefore be mitigated by a future planting scheme.

**Item:04    54 Ringley Road, Whitefield, Manchester, M45 7LL    Application No. 60924**  
Demolition of existing dwelling and erection of 7no. flats

### **Publicity**

2 letters have been received from Stand Unitarian Chapel and 52 Ringley Road, which have raised the following issues:

- The revised plans do not alter our basic objection to the development, which would result in an unnecessary and unwelcome increase in traffic and activity on what is an already unsafe section of Ringley Road.
- We note the revised plans, but would respond that there is nothing there to address our concerns and objections. All of our previous objections notified to you still stand.
- The previous scheme was rejected primarily due to bulk, massing and height issues and whilst the revised plans include some reduction in the width of the second and third floors, these reductions are not material. The proposed building extends significantly beyond the existing building line at the front and rear.
- Existing developments for flats have been built on much wider and more spacious plots. The nearest block of flats is some distance away and built on a corner plot - not between 2 houses.
- The streetscene plan is too simplistic to appreciate the totally overbearing nature of the proposed build. No 3D illustrations have been provided.
- The building is overwhelming and inappropriate for the plot.
- Only the ground floor of the existing building exceeds the building line, where as all floors of the proposed build exceed the front and rear of the existing dwellings.
- The report refers to the 45-degree rule and the fact that the front line is level with the garage at No 56. Our understanding of the 45 degree rule was that it was designed to ensure sufficient light on new development and not as a way of defeating objections as to the impact of overshadowing on the amenities of adjacent properties.
- Residents of the proposed build would overlook our front garden, back garden and into our home.
- The curved windows would allow views across the front gardens, which may be mitigated by the conifer trees. The trees are not shown to be retained. The report states that the views would not be significantly more adverse than the existing dwelling. We do not understand this point as we are not overlooked by the



- existing dwelling.
- The proposed build would block our light and air and the proposed build would be totally claustrophobic and oppressive.
- We are concerned about the potential impact of such a major build on the structural integrity of our dwelling.
- We believe that all 14 spaces will be used by residents of the flats, which leaves the issue of visitor parking.
- As the underground car park would be difficult to manoeuvre in and out of, we believe that residents will not use this car park.
- The car parking spaces at the front face our property and we will be disturbed by vehicles arriving/leaving at night in terms of headlights and noise.
- As the visitor parking will be used by residents, visitors will look for alternative parking. Ringley Road is narrow at this point and there are double yellow lines restricts on-street car parking.
- Question where are contractor vehicles to park - the site is just too small.
- If residents are to access the rear garden through the narrow passageway between ourselves and the proposed build, it would clearly impact upon our right to privacy.
- This scheme cannot be justified. The site is just not large enough for a building of this size and the traffic/parking issues cannot be ignored.

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

### **Consultation**

**Traffic Section** - No objections, subject to the inclusion of conditions relating to access onto Ringley Road, a construction traffic management plan, measures to prevent mud from passing onto the highway, visibility splays, turning facilities and car parking.

### **Response to objectors**

- The converse is that crossing the 45 degree line would render the development unacceptable.
- There would be a 1.8 metre high timber panel fence between the proposed development and the adjacent residential property and there would be 10.5 metres between the proposed car park and the front elevation of the adjacent property. Given the timber fence and the distance to the residential properties, it is considered that there would not be a significantly adverse impact upon the amenity of the neighbouring properties.
- Where the contractors would park would be dealt with by a construction traffic management plan condition.
- The maximum parking standards asks for 10.5 spaces and the proposed development would provide 14 spaces.
- The remaining issues have been addressed in the main report.

### **Conditions**

Therefore, conditions 8 and 9 should be amended and conditions 10 - 17 should be added in relation to screens, landscaping, boundary treatments, access onto Ringley Road, a construction traffic management plan, measures to prevent mud from passing onto the highway, visibility splays, turning facilities and car parking:

8. Prior to the commencement of the development hereby approved, detailed drawings of the curved windows on the front elevation, at a scale of 1:20, shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented prior to first occupation of the building hereby

approved.

Reason: To ensure a satisfactory form of development and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

9. The car parking indicated on approved plan reference R-0345-01 Revision A shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied and thereafter maintained at all times.

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

10. Prior to the commencement of development, details relating to the proposed screens for all balconies/terraces shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development.

Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

11. A landscaping scheme, including details of all boundary treatments, 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. 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.

12. Notwithstanding the details indicated on approved plan references R-0345-01 Revision A, no development shall commence unless and until full details of the formation of the proposed 5.5m wide site access onto Ringley Road, incorporating the provision of a sliding gate set back a minimum of 5m from the adopted highway, relocation/replacement of the affected street lighting column and highway gully, reinstatement of the redundant access and reconstruction of the footway abutting the site, demarcation of the limits of the adopted highway and all associated highway and highway drainage remedial works, have been submitted to and approved in writing by the Local Planning Authority. The details subsequently approved shall be implemented in full, to an agreed specification prior to the development hereby approved being occupied.

Reason. To ensure bus passenger facilities affected by the development are replaced, secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway 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  
Policy EN1/2 - Townscape and Built Design

13. 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:

- 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 demolition/construction vehicles together with storage on site of demolition/construction materials.

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

Policy EN1/2 - Townscape and Built Design

14. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.

Reason. - To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

15. The visibility splays indicated on approved plan reference R-0345-01 Revision A shall be implemented before the new access is brought into use/development first occupied and subsequently maintained free of obstruction above the height of 0.6m.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to 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

Policy EN1/2 - Townscape and Built Design

16. The turning facilities indicated on approved plan reference R-0345-01 Revision A shall be provided before the development is first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to 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

Policy EN1/2 - Townscape and Built Design

17. The car parking indicated on approved plan reference R-0345-01 Revision A shall be surfaced, demarcated and made available for use prior to the development hereby

approved being occupied and thereafter maintained at all times.

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

**Item:05 Lumb Carr Farm, Lumb Carr Road, Ramsbottom, Bury, BL8 4NH**

**Application No.** 61015

Single storey extension at rear

Nothing further to report.

