

AGENDA FOR

PLANNING CONTROL COMMITTEE

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

To: All Members of Planning Control Committee

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

Dear Member/Colleague

Planning Control Committee

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

Date:	Tuesday, 20 June 2017
Place:	Peel Room, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	<p>If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.</p> <p>The Head of Development Management will brief the Committee on any changes 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>
Notes:	<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 – Council and Democracy.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. N. Kenyon', with a long horizontal flourish extending to the right.

Stephen Kenyon CPFA
Interim Executive Director of Resources and Regulation

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 25 MAY, 2017 *(Pages 1 - 4)*

4 PLANNING APPLICATIONS *(Pages 5 - 62)*

5 DELEGATED DECISIONS *(Pages 63 - 76)*

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

6 PLANNING APPEALS *(Pages 77 - 92)*

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: 23 May, 2017

Present: Councillor J Black (In the Chair)
Councillors R Caserta, A Cummings, M D'Albert,
S Haroon, J Harris, S Kerrison, C Preston, I
Schofield, R Skillen and Y Wright

Public attendance: 55 members of the public were in attendance

**Apologies for
absence:** Councillor O'Brien

PCC.01 DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

PCC.02 MINUTES

Delegated decision:

That the Minutes of the meeting held on 25 April, 2017 be approved as a correct record and signed by the Chair.

PCC.03 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 planning application numbers: 59984, 60045, 61286, 61296, 61299, 61300 and 61369. The Committee heard representations from applicants and/or objectors in respect of the applications submitted. This was limited to three minutes for each speaker. Councillor Quinn spoke as a Ward Representative in respect of planning application 60045.

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:

61163 Land at Shaw Street/Gladstone Street, Bury – Bury East Ward

Erection of 3 no. dwellings

61223 Sheep Hey Farm House, Leaches Road, Shuttleworth, Ramsbottom, Bury – Ramsbottom & Tottington – Ramsbottom Ward

Retention of shed to store hay, feed and associated equipment; retention of boundary fencing

61296 130 Bury New Road, Prestwich, Manchester – Prestwich – Sedgley Ward

Two storey side extension to provide additional retail space (Class A1) at ground floor level and office space (Class B1a) at first floor level with associated car park alterations and landscaping works

61299 Site of former police station, Bridge Street, Ramsbottom – Ramsbottom & Tottington – Ramsbottom Ward

Creation of car park for temporary period of 3 years

61300 60 Bolton Street, Bury – Bury East Ward

Change of use from solicitors office (Class A2) to private hire taxi booking office (Sui Generis)

61320 17 Beverley Close, Whitefield, Manchester – Whitefield & Unsworth Ward – Besses Ward

Single storey rear extension

61369 Land adjacent to 23 Meadway, Bury – Bury East – Redvales Ward

Outline application for 2 no. detached dwellings with detached double garages with details of access

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

60045 Texaco Petrol Station, Bury Old Road, Prestwich, Manchester – Prestwich – Sedgley Ward

Demolition of existing structures and erection of a retail (A1) unit and synagogue with associated car parking, landscaping and access arrangement

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

59984 77 Bury Road, Radcliffe, Manchester – Radcliffe East Ward

Outline – Demolition of existing care home and erection of 13 no. dwellings

Note: The Committee noted the Development Manager's decision to defer this application in order to allow the applicant to submit relevant information requested by the Coal Authority during consultations.

61286 Land at 4 Mile Lane, Bury – Bury West – Church Ward
Erection of 1 no. dwelling at side

Note: During the debate and prior to the determination of the application, Councillor Harris proposed an alternative motion – to defer consideration of the application for a Site Visit. This motion was Seconded by Councillor Preston and the Committee voted in favour of the motion to defer the application for a Site Visit.

PCC.04 DELEGATED DECISIONS

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

Delegated decision:

That the report be noted.

PCC.05 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.06 MEMBER TRAINING

The Head of Development Management submitted a report setting out the proposed training programme for Planning Control Committee Members that will place over the 2017/2018 Municipal year.

Delegated decision:

That the report be noted.

**CHAIR
COUNCILLOR J Black**

(Note: The meeting started at 7.03 pm and ended at 7.45 pm)

Title	Planning Applications
To:	Planning Control Committee
On:	20 June 2017
By:	Development Manager
Status:	For Publication

Executive Summary

The attached reports present members with a description of various planning applications, the results of consultations, relevant policies, site history and issues involved.

My recommendations in each case are given in the attached reports.

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:
The elimination of discrimination, harassment and victimisation;
The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, I have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based

upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

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

Development Manager

Background Documents

1. The planning application forms and plans submitted therewith.
2. Certificates relating to the ownership.
3. Letters and Documents from objectors or other interested parties.
4. Responses from Consultees.

FOR FURTHER INFORMATION ON THE CONTENTS OF EACH REPORT PLEASE CONTACT INDIVIDUAL CASE OFFICERS IDENTIFIED IN EACH CASE.

01	Township Forum - Ward: Bury West - Church	App No. 61286
	Location: Land at 4 Mile Lane, Bury, BL8 2DS	
	Proposal: Erection of 1 no. dwelling at side	
	Recommendation: Approve with Conditions	Site Visit: Y
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02	Township Forum - Ward: Ramsbottom and Tottington - Ramsbottom	App No. 61363
	Location: Higher Tops Barn, Moor Road, Ramsbottom, Bury, BL8 4NU	
	Proposal: Change of use of agricultural land to horse manege	
	Recommendation: Approve with Conditions	Site Visit: N
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03	Township Forum - Ward: Radcliffe - North	App No. 61391
	Location: Land off Salisbury Road, Radcliffe, Manchester, M26 4WG	
	Proposal: Material amendment following grant of planning permission 58233 for residential development for 86 dwellings and associated infrastructure: Retrospective increases to finished floor levels to plots 76 - 85 and decrease to finished floor levels to plot 86	
	Recommendation: Approve with Conditions	Site Visit: N
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04	Township Forum - Ward: Bury East - Redvales	App No. 61447
	Location: Pilot Mill, Alfred Street, Bury, BL9 7EJ	
	Proposal: Erection of 6 no. industrial/warehouse units (Classes B1/B2/B8)	
	Recommendation: Approve with Conditions	Site Visit: N
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Ward: Bury West - Church

Item 01

Applicant: Mr Karl Rawston

Location: Land at 4 Mile Lane, Bury, BL8 2DS

Proposal: Erection of 1 no. dwelling at side

Application Ref: 61286/Full

Target Date: 17/05/2017

Recommendation: Approve with Conditions

The application was deferred from the previous Committee meeting to carry out a site visit.

Description

The application site relates to the side and part of the rear garden of No 4 Mile Lane. This property is a 2 storey brick built detached dwelling and has an in/out access to a driveway and an integral garage on the northern side of the house. The property has a large rear garden which currently accommodates a summerhouse in the southern eastern corner.

The site is bounded by a dwarf wall at the frontage, and there are mature conifer trees and fence to No 2 Mile Lane, a bungalow which is set at a lower level and forward of the building line of No 4 Mile Lane.

To the rear are properties on Turton Close, separated by a boundary fence which are also set at a lower level of approximately 1m. No 14, a bungalow, is directly opposite the application plot and No 12 directly faces the rear elevation of No 4 Mile Lane.

The application is for a 2 storey detached dwelling with a rear dormer, to be sited in the side garden of No 4 Mile Lane. It would be set 1m from the side elevation of No 4 and forward of the front elevation of the house by 2m. There would be a distance of 6.8m to the boundary with No 2 Mile Lane.

The proposed dwelling would project 12m in length, 3.4m beyond the original rear elevation of No 4. A 6.5m long rear garden would be provided bounded by a new fence. Beyond this, to the boundary of No 14 Turton Close, a remaining garden length of 5.5m would continue in the ownership of No 4 Mile Lane as access to their summerhouse, which would be retained in the south eastern corner.

The proposed dwelling would share the existing central vehicular access with No 4 and there would be 2 parking spaces to the front of the new property.

Update

In terms of height and design, the proposals have been amended from the scheme which was originally put forward to the Planning Committee in May. The height and eaves level of the proposed dwelling have been reduced to match that of the adjacent property, No 4 Mile Lane. The front elevation has been amended with a reduced roof pike, and a small velux roof light inserted.

At the rear, the dormer has been reduced in size and would be centrally positioned within the roofspace.

Proposed materials are facing brickwork and concrete roof tiles.

Relevant Planning History

43593 - Residential development - two storey detached three bedroom dwelling - Refused

30/11/2004 - by reason of its size, position and design, to be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area (see response to objections in the section below).

48915 - Two storey rear extension & first floor side extension - Approve with Conditions 20/12/2007

52832 - Certificate of lawful development for proposed detached summerhouse at rear - Lawful Development 16/07/2010

55171 - New front boundary wall (Retrospective). - Approve with Conditions 22/06/2012

60345 - Erection of 1 no. dwelling at side - Withdrawn by Applicant 25/11/2016

Publicity

12 letters sent on 29/3/2017 to properties at Nos 1,3,6 Standring Avenue, 12,14,16 Turton Close, 1,2,3,6,8 Mile Lane, 22 Freckleton Drive.

One letter of objection received from No 12 Turton Close (rear of No 4 Mile Lane) with the following issues raised:

- The dwelling would be 3 storey and 9m in height and the dormer would be an incongruous and dominating feature when viewed from my property and others at the rear;
- The dormer and its window position would allow occupants of the bedroom to look out and afford a clear, unobstructed view into properties at the rear;
- The recommended separation distances do not take into account that there is a change in levels of at least 1000mm between the site/No 4 Mile Lane and the houses at the rear which would increase the impact of any new structure. An increase in separation distance to allow for the difference in levels would lessen the impact;
- It would be possible to move the proposed dwelling forward to help address the separation distance concerns, and sensible to site between Nos 2 and 4 Mile Lane;
- Parking spaces would not be compromised by moving the new structure nearer to Mile Lane
- Request Permitted Development Rights are removed;
- The above suggestions should be incorporated but if not request the application be refused and considered by the Planning Committee.

Further objection received from No 12 Turton Close with detailed information dating back to 2003 of previous applications at the address of 4 Mile Lane which have either been refused, approved or withdrawn.

The objector states that even though time has moved on, the issues of these applications are the same as the current application.

Other comments made by the objector:

- As this application stands, the proposed house would have panoramic views of my living/social areas and outdoor space;
- I enjoy my privacy and time at home and am entitled to it. Including the difference in ground levels, the house would be over 2.5 times taller than mine and tower over it, so in real terms how could it not affect my privacy and other rights.

Further objection received from No 12 Turton Close with the following issues:

- Photographs submitted of the front of the site and the adjacent properties to show that the footprint of the proposed dwelling could be moved forward to give a more uniform look on the street scene and in relation to the adjacent houses which would reduce impact on my privacy, whilst still maintaining ample parking area;
- The proposed style of house on an already elevated plot would effect my amenities and overlook my private living spaces along with my garden and patio area, and does not fit in with the surrounding homes or landscape; at more than twice the height the objections raised are more robust;
- The previously approved scheme in 2004 (outline consent for 1 dwelling) suggested a bungalow or a 2 storey house forward to the front of the plot and further across towards

- No 2 Mile lane to form a natural building line;
- Not totally against the construction of a further house but ask the final build does not come passed the original building line of No 4 - ie move forward and off set at the rear - would certainly improve the frontage leaving ample parking as well as giving a more uniform look;
- Ask that the dormer be declined in favour of velux type roof lights or side windows;
- Making the house a 2 storey or a bungalow is a better idea;
- Mile Lane is a prestigious road with houses that are not packed in - they are spaces apart and protect the roominess feel that Seddons farm is recognised for;
- Would be better seen if Committee did a site visit.

Following deferral of the application at the Committee Meeting on 23rd May, revised plans were received. The amendments now propose a reduction in height of the dwelling to match that of No 4, alterations to the design of the front elevation and a reduction in size of the rear dormer.

The objector at No 12 Turton Close and residents at 14, Turton Close, 1 Standing Avenue and 2 Mile Lane have been re-notified of the proposed revisions.

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

Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - Standard drainage condition to include a SuDS scheme will be required by condition.

Environmental Health Contaminated Land - No objection subject to conditions.

United Utilities (Water and Waste) - No objection subject to condition. The applicant should be aware of the location of a public sewer which crosses the site which will require an access strip of 6m.

The Coal Authority - No objection subject to a condition to carry out remedial measures prior to development.

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
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.

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

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

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

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

UDP Policy H2/6 - Garden and Backland Development assesses proposals with special regard given to the concentration and relative density of such development in the surrounding area, impact on neighbouring properties and the local environment and access arrangements.

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

The development would 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 is existing infrastructure in place to facilitate the single dwelling and the scale of the proposal would be such that there would not be over development of the site.

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 - The proposed dwelling would be located in the side garden of No 4 Mile Lane. It would be set 1m from the side elevation of No 4 and forward of the principle front elevation of this house by 2m. The building line is slightly staggered along this section of Mile Lane. The proposed dwelling would be positioned virtually in line with the frontage of No 4 and as such considered it would have a comparable relationship within the context of the streetscene as the existing property.

There would be a distance of 6.8m from the side elevation of the proposed dwelling to the boundary with No 2 Mile Lane which would provide a generous separation distance and amenity area. At the rear, there would be a garden of 6.5m in depth to the new rear boundary of this property which is considered would provide an acceptable level of additional outdoor space. Beyond this, a strip of garden area some 5.5m deep would be retained in the ownership of No 4 to facilitate access to their summerhouse which is located in the south east corner of the existing garden.

The existing central access into the driveway of No 4 would become a shared access for both properties, with ample space to the front of each dwelling for parking.

The proposed siting of the dwelling is also constrained to account for the public sewer which crosses the site and which would require an access strip of 3m either side for maintenance or replacement purposes.

The proposed layout plan demonstrates that a dwelling and its associated requirements in terms of parking and amenity area could be successfully accommodated within the plot,

reflecting the layout and arrangement of the existing properties in the area and in relation to the context of the streetscape.

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 4 Mile Lane - Whilst the development would result in a reduction to the garden area and driveway space for this property, there would still be ample and acceptable levels of parking provision and outdoor amenity space for this house without compromise to existing or future occupiers.

As such, the layout of No 4 Mile Lane would be 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.

Scale, design and appearance - The application proposes a 2 storey dwelling with a dormer in the rear roofspace. Whilst there is a bungalow adjacent at No 2 Mile Lane, No 4 is a large 2 storey house and there are houses opposite and in the surrounding area and as such it is considered that the proposed development would be acceptable in terms of housetype, scale and massing.

The height of the proposed dwelling would follow the ridge height and eaves level of No 4 Mile lane and with a pitch roof and gable ends would reflect the appearance of this property and others in the immediate vicinity. The piked roof projection has been scaled down and a small velux in the roofspace proposes a modest frontage.

At the rear, the ground floor would project a further 1.6m from the two storey element and incorporate a monopitched roof with patio doors leading out to the garden area. A pitched roof dormer would be added at the rear, set in from the side elevations and rear wall of the dwelling. The size and scale of the dormer has been reduced and would not result in a dominant addition or feature to the roof plane and would comply with the design guidance advised in SPD6.

Materials proposed are facing brickwork and concrete tiles. No 4 comprises brickwork elevations, whilst No 2 is entirely rendered. The houses in the area comprise of a mix of materials and external finishes and as such the proposed materials are considered to be acceptable, subject to approval of details by condition.

As such, it is considered that the scale and design of the proposed dwelling would be appropriate within the context of the surrounding area and would comply with UDP Policies H2/1 - The Form of New Residential Development and EN1/2 - Townscape and Built Design and SPD6.

Impact on residential amenity - Whilst there are no set standards in terms of separation distances between these types of developments and residential properties, SPD6 is used as a guide to assess relationships and aspect standards between properties and new built development.

SPD6 states that a minimum distance of 20m should be maintained between habitable room windows, plus 3m for every additional storey or difference in levels, and 13m between habitable room windows and a 2 storey blank wall. Where there would be a difference in levels or additional storey, an additional 3m separation is generally sought.

No 14 Turton Close is a bungalow and would directly face the rear elevation of the proposed dwelling. The ground level of this property is set approximately 1m lower and there is an

intervening boundary fence . As the proposed development would have a dormer in the roofspace, a separation distance of 23m would be sought. There would be a distance of 24m from the dormer and 23m from the 2 storey element of the new build to No 14. There is also an intervening garden boundary fence which screens the ground floor of No 14 from the development site. The upper floors of the dwelling would be visible, but given the distance away and the intervening boundary treatment, the relationship between No 14 and the proposed dwelling would comply with policy guidance and is considered to be acceptable.

The rear elevation of No 12 Turton Close directly faces the rear elevation of the existing property, No 4 Mile Lane. There would be no direct interface between the new dwelling and No 12 Turton Close, and given the new dwelling would be off set from this property, and have a relationship which is commonly found between other properties, there would be no requirement nor are there any provisions within SPD6 guidance to apply separation distances to this situation.

There would be a distance of 6.8m from the proposed side elevation of the dwelling to the boundary with the bungalow at No 2 Mile Lane. There are 2 non habitable or secondary windows in the side elevation of this dwelling and there would be non habitable or secondary windows in the gable of the new dwelling facing this property but these would be obscure glazed. As such there would be no issues of overlooking to No 2 Mile Lane and the relationship to this property would be acceptable.

The proposed development would therefore comply with UDP Policies H2/1 - The Form of Residential Development, H2/2 - The Layout of New Residential Development, H2/6 - Garden and Backland Development and SPD6.

Access and parking - The existing southern access to No 4 Mile Lane would become shared access for both properties, with areas in front of the houses which could accommodate parking for at least 2 cars. The existing access to the north would be retained and used by No 4 Mile lane.

The access arrangements would not raise any highways issues or concerns, and parking could be comfortably provided within the site boundaries for both houses. The Highway's Section have raised no objections subject to conditions and as such the proposals would comply with H2/2 - The Layout of New Residential Development, H2/6 - Garden and Backland Development and HT2/4 - Car Parking and Servicing.

Coal Authority - The application site falls within a defined Development High Risk Area, and therefore coal mining features and hazards which need to be considered in relation to the determination of the application.

The Coal Authority records indicate that the site is in an area of likely historic unrecorded underground coal mining workings at shallow depth.

A Coal Mining Risk Assessment has been submitted with the application and the Coal Authority have been consulted. The report sets out details of the intrusive site investigations and their findings. The Coal Authority concurs with the recommendations of the Coal Mining Intrusive Report that the coal mining legacy poses a risk to the proposed development and that remedial measures would be required to be undertaken prior to development.

A condition is therefore recommended requiring these remedial measures prior to commencement of development.

Response to objector

- Separation distances and aspect standards would be satisfied and the difference in levels has been accounted for in the assessment.
- Permitted Development Rights would be removed by way of a condition to allow for

- assessment of future development of the site in terms of impact on residential amenity.
- The Bury Unitary Development Plan has remained the same in terms of what is assessed. However, the introduction of the NPPF represents a significant shift in Government Policy in how policies are interpreted. The general presumption of housing development within residential areas is a key supporting factor and in this instance the development has markedly changed from the 2004 application.
 - For information, and in relation to proposals for a new dwelling in the garden of No 4 Mile lane only, the most recent application ref 60345 was withdrawn due to requirements to submit a Coal Report. This has been done and a condition would be included that a remediation strategy be submitted for approval.
 - The application prior to this reference 43593 - Residential development - two storey detached three bedroom dwelling - was refused under delegated powers on 30/11/2004. In comparison to the current application, the refused scheme proposed a dwelling on a much larger scale and footprint which covered almost the entire width of the plot area. It was proposed 1.2m from the boundary with No 2, and projected further past the front and rear building lines of both Nos 2 and 4 Mile Lane. In terms of design, the front elevation proposed a 4.8m deep, 2 storey projection with a fully glazed elevation. As such it was considered by reason of its size, position and design, to be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. As such it was refused.
 - By contrast, this proposed scheme has been notably scaled down, and for the reasons in the above report, considered to be acceptable and would comply with policy guidance.

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 P362/ 01B / 02B / 03D / 04B / 05F / 06B 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. No development shall commence unless and until a scheme of remedial works has been submitted to and approved by the Local Planning Authority. The approved remedial works only shall be implemented and in accordance with the approved scheme.

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

7. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site of operatives' and construction vehicles together with storage on site of construction materials.
- 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 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.

