

AGENDA FOR

PLANNING CONTROL COMMITTEE

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To: All Members of Planning Control Committee

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

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, 19 December 2017
Place:	Peel Room, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted. The Head of Development Management will brief the Committee on any changes made to the Planning Applications since the issue of the Agenda. This information will be circulated to Members and made available to the public on the Council's website on the day of the meeting.
Notes:	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.

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 21ST NOVEMBER, 2017 *(Pages 1 - 4)*

4 PLANNING APPLICATIONS *(Pages 5 - 42)*

a SUPPLEMENTARY AGENDA *(Pages 43 - 46)*

5 DELEGATED DECISIONS *(Pages 47 - 60)*

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 61 - 66)*

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.

Minutes of: PLANNING CONTROL COMMITTEE

Date of Meeting: 21 November, 2017

Present: Councillor J Black (In the Chair)
Councillors A Cummings, M D'Albert, J Harris, S
Kerrison, T Holt, S Nuttall, C Preston, I Schofield
and Y Wright

Public attendance: 3 members of the public were in attendance

**Apologies for
absence:** Councillors Haroon and Skillen

PCC.01 DECLARATIONS OF INTEREST

Councillors Black and D'Albert declared a personal interest in Agenda Item 7. Local List of Non-Designated Heritage Assets as their properties were referred to in the report.

PCC.02 MINUTES

Delegated decision:

That the Minutes of the meeting held on 24th October, 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 relation to planning applications:- 60998 and 61828.

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

Prior to the Committee meeting, a Site Visit had taken place in relation to Planning Application 60998.

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:

61757 Autocephalic Chapel Church, Chapel Road, Prestwich, Manchester – Prestwich – St Mary's Ward

Change of use of lower ground floor from church (D1) to dwelling (C3), re-roofing main roof and removal of chimney stack

61829 136 Stand Lane, Radcliffe, Manchester – Radcliffe West Ward

Change of use from public House (Class A4) to veterinary surgery (Class D1); Alterations to external elevations, demolition of existing cellar area and resurfacing to form access and car parking

61917 The Stables, Scholes Lane, Prestiwich, Manchester – Prestwich – Sedgley Ward

Listed building consent for the repainting of the stucco in the development courtyard

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

60998 Park 66, Pilsworth Road, Bury – Whitefield & Unsworth – Unsworth Ward

Mixed use development comprising 6046 m2 light industrial (Class B1(c), general industrial (Class B2) and storage/distribution (Class B8); 1340 m2 foodstore (Class A1); 2843 m2 other retail floorspace (Class A1); 2179 m2 gymnasium (Class D2); 2 no. 413 m2 Café/hot food takeaway units (Xlass A3/A5) with drive thru facilities; Associated parking spaces, alterations to site access and associated works

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 LOCAL LIST OF NON DESIGNATED HERITAGE ASSETS

A report from the Head of Development Manager, Dave Marno was submitted detailing the programme of assessment undertaken on the Borough's non-designated heritage assets and subsequent list of buildings recommended to form the Local List of Non-Designated Heritage Assets in Bury. Members were informed that this detailed assessment would make a significant contribution towards the historic assets that the Borough holds. The consultation of the draft local list would now enable the process to be informed by the public and any feedback would be fed into the process accordingly. The Chair, Councillor Black commended the Officers involved in the assessment and asked how the list would be publicised. Dave Marno explained that the owners of the properties contained within the list would be written to in the first instance and a variety of media sources would be used to publicise the list including utilising the Council 'Hub' to engage with the Townships. A list of the documents used to maintain the records were listed in the report, for information.

Delegated decision:

That the report be noted.

PCC.07 DEVELOPMENT MANAGEMENT – SCHEME OF DELEGATION

The Head of Development Management submitted a report detailing the proposals in relation to updating the Council's Constitution both to reflect the current staffing structure and to amend the scope of the existing decision-making arrangements. The Committee were requested to accept one of the following Options :-

Options:

1. Accept the proposals in their entirety and recommend them to full Council;
2. Reject the proposals;
3. Amend the proposals before recommending them to full Council.

The Chair invited comments/questions from members of the Planning Control Committee and the following issues were raised :-

- Councillor Wright and Councillor Harris raised concerns regarding the possible public perception of a reduction of planning decisions being made by the Planning Control Committee and being delegated to Officers.