**Item:06 Lumb Carr Farm, Lumb Carr Road, Ramsbottom, Bury, BL8 4NH**

**Application No.** 61016

Listed building consent for single storey extension at rear

Nothing further to report.

**Item:07 The Oddfellows House, 94 Manchester Road, Bury, BL9 0TH Application No. 61018**

Change of use from mixed use development to create 5 no. self-contained flats; refurbishment of Oddfellows meeting house and erection of 2 no. semi-detached dwellings

Nothing further to report

**Item:08 45 Bury Old Road, Prestwich, Manchester, M25 0EY Application No. 61022**

Extension and change of use to existing dwelling to form a mixed use comprising first floor self contained flat (Class C3) with post graduate study centre on ground floor (Class D1); Formation of new vehicular access from Kings Road.

**Correction.**

It is stated in the Issues section that 'The applicant is investigating the possible shared use of the car park at the Jewish Cultural Centre on the corner of Bury Old Road and Park Road, just over **300mm** away to the south east'....this should read **300m**.

**Additional information from Applicant.**

In addition to the information setting out the daily study schedule, at the end of the main report, the applicant has also supplied a letter from the Manchester Jewish Community Centre, Bury Old Road stating that the community centre has agreed to allow students of the proposed study centre to use the car park on a permanent basis. A copy of this letter is attached.

The applicant has also submitted a further letter, from the Beis Hamedrash Shaarei Tefillah Synagogue at 76 Bury New Road. This states that the study centre has been using the synagogue for the past two years without causing parking issues. It states that students who don't walk use a car pool system. This letter is also attached.

No other information has been received.

**Item:09    Garden at side of 3 Wentworth Avenue, Whitefield, Manchester, M45 7GQ  
Application No. 61056**

Residential development of 1 no. bungalow

Nothing further to report

**Item:10    Garden at side of 29 Ludlow Avenue, Whitefield, Manchester, M45 6TD  
Application No. 61089**

Erection of detached dwelling

**Amended condition**

8. The car parking arrangements indicated on approved plan reference 'Sheet 5' Revision 1, incorporating the provision of a new footway crossing, all associated footway remedial works and the 5.7m long hardstanding measured from the back of the adopted highway, shall be surfaced and made available for use to the written satisfaction of the Local Planning Authority prior to the dwelling hereby approved being occupied and thereafter maintained at all times.

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

**Additional Condition**

9. Prior to commencement of development full details of the proposed boundary treatment, including the height of fence panels, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and maintained in situ thereafter.

Reason. In order to maintain visibility into and out of the site and adjacent footway in the interests of pedestrian safety and pursuant to UDP Policy HT2/6 Pedestrian/Vehicular Conflict.

**Item:11    449A Bury New Road, Prestwich, Manchester, M25 1AF    Application No. 61159**

Change of use of ground floor from cafe (Class A3) to cafe/wine bar (Class A3/A4)

**Consultation.**

**Greater Manchester Police** - No objection. Doors and fittings should be certified by Secure by Design.

**Additional comments.**

The objector has written to confirm that the bedroom to the flat above the barber's shop is at the front, adjacent to the shared boundary with the site. This can be seen on the photos in the main report.

**Additional Condition -**

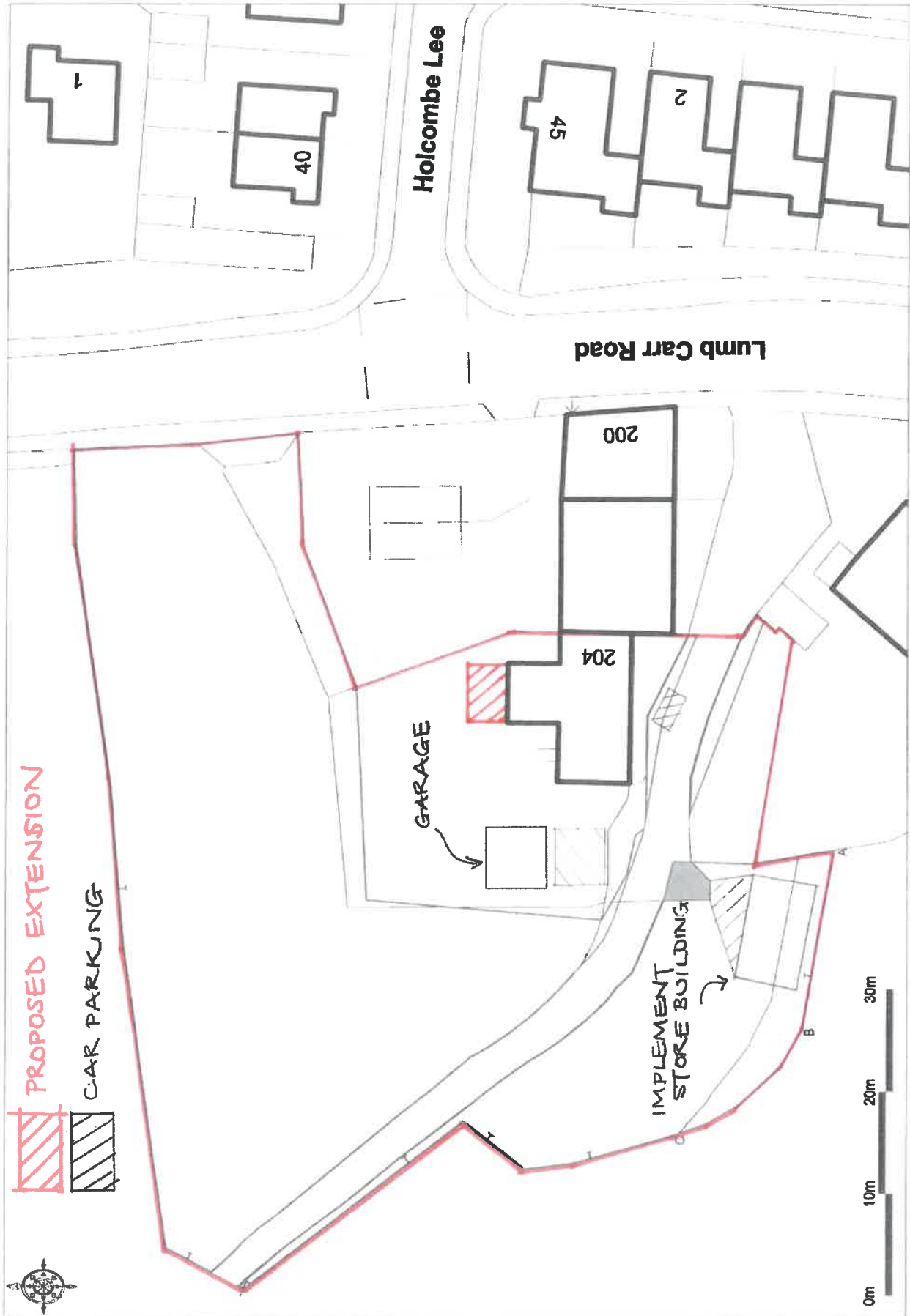
A condition requiring details of refuse collection and recycling arrangements is considered to be appropriate.