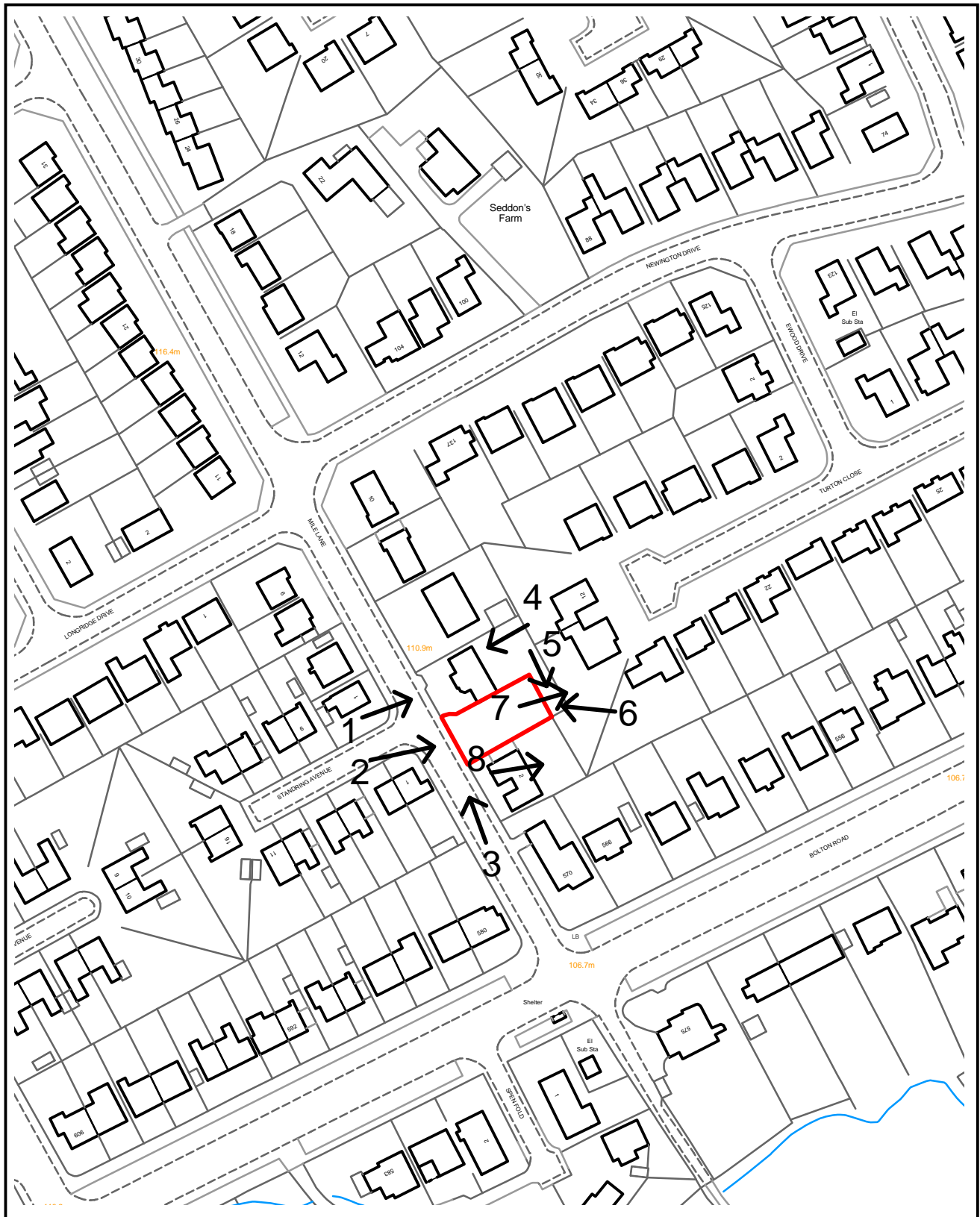
Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent classified road and ensure adequate off street car parking provision and materials storage arrangements for the duration of

the construction period, in the interests of highway safety and 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.

8. The turning facilities indicated on approved plan reference P362/05 Revision F shall be provided prior to the dwelling hereby approved being occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, H2/6 - Garden and Backland Development and HT6/2 - Pedestrian and Vehicular Conflict.
9. The car parking indicated on approved plan reference P362/05 Revision F shall be surfaced, demarcated and made available for use to the satisfaction of the Local Planning Authority prior to the dwelling hereby approved being occupied and thereafter maintained available for use at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
10. 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 scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented and thereafter maintained.
Reason. To promote sustainable development. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact pursuant to chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
11. 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 Plan listed.
12. Before the first occupation of the dwelling hereby approved the windows in the south (side) elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/1 - The Form of New Residential Development and H2/6 - Garden and Backland Development of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61286

ADDRESS: Land at 4 Mile Lane
Bury

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

61286

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6

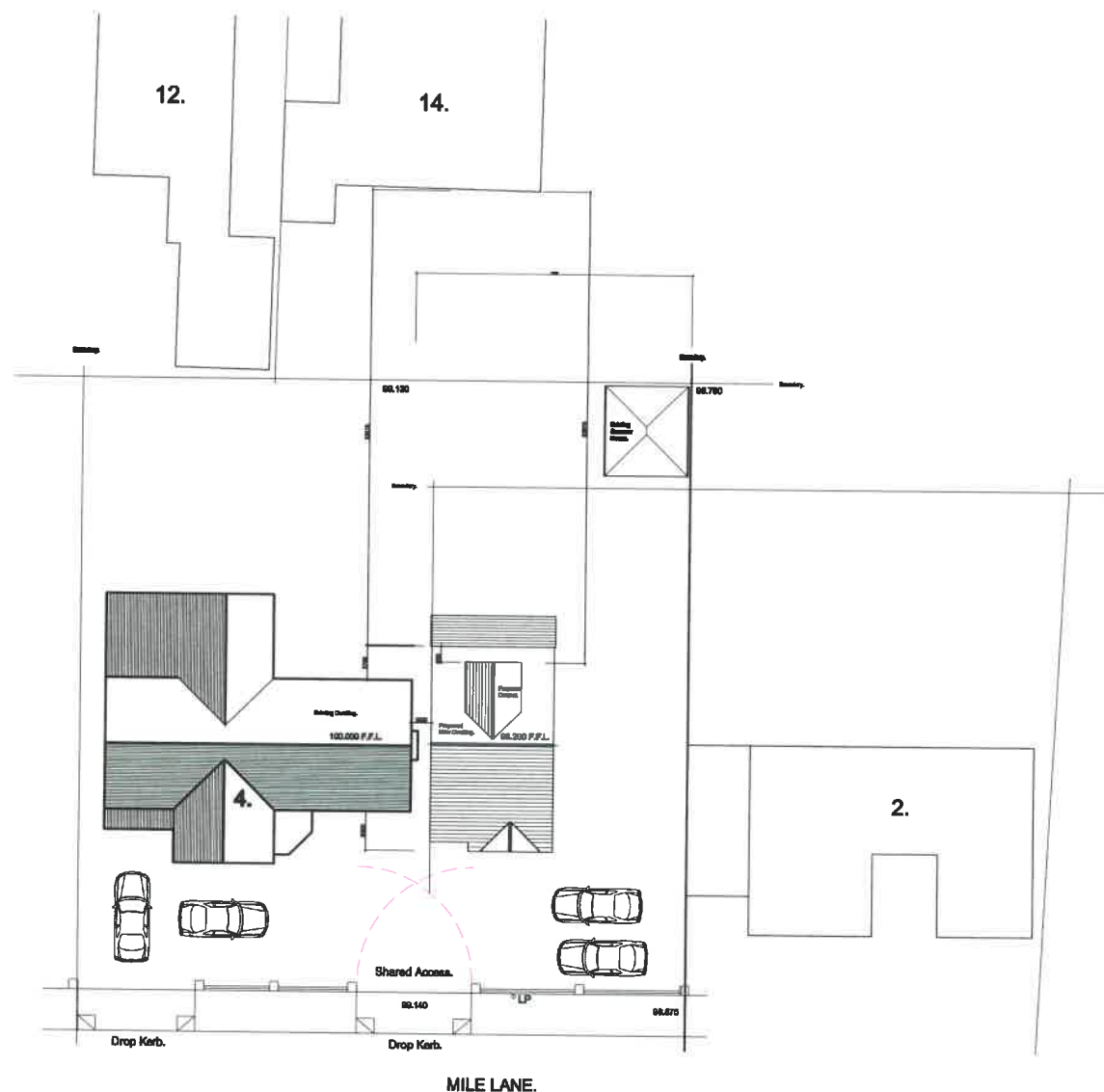


Photo 7



Photo 8





PROPOSED SITE PLAN.

Revisions

- A - Site Levels Added. - 22nd July 2016.
- B - Amended Footprint. - 8th September 2016.
- C - Drop Kerb Added. - 18th September 2016.
- D - Access from Mile Lane Amended. - 22nd September 2016.
- E - Access from Mile Lane Amended. - 27th September 2016.
- F - Roof Amended. - 1st June 2017.

Title:
PROPOSED NEW DWELLING.
Page 22

Project:
LAND ADJACENT TO 4, MILE LANE,
BURY.
BL8 2DS

MTC Designs 31 Exford Drive Bolton BL2 6TB
T: 01204 416714 M: 07708028914

Scale: 1:250
Date: May 2016.

Drawing No: **P362/05F**

1000 2000 3000

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EXISTING FRONT ELEVATION.



PROPOSED FRONT ELEVATION.

Revision A - Roof Height Amended & Dormer Window. - 31st May 2017.
B - Front Elevation Amended. - 1st June 2017.

Title:
PROPOSED NEW DWELLING.
Page 23

Project:
LAND ADJACENT TO 4, MILE
LANE,
BURY,
BL6 2DS

MTC Designs

91 Edward Drive Sutton BL5 9TB
T: 01204 418714 M: 0770000014
Email: info@mtcdesigns.co.uk

Scale 1:100
Date: May 2016

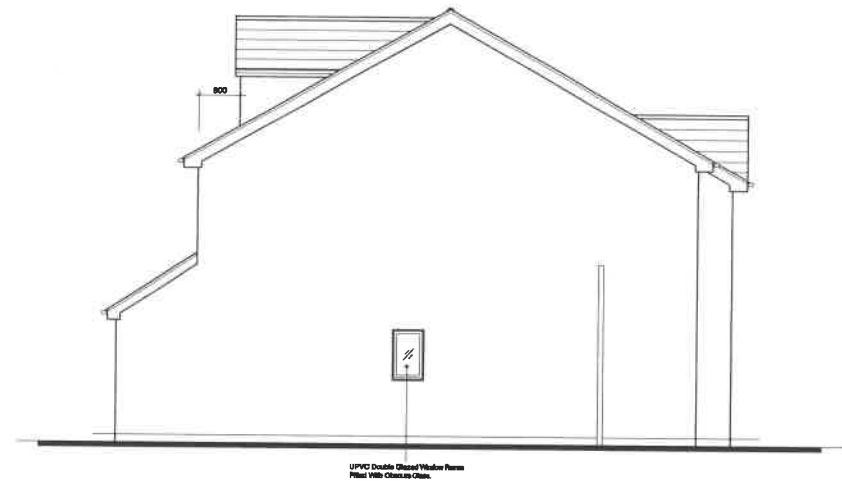
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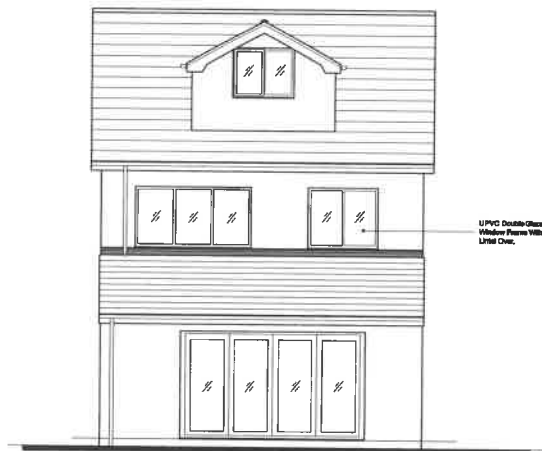
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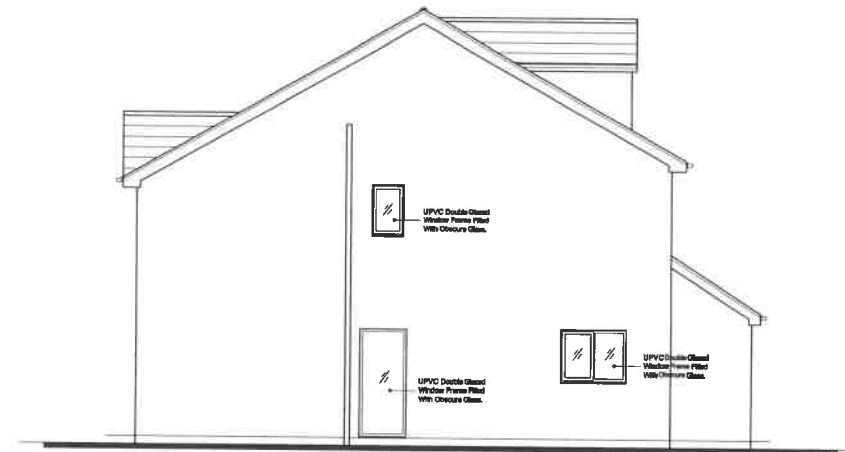
PROPOSED FRONT ELEVATION.



PROPOSED SIDE ELEVATION.



PROPOSED REAR ELEVATION.



PROPOSED SIDE ELEVATION.

Revision
A - Dimension Added For Dormer. - 6th September 2016.
B - Ground Floor Windows Amended. - 2nd November 2016.
C - Roof Height Amended & Dormer Window. - 31st May 2017.
D - Front & Rear Elevations Amended. - 1st June 2017.

Title:
PROPOSED NEW DWELLING.
Page 24

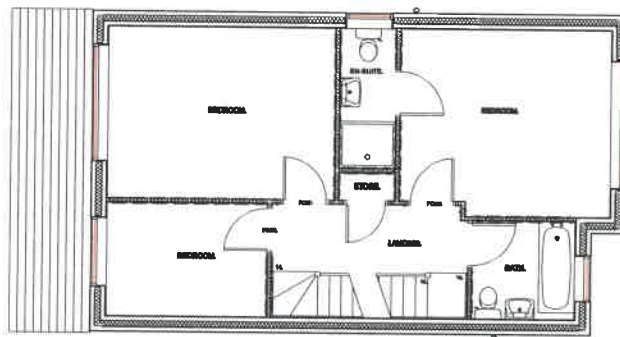
Project:
LAND ADJACENT TO 4, MILE
LANE,
BURY.
BL8 2DS

MTC Designs

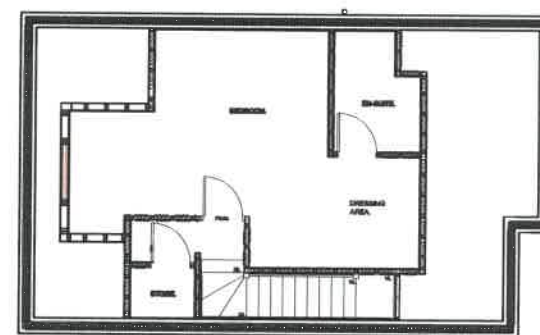
31 Bedford Drive Bolton BL2 6TB
T: 01204 498714 M: 07700288014
Email: info@mtcdesigns.co.uk

Scale 1:100
Date: May 2016

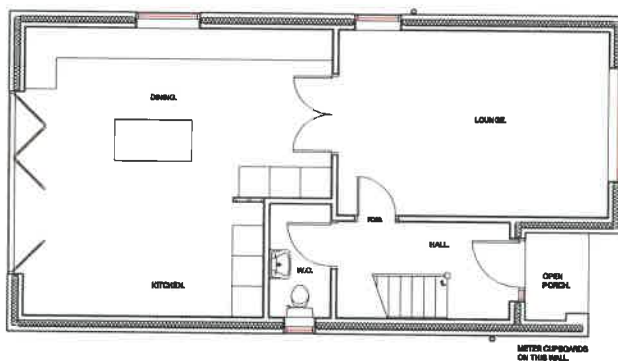
Drawing No: P362/03



PROPOSED FIRST FLOOR PLAN.



PROPOSED SECOND FLOOR PLAN.



PROPOSED GROUND FLOOR PLAN.

Revision A - Dormer Window Amended. - 31st May 2017.
B - Second Floor Plan Amended. - 1st June 2017.

Title:
PROPOSED NEW DWELLING.
Page 25

Project:
LAND ADJACENT TO 4, MILE
LANE,
BURY.
BL8 2DS

MTC Designs

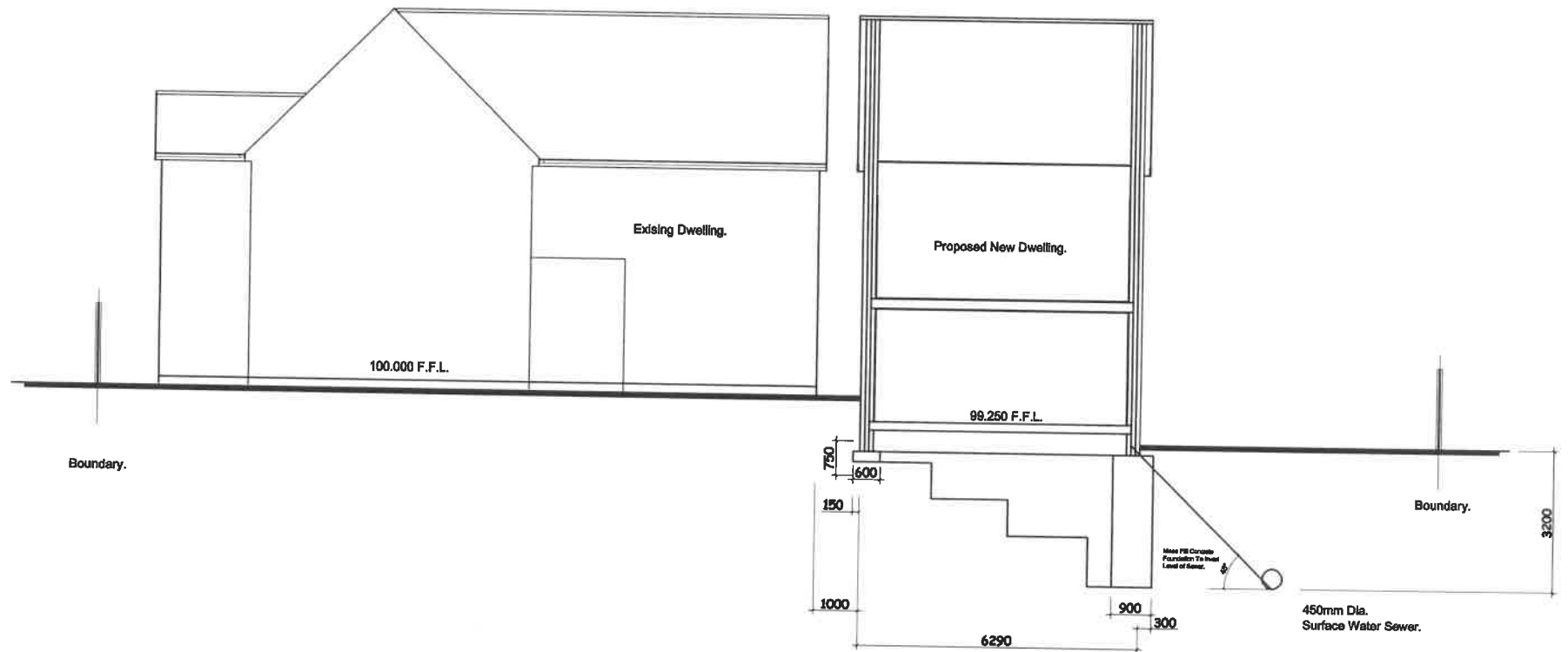
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Date: May 2016

21 Richard Drive Bury BL8 2DS
T: 01204 410216 M: 077 00000014
Email: richard@mtcdesigns.co.uk

Drawing No: P362/04

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SECTION.

Revision
A - Site Levels Added. - 22nd July 2016.
B - Roof Height Amended. - 31st May 2017.

Title :
PROPOSED NEW DWELLING.
Page 26

Project :
LAND ADJACENT TO 4, MILE
LANE,
BURY.
BL8 2DS

MTC Designs

31 Exford Drive Bolton BL2 6TB
T: 01204 416714 M: 07708038514
Email: michael@mtcd.co.uk

Scale 1:100
Date: May 2016

Drawing No: **P362/02**

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 02

Applicant: Mr B Davies

Location: Higher Tops Barn, Moor Road, Ramsbottom, Bury, BL8 4NU

Proposal: Change of use of agricultural land to horse manege

Application Ref: 61363/Full

Target Date: 15/06/2017

Recommendation: Approve with Conditions

Description

The application relates to part of a field which is within the ownership of a residential property, Higher Tops Barn. The site and surrounding area is designated within the Green Belt, West Pennine Moors and Special Landscape Area as defined in the Bury Unitary Development Plan. The site is close to, but not within the Holcombe Moor Sites of Special Scientific Interest (SSSI) and Site of Biological Importance (SBI). The area is rural and predominantly moorland, characterised by dry stone walls which separate the surrounding fields and land. The only other residential property in the immediate vicinity is Higher Tops Farm, which is directly to the north of the application site.

The site also comprises a stable block for the keeping of 3 horses by the family of Higher Tops Barn and a paddock area, which are positioned at the top of a field adjacent to Moor Road.

Access to the dwellinghouse is from Moor Road which is classified as a bridleway and unadopted.

The proposal seeks the change of use of part of the agricultural land/paddock to a manege to be used in association with the stables. The stables are set adjacent to the existing stone boundary wall which runs parallel to Moor Road and the paddock area is located directly in front of the stable block.

The proposed horse manege would be 20m x 25m, a total of 500sqm in area, which would be enclosed by a post and rail fence on all sides. Surfacing of the manege would comprise bark which would be laid to a 300mm thickness with a terram underlay, a geotextile used to separate different ground materials whilst still allowing for permeability.