Prior to the use hereby approved commencing, full details of refuse storage facilities and arrangements for refuse collection and recycling shall be submitted for approval in writing by the Local Planning Authority. The approved details shall be implemented

in full and shall thereafter remain available at all times.

Reason. In order to ensure that the development would maintain adequate facilities for the storage, collection and recycling of waste in the interests of amenity and pursuant to the following Unitary Development Plan Policies: EC4/1 Small Businesses, S2/6 Food and Drink.





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P Wilson and Company, Burlington House, 10-11 Ribblesdale Place, Preston, PR1 3NA.

61015 + 61016

6.10.22  
MANCHESTER JEWISH COMMUNITY CENTRE

JUBILEE SCHOOL

BURY OLD RD

MANCHESTER

REGISTERED CHARITY

To whom it may concern

On behalf of the Trustees of the Manchester Jewish Community Centre charity, I am writing to confirm that I am in agreement to let Post Graduate Students of the proposed Study Centre, at 45 Bury Old Road, use the existing extensive car parking facilities on a permanent basis for their needs at our premises.

Our premises are 3 minutes walk away from the study centre



Brian White

Chair of Trustees

17 March 2017

**Beis Hamedrash**

All correspondence to:  
26 Richmond Ave,  
Manchester M25 0LZ.  
Tel: 0161-798 8873



**Shaarei Tefillah**

76 Bury New Road,  
Sedgley Park, Manchester M25

Friday, 17 March 2017

**Re: Heichal Hatorah Institute**

**To whom it may concern:**

This is to confirm that over the past couple of years that the post graduate centre has been using our premises, there has never been an issue with parking. This is simply because the majority of the post graduates live locally, and those who do not, car pool and therefore arrive altogether in one vehicle.

**Yours sincerely**

**(Rabbi) M Segal**

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# REPORT FOR DECISION

Agenda Item 5

**Bury**  
COUNCIL

Agenda  
Item

5

<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>28 March 2017</b>
<b>SUBJECT:</b>	<b>DELEGATED DECISIONS</b>
<b>REPORT FROM:</b>	<b>HEAD OF DEVELOPMENT MANAGEMENT</b>
<b>CONTACT OFFICER:</b>	<b>DAVID MARNO</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	The report lists: Recent delegated planning decisions since the last PCC
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	The Committee is recommended to the note the report and appendices
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework? Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management
<b>Statement by Executive Director of Resources:</b>	N/A
<b>Equality/Diversity implications:</b>	No
<b>Considered by Monitoring Officer:</b>	N/A
<b>Wards Affected:</b>	All listed
<b>Scrutiny Interest:</b>	N/A

**TRACKING/PROCESS****DIRECTOR:**

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

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**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.

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**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](mailto:d.marno@bury.gov.uk)**



# Planning applications decided using Delegated Powers

## Between 20/02/2017 and 19/03/2017



### Ward: **Bury East**

**Application No.:** 60750    **App. Type:** FUL    23/02/2017    Approve with Conditions  
**Location:** Paradise Mill, John Street, Bury, BL9 0NH

**Proposal:** Variation of condition 2 following grant of application 59809 - Proposal to extend the temporary consent from 3 years to 5 years

**Application No.:** 61011    **App. Type:** ADV    06/03/2017    Approve with Conditions  
**Location:** 44 Bell Lane, Bury, BL9 6BA

**Proposal:** 3 No. non-illuminated fascia signs

**Application No.:** 61049    **App. Type:** OUT    24/02/2017    Approve with Conditions  
**Location:** Land opposite 2A Bridgefield Drive, Bury, BL9 7PE

**Proposal:** Outline application for 1 no. detached three storey dwelling

**Application No.:** 61067    **App. Type:** FUL    13/03/2017    Approve with Conditions  
**Location:** 1 St Thomas Court, Bury, BL9 7PW

**Proposal:** Single storey side extension

**Application No.:** 61120    **App. Type:** FUL    15/03/2017    Approve with Conditions  
**Location:** 599 Rochdale Old Road, Bury, BL9 7TL

**Proposal:** Outbuilding at rear

### Ward: **Bury East - Moorside**

**Application No.:** 61060    **App. Type:** FUL    01/03/2017    Approve with Conditions  
**Location:** 9 Athlone Avenue, Bury, BL9 5EE

**Proposal:** Single storey extension at rear

**Application No.:** 61090    **App. Type:** FUL    17/03/2017    Approve with Conditions  
**Location:** 7 Seedfield Road, Bury, BL9 6NZ

**Proposal:** Single storey extension at rear

### Ward: **Bury East - Redvales**

**Application No.:** 60846    **App. Type:** FUL    03/03/2017    Approve with Conditions  
**Location:** Manor House, Fletcher Fold, Bury, BL9 9RT

**Proposal:** Amendment to approved house type to plot 5 of residential development site

---

**Application No.:** 61091      **App. Type:** FUL      03/03/2017      Approve with Conditions  
**Location:** 201 Manchester Road, Bury, BL9 9HL  
**Proposal:** Variation of condition no. 2 (approved plans) of planning permission 53742 to install 2 no. doors to shop fronts

**Ward:** **Bury West - Church**

---

**Application No.:** 60993      **App. Type:** FUL      24/02/2017      Approve with Conditions  
**Location:** 10 Bidston Close, Bury, BL8 2UN  
**Proposal:** First floor side extension above existing garage with alteration to ridge height

---

**Application No.:** 61028      **App. Type:** FUL      03/03/2017      Approve with Conditions  
**Location:** 51 Bolton Road, Bury, BL8 2AB  
**Proposal:** Variation of condition no. 3 of planning permission 53473 to change the opening hours from 10.00 to 23.00 Monday to Sunday and Bank Holidays to 10.00 to 01.00 hours Monday to Thursday and Bank Holidays & 10.00 to 02.00 hours Friday to Sunday

---

**Application No.:** 61047      **App. Type:** FUL      16/03/2017      Approve with Conditions  
**Location:** Bolton Road Methodist Church, Bolton Road, Bury, BL8 2PH  
**Proposal:** Siting of free standing timber cross with timed illumination (4pm-10pm)

---

**Application No.:** 61099      **App. Type:** FUL      03/03/2017      Approve with Conditions  
**Location:** 67 Newington Drive, Bury, BL8 2DZ  
**Proposal:** Rear dormer extension

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**Ward:** **Bury West - Elton**

---

**Application No.:** 61094      **App. Type:** FUL      24/02/2017      Approve with Conditions  
**Location:** 39 Bankhouse Road, Bury, BL8 1DS  
**Proposal:** Single storey rear extension and render to front elevation

---

**Application No.:** 61096      **App. Type:** ADV      09/03/2017      Approve with Conditions  
**Location:** 87 Crostons Road, Bury, BL8 1AL  
**Proposal:** Halo illuminated lettering to front elevation

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**Ward:** **North Manor**

---

**Application No.:** 60979      **App. Type:** FUL      07/03/2017      Approve with Conditions  
**Location:** 18 North Avenue, Tottington, Bury, BL8 4DU  
**Proposal:** Variation of condition no. 2 (approved plans) of planning permission 60176

---

**Application No.:** 61039      **App. Type:** FUL      10/03/2017      Refused  
**Location:** Barn adjacent to the Byre, Redisher Lane, Ramsbottom, Bury, BL8 4HX  
**Proposal:** Conversion of barn to dwelling with extensions

---

**Application No.:** 61051      **App. Type:** GPDE      24/02/2017      Prior Approval Not Required - Extension  
**Location:** 1 Brookside Close, Ramsbottom, Bury, BL0 9TZ  
**Proposal:** Prior notification for proposed single storey extension at rear

---

**Application No.:** 61064      **App. Type:** FUL      22/02/2017      Approve with Conditions  
**Location:** 28 Larkfield Close, Tottington, Bury, BL8 4QJ  
**Proposal:** First floor extension at rear with balcony

---

**Application No.:** 61078      **App. Type:** FUL      08/03/2017      Approve with Conditions  
**Location:** 4 Greenmount Drive, Tottington, Bury, BL8 4HA  
**Proposal:** Single storey extension at front and side; Render to external elevations

---

**Application No.:** 61129      **App. Type:** FUL      16/03/2017      Approve with Conditions  
**Location:** 7 Larkfield Close, Tottington, Bury, BL8 4QJ  
**Proposal:** Two/single storey extension with juliet balcony at rear

---

**Application No.:** 61132      **App. Type:** FUL      13/03/2017      Approve with Conditions  
**Location:** 11 Moorway, Tottington, Bury, BL8 4LF  
**Proposal:** First floor extension to rear; Alterations to front elevation and full render finish

---

## Ward: **Prestwich - Holyrood**

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**Application No.:** 61041      **App. Type:** FUL      21/02/2017      Approve with Conditions  
**Location:** 58 Holyrood Road, Prestwich, Manchester, M25 1PE  
**Proposal:** Two storey side extension; part two storey and part single storey rear extension; new pitched roof to existing rear extension and raised decking at the rear

---

**Application No.:** 61054      **App. Type:** FUL      07/03/2017      Approve with Conditions  
**Location:** 5 Roseland Drive, Prestwich, Manchester, M25 2GX  
**Proposal:** Two storey extension at side with dormer at rear

---

**Application No.:** 61170      **App. Type:** FUL      17/03/2017      Approve with Conditions  
**Location:** 39 Poppythorn Lane, Prestwich, Manchester, M25 3BX  
**Proposal:** Two storey extension at rear

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## Ward: **Prestwich - Sedgley**

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**Application No.:** 61002      **App. Type:** FUL      24/02/2017      Approve with Conditions  
**Location:** 158 Albert Avenue, Prestwich, Manchester, M25 0HE  
**Proposal:** Rear extension to ground floor and basement and loft conversion with dormers to front and rear

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**Application No.:** 61019      **App. Type:** FUL      01/03/2017      Approve with Conditions  
**Location:** 102 Scholes Lane, Prestwich, Manchester, M25 0AU  
**Proposal:** Erection of bike shed attached to existing outbuilding

---

**Application No.:** 61061      **App. Type:** FUL      09/03/2017      Approve with Conditions  
**Location:** 59 Richmond Avenue, Prestwich, Manchester, M25 0LW  
**Proposal:** Single storey extension at rear and access ramp at front

---

**Application No.:** 61071      **App. Type:** FUL      15/03/2017      Approve with Conditions  
**Location:** 15 Watkins Drive, Prestwich, Manchester, M25 0DR  
**Proposal:** Single storey extension at front

---

**Application No.:** 61088      **App. Type:** FUL      10/03/2017      Approve with Conditions  
**Location:** 4 Edenfield Road, Prestwich, Manchester, M25 0EE  
**Proposal:** Single storey extension at side; First floor extension at rear and associated roof alterations; New windows to side (south) elevation