There would be some cut and fill of land required to level out the site, with approximately 0.5m cut from the western area of the manege which would be filled along the eastern side. It is also proposed to plant native species hedging along the north, east and part of the southern boundary of the manege behind the fencing.

As the manege would be located directly in front of the stable block, and would be for the use by the residents of Higher Tops Barn only, there are no additional access requirements proposed from outside the site.

Relevant Planning History

55864 - Retrospective application for the change of use of land from agriculture to hardstanding for the parking of vehicles and trailers (in connection with the use of the stables at Higher Tops Barn) and retention of access track (resubmission) - 03/09/2013
01837/E - Proposed single storey extension at rear - Enquiry completed 27/05/2016
01931/E - Change of use of agricultural land to horse manege - Enquiry completed

18/01/2017

46659 - Two stables with associated tack & food store room - Approve with Conditions

05/09/2006

55296 - Retrospective application for the change of use of land from agriculture to hard standing for the parking of vehicles and trailers (In connection with the use of the stables at Higher Tops Barn) and formation of access track. - Refused 13/08/2012

55864 - Retrospective application for the change of use of land from agriculture to hardstanding for the parking of vehicles and trailers (in connection with the use of the stables at Higher Tops Barn) and retention of access track (resubmission) - Refused 25/01/2013

57685 - Erection of agricultural store and yard, entrance onto Moor Road (resubmission) - Refused 20/08/2014

58146 - Erection of agricultural Store and yard, entrance onto Moor Road - Approve with Conditions 21/01/2015

60367 - Change of surface of horse manege from grass to gravel - Withdrawn by Applicant 27/09/2016

60596 - Single storey side extension - Approve with Conditions 07/11/2016

Publicity

Letters sent to 7 properties at Lower Dickfield, Higher Dickfield, Hillcrest, Highfield House, Lower Tops Farm, all Helmsore Road and Higher Tops Farm, Harcles Hill Farm on Moor Road.

Site notice posted 1/5/2017.

One letter of objection received from Higher Tops Farm with the following issues raised:

- The development would be outside the area allowed for development as dictated by covenants within the applicant's deeds;
- The site plan does not show the true layout of the land in question and implies the access for the manege and servicing/use of it would be off Moor Road when in fact it would have to be built using access off Helmsore Road;
- The need for a manege - it is stated this is due to the poached state of the ground. Thousands of horse owners do not have the luxury of a manege and poaching is managed by a combination of stabling where available, rotation of paddocks and stocking density - any field will poach during wet conditions if used too heavily. A manege is a luxury and not a necessity;
- Scale of manege - The proposed area of the manege - 500 sq m - does not look accurately scaled on the drawing;
- Level of manege - there are no levels mentioned - the field drops away steeply and does not state if it is to be the same level as the plinth of the stables which is also raised. the area would need to be backfilled significantly - the application does not mention materials to backfill with, drains or construction of a retaining wall, or the number of wagons of materials required to access the site;
- Native species planting - has been proposed on previous applications but never implemented so why would it in this case?
- Potential alternative sites - this is no more than a paperwork exercise due to the level of the land, telecoms cable, gasoline, water culvert and proximity to the road;
- Moor Road access - this has not been agreed nor is it under discussion there is no intention of agreeing to this access whilst we still live and farm at Higher Tops;
- A suggestion is to scrap planning ref 58146 (agricultural store and yard) and put the manege where the proposed building and tarmac yard is next to the stables and plan a more modest store at the end of the site with a possible access of Moor Road away from the water courses. The road down to Helmsore Road could then be removed totally and grassed over and the access at the far end used to access the field/paddock (subject to agreement and planning approval);
- Lights/cameras - would not agree to lights, flood lights or cameras for the manege;
- Information within the application - re access point 6 - there is no authorised legal access at this time; re parking point 10 - inevitably there would be riding instructors coming to give lessons as they have previously - where would the authorised access

and parking be; re watercourses point 12 - the development would be within 20m of the watercourse/culvert contrary to the declaration;

- Outstanding planing issues and examples of issues not yet enforced - removal of the lane down to Helmsore Road (has caused the ambulance service to take this route which is dangerous); removal of the gated tarmaced yard; landscaping/planting not carried out; muck plan for the stables not done or adhered to risking pollution to the watercourse; alteration of the watercourses affecting the supply of drinking water to the Barr House Well;
- Key issues - true size of proposed manege to scale; level of the manege and appearance; access off Helmsore Road agreed with planing as the Moor Road access is not acceptable; permanent restriction on lights/cameras.

Additional plans have been received to show a section of the proposed manege and the extent of the 'cut and fill' which would be required to level off the land.

The objector was re-notified of the proposed plan on 2/6/2017.

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

Consultations

Drainage Section - No objection subject to a condition to submit drainage water proposals.

Environmental Health Contaminated Land- No comments to make on the proposal.

Traffic Section - No objection subject to a condition that there be no direct access from the manege to Helmsore Road.

Natural England - No comments received to date.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN9/1	Special Landscape Areas
OL1	Green Belt
OL4/7	Development Involving Horses
OL7/2	West Pennine Moors
HT2	Highway Network
EN5/1	New Development and Flood Risk
EN7/3	Water Pollution
EN7/5	Waste Water Management
SPD10	Planning for Equestrian 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.

Proposal - The application site is located in the Green Belt on land which is part of an operational farm and is currently used as an agricultural field for keeping horses. The proposal for a small horse manege suitable for 3 horses would represent a material change of use of land from agricultural land to that of outdoor recreation and includes operational development to facilitate it.

National Planning Policy - National Green Belt Policies are contained in the NPPF and at Paragraph 87 it states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 and 90 contains advice with regard to forms of development which are not inappropriate in the

Green Belt. In accordance with recent case law, (Fordent v SSCLG (2013) and Timmins (2014)), it is viewed that material changes of use of land do not fall within the closed lists of paragraphs 89 and 90 and therefore the proposal is judged to represent inappropriate development in the Green Belt.

The applicant is therefore required to submit a case for Very Special Circumstances in accordance with the NPPF which, according to Paragraph 88, will not exist unless the potential harm to the Green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The Applicant's case for Very Special Circumstances -

- The need for the manege is based on animal husbandry and the need to exercise horses, the health of which is threatened by poor ground conditions leading to soil erosion made worse by wet weather. A view which is supported by a professional horse farrier;
- The use of the land for outdoor recreation is otherwise acceptable in Green Belt terms and would not conflict with the purposes of including land within the Green Belt;
- The location of the site is the most appropriate in terms of impact on openness and character of the Green belt when judged against alternative sites considered;
- The size and scale of the manege would be appropriate to the site;
- Any harm caused would be minimised by the introduction of appropriate materials, fencing and landscaping which would meet local policy requirements.

In summary, the Applicant states that the weight of any perceived harm to the Green Belt would be clearly outweighed by reasons for the need, appropriateness of the scale and siting of the manege. The proposed bark surfacing, landscaping scheme, and boundary fence would assist in mitigating harm and impact which may be caused to the openness of the Green Belt.

It is judged that the Very Special Circumstances put forward by the Applicant exist and it is considered the development would therefore be acceptable and accord with Green Belt policy.

Local Planning Policy - UDP Policy OL1 - Designation of Green Belts operates development control policies over the Green Belt as delineated on the proposals map.

OL4/5 - Agricultural Development - Development, building or structures which require planning permission will be permitted providing they are sited and designed in such a manner as to minimise their visual impact on the landscape having regard to height, materials, landform and landscaping; relate well to existing buildings and not have an unacceptable impact on the amenity of the neighbouring dwellings.

OL7/2 - West Pennine Moors - The Council will control development and manage recreational activity and public access, so as to reduce any possible detrimental effects this may have on the important character of the area. Implementation will not only focus on the control of development and the management of recreation and public access, but also measures to enhance the environment.

EN9/1 - Special Landscape Areas - Any development which is permitted will be strictly controlled and required to be sympathetic to its surroundings in terms of visual impact. High standards of design, siting and landscaping will be expected. Unobtrusive development will not be permitted in such areas.

SPD 10 - Planning for Equestrian Development advise emphasises a high standard of design, construction and maintenance of development involving horses. The guidance requires a manege to be:

- Typical size no more than 40 x 20 m;
- Location and siting as inconspicuous as possible, siting close to corners of paddocks

- and boundaries;
- Proposed surfacing to be as visually inconspicuous as possible, with the use of bark or chippings less likely to have a visual impact, and especially where a site is more exposed;
- Post or rail fencing or similar recommended to minimise visual harm.

It is considered that the manege would meet local planning policy and planning policy guidance as it is proposed to be 20 x 25 metres, the surfacing would be bark, and the manege bounded by post and rail fencing and landscaping. The applicant has also submitted evidence which satisfactorily demonstrates that the proposed location of the site would cause least harm to the openness and character of the Green Belt when compared to alternative locations which were considered and rejected, being more conspicuous and not located close to existing buildings or boundaries.

As such, the proposed manege is considered to comply with the requirements of national planning policy, local planning policies OL4/5, OL7/2, EN9/1 and guidance of SPD10.

Impact on the surrounding area - The manege would be sited at the top of the field. This area of land is not level and slopes from west to east. This would require some cut and fill works, which would reduce the level of the land by approximately 0.5m at the most westerly point and raise the land by the same amount to the eastern side of the manege. As the development site is elevated above the land to the east and at a higher level to the road at the bottom, the siting of the manege would not be immediately perceptible from this viewpoint and it is considered that the operation to cut and fill would not cause a significant increase in land levels overall to be a conspicuous addition on the landscape, especially when viewed from the Helmsore Road direction.

The proposals to incorporate planting/hedging around the perimeter would also mitigate views of the manege, as would a bark surfacing which would give the impression similar to that of a ploughed field from more long range views.

When viewed from the north and south, the site would be partly screened by the existing dry stone wall which runs along the length of Moor Road to form the boundary of Higher Tops Barn and the adjacent property, Higher Tops Farm. The site would also be set behind the stable block and close to an area of hardstanding which is used as a yard and granted permission for the parking of a tractor vehicle and trailer which are used in conjunction with the agricultural holding.

The change of the existing grass and soli surfacing to a bark finish would not have a dissimilar appearance to that of a field, especially a grassed field which could be regularly used and 'churned up' by horses, particularly in wet conditions.

Details of landscaping to the boundary of the proposed manege would be required by way of a condition. The post and rail fence would be conditioned to be erected prior to the use of the manege commencing.

As such, the proposed development is considered to be acceptable and would not conflict with UDP Policies OL4/5, OL7/2 and SPD10 and the principles of the NPPF.

Access - The applicant has clarified that there would be no additional access requirements or changes to existing accesses involved. The manege would be for the private use of the applicant and in association with their horses which are stabled within the grounds of their property.

Drainage - The proposals involve a levelling of the land and as such should retain more surface water run-off within the site than the existing topography currently allows. As such, the Drainage Engineer has raised no objection to the proposed development and advises that details of surface water drainage proposals be submitted for approval for clarification for the treatment of water run-off.

Response to objector

- Ownership and access to the development are private matters and not material planning considerations. The Applicant has signed the correct certification to state that the manege would be wholly on land in their ownership, as demonstrated in the red edge and blue edged plans, and as there are no proposals for access from outside the site, appropriate certification for this application has been submitted.
- The manege would serve the existing stable block which is sited within the applicant's land and adjacent to the proposed manege. There are no proposals involving any additional accesses.
- The Applicant has put forward a case for the need for the development which has been accepted.
- The manege would cover an area of 500 sqm which scales correctly off the proposed plan.
- A cut and fill and topographical survey has been submitted with existing and proposed levels.
- No additional drains or construction of a retaining wall are proposed, and would not be required for the scale or type of development.
- The proposed landscaping would be required as a condition of the application.
- A sequential approach to alternative sites has been put forward and accepted.
- The planning permission reference 58146 for the proposed store building, yard and access is not under consideration in this application.
- There are no proposals for lighting or cameras.
- All other issues have been considered in the above report.

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered - Location Plan H103 revision 3 dated 30/1/17; Site master plan H103B revision 5 dated 1/6/17; Assessment of Alternative Sites and Photographs H103 dated 30/1/17; Cut and Fill C&F plan 01 revision 1; Topographical existing H103 revision 4 dated 26/5/17; Topographical data Proposed H103 revision 4 dated 26/5/17; Design and Access Statement February 2017; Addendum - Very Special Circumstances Statement dated 1/6/2017 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 surface water drainage

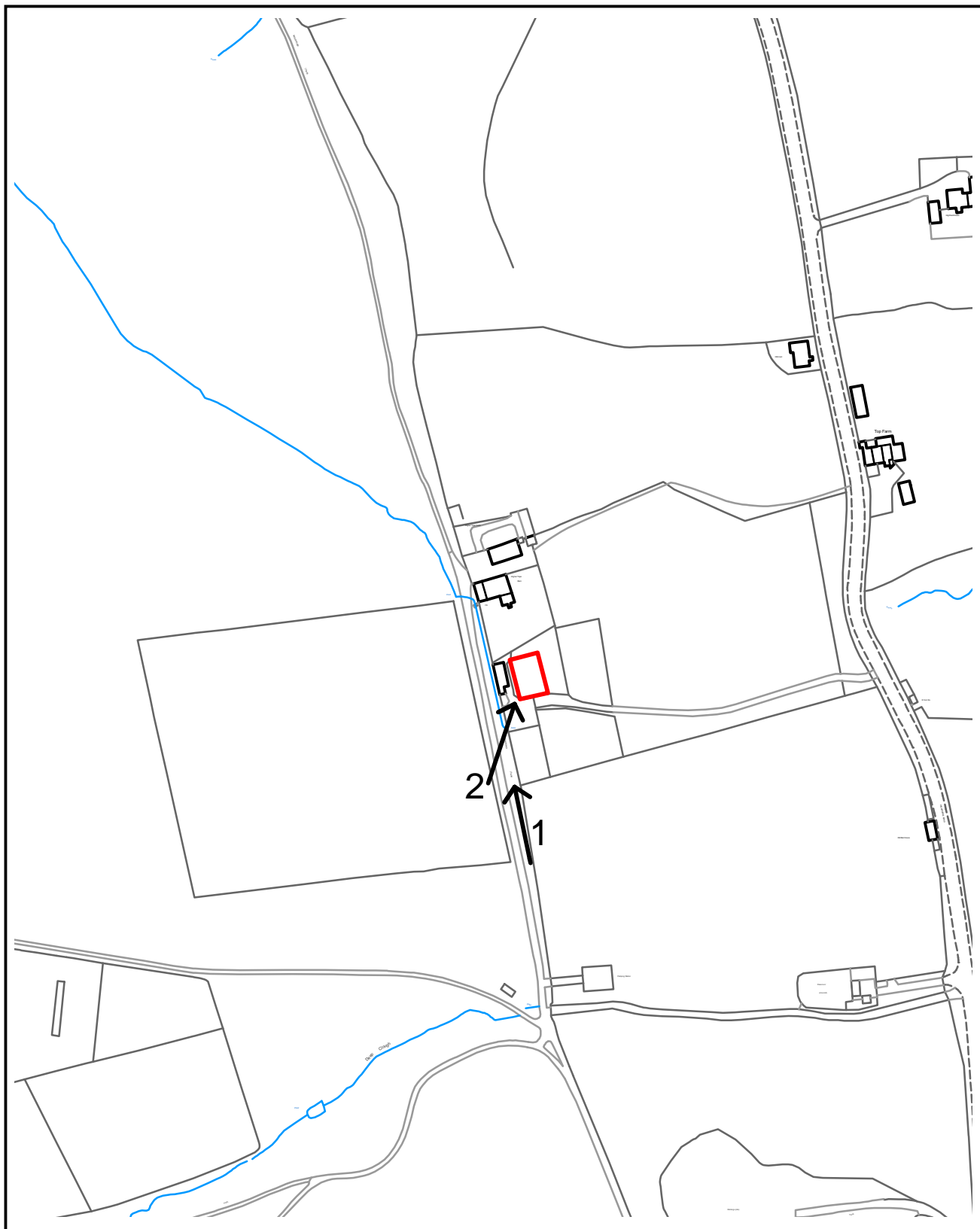
proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

4. The manege hereby approved shall be removed from site and the ground reinstated to its former use and surfacing within 6 months of it ceasing operation.
Reason: In the interests of the visual amenity pursuant to Policies OL4/7 - Development Involving Horses of the Bury Unitary Development Plan, SPD10 - Planning for Equestrian Development – New Buildings in the Green Belt and chapter 9 - Protecting Green Belt land of the NPPF.
5. There shall be no direct means of vehicular access between the horse manege and Helmsore Road.
Reason. To ensure good highway design in the interests of road safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, HT2 - Highway Network and Supplementary Planning Document 10 - Planning for Equestrian Development.
6. No development shall commence unless and until details of the proposed landscaping, to include native species and the management of the landscaping thereafter, has been submitted to, and approved in writing by, the Local Planning Authority. It shall be implemented prior to the use hereby approved commencing. The approved landscaping scheme shall thereafter be maintained for as long as the development hereby approved is in continued use.
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, OL4/7 - Development Involving Horses and EN9/1 - Special Landscape Areas of the Bury Unitary Development Plan and SPD10 - Planning for Equestrian Development.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61363

**ADDRESS: Higher Tops Barn, Moor Road
Ramsbottom**

Planning, Environmental and Regulatory Services

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Bury
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61363

Photo 1

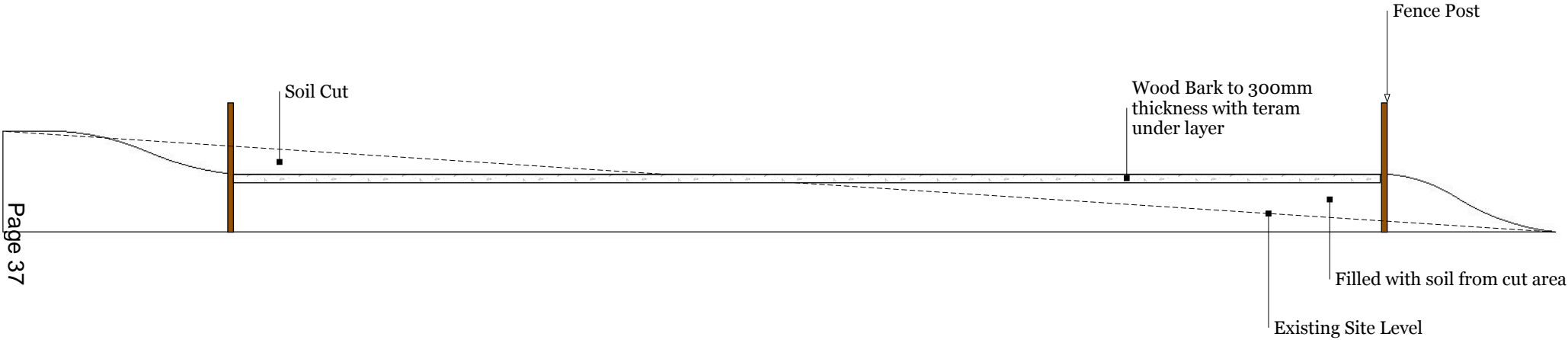


Photo 2





Site Master Plan	Drawings by DF Rural Management The Innovation Centre Daresbury Cheshire		Scale 1:1000 @ A3		REVISIONS		103B
		MM/DD/YY	REMARKS				
	1	14/06/2016	Full Planning		H		
	2	13/01/2017	Alterations after Pre-App Meeting on 13/1/2017				
	3	30/01/2017	Reduction in size from 720 sq.m to 500 sq.m after pre application				
	4	19/05/2017	Marking of access, fencing and increased landscaping				
	5	01/06/2017	More Landscaping on the eastern boundary as discussed with planning officer				
	Higher Tops Barn, Proposed Horse Paddock Surface						



Cut & Fill Plan	Scale 1:100	REVISIONS		01	
		MM/DD/YY	REMARKS		
		1	26/5/2017		As requested by planning officer
		2	--/--/--		...
	Horse Mange, Higher Tops Barn, Moor Road	3	--/--/--	...	
		4	--/--/--	...	
		5	--/--/--	...	
C&F					



Production Date: 07 Jun 2017

Scale 2500 *when printed at A4*

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Notes

Ward: Radcliffe - North

Item 03

Applicant: Bellway Homes Limited (Manchester Division)

Location: Land off Salisbury Road, Radcliffe, Manchester, M26 4WG

Proposal: Material amendment following grant of planning permission 58233 for residential development for 86 dwellings and associated infrastructure:
Retrospective increases to finished floor levels to plots 76 - 85 and decrease to finished floor levels to plot 86

Application Ref: 61391/Full

Target Date: 05/07/2017

Recommendation: Approve with Conditions

Description

The site was vacant and last in use as a railway line cutting before planning consent was granted for 86 dwellings. The site is accessed from Leander Close and there is a vehicular access along Wilton Lane, although this is in a different ownership. There is a public right of way adjacent to the site, which connects Leander Close to Stanley Road.

There are residential properties to the east and south of the site. There are open fields and a farm to the north and an recreational route to the west.