---

**Application No.:** 61102      **App. Type:** FUL      08/03/2017      Approve with Conditions  
**Location:** 21 Hilton Crescent, Prestwich, Manchester, M25 9NQ  
**Proposal:** Demolition of existing side extension and erection of single storey side extension and pitched roof dormer to front elevation

---

**Application No.:** 61134      **App. Type:** FUL      13/03/2017      Approve with Conditions  
**Location:** 29 The Meadows, Prestwich, Manchester, M25 1DT  
**Proposal:** Two storey rear extension

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

---

**Application No.:** 61043      **App. Type:** FUL      17/03/2017      Approve with Conditions  
**Location:** 3 Stanley Avenue South, Prestwich, Manchester, M25 3AR  
**Proposal:** Two/single storey extension at rear

---

**Application No.:** 61068      **App. Type:** FUL      20/02/2017      Approve with Conditions  
**Location:** 24 Barnhill Road, Prestwich, Manchester, M25 9NH  
**Proposal:** Raise height of roof to create second floor; Two storey and first floor extensions at front; Two storey extension at side; Single storey extension at rear

---

**Application No.:** 61148      **App. Type:** CON      16/03/2017      Raise No Objection  
**Location:** Former Pilkington Tiles Rake Lane, Clifton, Swinton, Manchester, M27 8LP  
**Proposal:** Article 18 consultation from Salford City Council for change of use to a waste transfer station handling both non-hazardous and hazardous waste and the siting of a portable office cabin

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**Ward:** **Radcliffe - East**

<b>Application No.:</b>	60908	<b>App. Type:</b>	FUL	03/03/2017	Approve with Conditions
<b>Location:</b>	Former Bus Station/Kwik Save Site, Dale Street, Radcliffe, Manchester, M26 1AA				
<b>Proposal:</b>	Erection of class A1 retail store, car parking and servicing areas, site access and associated works to include infilling of pedestrian subway under Pilkington Way				
<b>Application No.:</b>	60980	<b>App. Type:</b>	FUL	23/02/2017	Approve with Conditions
<b>Location:</b>	3 Hardys Drive, Radcliffe, M26 2TL				
<b>Proposal:</b>	Single storey extension at rear				
<b>Application No.:</b>	61035	<b>App. Type:</b>	FUL	07/03/2017	Approve with Conditions
<b>Location:</b>	17 Starling Road, Radcliffe, Manchester, M26 4LW				
<b>Proposal:</b>	Single storey extension at side; Single storey extension at rear (under existing first floor extension)				
<b>Application No.:</b>	61050	<b>App. Type:</b>	GPDE	24/02/2017	Prior Approval Not Required - Extension
<b>Location:</b>	58 Gate Lane, Radcliffe, M26 8AF				
<b>Proposal:</b>	Prior notification for proposed single storey extension at rear				

## Ward: Radcliffe - North

<b>Application No.:</b>	61038	<b>App. Type:</b>	FUL	24/02/2017	Approve with Conditions
<b>Location:</b>	31 Chiswick Drive, Radcliffe, Manchester, M26 3XB				
<b>Proposal:</b>	Retention of covered area to enclose hot tubs with raised decking (altered) and boundary treatment including fencing and infill panels added to enclose covered area				
<b>Application No.:</b>	61059	<b>App. Type:</b>	FUL	23/02/2017	Approve with Conditions
<b>Location:</b>	26 Lichfield Road, Radcliffe, Manchester, M26 3LZ				
<b>Proposal:</b>	Two storey side extension				
<b>Application No.:</b>	61073	<b>App. Type:</b>	ADV	10/03/2017	Approve with Conditions
<b>Location:</b>	Land adjacent Bury New Road/Vale Street, Brightmet, Bolton, BL2 6QE				
<b>Proposal:</b>	Replacement of 2 no. existing externally illuminated 48-sheet advertising displays with 2 no. 48-sheet digital LED displays				
<b>Application No.:</b>	61150	<b>App. Type:</b>	FUL	14/03/2017	Approve with Conditions
<b>Location:</b>	47 Lichfield Road, Radcliffe, Manchester, M26 3LZ				
<b>Proposal:</b>	Two storey side and single storey rear extension				

## Ward: Radcliffe - West

<b>Application No.:</b>	61021	<b>App. Type:</b>	ADV	03/03/2017	Refused
<b>Location:</b>	159 Ringley Road West, Radcliffe, Manchester, M26 1DW				
<b>Proposal:</b>	Non-illuminated advertising banner to side elevation				

---

**Application No.:** 61095      **App. Type:** FUL      13/03/2017      Approve with Conditions  
**Location:** 20 Coleridge Avenue, Radcliffe, Manchester, M26 3QU  
**Proposal:** Single storey extension at side; Access ramp at front

---

**Application No.:** 61121      **App. Type:** FUL      10/03/2017      Approve with Conditions  
**Location:** 11 Gatefield Close, Radcliffe, Manchester, M26 3UY  
**Proposal:** First floor extension at side

---

**Ward: Ramsbottom + Tottington - Tottington**

---

**Application No.:** 60963      **App. Type:** FUL      03/03/2017      Approve with Conditions  
**Location:** 16 Deacons Crescent, Tottington, Bury, BL8 3DW  
**Proposal:** Single storey extension at rear following removal of existing conservatory

---

**Application No.:** 61106      **App. Type:** FUL      09/03/2017      Approve with Conditions  
**Location:** 54 Sheep Gate Drive, Tottington, Bury, BL8 3JZ  
**Proposal:** New pitched, hipped, tiled roof-scape over and above existing two storey flat roofed house extension attached to side of detached dwelling

---

**Application No.:** 61109      **App. Type:** GPDE      06/03/2017      Prior Approval Not Required - Extension  
**Location:** 76 Watling Street, Tottington, Bury, BL8 3QW  
**Proposal:** Prior notification for proposed single storey rear extension

---

**Application No.:** 61110      **App. Type:** GPDE      06/03/2017      Prior Approval Not Required - Extension  
**Location:** 3 Albemarle Place, Tottington, Bury, BL8 3GN  
**Proposal:** Prior notification for proposed single storey rear extension

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**Ward: Ramsbottom and Tottington - Ramsbottom**

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**Application No.:** 60862      **App. Type:** FUL      24/02/2017      Approve with Conditions  
**Location:** 99 Callender Street, Ramsbottom, Bury, BL0 9DU  
**Proposal:** Single storey side extension

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**Application No.:** 60953      **App. Type:** FUL      21/02/2017      Approve with Conditions  
**Location:** Grants Tower, Top o' th' Hoof, Bury Old Road, Ramsbottom, Bury, BL9 5NA  
**Proposal:** Partial restoration/alterations including installation of new roof to existing tower building with Sui Generis use

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**Application No.:** 60962      **App. Type:** FUL      01/03/2017      Refused  
**Location:** Twine Valley Farm, Church Road, Shuttleworth, Ramsbottom, Bury, BL0 0EH  
**Proposal:** Agricultural building for silage

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**Application No.:** 60981      **App. Type:** FUL      24/02/2017      Refused  
**Location:** Old Rectory, Chapel Lane, Ramsbottom, Bury, BL8 4NB  
**Proposal:** Erection of three car garage with gymnasium above

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**Application No.:** 61030      **App. Type:** LDCEP      10/03/2017      Refused  
**Location:** 12 Tagg Wood View, Ramsbottom, Bury, BL0 9XP  
**Proposal:** Certificate of lawfulness for proposed single storey rear extension

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**Application No.:** 61055      **App. Type:** FUL      27/02/2017      Approve with Conditions  
**Location:** 26 Cleveland Close, Ramsbottom, Bury, BL0 9FH  
**Proposal:** Single storey extension at side/rear

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**Application No.:** 61062      **App. Type:** FUL      03/03/2017      Approve with Conditions  
**Location:** Irwell Street Metals, Kenyon Street, Ramsbottom, Bury, BL0 0AB  
**Proposal:** Demolition of existing lean-to extension and erection of new workshop extension

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**Application No.:** 61072      **App. Type:** FUL      16/03/2017      Approve with Conditions  
**Location:** 19 Square Street, Ramsbottom, Bury, BL0 9BE  
**Proposal:** Alterations to existing residential dwelling to form two residential apartments with loft conversion

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**Application No.:** 61080      **App. Type:** FUL      02/03/2017      Approve with Conditions  
**Location:** 94 Ripon Hall Avenue, Ramsbottom, Bury, BL0 9RE  
**Proposal:** Two storey side extension

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**Application No.:** 61125      **App. Type:** FUL      10/03/2017      Approve with Conditions  
**Location:** Westbrook House, 207 Bolton Road West, Ramsbottom, Bury, BL0 9PJ  
**Proposal:** Extension of existing garage with new pitched roof and alterations to vehicular access from Hazel Street

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**Application No.:** 61169      **App. Type:** CON      16/03/2017      Raise No Objection  
**Location:** Unit A11 Cuba Industrial Estate, Bolton Road North, Edenfield, Bury, BL0 0NE  
**Proposal:** Article 18 consultation from Rossendale Council for proposed erection of new internal storage unit to commercial building.

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**Ward: Whitefield + Unsworth - Besses**

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**Application No.:** 60678      **App. Type:** FUL      08/03/2017      Approve with Conditions  
**Location:** 22 Swinton Crescent, Bury, BL9 8PA  
**Proposal:** Erection of summer house in rear garden

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**Application No.:** 61084      **App. Type:** GPDE      24/02/2017      Prior Approval Not Required - Extension  
**Location:** 9 Derwent Avenue, Whitefield, Manchester, M45 8GJ  
**Proposal:** Prior notification for proposed single storey rear extension

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## Ward: Whitefield + Unsworth - Pilkington Park

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**Application No.:** 61000      **App. Type:** FUL      24/02/2017      Approve with Conditions  
**Location:** 32 Ringley Road, Whitefield, Manchester, M45 7LE  
**Proposal:** Single storey rear extension

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**Application No.:** 61037      **App. Type:** FUL      03/03/2017      Approve with Conditions  
**Location:** 43 Dales Lane, Whitefield, Manchester, M45 7JQ  
**Proposal:** Two storey rear extension, extension to existing roof and addition of 2 no. velux windows to front elevation, external alterations and the removal of the existing detached garage

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**Application No.:** 61046      **App. Type:** FUL      13/03/2017      Approve with Conditions  
**Location:** 4 Ringley Chase, Whitefield, Manchester, M45 7UA  
**Proposal:** Erection of boundary fence between 2 and 4 Ringley Chase

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**Application No.:** 61070      **App. Type:** FUL      06/03/2017      Approve with Conditions  
**Location:** 107 Higher Lane, Whitefield, Manchester, M45 7EY  
**Proposal:** Boundary wall at front (reduced height)

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**Application No.:** 61119      **App. Type:** FUL      13/03/2017      Approve with Conditions  
**Location:** 8 Sunningdale Avenue, Whitefield, Manchester, M45 7GW  
**Proposal:** Single storey extension at rear; 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

## Ward: Whitefield + Unsworth - Unsworth

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**Application No.:** 61020      **App. Type:** FUL      03/03/2017      Approve with Conditions  
**Location:** 13 Rhodes Drive, Bury, BL9 8NH  
**Proposal:** Single storey front extension and new front porch

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**Application No.:** 61032      **App. Type:** FUL      03/03/2017      Approve with Conditions  
**Location:** 18 Southgate Road, Bury, BL9 8DZ  
**Proposal:** Single storey extension at side

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**Application No.:** 61057      **App. Type:** FUL      28/02/2017      Approve with Conditions  
**Location:** 19 Bent Fold Drive, Bury, BL9 8NG  
**Proposal:** New windows and porch to front elevation; New window on side elevation; New pitched roof over existing rear extension; Render to external elevations