Planning permission was granted for the erection of 86 dwellings in July 2015. The proposed dwellings would be two storeys in height and would be constructed from a mix of red brick and render with timber detailing and a tile roof. Vehicular access would be taken from leander Close and the proposed development would connect to the existing recreational routes on Wilton Lane, Station Close and the route at the western point of the site. Works are underway on site and some of the dwellings have been occupied.

The proposed development seeks to vary the approved plans condition to vary the finished floor levels of plots 76 - 86. The finished floor level of plot 86 would be lowered by 0.27 metres and the finished floor level to plots 76 to 85 would be increased in height as follows:

76 - 0.17 metre
77 - 0.18 metre
78 - 0.03 metre
79 - 0.03 metre
80 - 0.01 metre (1 centimetre)
81 - 0.19 metre
82 - 0.39 metre
83 - 0.39 metre
84 - 0.26 metre
85 - 0.28 metre

Relevant Planning History

31304 - Erection of farmhouse, barn, stables together with landscaping operations at land adjacent to Ainsworth Road/Salisbury Road, Radcliffe. Approved with conditions - 6 November 1995.

33052 - Erection of bungalow at land off Salisbury Road, Radcliffe. Approved with conditions - 18 December 1997.

33789 - Erection of farm implement shed at land off Salisbury Road, Radcliffe. Approved with conditions - 5 July 2000.

38830 - Resiting of detached garage at 8 Leander Close, Radcliffe. Refused - 30 July 2002

39745 - Detached garage (Amended siting) at 8 Leander Close, Radcliffe. Approved with conditions - 24 October 2002.

43107 - Removal of condition 5 on planning permission 33052/97 at land off Salisbury Road, Radcliffe. Approved - 27 September 2004.

43207 - Re-siting of approved car park (31304/95) at land adjacent to Ainsworth Road & Salisbury Road, Radcliffe. Approved with conditions - 6 October 2004.

56712 - Importation and re-use of inert material to create a level site to facilitate development at land adjacent to Station Close, Radcliffe. Approved with conditions - 17 December 2013.

57224 - Erection of 11 no. detached dwellings with access road and demolition of bridge structure (resubmission) at land adjacent to 41 Station Close, Radcliffe. Approved with conditions - 23 October 2015.

58233 - Residential development for 86 dwellings and associated infrastructure at land off Salisbury Road, Radcliffe. Approved with conditions - 9 July 2015.

Publicity

The neighbouring properties were notified by means of a letter on 12 May 2017.

4 letters have been received from the occupiers of 62A, 100, 120, 134A Salisbury Road, which have raised the following issues:

- The increased height has resulted in an increase to the height of the nature strip. This has rendered the fences of the adjoining houses a security risk causing both police and council involvement. Crime no 1126221717. BURY MBC CASE 2738694.
- The builder has shown scant regard for the residents of Salisbury Road and indeed the planning department.
- The build was unsympathetic to the properties on Salisbury Road in its original form so to find the builder has been even more obtrusive is very annoying.
- Since demolition of the properties and a correct rebuild is about as likely as unicorns moving in, compensation should be paid to the residents affected to reflect the builders incompetence.
- This permission should not be granted retrospectively as it has had a detrimental effect which the residents of Salisbury Road have to endure. It should also be noted that all attempts to discuss these matters with the builder and Bury MBC have been completely ignored and that includes THIS OFFICE!
- The houses tower over the bungalows and they are close to the existing buildings.
- There is a legal distance that planners allow and they should not be overlooking peoples bedrooms and should be built at an angle.
- How do big builders get away with this, but small builders don't. Got a feeling this will be ignored.
- When they finally finish the Council should make Bellway re-surface Salisbury Road, which is crumbling away.
- What does de minimus mean?

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

Consultations

Drainage Section - 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
H4/1	Affordable Housing
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN1/6	Public Art
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/1	Tree Preservation Orders
EN8/2	Woodland and Tree Planting
EN8/3	Red Rose Forest
OL1/2	New Buildings in the Green Belt
OL1/5	Mineral Extraction and Other Development in the Green Belt
OL7/1	East Lancashire Paper Mill Water Catchment Area
RT2/2	Recreation Provision in New Housing Development
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
HT6/3	Cycle Routes
SPD1	Open Space, Sport and Recreation Provision
SPD2	DC Policy Guidance Note 2: Wildlife Links & Corridors
SPD4	DC Policy Guidance Note 4: Percent for Art
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD 9	Conversion and Re-use of Buildings in the Green Belt
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

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

Design and layout - The position of the proposed dwellings within the site have not been amended and as such, the design and external appearance of the proposed dwellings would be acceptable. The proposed development would result in the finished floor levels being raised by between 0.01 metre to 0.39 metre. The proposed increase would equate to little more than a foot and would not be perceptible to the streetscene. Therefore, the proposed development would not be a prominent feature 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 residential amenity - SPD6 provides guidance on aspect standards and as such, is a useful guide in this instance. The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows and 13 metres between a

habitable room window and a two storey blank wall.

The proposed development would result in an increase to the finished floor levels of between 0.01 and 0.39 metre. This would be below the 2.5 metre difference in levels noted within the SPD that would result in an addition 3 metres being added to the aspect standard and would equate to 23 metres.

There would be a minimum of 23 metres between the proposed dwellings and the rear of the properties on Salisbury Road, which would be in excess of the 20 metre aspect standard. Therefore, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties.

Response to objectors

- The issues relating to design, streetscene, aspect standards and impact upon residential amenity has been addressed in the main report.
- The proposed development does not result in any changes to the nature strip.
- All enforcement queries have been investigated and the complainants updated.

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 BHM012-10 0, BH/MAN/ENG/SR1/AB01, ELL-367-BW-C-DR-00-999 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 remediation strategy approved as part of condition 3 of permission 58233 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.
4. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as

determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

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

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

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

6. The materials for the proposed development shall be:

Brick - Hanson woodside mixture
Tile - marley modern grey tile
Rainwater - black upvc
Fascia/barge boards - black
Front doors - black
Rear doors - white
Garage doors - black painted steel
Windows - white

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

7. No development shall commence unless or until details of surface water drainage aspects, including an assessment of potential SuDS options for surface water drainage with calculations to support the chosen solution, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and be available for use before first occupation of the dwellings hereby approved.

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

8. In relation to each individual plot, the car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwellings hereby approved being occupied.

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.

9. The scheme for the provision of bat boxes, approved as part of condition 10 of

permission 58233 shall be implemented in full.

Reason - To maintain and enhance the biodiversity value of the site 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.

10. The landscaping scheme hereby approved shall be implemented not later than 12 months from the date the last dwelling is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
11. The details approved as part of condition 12 of permission 58233 shall be implemented in full to the agreed programme.
Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.
12. The scheme for traffic calming measures and phasing details approved as part of condition 13 of permission 58233 shall be implemented in accordance with the timetable for implementation (also approved as part of condition 13 of permission 58233).
Reason. To mitigate the impact of the traffic generated by the proposed development on the adjacent residential streets, in the interest of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.
13. The Construction Traffic Management Plan (CTMP) approved as part of condition 14 of permission 58233 shall be adhered to throughout the construction period.
Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, in the interest of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.
14. The visibility splays, forward visibility envelopes and pedestrian visibility splays at the back edge of the footway indicated on approved plan references PB2617/SK009 Revision A and BHM012/01 Revision L shall be implemented before the relevant parts of the development in which they are located are first occupied and subsequently maintained free of obstruction above the height of 0.6m.
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.
15. The turning facilities on the proposed adopted highways and private driveways indicated on approved plan reference BHM012/01 Revision L shall be provided before the areas of the development to which they relate are first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

17. Minimum hardstandings lengths of 5.5m measured between the highway boundary and any proposed garage doors or 5.0m at dwellings without garages shall be provided and thereafter maintained.

Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of pedestrian safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

18. No development shall commence unless or until the measures identified in the Reasonable Avoidance Measures (RAMS) Method Statement, received on 20 April 2015 have been implemented and all measures shall remain in situ until the development hereby approved has been 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.

19. No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year.

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

20. The scheme for the eradication and/or control of Japanese Knotweed (*Fallonia Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) approved as part of condition 22 of permission 58233 shall be implemented in accordance with the approved timetable. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

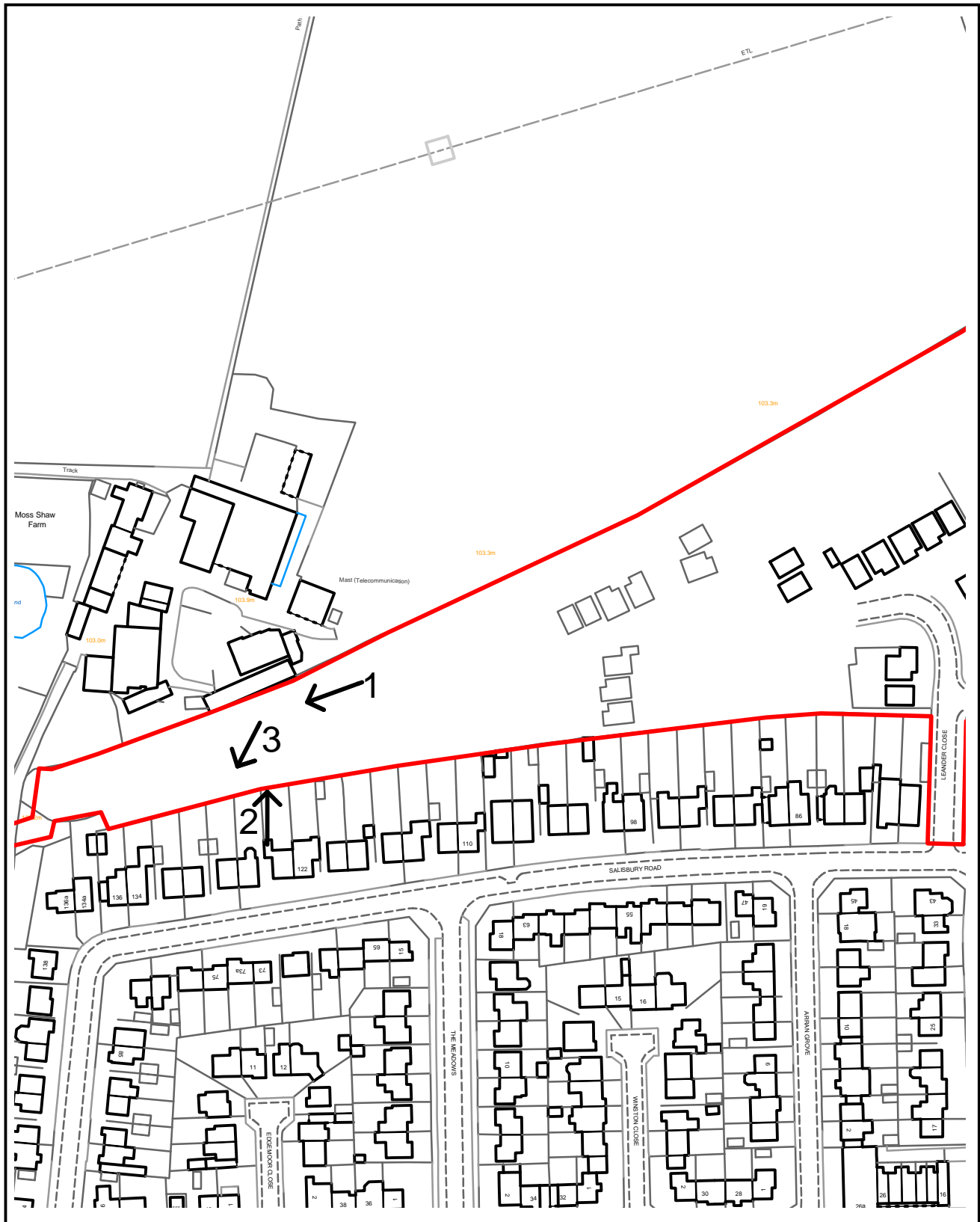
Reason. To ensure that the site is free from Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

21. The detailed landscaping plan approved as part of condition 23 of permission 58233 shall be implemented not later than 12 months from the date the final dwelling to be constructed 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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61391

**ADDRESS: Land off Salisbury Road
Radcliffe**

Planning, Environmental and Regulatory Services

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61391

Photo 1



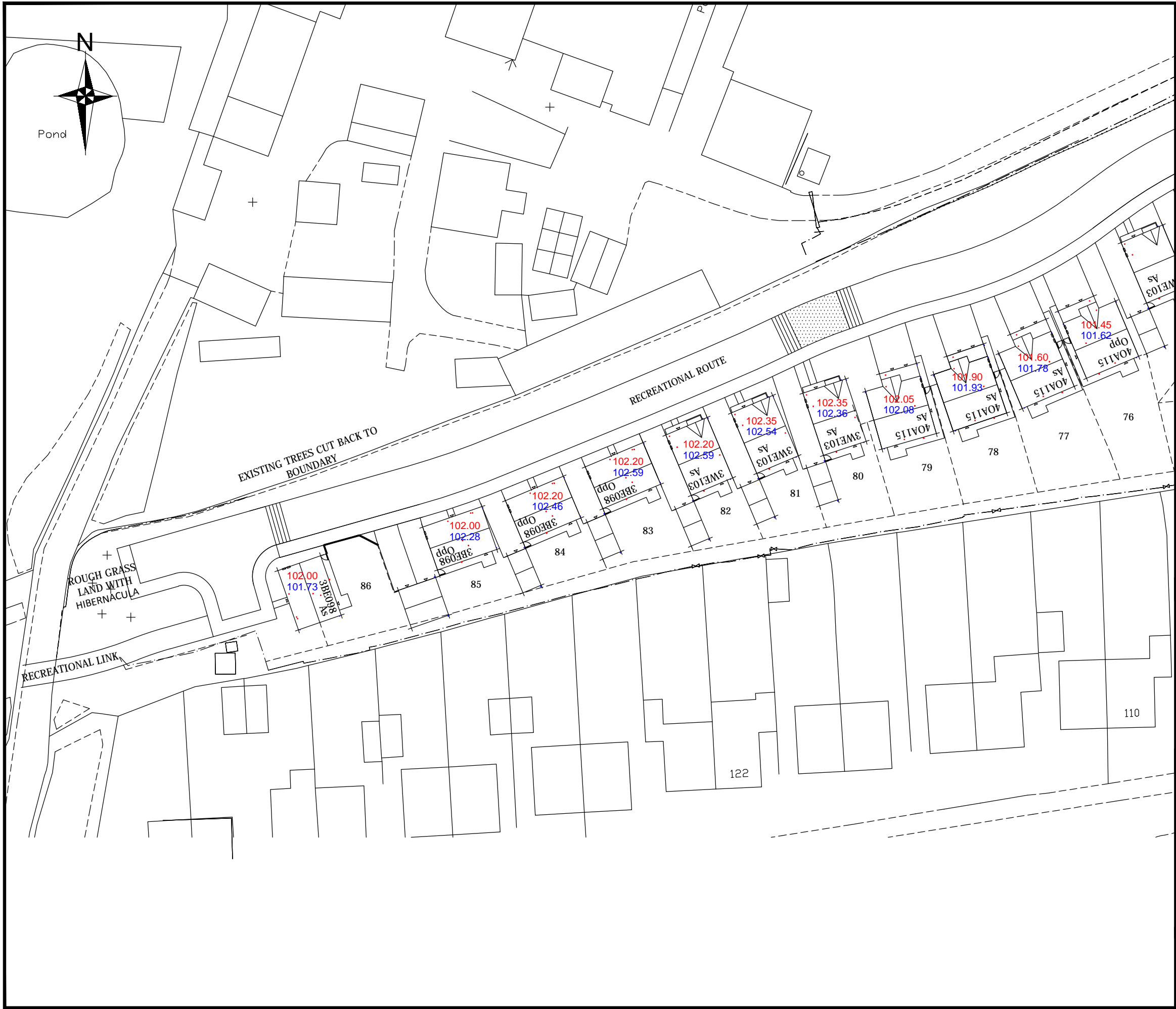
Photo 2



61391

Photo 3





NOTES

1. No dimensions are to be measured from this drawing.

LEGEND

- 101.45 Approved FFL
101.62 As-Built FFL

Rev.	Date	Amendment	Chkd

Bellway

(Manchester)

(a member of Bellway Plc Group of Companies)
Bellway Homes Ltd
304 Bridgewater Place, Birchwood Park
Warrington, WA3 6XG
Tel: 01925 846700 Fax: 01925 846718

Project
**SALISBURY FIELDS
RADCLIFFE**

Subject
AS-BUILT SLAB LEVELS

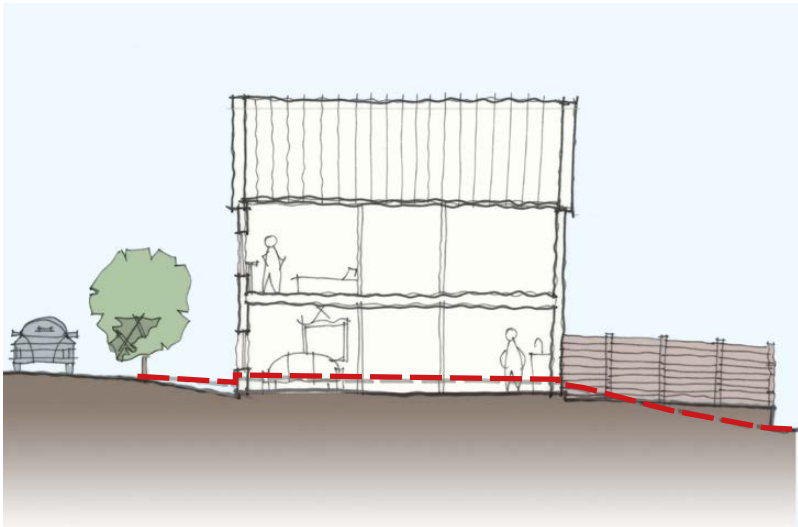
Scale 1:500	Date 28/03/17	Drawn PJJ	Checked
Drawing No. BH/MAN/ENG/SR1/AB01			Revision -

Note
All specifications, materials and workmanship to be in accordance with current NHBC and Building Regulations. Main drainage to comply with Sewers for Adoption current edition. Highways to be in accordance with Local Authority specification. Do not scale from this drawing. All dimensions to be verified with the drawing office.