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**Application No.:** 61092      **App. Type:** FUL      28/02/2017      Approve with Conditions  
**Location:** 26 Randale Drive, Bury, BL9 8HZ  
**Proposal:** First floor extension at side

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**Total Number of Applications Decided: 72**

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# REPORT FOR DECISION

Agenda Item 6

**Bury**  
COUNCIL

Agenda  
Item

6

<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>28 March 2017</b>
<b>SUBJECT:</b>	<b>PLANNING APPEALS</b>
<b>REPORT FROM:</b>	<b>HEAD OF DEVELOPMENT MANAGEMENT</b>
<b>CONTACT OFFICER:</b>	<b>DAVID MARNO</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	<p>Planning Appeals:</p> <ul style="list-style-type: none"> <li>- Lodged</li> <li>- Determined</li> </ul> <p>Enforcement Appeals</p> <ul style="list-style-type: none"> <li>- Lodged</li> <li>- Determined</li> </ul>
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	The Committee is recommended to the note the report and appendices
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework? Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management
<b>Statement by Executive Director of Resources:</b>	N/A
<b>Equality/Diversity implications:</b>	No
<b>Considered by Monitoring Officer:</b>	N/A

<b>Wards Affected:</b>	All listed
<b>Scrutiny Interest:</b>	N/A

## TRACKING/PROCESS

## DIRECTOR:

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

### 1.0 BACKGROUND

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

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

### 2.0 CONCLUSION

That the item be noted.

### List of Background Papers:-

#### Contact Details:-

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

**Tel: 0161 253 5291**

**Email: [d.marno@bury.gov.uk](mailto:d.marno@bury.gov.uk)**



## Planning Appeals Lodged



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**Application No.:** 60866 /PMBP

**Appeal lodged:** 28/02/2017

**Decision level:** DEL

Written Representations

**Recommended Decision:** Prior Approval Required and

**Applicant:** Mr Andrew Winstanley

**Locatio** Lower Dickfield Farm, Lower Dickfield, Helmshore Road, Ramsbottom, Bury, BL8 4PD

**Proposal:** Prior approval for the proposed change of 2 no. agricultural buildings to 2 no. dwellinghouses (Class C3) under part 3 class Q(a) of general permitted development order

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**Total Number of Appeals Lodged:** 1

## Planning Appeals Decided



**Application No.:** 60359 /ADV

**Appeal Decision:** Allowed

**Date:** 01/03/2017

**Decision level:** DEL

Written Representations

**Recommended Decision:** Refuse

**Applicant:** Insite Poster Properties Ltd

**Locatio** Gable of 37 Walmersley Road, Bury, BL9 5AE

**Proposal:** Replacement of existing 48 sheet advertising display with 48 sheet LED display

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**Application No.:** 60445 /FUL

**Appeal Decision:** Dismissed

**Date:** 28/02/2017

**Decision level:** DEL

Written Representations

**Recommended Decision:** Refuse

**Applicant:** Mrs N Thurstans Ferreira

**Locatio** The Gatehouse, Bridgefield Drive, Bury, BL9 7PE

**Proposal:** Erection of boundary fence

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**Total Number of Appeals Decided:** 2

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## Appeal Decision

Site visit made on 7 February 2017

**by Louise Nurser BA (Hons) Dip UP MRTPI**

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

**Decision date: 1 March 2017**

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**Appeal Ref: APP/T4210/Z/16/3161424**

**Gable of 37 Walmersley Road, Bury BL9 5AE**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
  - The appeal is made by Insite Poster Properties Ltd against the decision of Bury Metropolitan Borough Council.
  - The application Ref 60359, dated 11 July 2016, was refused by notice dated 2 September 2016.
  - The advertisement proposed is replacement of existing 48 sheet advertising display with 48 sheet LED display.
- 

### Decision

1. The appeal is allowed and express consent is granted for the display of the advertisement as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:-
  - 1) The intensity of the illumination of the advertisement permitted by this consent shall be no greater than 300 candela per square metre.
  - 2) The minimum display time for each advertisement shall be 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed.
  - 3) The advertisement shall be static with no special effects (including noise, smell, smoke, animation, flashing, scrolling, three dimensional, intermittent or video elements) of any kind during the time that any message is displayed.
  - 4) The interval between successive displays shall be instantaneous (0.1 seconds or less), the complete screen shall change, there shall be no visual effects (including fading, swiping or other animated transition methods) between successive displays and the display will include a mechanism to freeze the image in the event of a malfunction.

### Main issue

2. No issues have been raised in relation to public safety in this appeal. Therefore the main issue in this case is the effect of the 48 sheet LED display on the character and appearance of the host property and wider area.

## Reasons

3. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
4. The appeal site is located on the gable end of a group of shops and businesses designated as a Local Centre on Walmersley Road (A56). The road layout and the substantial area of grass and landscaping to the front of the Freedom Church provide an uninterrupted view of the existing 48 sheet poster which the appeal proposal would replace. The A56 is identified within saved policy EN1/9 of the Bury Unitary Development Plan adopted 1997 (UDP) as an area in which the Council wishes to improve the quality of development and is a main through route out of the centre of Bury. Both parties agree that the current 48 sheet advertising display benefits from deemed consent, and a 48 sheet poster has been at the site, since, at least 1996. The Council has not sought to serve a discontinuance notice.
5. From my site visit I observed that the site lies to the north of Bury's main retail core. It is separated from The Rock, a new shopping and leisure development, and a significant area of retail warehousing, by a major intersection. As such it is visually separate from the new developments. However, it is visible from the Moorgate junction.
6. The immediate area surrounding the appeal site appears typical of its inner urban location and is predominantly commercial in nature. There is a mix of larger modern purpose built retailing such as a Wickes, a former flat roofed low office block which has been converted to the Freedom Church, older small scale red brick properties housing a variety of commercial enterprises, and the Local Centre of small shop units fronting either side of the A56, many of which appear to require investment.
7. The proposed advertisement would replace an existing back lit 48 sheet poster with a LED display of similar dimensions, albeit it would be around 20 cm deeper. I note that the existing poster takes up more than half of the width and height of the gable wall of the barber shop. The proposed 48 sheet LED display would be less bright at 300 candela (cd) per sqm both during the night and day, compared to the present levels of 600cd. In addition, the actual advertisement would be a static LED display with images that would change electronically rather than stretched vinyl whose content remains in situ until it is manually changed. The Council has not indicated that the type of illumination is problematic in terms of the visual amenity of the area. Conditions can control the illumination, display time and the prevention of special effects.
8. I am aware that the appeal site is highly visible to traffic travelling north out of Bury. However, the improvements delivered by the proposal of lower levels of illumination, and investment in a modern sign would contribute to the long standing aspiration of the Council to improve the quality of the environment along the A56.
9. I have taken into account saved policies EN1/7 and EN1/9 of the UDP. Together, they both seek to protect amenity, and so are material in this case. However, given my conclusion that in the particular circumstances of this case,

the proposal would not substantially harm amenity, the proposal does not conflict with these policies.

### **Conditions**

10. I have imposed the five standard conditions set out within the Regulations. In addition, the appellant has suggested five further conditions, one of which duplicates the standard five year time period. In the interests of amenity, to maintain highway safety and to avoid overt distraction to drivers, these additional conditions are necessary to control the frequency of image changes, the levels of illumination, and to ensure that images are static, with virtually instantaneous changes.

### **Conclusion**

11. For the reasons which are set out above, I allow the appeal and grant express consent subject to conditions.

*L. Nurser*

INSPECTOR

## Appeal Decision

Site visit made on 20 February 2017

**by Matthew Birkinshaw BA(Hons) Msc MRTPI**

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

**Decision date: 28<sup>th</sup> February 2017**

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**Appeal Ref: APP/T4210/D/16/3165634**

**The Gatehouse, Bridgefield Drive, Bury, BL9 7PE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs Natalie Thurstans Ferreira against the decision of Bury Metropolitan Borough Council.
  - The application Ref 60445, dated 6 August 2016, was refused by notice dated 19 October 2016.
  - The development proposed is the erection of a boundary fence.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. I have taken the description of development from the Council's formal decision notice, as this more accurately describes the proposal.

### Main Issues

3. The main issues are:
  - The effect of the proposal on the character and appearance of the area; and
  - The effect of the proposal on highway safety.

### Reasons

#### *Character and Appearance*

4. Throughout Bridgefield Drive the majority of properties have low boundary walls, hedges and/or railings. This contributes to the relatively open, suburban character of the street. Where higher boundary fences and walls exist they are predominantly at the side, rather than along the front of properties.
5. In contrast the appeal proposal would introduce a solid fence measuring roughly 1.8m high along the back edge of the pavement. With the exception of a gap directly in front of the property, the new fence and gates would run the full length of the plot adjacent to Bridgefield Drive. In this location I consider that the height, position and solid design of the fence would result in an unduly prominent and incongruous feature in the streetscene. When viewed in the context of its suburban surroundings such a large boundary feature would be harmfully out of place.



6. In reaching this view I have taken into account that the fence would provide the appellant with more privacy in her garden, and would help resolve issues of anti-social behaviour associated with the adjacent footpath. It would also provide added security and an enclosed space for the appellant's dog to use. In addition, it is appreciated that applying for planning permission can be an expensive process. However, whilst I empathise with the issues that have been raised, these factors do not justify allowing such a large fence that would be out of place on this part of Bridgefield Drive. Based on the information provided the visual impact of the fence would not be mitigated by amending the design of the gates.
7. I therefore conclude that by reason of its size, position and design the proposal would have an unacceptable adverse effect on the character and appearance of the surrounding area. As a result, it conflicts with *Bury Unitary Development Plan* (UDP) Policy EN1/2 which states that the Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the townscape of the Borough's settlements. For the same reasons it also conflicts with UDP Policy H2/3 which states that applications for house extensions and alterations will be considered having regard to, amongst other things, the character of a property and the surrounding area. Finally, by failing to respect the character of the streetscene the proposal is also contrary to the Council's guidance on boundary enclosures in *Supplementary Planning Document (SPD) 6: Alterations and Extensions to Residential Properties*.

#### *Highway Safety*

8. The submitted plans illustrate that the proposed gates would open outwards and towards the highway. Although this would obstruct the pavement, and gates opening inwards would restrict parking space on the drive, the appellant advises that an internal sliding mechanism could be used instead. This would address some of the Highways Officer's concerns.
9. However, the height, solid design and position of the fence along the back edge of the pavement would restrict the visibility of oncoming traffic and pedestrians in both directions from the junction of the driveway with Bridgefield Drive. Although forward visibility is already partially restricted by existing planting, it would be exacerbated by the appeal proposal. The fence would increase the risk of collisions occurring between vehicles leaving the driveway and occupiers and/or visitors to the neighbouring block of flats.
10. In response the appellant states that there are other fences and walls similar to the appeal proposal nearby, and that overgrown trees and hedges already restrict the use of the pavement for pedestrians on Bridgefield Drive. However, I am required to consider the proposal on its specific merits. Whether or not other fences restrict visibility elsewhere, or overgrown planting limits use of the pavement further along the street, this does not justify allowing an arrangement that would be unsafe.
11. I therefore conclude that by reason of its size, solid design and proximity to the back edge of the pavement the proposal would restrict the visibility of oncoming traffic and pedestrians to the detriment of highway safety. As a result, it conflicts with UDP Policy HT6/1 which states that the Council will seek to ensure that pedestrians and cyclists are able to move safely and conveniently by, amongst other things, eliminating points of conflict with motor vehicles. For the same reasons it also conflicts with UDP Policy H2/3 which,

amongst other things, requires house extensions and alterations to take into account visibility for pedestrians, cyclists and drivers of motor vehicles.

**Conclusion**

13. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

*Matthew Birkinshaw*

INSPECTOR