Original Sheet Size A3 Do Not Scale From This Drawing

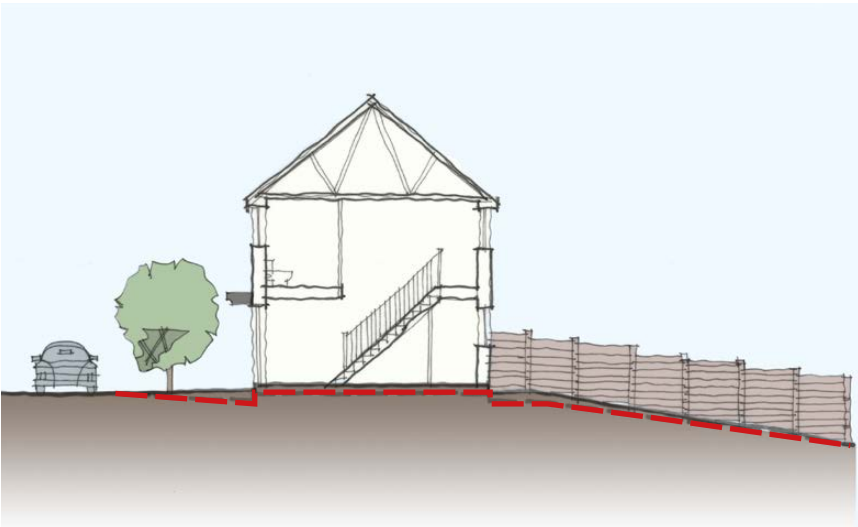
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Section A-A



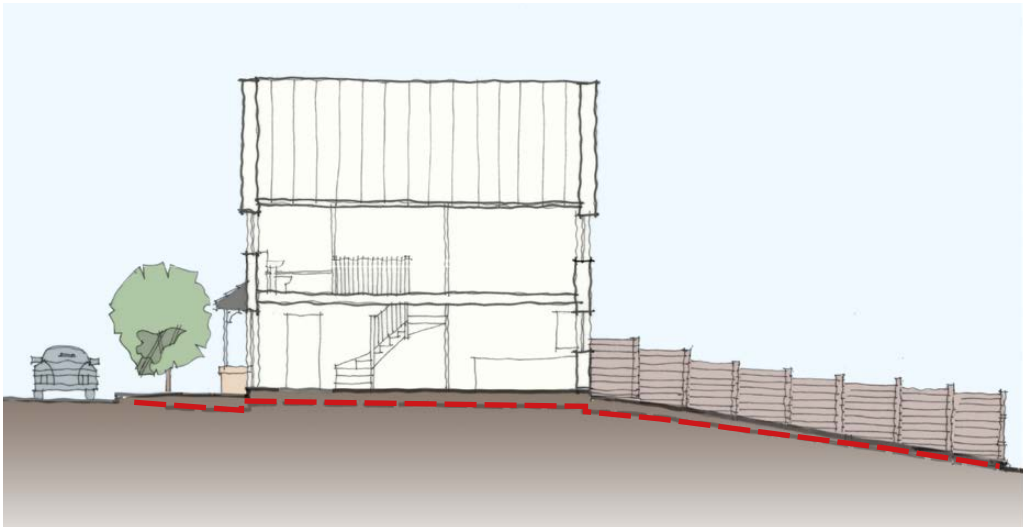
Levels as approved

Section B-B

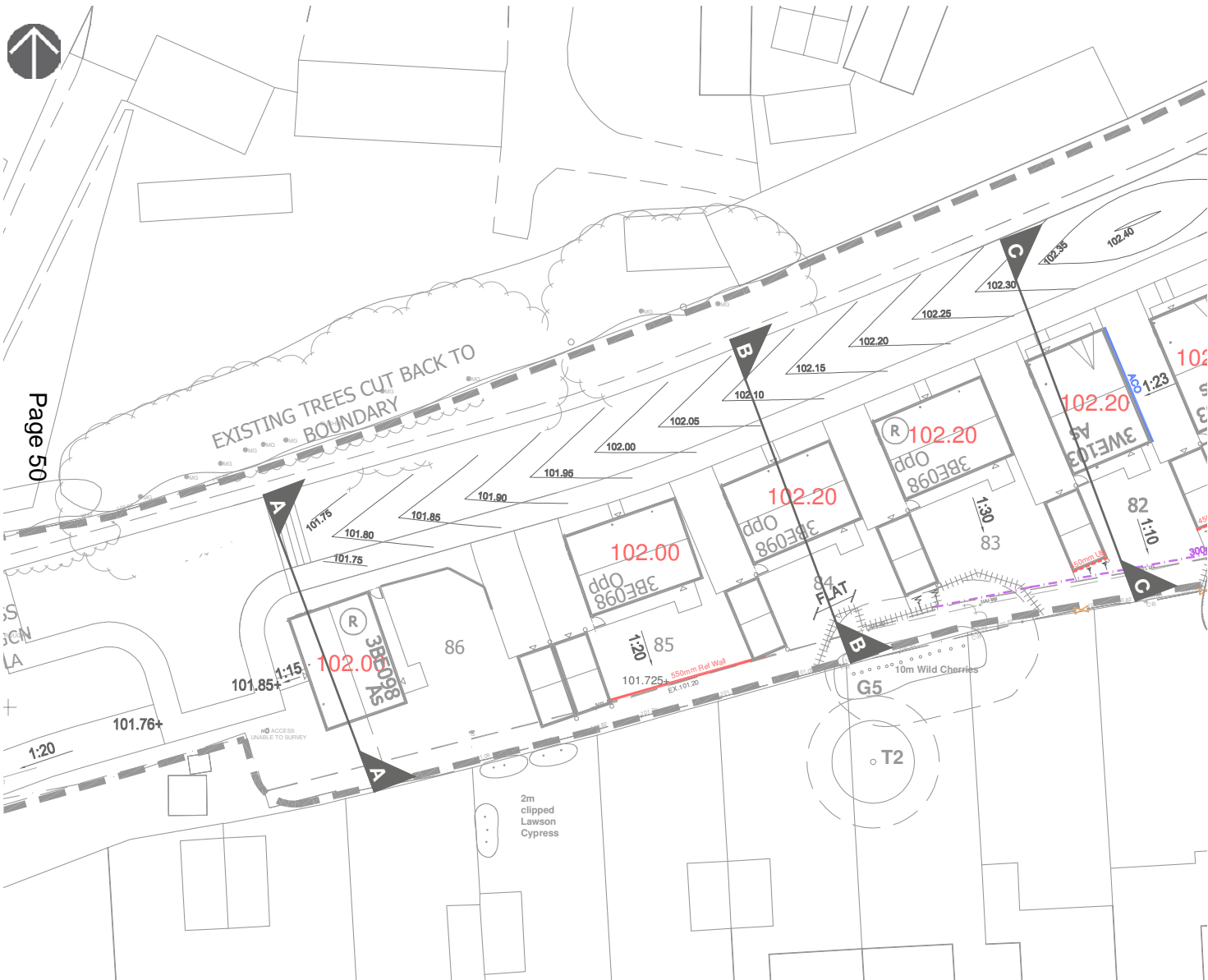


Levels as approved

Section C-C



Levels as approved



Levels as approved (NTS)



Levels as built (NTS)

ILLUSTRATIVE SECTIONS

Ward: Bury East - Redvales

Item 04

Applicant: Weidenbaum Pension Trust

Location: Pilot Mill, Alfred Street, Bury, BL9 7EJ

Proposal: Erection of 6 no. industrial/warehouse units (Classes B1/B2/B8)

Application Ref: 61447/Full

Target Date: 03/08/2017

Recommendation: Approve with Conditions

Description

The site contains a 5 storey mill, which is currently in use for industrial, retail and leisure uses. The mill is located on the northern part of the site and there is a servicing yard and car park to the south. The site is accessed from Alfred Street. There is 2 metre high paladin fence on the frontage to the site and a timber acoustic fence along the southern boundary which varied between 2 and 3 metres in height.

There are residential properties to the north, south and west of the site. There is a public footpath to the east with the River Irwell beyond.

Planning permission (59162) was granted in January 2016 for the erection of a single building containing 4 industrial/warehouse units (Class B1/B2/B8) at the site.

The proposed development would involve the erection of a single building (same size as application 59162), which would be split into 6 units (B1/B2/B8). As per the previous approval the proposed units would be located in the southwestern corner of the site and would be attached to the existing building. The proposed units would be accessed from Alfred Street. The proposed parking area spaces would lead to a tarmac access road around the perimeter of the site.

Relevant Planning History

41468 - Outline - single storey warehouse (Class B8) and amended layout of existing parking and servicing area at land at Pilot Works, Alfred Street, Bury. Approved with conditions - 17 December 2003.

59162 - Erection of 4 no. industrial/warehouse units (Classes B1/B2/B8) at Pilot Mill, Alfred Street, Bury. Approved with conditions - 29 January 2016.

Adjacent site

46495 - Outline application - residential development at land at Pilot Mill, Alfred Street, Bury. Approved with conditions - 27 September 2006.

49229 - Residential development - 70 dwellings at land at Pilot Mill, Alfred Street, Bury. Approved with conditions - 20 May 2008

51576 - Residential development - 50 dwellings, access roads, car parking, fencing and associated landscaping (resubmission) at land adjacent to Pilot Mill, Alfred Street, Bury. Approved with conditions - 27 October 2009.

Publicity

The neighbouring properties were notified by means of a letter on 4 May 2017 and a press notice was published in the Bury Times on 11 May 2017. Site notices were posted on 5 May 2017.

1 letter has been received from the occupiers of 3 Greenside Chase, which has raised the following issues:

- Object to the proposal as 6 extra units would significantly increase traffic and associated noise of visitors and deliveries.
- The building would be visible from my property and would be an eyesore.

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

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to construction traffic management plan, measures to prevent mud from passing onto the highway, car parking and turning and servicing facilities.

Drainage Section - Comments awaited.

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

Environmental Health - Air Quality - No objections.

Environmental Health - Commercial Section - Comments awaited.

Environment Agency - Comments awaited.

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

Environmental Health Pollution Control - Comments awaited.

Unitary Development Plan and Policies

EC2/2	Employment Land and Premises
EC3/1	Measures to Improve Industrial Areas
EC4/1	Small Businesses
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
HT4	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 - Policy EC2/2 states that the Council will seek the retention of existing employment land and premises outside the Employment Generating Areas except where it can be demonstrated that an existing employment site or premises is no longer suited to continued employment use. In such circumstances consideration will be given to alternative development providing it does not conflict with the character of the surrounding area and other policies and proposals of the plan.

Policy EC3/1 states that the Council will be especially concerned with improving older industrial areas and premises, and will encourage and, where appropriate, implement measures to:

- improve the condition and appearance of buildings;
- improve access, servicing and car parking arrangements;
- bring into use derelict and vacant land;
- facilitate the re-use of vacant buildings and floorspace;
- improve the visual appearance and environment of the area;
- promote the introduction of new industrial development;
- promote good standards of design in all developments.

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

The proposed development would involve the erection of 6 smaller industrial buildings on a vacant area of land adjacent to the existing mill building. The proposed units would be used for B1, B2 or B8 purposes and would be acceptable in principle. The proposed units would create starter units for small businesses on the vacant servicing area and would bring that area of land into use. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policies EC2/2, EC3/1 and EC4/1 of the Bury Unitary Development Plan.

Design and layout - The proposed development would be located to the south east of the existing building and would be of a design typical of industrial buildings. The proposed development would be constructed from metal cladding, which would be acceptable. The proposed development would be 8.7metres in height at the highest point, which would be less than half the height of the existing building. As such, the proposed development would be appropriate in terms of height and scale given the existing two and three storey dwellings. The proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/2 and EC6/1 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards and as such, is a useful guide in this instance. The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows and 13 metres between a habitable room window and a two storey blank wall.

There would be 21.8 metres between the rear elevation of No 31 Greenside Chase and the proposed building and 17.8 metres from the proposed building to the gable elevation of No. 33 Greenside Chase.

There is a fence which separates the site from the adjacent housing and it is located on a bund. The hedges to the east are lower in level by about 1 storey. The fencing screens direct views and the oblique views from Nos 33 - 37 (odds) would not be directly impacting.

This would be in excess of the aspect standards and as such, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties.

Noise - The proposed development would be located adjacent to an existing mill, which is used for industrial, retail and leisure purposes. The proposed units would be used for B1, B2 and B8 purposes. There would be 17.8 metres between the proposed development and the nearest residential properties and there is an existing acoustic fence of 3 metres in height along this boundary. Given the existing industrial uses and the noise that this would generate, the distance to the existing neighbouring properties and the existing acoustic fence, it is considered that the proposed units would not add significantly to the noise levels within the area. As such, the proposed development, subject to conditional control of the opening hours would not have a significant adverse impact upon the amenity of the

neighbouring properties and would be in accordance with Policy EN7/2 of the Bury Unitary Development Plan.

Highways issues - The proposed units would utilise the existing servicing area and would be accessed from Alfred Street, where there is acceptable levels of visibility. The Traffic Section has no objections, subject to the inclusion of conditions relating to construction traffic management plan, measures to prevent mud from passing onto the highway, car parking and turning and servicing facilities. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2 and EC6/1 of the Bury Unitary Development Plan.

Parking - SPD11 states that the maximum parking standards for a B1 use would be 1 space per 40 square metres of floorspace, which equates to 17 spaces.

The proposed development would provide 14 parking spaces immediately adjacent to the proposed units. The proposed development would form part of a wider site with 110 existing car parking spaces, it is considered that the proposed level of car parking provision would be acceptable. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Response to objectors

- The floorspace of the proposed building is the same as previously approved and as such, the level of traffic generated would not be significant when compared to the previously approved scheme.
- The issues relating to the design of the proposed building 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 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 NMB/PM/001, NMB/PM/002, NMB/PM/003, NMB/PM/004 B, NMB/PM/005 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
4. The development hereby approved shall be carried out in accordance with the remediation strategy, dated 5 May 2017 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. The materials for the proposed development shall be as detailed NMB/PM/100, dated 29/03/2017.

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.

6. No work or other activity shall take place on the site on Sundays or Bank Holidays and all work and other activity on other days shall be confined to the following hours:-

08.00 - 18.00 - Monday to Friday

09.00 - 17.00 - Saturday and Sunday

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EC4/1 – Small Businesses and EC6/1 – Assessing New Business, Industrial and Commercial Development of the Bury Unitary Development Plan.

7. Noise from or associated with the proposed activity/ development hereby permitted shall not increase the prevailing ambient noise levels as measured at the boundary of the site.

Reason. To protect the amenity of the neighbouring properties pursuant to Policy EN7/2 of the Bury Unitary Development Plan.

8. No development shall commence unless or until details of a scheme for the disposal of foul and surface water drainage have been submitted to and approved in writing 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 the proposed maintenance arrangements must be provided. Only the approved scheme shall be implemented prior to occupation of the dwellings hereby approved.

Reason. No details of the drainage have been submitted and to ensure a satisfactory means of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

9. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

10. The development hereby approved shall not commence unless or until the measures identified in the Construction Traffic Management Plan have been implemented and shall be adhered to throughout the construction period and the areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials.

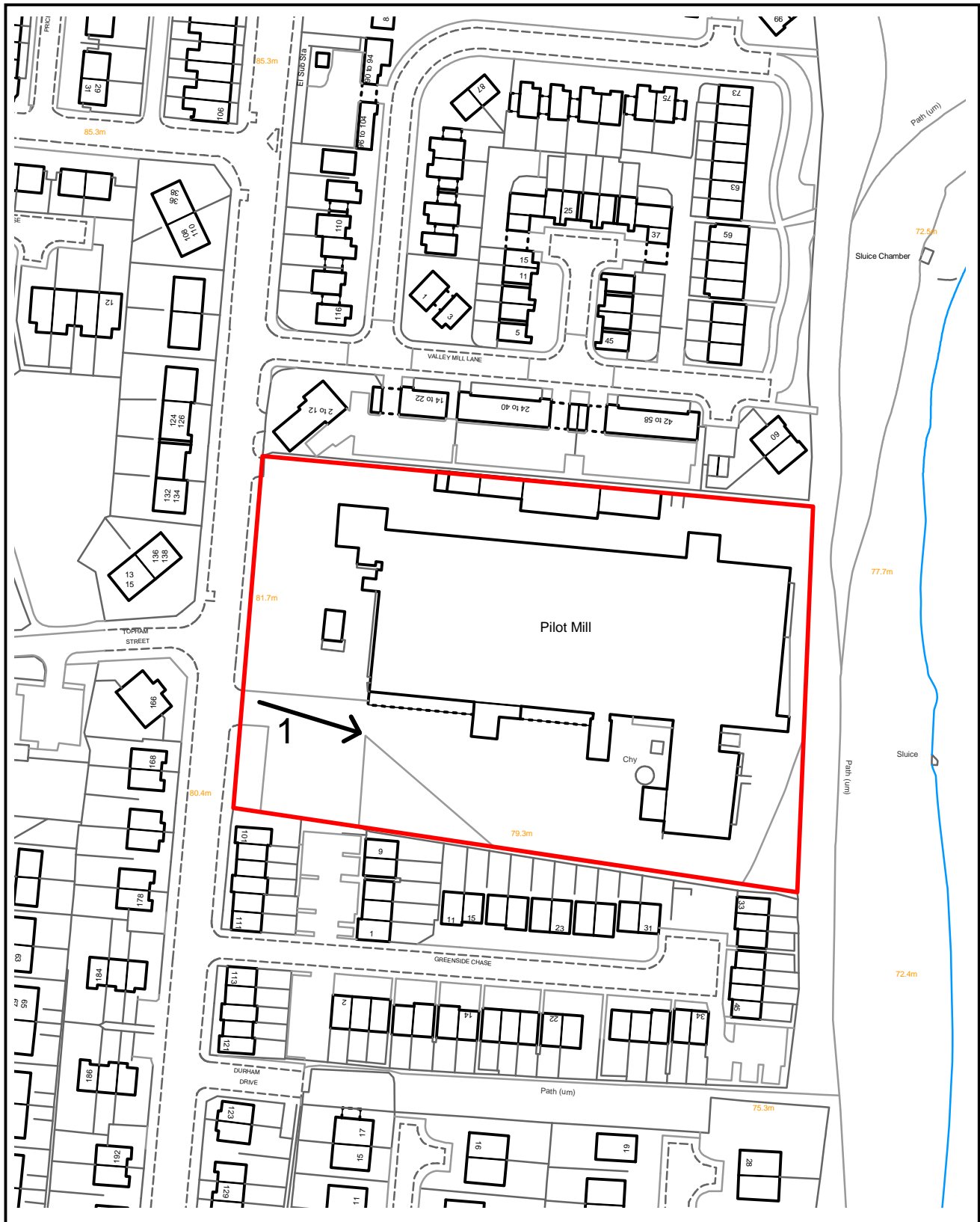
Reason. To mitigate the impact of the construction traffic generated by the

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 Policy EC6/1 – Assessing New Business, Industrial and Commercial Development of the Bury Unitary Development Plan.

12. The car parking indicated on approved plan reference 2753 AL 1001 shall be surfaced, demarcated and made available for use 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 Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
13. The turning and servicing facilities indicated on approved plan reference 2753 AL 1001 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 Policy EC6/1 – Assessing New Business, Industrial and Commercial 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 61447

**ADDRESS: Pilot Mill, Alfred Street
Bury**

Planning, Environmental and Regulatory Services

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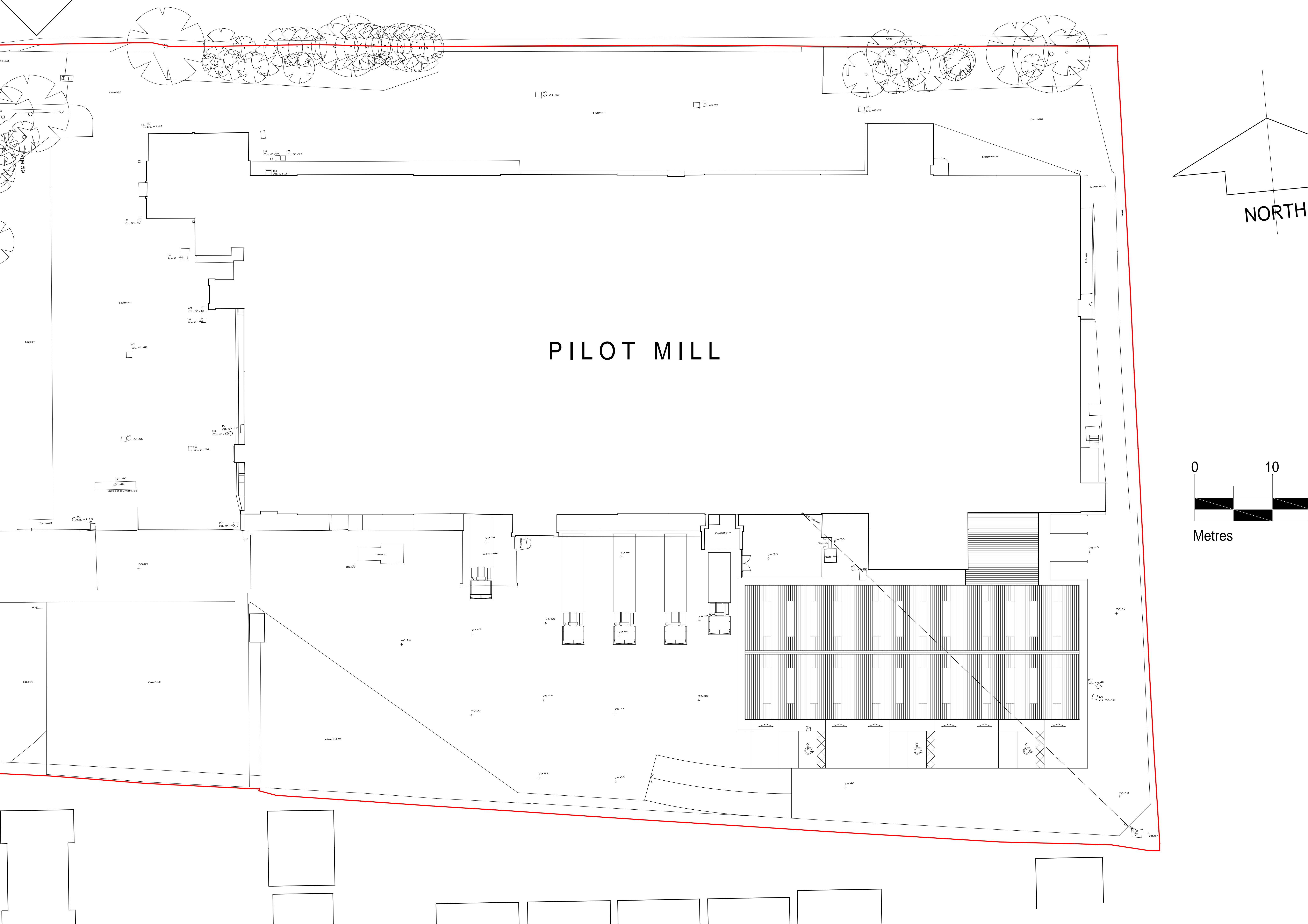


Bury
COUNCIL

61447

Photo 1





PILOT MILL

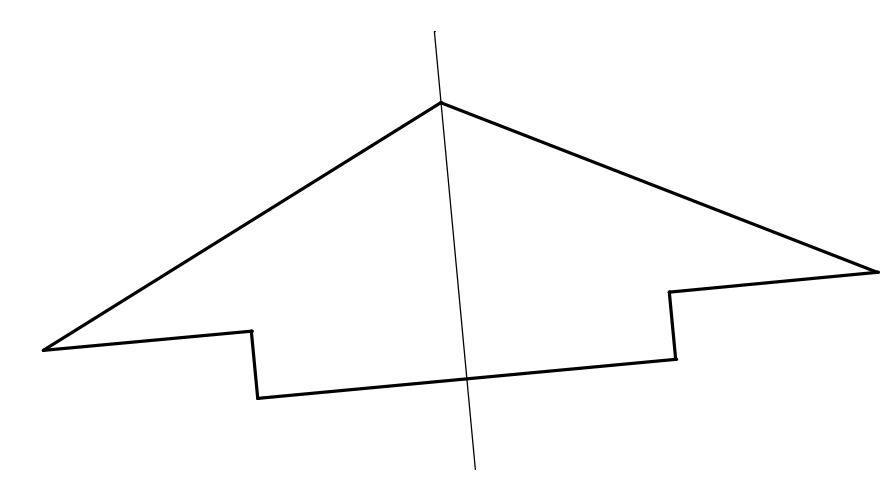
NORTH

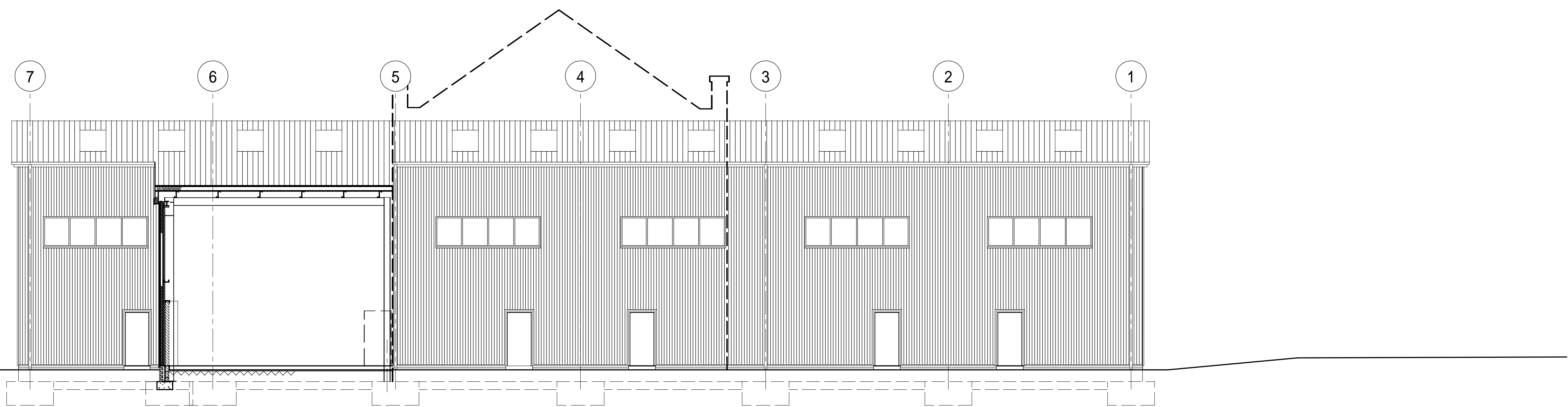
0 10

Metres

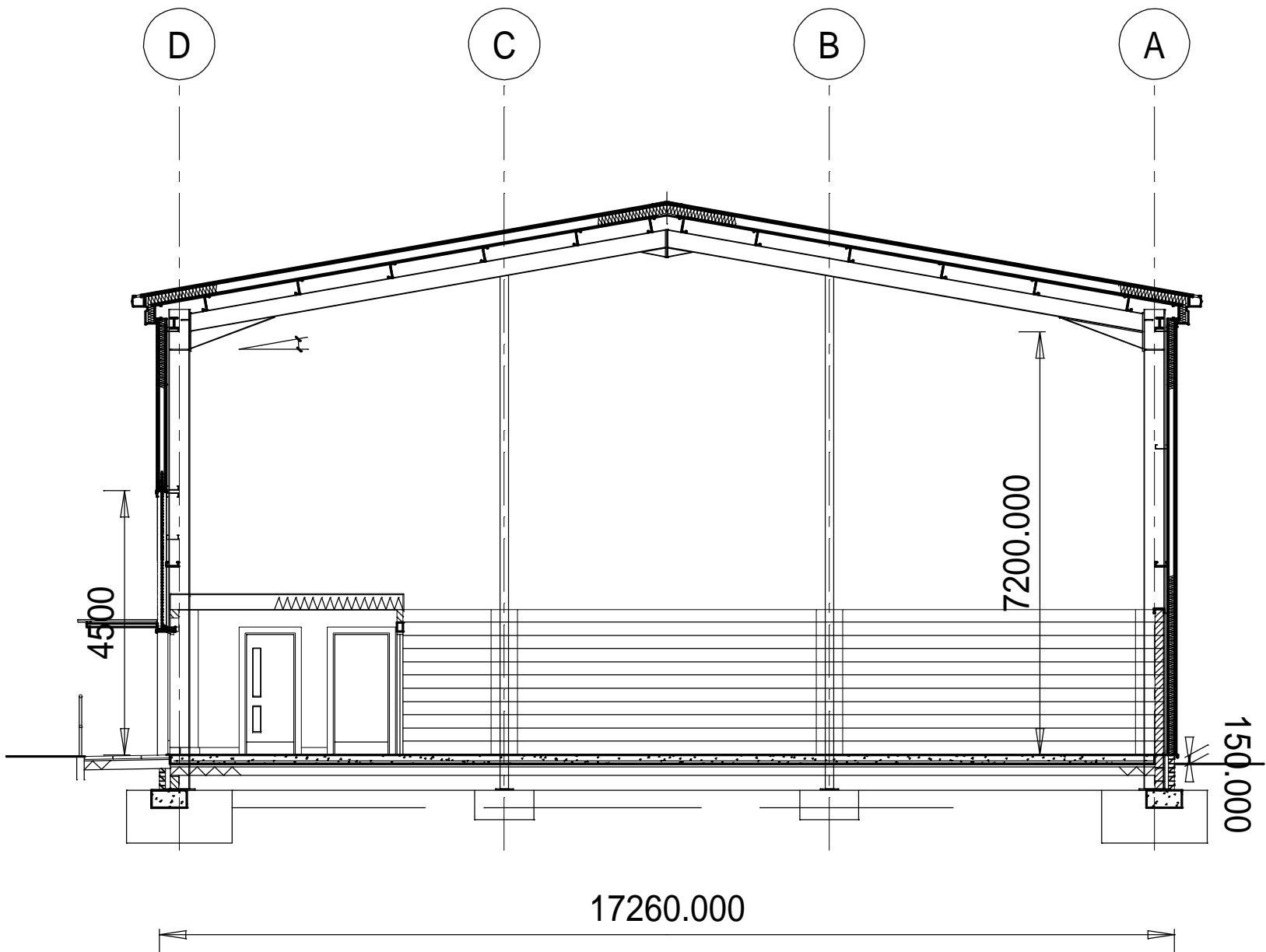
Technical drawing of a window frame showing dimensions and angles. The drawing includes a vertical section on the left and a horizontal section on the right. Key dimensions and angles are labeled in red:

- Vertical dimension: 1100
- Horizontal dimension: 1200
- Angle: 79.80° (top left)
- Angle: 78.45° (bottom left)
- Angle: 78.60° (bottom right)

[illegible]



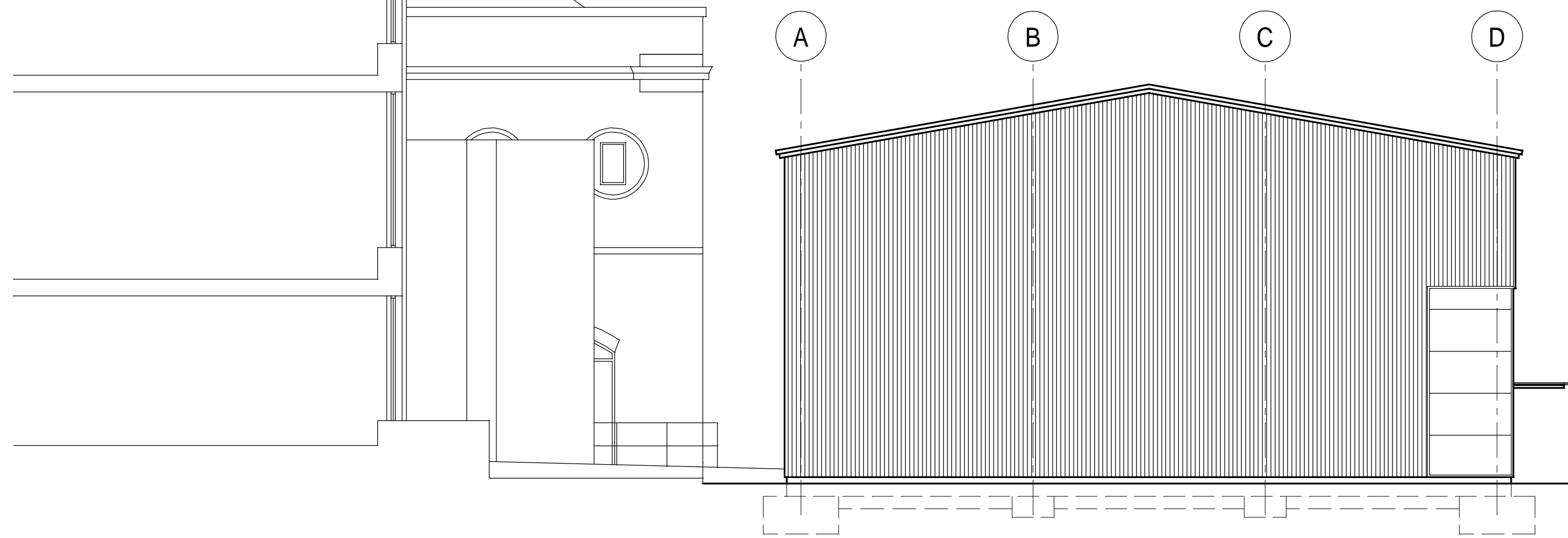
Rear Elevation



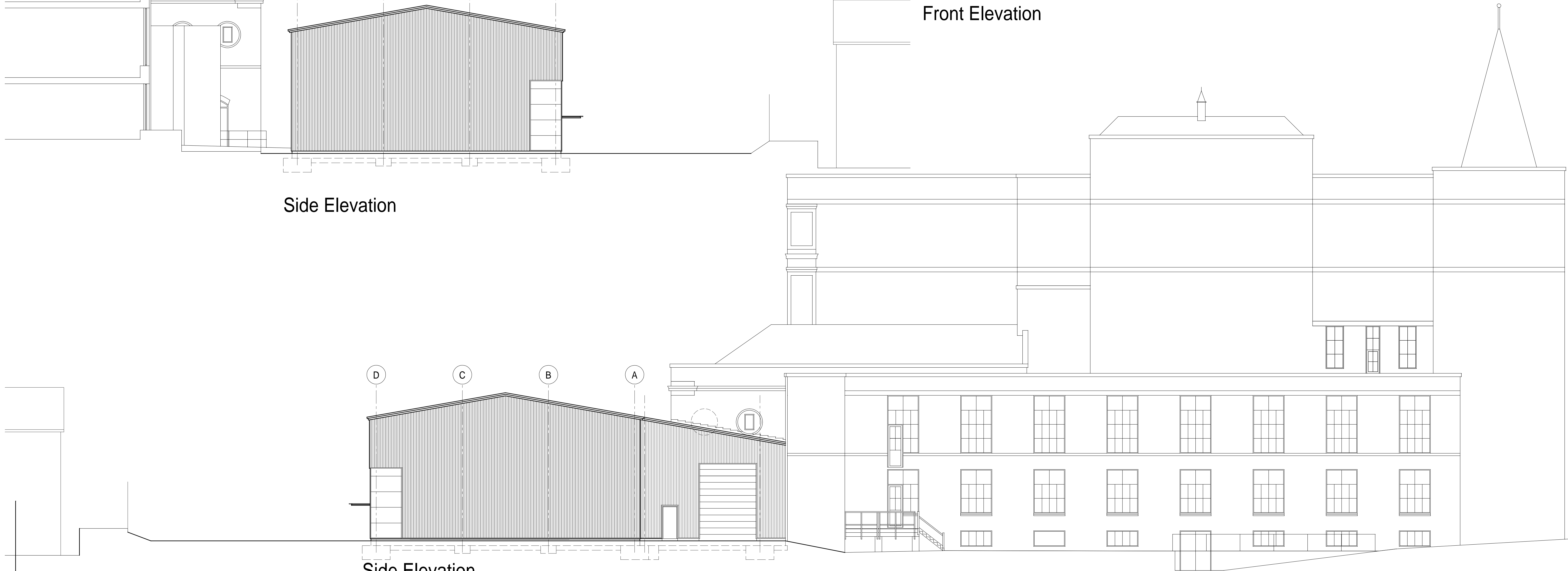
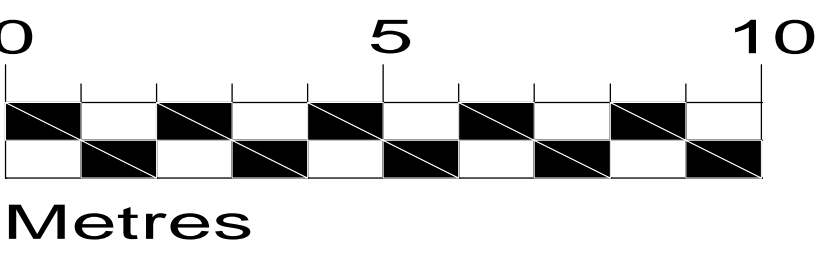
Typical Section



Front Elevation



Side Elevation



Side Elevation

Revisions		
Client:		
The Weidenbaum Pension Trust		
Project:		
Pilot Mill, Alred St. Bury, BL9 9EF		
Drawing:		
Proposed Elevations		
Date:		
22/02/2017		
Scale:		
1:100		
Drawg. No.		Rev.
NMB/PM/005		

REPORT FOR DECISION

Agenda Item 5



Agenda
Item

5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	20 June 2017
SUBJECT:	DELEGATED DECISIONS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	The report lists: Recent delegated planning decisions since the last PCC
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A
Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS**DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

This is a monthly report to the Planning Control Committee of the delegated planning decisions made by the officers of the Council.

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-None**Contact Details:-**

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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

Planning applications decided using Delegated Powers

Between 15/05/2017 and 11/06/2017



Ward: Bury East

Application No.: 61250 **App. Type:** LBC 08/06/2017 Approve with Conditions
Location: Bury Metro Arts Association Derby Hall, Market Street, Bury, BL9 0BW
Proposal: Listed Building Consent to replace bird wire pigeon defence with pigeon spikes to the Market Street Elevation. Enlarge the first floor hygiene room opening on the first floor to provide access for users of larger wheelchair models.

Application No.: 61325 **App. Type:** FUL 18/05/2017 Approve with Conditions
Location: 27 The Rock, Bury, BL9 0JP
Proposal: Change of use of part of first floor from non-residential institution (Class D1) to charity shop (Class A1)

Application No.: 61408 **App. Type:** FUL 23/05/2017 Approve with Conditions
Location: 1A Union Street, Bury, BL9 0NY
Proposal: Change of use from retail (Class A1) to restaurant (Class A3)

Application No.: 61416 **App. Type:** FUL 09/06/2017 Approve with Conditions
Location: Bury Metro Arts Association Derby Hall, Market Street, Bury, BL9 0BW
Proposal: Replace bird wire pigeon defence with pigeon spikes to the market street elevation

Application No.: 61437 **App. Type:** FUL 08/06/2017 Approve with Conditions
Location: 8 Myrtle Gardens, Bury, BL9 7DN
Proposal: Single storey rear extension

Ward: Bury East - Moorside

Application No.: 61179 **App. Type:** FUL 25/05/2017 Approve with Conditions
Location: 75 West Drive, Bury, BL9 5DW
Proposal: Roof extension to existing bungalow to form two storey dwelling with accommodation in roofspace; Two storey extension at rear with juliet balcony; Single storey extension at side/rear and garage extension at side; Two storey extension at front; Render to external elevations

Application No.: 61314 **App. Type:** FUL 08/06/2017 Approve with Conditions
Location: Primrose Cottage, Hudcar Lane, Bury, BL9 6EG
Proposal: Change of use from residential care home to 2 no. dwellings

Application No.: 61374 **App. Type:** FUL 30/05/2017 Approve with Conditions
Location: 2 Copse Drive, Bury, BL9 5HE
Proposal: Two storey side extension

Application No.: 61388 **App. Type:** GPDE 17/05/2017 Prior Approval Not Required - Extension
Location: 15 Barlow Close, Bury, BL9 6WF
Proposal: Prior notification for proposed single storey extension at rear

Ward: Bury East - Redvales

Application No.: 61280 **App. Type:** FUL 09/06/2017 Approve with Conditions
Location: 90 Brecon Drive, Bury, BL9 9LE
Proposal: Lower dormer roof; Alterations to front elevation; Change of roof design to side extension; Single storey extension at rear

Application No.: 61287 **App. Type:** FUL 17/05/2017 Approve with Conditions
Location: 62 Valley Mill Lane, Bury, BL9 9BY
Proposal: Three storey and single storey extensions at side

Application No.: 61289 **App. Type:** FUL 18/05/2017 Refused
Location: 30 Rhiwlas Drive, Bury, BL9 9DE
Proposal: Extension to garage and raising of garage roof height .

Application No.: 61337 **App. Type:** LDCP 25/05/2017 Lawful Development
Location: 492 Manchester Road, Bury, BL9 9NY
Proposal: Certificate of lawfulness for proposed dormer extension to side elevation

Ward: Bury West - Church

Application No.: 61389 **App. Type:** GPDE 25/05/2017 Prior Approval Required & Granted - Ext
Location: 28 Kenmor Avenue, Bury, BL8 2DY
Proposal: Prior notification for proposed single storey rear extension

Application No.: 61406 **App. Type:** FUL 02/06/2017 Approve with Conditions
Location: Rakem Ltd, Wellington Street, Bury, BL8 2BD
Proposal: Glass canopy to front entrance and external fire escape staircase at rear; New parking spaces at front

Application No.: 61421 **App. Type:** FUL 05/06/2017 Approve with Conditions
Location: 220 Ainsworth Road, Bury, BL8 2LR
Proposal: Single storey extension at side

Ward: Bury West - Elton

Application No.: 61383 **App. Type:** FUL 02/06/2017 Approve with Conditions
Location: 7 Elton Fold Chase, Bury, BL8 1PW
Proposal: Single storey rear extension and extension to boundary wall at side

Application No.: 61401 **App. Type:** FUL 26/05/2017 Approve with Conditions
Location: The Flat, Woodhill Works, Woodhill Street, Bury, BL8 1AT
Proposal: First floor extension at side

Application No.: 61405 **App. Type:** FUL 15/05/2017 Approve with Conditions
Location: 46 Westcombe Drive, Bury, BL8 1DN
Proposal: Single storey side extension with pitched roof to front elevation and existing bay window

Application No.: 61460 **App. Type:** FUL 08/06/2017 Approve with Conditions
Location: 52 Hunstanton Drive, Bury, BL8 1EG
Proposal: Demolition of existing garage and two storey extension at side and single storey extension at front

Application No.: 61509 **App. Type:** FUL 09/06/2017 Approve with Conditions
Location: 32 Hayling Close, Bury, BL8 1GS
Proposal: Two storey extension at side

Ward: North Manor

Application No.: 61347 **App. Type:** FUL 22/05/2017 Approve with Conditions
Location: 502 Bolton Road West, Ramsbottom, Bury, BL0 9RU
Proposal: Erection of single storey detached garage

Application No.: 61348 **App. Type:** FUL 26/05/2017 Approve with Conditions
Location: 400 Bolton Road, Tottington, Bury, BL8 4JR
Proposal: Two storey side extension

Application No.: 61349 **App. Type:** FUL 30/05/2017 Approve with Conditions
Location: 55 Springside Road, Bury, BL9 5JF
Proposal: Alterations to roof including rear dormer and raised decking at rear (part retrospective).

Application No.: 61365 **App. Type:** FUL 19/05/2017 Approve with Conditions
Location: 28 Hawthorn Avenue, Ramsbottom, Bury, BL0 9UZ
Proposal: Single storey side extension to garage

Application No.: 61379 **App. Type:** FUL 23/05/2017 Refused
Location: 190 Bolton Road, Tottington, Bury, BL8 4JF
Proposal: Single storey side extension and retaining wall

Application No.: 61393 **App. Type:** FUL 02/06/2017 Approve with Conditions
Location: 15 Hayfield Close, Tottington, Bury, BL8 4QE
Proposal: Roof extension and extension at side to existing bungalow to form two storey dwelling; Single storey extension at rear; Render to elevations and new driveway

Application No.:	61394	App. Type:	FUL	02/06/2017	Approve with Conditions
Location:	27 Longsight Road, Ramsbottom, Bury, BL0 9SL				
Proposal:	Two/single storey extension at side/rear, first floor extension at rear and single storey extension at rear				

Application No.:	61400	App. Type:	FUL	16/05/2017	Approve with Conditions
Location:	7 The Loelands, Redisher Lane, Ramsbottom, Bury, BL8 4HX				
Proposal:	Single storey extensions at side and rear				

Application No.:	61489	App. Type:	FUL	08/06/2017	Approve with Conditions
Location:	28 Longsight Road, Ramsbottom, Bury, BL0 9TD				
Proposal:	Erection of single storey detached outbuilding				

Application No.:	61496	App. Type:	CON	25/05/2017	Raise No Objection
Location:	Lark Mount Farm, Croston Close Road, Ramsbottom, Bury, BL9 6TD				
Proposal:	Article 18 consultation from Rossendale Council (ref. 2017/0194) - Conversion of barn buildings into additional living space, leisure facilities and residential annex, including construction of extensions and erection of a stable block.				

Application No.:	61504	App. Type:	FUL	08/06/2017	Approve with Conditions
Location:	28 Larkfield Close, Tottington, Bury, BL8 4QJ				
Proposal:	First floor extension at rear				

Application No.:	61520	App. Type:	FUL	09/06/2017	Approve with Conditions
Location:	Holly Villa, Hollymount Lane, Tottington, Bury, BL8 4HP				
Proposal:	First floor extension at side				

Ward: **Prestwich - Holyrood**

Application No.:	61181	App. Type:	FUL	02/06/2017	Refused
Location:	Garage Colony, Lilac Grove, Prestwich, Manchester, M25 3DT				
Proposal:	Demolition of existing garage colony and erection of 1 no. detached dwelling with detached garage/outbuilding				

Application No.:	61276	App. Type:	FUL	17/05/2017	Approve with Conditions
Location:	7 Glebelands Road, Prestwich, Manchester, M25 1NE				
Proposal:	Dormer extension at rear				

Application No.:	61283	App. Type:	FUL	17/05/2017	Approve with Conditions
Location:	19 Nursery Road, Prestwich, Manchester, M25 3DU				
Proposal:	Two storey side extension; single storey rear extension; dormer extension at rear and garage extension at side				

Application No.:	61326	App. Type:	FUL	17/05/2017	Approve with Conditions
Location:	89 Polefield Road, Prestwich, Manchester, M25 2QN				
Proposal:	Single storey rear extension				

Application No.: 61370 **App. Type:** FUL 30/05/2017 Approve with Conditions
Location: 36 Bury Old Road, Whitefield, Manchester, M45 6TF
Proposal: Single storey side and rear extension

Application No.: 61415 **App. Type:** FUL 06/06/2017 Approve with Conditions
Location: 53 Peveril Close, Whitefield, Manchester, M45 6NS
Proposal: Single storey extension at rear

Ward: Prestwich - Sedgley

Application No.: 61281 **App. Type:** FUL 16/05/2017 Approve with Conditions
Location: 3 Colchester Avenue, Prestwich, Manchester, M25 0LL
Proposal: Dormer extensions at front and rear; 2 no. velux windows at front

Application No.: 61339 **App. Type:** FUL 18/05/2017 Approve with Conditions
Location: 4 Danesway, Prestwich, Manchester, M25 0FS
Proposal: Single storey extensions to front and rear

Application No.: 61355 **App. Type:** FUL 23/05/2017 Approve with Conditions
Location: 15 & 17 Harrogate Avenue, Prestwich, Manchester, M25 0LT
Proposal: Raise roof of both dwellings by 600 mm and loft conversions with dormers at front and rear;
First floor extension at rear of no. 17

Application No.: 61356 **App. Type:** GPDE 19/05/2017 Prior Approval Required & Granted - Ext
Location: 43 Scholes Lane, Prestwich, Manchester, M25 0AY
Proposal: Prior notification of proposed single storey rear extension

Application No.: 61358 **App. Type:** FUL 01/06/2017 Approve with Conditions
Location: 1 Dovedale Avenue, Prestwich, Manchester, M25 0BT
Proposal: Single storey extension at side

Application No.: 61360 **App. Type:** FUL 30/05/2017 Approve with Conditions
Location: 3 East Meade, Prestwich, Manchester, M25 0JJ
Proposal: Single storey extension at front and rear and two storey rear and side extension

Application No.: 61362 **App. Type:** FUL 23/05/2017 Approve with Conditions
Location: 104 Park Road, Prestwich, Manchester, M25 0DY
Proposal: Single storey rear extension and part replacement of flat roof with pitched roof

Application No.: 61368 **App. Type:** LDGP 26/05/2017 Refused
Location: 98 Scholes Lane, Prestwich, Manchester, M25 0AU
Proposal: Certificate of lawfulness for proposed change from hip to gable and form rear dormer extension

Application No.: 61371 **App. Type:** FUL 26/05/2017 Approve with Conditions
Location: 17 Ravens Close, Prestwich, Manchester, M25 0FU
Proposal: Hip to gable roof extension and loft conversion with dormers at front and rear; Front Porch

Application No.: 61426 **App. Type:** FUL 08/06/2017 Refused
Location: 2 Windsor Crescent, Prestwich, Manchester, M25 0DD
Proposal: Two storey extension at side/rear and first floor extension at front

Application No.: 61427 **App. Type:** FUL 06/06/2017 Approve with Conditions
Location: 9 Harrogate Avenue, Prestwich, Manchester, M25 0LT
Proposal: First floor extension at rear/side and alterations

Application No.: 61429 **App. Type:** FUL 08/06/2017 Approve with Conditions
Location: 12 Woodhill Grove, Prestwich, Manchester, M25 0AE
Proposal: First floor extension at side with front dormer window, two storey extension at side/rear and single storey extensions at rear

Application No.: 61452 **App. Type:** GPDE 09/06/2017 Prior Approval Not Required - Extension
Location: 12 Harrogate Avenue, Prestwich, Manchester, M25 0LT
Proposal: Prior notification for proposed single storey rear extension.

Application No.: 61561 **App. Type:** GPDE 30/05/2017 Prior Approval Required Refused - Ext
Location: 42 Fairway, Prestwich, Manchester, M25 0JH
Proposal: Prior notification for proposed single storey rear extension

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

Application No.: 60676 **App. Type:** FUL 23/05/2017 Approve with Conditions
Location: Land at side of 122 Venwood Road & 16 River View Close, Prestwich, Manchester, M25 9TE
Proposal: Erection of 1 no. new dwelling

Application No.: 60970 **App. Type:** FUL 26/05/2017 Approve with Conditions
Location: 12 St Anns Road, Prestwich, Manchester, M25 9GD
Proposal: Demolition of existing bungalow and erection of 1 no. two storey dwelling

Application No.: 61112 **App. Type:** FUL 23/05/2017 Approve with Conditions
Location: Land at Valley Park Road, Clifton Road, Prestwich, Manchester, M25 3TG
Proposal: Variation of condition no. 2 (approved plans) of planning permission ref. 58655 for the deletion of plot 77 and the addition of double garage to plot 78 and the rotation of plot 32 to provide 67 dwellings and 30 apartments

Application No.: 61164 **App. Type:** FUL 09/06/2017 Approve with Conditions
Location: 4 Spring Vale, Prestwich, Manchester, M25 9SE
Proposal: Single storey extension at rear

Application No.: 61233 **App. Type:** FUL 02/06/2017 Approve with Conditions
Location: Avon Cottage, Clifton Road, Prestwich, Manchester, M25 3JT
Proposal: Erection of 2 no. stables and hay store

Application No.: 61297 **App. Type:** FUL 16/05/2017 Approve with Conditions
Location: 7 Beckley Avenue, Prestwich, Manchester, M25 9GY
Proposal: Single storey extension at front and side

Application No.: 61340 **App. Type:** FUL 30/05/2017 Approve with Conditions
Location: 69 Hilton Lane, Prestwich, Manchester, M25 9SD
Proposal: Single storey extensions to side and rear

Application No.: 61341 **App. Type:** FUL 30/05/2017 Approve with Conditions
Location: 31 Agecroft Road East, Prestwich, Manchester, M25 9RQ
Proposal: First floor extension to side and rear

Ward: Radcliffe - East

Application No.: 61315 **App. Type:** FUL 18/05/2017 Refused
Location: 54/54A Church Street West, Radcliffe, Manchester, M26 2SQ
Proposal: Variation of condition no. 2 (approved plans) of planning permission 59628 to amend floor layouts and alteration to extension at rear

Application No.: 61350 **App. Type:** FUL 08/06/2017 Approve with Conditions
Location: Spenside, Bury and Bolton Road, Radcliffe, Manchester, M26 4LA
Proposal: Application for removal / variations of conditions of planning permission ref. 60512 - erection of 5 no. detached dwellings - amendments to site access; alterations to elevations of the dwellings.

Application No.: 61380 **App. Type:** FUL 22/05/2017 Approve with Conditions
Location: 259 Bury Road, Radcliffe, Manchester, M26 2XF
Proposal: Two storey extension at side/single storey extension at side/rear

Application No.: 61381 **App. Type:** FUL 23/05/2017 Approve with Conditions
Location: 32 Warth Fold Road, Radcliffe, Manchester, M26 2XL
Proposal: Variation of condition no. 3 (approved plans) of planning permission 60379 to change extension boundary wall from tapered to stepped

Application No.: 61469 **App. Type:** FUL 07/06/2017 Approve with Conditions
Location: 7 Orkney Close, Radcliffe, Manchester, M26 2WR
Proposal: Single storey extension at side/front and front canopy

Ward: Radcliffe - North

Application No.: 61282 **App. Type:** FUL 26/05/2017 Approve with Conditions
Location: Land off Brinks Lane, Radcliffe, Bolton, BL2 6QD
Proposal: Change of use of land from allotments to grazing for horses; Single storey stables and new access formed into site

Application No.: 61354 **App. Type:** FUL 17/05/2017 Approve with Conditions
Location: 98 Turks Road, Radcliffe, Manchester, M26 4QB
Proposal: Single storey side extension with main entrance to front elevation

Application No.: 61446 **App. Type:** FUL 26/05/2017 Approve with Conditions
Location: 27 Lowercroft Road, Bury, BL8 2EX
Proposal: Two storey extensions at front and rear and formation of first floor to existing bungalow to form two storey dwelling; dormer extension at side

Application No.: 61522 **App. Type:** FUL 09/06/2017 Approve with Conditions
Location: 1 Winston Close, Radcliffe, Manchester, M26 4WS
Proposal: Single Storey extension at side, Porch at front and extension to existing garage including new mono-pitched roof.

Ward: **Ramsbottom + Tottington - Tottington**

Application No.: 61232 **App. Type:** FUL 05/06/2017 Approve with Conditions
Location: Land adjacent to Brookhouse Mill and Quakers Field, Tottington, Bury, BL8 4AZ
Proposal: Erection of 1 no. dwelling on raised structure

Application No.: 61278 **App. Type:** FUL 19/05/2017 Approve with Conditions
Location: 1 Chestnut Avenue, Tottington, Bury, BL8 3EE
Proposal: Single storey and first floor side extension

Application No.: 61303 **App. Type:** FUL 15/05/2017 Approve with Conditions
Location: 168 Scobell Street, Tottington, Bury, BL8 3DD
Proposal: Two storey extension at side/rear

Application No.: 61434 **App. Type:** GPDE 18/05/2017 Prior Approval Not Required - Extension
Location: 31 Wellbank Street, Tottington, Bury, BL8 3HX
Proposal: Prior notification for proposed single storey rear extension

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.: 61190 **App. Type:** FUL 15/05/2017 Approve with Conditions
Location: Red Hall Hotel, Manchester Road, Ramsbottom, Bury, BL9 5NA
Proposal: Extension to existing car park for staff parking

Application No.:	61203	App. Type:	FUL	17/05/2017	Approve with Conditions
Location:	24 Dundee Lane, Ramsbottom, Bury, BL0 9HL				
Proposal:	Single storey rear extension with storage below and addition of 2 no. roof lights to front elevation				
Application No.:	61212	App. Type:	OUT	02/06/2017	Refused
Location:	Land opposite 6 Eccles Street, Ramsbottom, Bury, BL0 9HQ				
Proposal:	Outline application for residential development of up to 9 no. dwellings (all matters reserved)				
Application No.:	61291	App. Type:	LDCP	17/05/2017	Lawful Development
Location:	72 Victoria Street, Ramsbottom, Bury, BL0 9EB				
Proposal:	Certificate of lawfulness for proposed replacement of existing flat roof with new pitched roof				
Application No.:	61298	App. Type:	FUL	18/05/2017	Approve with Conditions
Location:	Land at Garden Street, Ramsbottom, Bury, BL0 9BN				
Proposal:	Construction of 1 no. live-work unit comprising ground floor workshop/store and residential unit at first floor				
Application No.:	61316	App. Type:	FUL	22/05/2017	Approve with Conditions
Location:	Sheep Hey, 6 Leaches Road, Shuttleworth, Ramsbottom, Bury, BL0 0ND				
Proposal:	Single storey extension to front/side				
Application No.:	61334	App. Type:	FUL	02/06/2017	Approve with Conditions
Location:	The Smithy, 4 Smithy Street, Ramsbottom, BL0 9AT				
Proposal:	Change of use from offices (Class A2) to non-residential tutoring facility (Class D1)				
Application No.:	61353	App. Type:	FUL	08/06/2017	Approve with Conditions
Location:	The Old College, 141 Stubbins Lane, Ramsbottom, Bury, BL0 0PR				
Proposal:	Conversion of ground floor to form self contained flat with alterations to entrance at front				
Application No.:	61382	App. Type:	FUL	08/06/2017	Approve with Conditions
Location:	Unit 2, Harrison Street, Ramsbottom, Bury, BL0 0AH				
Proposal:	Proposed MOT testing station ancillary to existing motor vehicle repairs (Class B2)				
Application No.:	61399	App. Type:	FUL	08/06/2017	Approve with Conditions
Location:	85 Bolton Street, Ramsbottom, Bury, BL0 9HY				
Proposal:	Demolition of existing outrigger/outbuilding and erection of two/single storey extension at rear; Loft conversion and external alterations to front elevation				
Application No.:	61403	App. Type:	LDCP	09/06/2017	Lawful Development
Location:	Lumb Carr House, Lumb Carr Road, Ramsbottom, Bury, BL8 4NH				
Proposal:	Certificate of lawfulness for the proposed use of detached swimming pool building as granny annex with additional windows and 1 No. rooflight				

Application No.: 61414 **App. Type:** FUL 05/06/2017 Approve with Conditions
Location: 3 Smithy Street, Ramsbottom, Bury, BL0 9AT
Proposal: Change of use from shop (Class A1) to shop and restaurant/cafe (Class A1 & A3)

Application No.: 61425 **App. Type:** FUL 23/05/2017 Approve with Conditions
Location: 8 Shipper Bottom Lane, Ramsbottom, Bury, BL0 0DB
Proposal: Single storey extension with raised terrace at rear and porch at front

Ward: Whitefield + Unsworth - Besses

Application No.: 61226 **App. Type:** FUL 26/05/2017 Approve with Conditions
Location: 17 Caister Avenue, Whitefield, Manchester, M45 6EL
Proposal: Two storey side extension with disabled access

Application No.: 61265 **App. Type:** FUL 18/05/2017 Approve with Conditions
Location: 144 Bury Old Road, Whitefield, Manchester, M45 6AT
Proposal: Single storey rear extension

Application No.: 61330 **App. Type:** FUL 24/05/2017 Approve with Conditions
Location: 5 Malham Drive, Whitefield, Manchester, M45 8SD
Proposal: Single storey extension at rear and new roof /brickwork to existing rear single storey projection

Application No.: 61366 **App. Type:** FUL 06/06/2017 Approve with Conditions
Location: 2 Rivermead Way, Whitefield, Manchester, M45 8SF
Proposal: Single storey extension at rear

Application No.: 61373 **App. Type:** FUL 24/05/2017 Approve with Conditions
Location: 30 Chester Avenue, Whitefield, Manchester, M45 6DH
Proposal: Single storey/two storey extensions to rear

Ward: Whitefield + Unsworth - Pilkington Park

Application No.: 61231 **App. Type:** FUL 24/05/2017 Approve with Conditions
Location: 170 Bury New Road, Whitefield, Manchester, M45 6QF
Proposal: Change of use of ground floor from hot food takeaway (Class A5) to dessert bar (Class A3)

Application No.: 61264 **App. Type:** FUL 22/05/2017 Approve with Conditions
Location: 11 Bank Street, Whitefield, Manchester, M45 7JF
Proposal: Raise ridge height of roof over garage; dormer at rear including obscure glazed window

Application No.: 61292 **App. Type:** FUL 24/05/2017 Approve with Conditions
Location: 9 Ringley Hey, Whitefield, Manchester, M45 7NU
Proposal: Single storey garage at front & single storey extension at side; construction of covered walkway & single storey extension at rear

Application No.: 61305 **App. Type:** FUL 17/05/2017 Approve with Conditions
Location: 33 Hillingdon Road, Whitefield, Manchester, M45 7GG
Proposal: Two storey extension at side

Application No.: 61332 **App. Type:** FUL 24/05/2017 Approve with Conditions
Location: 4 Leyburn Close, Whitefield, Manchester, M45 7UE
Proposal: Single storey rear extension with balcony roof and alteration to front elevation installation of window in place of garage door.

Application No.: 61367 **App. Type:** FUL 26/05/2017 Approve with Conditions
Location: 35 Ringley Road, Whitefield, Manchester, M45 7LD
Proposal: Two/three storey extension at side (including basement level), new entrance porch at front and raised decking at rear; Closure of vehicular access off Ringley Drive and alterations to existing Ringley Road driveway with new gated access

Application No.: 61386 **App. Type:** FUL 06/06/2017 Approve with Conditions
Location: 62 Hawkstone Avenue, Whitefield, Manchester, M45 7PG
Proposal: First floor side extension

Application No.: 61387 **App. Type:** FUL 15/05/2017 Approve with Conditions
Location: 14 Eight Acre, Whitefield, Manchester, M45 7LW
Proposal: Single storey extension to front

Application No.: 61440 **App. Type:** FUL 08/06/2017 Approve with Conditions
Location: 10 Ringley Park, Radcliffe, Manchester, M45 7NT
Proposal: First floor rear extension with balcony, two storey rear extension with balcony, creation of rear covered terrace

Application No.: 61444 **App. Type:** FUL 26/05/2017 Approve with Conditions
Location: 6 Standmoor Road, Whitefield, Manchester, M45 7PN
Proposal: Two storey extension at side/rear; New pitched roof to front and alterations

Application No.: 61457 **App. Type:** FUL 07/06/2017 Approve with Conditions
Location: 11 Park Lane, Whitefield, Manchester, M45 7JJ
Proposal: Single storey side extension and two storey rear extension with juliet balcony

Application No.: 61521 **App. Type:** LDGP 30/05/2017 Lawful Development
Location: Roma, 268 Bury New Road, Whitefield, Manchester, M45 8QS
Proposal: Certificate of lawfulness for the proposed installation of 0.75 m high decorative steel screens between the existing stainless steel posts

Ward: **Whitefield + Unsworth - Unsworth**

Application No.:	61272	App. Type:	FUL	07/06/2017	Approve with Conditions
Location:	13 Chadderton Drive, Bury, BL9 8NL				
Proposal:	First floor extension at front and side with porch at front				
Application No.:	61372	App. Type:	FUL	31/05/2017	Approve with Conditions
Location:	308 Hollins Lane, Bury, BL9 8AY				
Proposal:	Creation of vehicular access with parking at front				
Application No.:	61398	App. Type:	GPDE	17/05/2017	Prior Approval Not Required - Extension
Location:	41 Church Meadow, Bury, BL9 8JF				
Proposal:	Prior notification for proposed single storey rear extension.				
Application No.:	61422	App. Type:	FUL	23/05/2017	Approve with Conditions
Location:	90 Sunny Bank Road, Bury, BL9 8HJ				
Proposal:	Two storey/single storey extension at side and front porch				
Application No.:	61439	App. Type:	FUL	08/06/2017	Approve with Conditions
Location:	23 Hathaway Road, Bury, BL9 8EG				
Proposal:	Detached games room and new patio area				
Application No.:	61475	App. Type:	FUL	09/06/2017	Approve with Conditions
Location:	35 Hillsborough Drive, Bury, BL9 8LE				
Proposal:	Installation of additional window at first floor level into the side elevation of the existing dormer				
Application No.:	61484	App. Type:	FUL	09/06/2017	Approve with Conditions
Location:	7 The Croft, Bury, BL9 8RL				
Proposal:	Single storey extension at side and front porch				

Total Number of Applications Decided: 111

REPORT FOR DECISION

Agenda Item 6

Bury
COUNCIL

Agenda
Item

6

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	20 June 2017
SUBJECT:	PLANNING APPEALS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>Planning Appeals:</p> <ul style="list-style-type: none"> - Lodged - Determined <p>Enforcement Appeals</p> <ul style="list-style-type: none"> - Lodged - Determined
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

This is a monthly report to the Committee of the Planning Appeals lodged against decisions of the authority and against Enforcement Notices served and those that have been subsequently determined by the Planning Inspectorate.

Attached to the report are the Inspectors Decisions and a verbal report will be presented to the Committee on the implications of the decisions on the Appeals that were upheld.

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-

Contact Details:-

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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

**Planning Appeals Lodged
between 15/05/2017 and 11/06/2017**



Application No.: 61220/PMBPA

Appeal lodged: 31/05/2017

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Prior Approval Required

Applicant: Mr Roy Holland

Location Whittles Farm Barn, Turton Road, Tottington, Bury, BL8 3QQ

Proposal Prior approval for the proposed change of an agricultural building to 1 no. dwellinghouse (Class C3), and for associated operational development under Part 3 Class Q (a) and (b) of The Town And Country Planning (General Permitted Development) Order 2015

Total Number of Appeals Lodged: 1

**Planning Appeals Decided
between 15/05/2017 and 11/06/2017**



Application No.: 60186/FUL

Decision level: DEL

Recommended Decision: Split Decision

Applicant: Mr Guohua Zhong

Location: 45 Church Street, Ainsworth, Bolton, BL2 5RA

Proposal: A: Repositioning of existing flues at rear with addition of 1 no. flue

Appeal Decision: Dismissed

Date: 17/05/2017

Appeal type: Written Representations

B: Changes to elevations

Application No.: 60674/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr David Webster

Location: Birch Hey Farm, Turton Road, Tottington, Bury, BL8 3QG

Proposal: Convert and extend redundant piggery to 1 no. five bed dwelling house

Appeal Decision: Dismissed

Date: 06/06/2017

Appeal type: Written Representations

Application No.:

Decision level: DEL

Recommended Decision: Prior Approval Required

Applicant: Mr Andrew Winstanley

Location: Lower Dickfield Farm, Lower Dickfield, Helmshore Road, Ramsbottom, Bury, BL8

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

Appeal Decision: Part allowed

Date: 19/05/2017

Appeal type: Written Representations



Appeal Decision

Site visit made on 10 April 2017

by A J Mageean BA (Hons) BPI PhD MRTPI

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

Decision date: 17th May 2017

Appeal Ref: APP/T4210/W/17/3167741

45 Church Street, Ainsworth, Radcliffe, BL2 5RA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Guohua Zhong against the decision of Bury Metropolitan Borough Council.
 - The application Ref 60186, dated 30 May 2016, was refused by notice dated 25 July 2016.
 - The development proposed is changes to elevations inclusive of repositioning of flue pipes and signage.
-

Decision

1. The appeal is dismissed in relation to the changes to elevations.

Procedural Matters

2. Whilst the description of the proposed development includes signage, I understand that this has been the subject of a separate advertisement consent application.
3. The Council issued a split decision, granting permission for the repositioning of existing flues at the rear with the addition of 1 no. flue, and refusing permission for the changes to elevations. Although under the provisions of Section 79(1)(b) of the Town and Country Planning Act 1990 the whole of the proposed development may be considered as part of the appeal, I am satisfied that the repositioning of existing flues at the rear with the addition of 1 no. flue is acceptable and see no reason to reverse or vary the planning permission granted by the Council in this regard.
4. I noted on my site visit that the proposed changes to elevations, as illustrated in plan reference 04/d, dated May 2016, have already taken place.

Main Issue

5. The main issue is whether the proposal preserves or enhances the character or appearance of the Ainsworth Village Conservation Area.

Reasons

6. Church Street runs through the centre of the Ainsworth Village Conservation Area. This eastern section of the road is lined with traditional two storey terraced properties. The appeal site is located on the corner of the final short terrace of four properties on the northern side of the Street.
7. This terrace, along with the other properties further to the west on this side of Church Street, exhibit a variety of facing materials including brick, stone and rendered frontages. These properties are characterised by single tall narrow

windows at ground and first floor levels which creates a reasonably consistent pattern and rhythm across the terraces. Whilst there is some variety in window configurations and materials, including the presence of ground floor shop frontages and the insertion of additional windows at first floor level, these alterations do not erode the vertical emphasis of window openings to an unreasonable degree.

8. The current appeal follows an earlier approval for alterations to the front and side elevations of the appeal building, which included the replacement of the existing separate ground floor door and shop front window with a larger combined door and shop front, and the replacement of the single window at first floor level with two smaller ones.¹ The proposed replacement first floor windows were similar in shape and design to those in the rest of the terrace.
9. Whilst the shop frontage currently in place generally reflects that approved, the two windows at first floor level are square with vertical and horizontal glazing bars and without the sill and head details included in the earlier approval. These windows do not reflect the appearance of those in the surrounding area and as a result have a jarring effect on the reasonably consistent pattern of first floor fenestration within the wider terrace. This is exacerbated by the clear visibility of the appeal property in views up and down this straight road. As a result, this aspect of the conservation area's character is diminished.
10. The need to replace the existing defective UPVC windows and the thermal efficiency of their replacements are appreciated. However the materials to be used in the approved windows were not specified and could also have been UPVC, so these facts do not provide support for the present case. The appellant also notes the variety of window and door materials used in the area, however in this case the primary concern is the discordant shape of the replacement windows.
11. I have some sympathy with the fact that the owner has made investments in this property, and that if the replacement of these windows is required there would be a financial strain on his family, including the possible closure of the business. However, such personal matters can have little bearing on my decision.
12. The Government attaches great importance to design. Furthermore, the statutory duty in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. In this case whilst the harm caused by the windows would be significant, it would be less than the substantial harm referred to by the National Planning Policy Framework. However, the public benefits that would accrue, including the matters referred to by the appellant, do not outweigh the harm to the significance of the designated heritage asset.
13. I conclude that the proposal does not preserve or enhance the character or appearance of the Ainsworth Village Conservation Area. In this respect it conflicts with the Ainsworth Village Conservation Area Appraisal and Management Plan 2008 which refers to the need to resist inappropriate alterations to windows and doors, and the Bury Unitary Development Plan 1997 Saved Policies EN1/1, EN2/1 and EN2/2 which seek to protect the character and appearance of conservation areas.
14. For these reasons the appeal is dismissed.

AJ Mageean INSPECTOR

¹ Application Reference 57415

Appeal Decision

Site visit made on 16 May 2017

by Nick Palmer BA (Hons) BPI MRTPI

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

Decision date: 06 June 2017

Appeal Ref: APP/T4210/W/17/3169597

Birch Hey Farm, Turton Road, Tottington, Bury BL8 3QG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Webster against the decision of Bury Metropolitan Borough Council.
 - The application Ref 60674, dated 10 October 2016, was refused by notice dated 22 November 2016.
 - The development proposed is to convert and extend a redundant piggery to form a dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are:
 - i) whether or not the proposed development would be inappropriate development in the Green Belt for the purposes of development plan policy and the National Planning Policy Framework (the Framework);
 - ii) the effect of the proposal on the Green Belt;
 - iii) the effect of the proposal on the character and appearance of the area;
 - iv) whether or not there are other considerations weighing in favour of the proposal; and
 - v) if the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether Inappropriate Development

3. Birch Hey Farm is an isolated dwelling in the open countryside within the West Pennine Moors and the Green Belt. It is set back from Turton Road and accessed via a drive. The appeal concerns a former piggery building which is to one side and to the rear of the house. This single storey building is of brick with a slate roof and is on higher land than the house.

4. Permissions have previously been granted for conversion of the building into a dwelling in 2011 and 2015. The approved scheme would include partial excavation to provide a split-level ground floor and first floor accommodation within the roof space. The proposal seeks to provide a larger dwelling by fully excavating the site and providing a basement floor beneath the existing ground floor as an alternative to the approved accommodation within the roof space. The proposal, in common with the approved scheme proposes an extension that would project from the front elevation. This would not be as wide as the approved extension but it would be taller. Although the rear of the lower floor would be below ground level the full height and extent of the east facing elevation would be visible above the excavated ground level at the front.
5. Paragraph 89 of the Framework states that new buildings should be regarded as inappropriate in Green Belt but sets out a number of exceptions to this. One of those exceptions is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The proposal would double the floor area of the existing building and would add a two storey extension. The Council's Guidance¹ for conversion of buildings in the Green Belt advises that in general terms extensions up to a third of the size of the original dwelling may be allowed but that proposals will be considered on their merits. The resulting building would be much larger than this and clearly of substantial scale in relation to the existing building. For these reasons the extensions would be disproportionate and would thus not fall within the stated exception in paragraph 89 of the Framework.
6. Paragraph 90 of the Framework provides for engineering operations to not be inappropriate development. The appellant has referred to a High Court case² which concerned a basement extension to a terraced house. In that case the judgement was that construction of a basement could amount to engineering as well as building operations. This does not mean that the construction of a basement is an engineering operation rather than a building operation but that both elements may be involved. No information is before me as to the extent of proposed engineering works and given that the proposal clearly involves building works it would not form an exception to inappropriate development on this basis.
7. For these reasons I conclude that the proposed development would be inappropriate development in the Green Belt. Paragraph 87 of the Framework states that such development is, by definition harmful to the Green Belt and paragraph 88 advises that substantial weight should be given to such harm.
8. Saved policy OL1/4 of the Bury Unitary Development Plan (UDP) (1997) states that the conversion and re-use of buildings in the Green Belt is not inappropriate development provided that it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it. These requirements differ from those set out in the Framework in that the latter requires that extensions are not disproportionate. The difference with national policy reduces the weight that I give to that policy but I nonetheless give it significant weight because its general aim is similar.

¹ Bury Development Control Policy Guidance Note 9: Conversion and Re-use of Buildings in the Green Belt (2007) paragraph 5.11

² Eatherley V London Borough of Camden v James Ireland (2016) EWHC 3108 (Admin)

Effect on Green Belt

9. The site is within an area of clearly open countryside where there is a general absence of development other than isolated buildings and clear views across the surrounding landscape. The absence of development is a characteristic of the Green Belt and in this context new built development would intrude on this openness.
10. The height of the existing building would not be altered and from the rear its existing appearance would be maintained. However from the front the appearance would be completely altered. Although the lower floor would be constructed as a basement it would be fully exposed to the front and the resulting development would thus have the appearance of a two storey dwelling from that direction. The new front wing would add significant bulk. The development would be much larger than the existing building and the effect of the extensions would be to give it the appearance of a new building rather than a conversion.
11. The building is associated with an existing group of buildings. As a new built development it would reduce openness as a matter of principle. In addition to this the building is on the edge of the group and at a high level and as such would be seen from the surrounding area. For these reasons the proposed development would be intrusive in the context of its open surroundings. It would harm the openness of the Green Belt and I give further substantial weight to that harm. The proposal would not accord with saved policy OL1/4 of the UDP in that it would have a materially greater impact on the openness of the Green Belt than the existing building.

Character and Appearance

12. The site is in the West Pennine Moors and a Special Landscape Area as defined in the development plan. I saw on my visit that this is a landscape which has particular value in terms of its scenic quality. There are some trees next to the house and in front of the piggery building but the aspect towards the road and a nearby dwelling adjacent to the road is generally open. The building is some distance back from the road but is at a higher level and the development would be likely to be visible from the road.
13. The development would have the appearance of a large two storey house from that direction. Its suburban character and its scale and bulk would be out of character with the open rural surroundings and would be intrusive in the landscape. The plans show a public footpath route which follows the site boundary and the development would be particularly dominant and intrusive when seen from that route. For these reasons the proposal would unacceptably harm the character and appearance of the area. I give significant weight to that harm.
14. Saved policy EN1/1 of the UDP requires that there is no detrimental effect on visual amenity in the Green Belt and Special Landscape Areas. Saved policy EN9/1 similarly requires that development in Special Landscape Areas is sympathetic to its surroundings and saved policy OL7/2 seeks to maintain the important character of the West Pennine Moors. For the reasons given the proposal would not accord with those policies.

Other Considerations/Very Special Circumstances

15. I have taken into account the matters raised by the appellant in support of the proposal but find nothing that would amount to the very special circumstances needed to outweigh the harms that I have identified.
16. I have found that the proposal would be inappropriate development which by definition is harmful to the Green Belt. Furthermore the proposal would harm the openness of the Green Belt and the character and appearance of the area. I have given substantial and significant weights to those harms. There are no very special circumstances that would justify the proposal.

Conclusion

17. For the reasons given I conclude that the appeal should be dismissed.

Nick Palmer

INSPECTOR

Appeal Decision

Site visit made on 25 April 2017

by Andrew McGlone BSc MCD MRTPI

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

Decision date: 19th May 2017

Appeal Ref: APP/T4210/W/17/3168025

**Lower Dickfield Farm, Lower Dickfield, Helmshore Road, Ramsbottom
BL8 4PD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Andrew Winstanley against the decision of Bury Metropolitan Borough Council.
 - The application Ref 60866, dated 24 November 2016, was refused by notice dated 19 January 2017.
 - The development proposed is change of use of two buildings to form 2 dwellings.
-

Decision

1. The appeal is dismissed insofar as it relates to building 2. The appeal is allowed insofar as it relates to building 1 and prior approval is granted under the provisions of Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) for the change of use of a building to form a dwelling at Lower Dickfield Farm, Lower Dickfield, Helmshore Road, Ramsbottom, BL8 4PD in accordance with the details submitted pursuant to Schedule 2, Part 3, Paragraph Q.2 (1) of the GPDO through application Ref 60866, dated 25 November 2016. The approval is subject to the condition that the development must be completed within a period of 3 years from the date of this decision in accordance with Paragraph Q.2 (3) of the GPDO.

Procedural Matters

2. Schedule 2, Part 3, Class Q(a) the GPDO permits development consisting of a change of use of a building and any land within its curtilage from use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order. This appeal relates to Class Q(a) only.
3. For completeness and clarity, I have used the address from the appellant's appeal form above, as this more accurately reflects the site's location. Furthermore for the same reasons, I have amended the description of development in my formal decision to reflect my findings. It reads "change of use of a building to form a dwelling".
4. Having regard to the Council's reasons for refusal, it will first be necessary to consider whether or not the proposal would meet the relevant criteria for permitted development. If the proposal meets the relevant criteria for

permitted development, it will then be necessary to assess the potential impacts of the proposal. The provisions of the Order require the local planning authority to assess the proposed development solely on the basis of its impact on transport and highways, noise, contamination and flooding risks on site and whether the location or siting of the building would make it otherwise impractical or undesirable for the building to be used as a dwellinghouse, taking into account any representations received. My determination of this appeal will be made in the same manner, save for matters relating to noise and flooding which I note the main parties' agreement on. I concur with their view.

Reasons

5. The buildings subject of this appeal form part of Lower Dickfield Farm which is to the north-west of Ramsbottom. The farm contains a two storey pitched roof residential dwelling. The northern of the two buildings subject of this appeal ("Building 1") is a portal frame building that was granted planning permission in 2010¹. Yorkshire boarding cover the elevations and metal profile sheeting the roof. There is a large central opening facing fields which extend to the east of the building. The other building lies in-between building 1 and the dwelling. It is constructed from stone and slate ("Building 2"). Building 2 has a split internal composition with large timber doors to the front. It is nevertheless a single building. Access from public footpath No 53 is by way of a concrete track that rises steeply. Public footpath No 53 extends to public footpath No 42. Both are also used as a vehicular access to a handful of properties.

Whether agricultural buildings and an established agricultural unit

6. Class Q only applies to existing agricultural buildings. Class Q.1.(a)(i) sets out that development is not permitted by Class Q if the site was not used solely for an agricultural use as part of an established agricultural unit on the relevant date. Schedule 2, Part 3, Paragraph X of the GPDO sets out the definitions of the site, curtilage, an agricultural building and established agricultural unit.
7. The site plan shows two buildings and a curtilage around each building in red which is immediately around the building and no larger than the land area occupied by the buildings. I consider that each building would meet the relevant definitions of the 'site' and 'curtilage'. Thus, I have approached this appeal on the basis that they are two separate sites.
8. The Council do not dispute that building 1 is in an agricultural use as per the definition of an agricultural building as set out in the GPDO. I understand the appellant raises and produces meat for sale and that they keep bees. This is consistent with what I saw on my site visit.
9. With regards to building 2, in the right hand part of the building, evidence points to two chest freezers, a fridge/freezer, a clothes dryer and bee keeping equipment, including a honey extractor. With regards to the latter I noted on site protective gloves, a bee smoker and a protective suit. There was also various animal feed inside the building and photographs indicate an exercise stepper was previously stored in the building. This was not present on my site visit. Insofar as the contents of the freezers and the fridge/freezer, the appellant suggests that they store meat for sale. The Council have not disputed this and I noted on site quantities of portioned and wrapped meat,

¹ Council Application Ref: 52846

including large joints which seem to be considerably beyond what would reasonably be stored by a typical household. This is a matter of fact and degree, but based on the evidence before me, the use of this side of building 2 appears to reflect a small scale agricultural use.

10. Evidence, insofar as the left hand side of building 2 points to the storage of domestic related goods, such as a wheelbarrow, paint tins, buckets and other DIY equipment and gardening equipment. I also noted several brushes and ladders inside this part of building 2. Collectively, these items, in my opinion are not typical items that would be stored in an agricultural building. They are items typical of a domestic residential use.
11. So, while the appellant states that building 2 was solely in agricultural use on 20 March 2013, the Council point out there is no evidence of this. I accept there is an element of fact and degree, but on the evidence before me, even if building 2 is currently partly being used for the purposes of a trade or business, I agree with the Council that this would not address the issue that this building, as a whole, is not currently solely in agricultural use and now has a mixed agricultural/domestic storage use.
12. As such, in order for Class Q to apply, building 2 must be in agricultural use or unused and previously used for agriculture with no intervening use. Based on the evidence before me I am not satisfied that this is the case. Consequently the building 2 does not qualify under Class Q. However, building 1 does and as it is clearly physically and functionally severable from building 2.

Transport and highways

13. The narrow access to the site rises steadily and more steeply in parts from Kibboth Crew. The surface, which is partly broken concrete, is shared between pedestrian and vehicles. As a result, the existing access presents difficulties, in the form of its gradient, surface and width. I understand it is used as a popular public footpath and that there are limited passing places along the access. Nonetheless, the route is relied upon by existing residential occupants, including those at Lower Dickfield Farm.
14. Although the appellant refers to Schedule 2, Part 3, Paragraph W of the GPDO, I recognise the views of the Council's Head of Engineering and the Rights of Way officer. However the access and footpath No 53 are generally quiet in nature and secluded. While any extra regular traffic is likely to be perceptible to users of the highway, the increase in movements would only relate to a single dwelling. Even though users of the surface would be close to one another, there are good sight lines along the access and footpath. Moreover, the access would, despite this appeal, remain to be deficient and excessive in length by Greater Manchester Fire and Rescue Service requirements. Although comments were made that suggested the submitted plans were insufficient, this was not a reason for refusal and in any event, I consider the plan meets the requirement of Schedule 2, Part 3, Paragraph W(2)(b) of the GPDO.
15. On this basis, I am not satisfied that vehicles entering or leaving the site, would directly lead to increased conflicts between vehicles and users of the public footpaths, given the current use of the access and footpath. Thus, I do not share the Council's view that the proposal's effect would be severely detrimental to highway safety.

Contamination

16. The Council suggest building 1 could have been used to store fuel, fertilizers, chemicals, hay or housed livestock. These could, in the Council's view, lead to contamination of the land. The intended future residential use of building 1 is a sensitive use. However, notably, comments from the Council's Environment Section only suggest the site is potentially contaminated due to its use as a farm. This is not a conclusive view as to whether the site is contaminated land, despite the appellant's resistance to providing an assessment, especially given the walls, floors and roof will all be sealed.
17. I recognise the Council's point that building 1 could include outside space, garden and soft landscaping. While no specific details are before me, it has been confirmed by the appellant that it will not be necessary to disturb any land proposed as curtilage.
18. Inside building 1, I saw a pen had been formed and the ground was covered with bedding for use by livestock. Other items, such as logs and a smaller trailer were also being stored. The activities inside the building seem to be small scale and not an intensive form of agriculture and there is no evidence to corroborate the suggested storage of fuel, fertilizers and chemicals. I also understand that there are no recorded nuisance or pollution instances at or next to this site in the last 12 months. So, even though I am mindful of the agricultural use and paragraph 120 of the National Planning Policy Framework (the Framework), equally I am not satisfied that significant harm is being caused or that there is the significant possibility of harm being caused to receptors. Consequently, on the available evidence and with regards to the proposed mitigation, I do not consider that the site is contaminated land as described in Part 2A of the Environmental Protection Act 1990, having regard to the Contaminated Land Statutory Guidance².

Impractical or undesirable

19. Properties in the nearby area lost their electricity supply as a result of a landslide in December 2015, however the farm is still served by a generator and building 1 has an electricity supply as I noted plug sockets, switches and strip lighting. I also gather that building 1 has a water supply, by way of a natural spring that also serves Lower Dickfield and Lower Dickfield Cottage.
20. The arrangements are therefore unusual. However the Planning Practice Guidance³ explains that the location of an agricultural building *where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval*. For the reasons set out earlier, I do not agree with the Council's view that the proposal would be undesirable on transport and highway grounds. Furthermore, as the site has electricity and water in the same manner as nearby properties, even if they are not the typical mains connections, I do not agree with the Council's assessment that the location of the building makes it impractical or undesirable for it to change from an agricultural use to a residential use.

² Department for Environment, Food and Rural Affairs, Environmental Protection Act 1990: Part 2A, Contaminated Land Statutory Guidance

³ Planning Practice Guidance, Paragraph: 109 Reference ID: 13-109-20150305

Other matter

21. As this is a Class Q(a) only appeal, I have considered the scheme having regard to Q.2(2) which explains that prior approval is only required under subparagraphs (1)(a) to (e) and the provisions of paragraph W. As a result, the design or external appearance of building 1 are not matters before me.

Conclusion

22. For these reasons, I conclude that the appeal should be allowed and approval granted insofar as it relates to building 1 and dismissed insofar as it relates to building 2.

Andrew McGlone

INSPECTOR

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