- The Chair referred to Appendix A of the report and the opportunity all Councillors had of being able to 'call-in' planning applications for consideration by the Planning Control Committee. Councillor Wright reported that she had 'called-in' planning applications for consideration by Committee in the past and the process had not been straightforward. The Chair highlighted the need that any request to the Assistant Director (Localities) to 'call-in' applications to the Committee must include clear Planning reasons for the request.
- Councillor Preston commented that all information relating to any planning application submitted in the Borough was in the public domain, any changes would need to be made clear to the public including information on their rights of representation during the planning process (which would not change under the proposed changes detailed in the report).
- Councillor Kerrison commented that she hoped that fewer Committee applications would ensure that there would be an opportunity to debate future applications that come to Committee in greater detail. This would enhance the work of the Committee and show it to be a more robust decision-making body.
- The Assistant Director (Localities) gave an assurance that no applications would be trivialised by the proposed changes to the Scheme of Officer Delegation should they be approved by Councillors. There was the need to ensure that all Members of the Council and members of the public are engaged in the planning process and of the need to raise awareness of the planning process.

Delegated decision:

That the Committee accept the proposals detailed in the report and recommend the report for consideration at a future meeting of the Council.

CHAIR
COUNCILLOR J Black

(Note: The meeting started at 7.01 pm and ended at 7.45 pm)

Title	Planning Applications
To:	Planning Control Committee
On:	19 December 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: Radcliffe - East	App No. 59984
	Location: 77 Bury Road, Radcliffe, Manchester, M26 2UT	
	Proposal: Outline - Demolition of existing care home and erection of 13 no. dwellings	
	Recommendation: Approve with Conditions	Site Visit: N
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02	Township Forum - Ward: Ramsbottom and Tottington - Ramsbottom	App No. 62046
	Location: Land off Factory Street, Ramsbottom, Bury, BL0 9BT	
	Proposal: Variation of conditions 3,7,8 & 11 of planning permission 59005 to allow demolition of the buildings	
	Recommendation: Minded to Approve	Site Visit: N
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03	Township Forum - Ward: Whitefield + Unsworth - Unsworth	App No. 62114
	Location: 122 Hollins Lane, Bury, BL9 8AH	
	Proposal: Variation of condition no. 2 (approved plans) of planning permission 60576 for amendment to the red edge site to permit a revised car parking arrangement and relocation of double garage	
	Recommendation: Approve with Conditions	Site Visit: N
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Ward: Radcliffe - East

Item 01

Applicant: Mr Ikhtlaq Gorsl

Location: 77 Bury Road, Radcliffe, Manchester, M26 2UT

Proposal: Outline - Demolition of existing care home and erection of 13 no. dwellings

Application Ref: 59984/Outline Planning
Permission

Target Date: 05/01/2017

Recommendation: Approve with Conditions

The application was deferred from the September Committee meeting to allow further information in relation to coal mining to be submitted and assessed.

Description

The application site comprises a level site some 0.2ha in area, with vehicular and pedestrian access off Orkney Close. There is currently a vacant 3 storey late Victorian/Edwardian former nursing home building on the site constructed in red brickwork and slate roof. The site, although flat, is slightly elevated to Bury Road and is bounded along this frontage by a low brick wall. The remaining boundary features comprise timber fencing of 2 metres in height. There are 2 trees on site, which are protected by a Tree Preservation Order (TPO) and these are on the boundaries with Bury Road and Orkney Close.

There are residential properties to the north, south and west and the Metrolink line is located to the east of the site.

The applicant seeks outline permission for the demolition of the existing care home building and the erection of 13 dwellings and includes with the means of access and scale at this stage.

The proposed dwellings would be located in two terraces - one along the frontage with Bury Road and a second at 90 degrees to the Metrolink line. The proposed dwellings would be two storeys in height with additional living accommodation in the roof space. The proposed elevation plans indicate a dormer but it should be noted that the appearance of the dwellings would be dealt with at reserved matters stage.

The proposed development would be accessed from Orkney Close with pedestrian accessed from Bury Road for plots 1 - 6.

Relevant Planning History

31647 - Extension to existing care home to provide 36 bedrooms and car parking at 77 Bury Road, Radcliffe. Approved - 13 July 1995

32898 - Demolition of existing Care home and the erection of 42 bed care home at 77 Bury Road, Radcliffe. Approved - 15 April 1997

46351 - Demolition of existing care home and erection of new 42 bed care home with ancillary accommodation and parking at 77 Bury Road, Radcliffe. Withdrawn - 14 July 2006

50227 - Outline planning application for the erection of 42 bed care home and managers apartment. Details include layout of site and access at 77 Bury Road, Radcliffe. Withdrawn - 9 October 2008.

50596 - Outline planning permission for the erection of two/three storey care home

(resubmission) at 77 Bury Road, Radcliffe. Approved with conditions - 24 December 2008.

50735 - Outline planning application for two/three storey block of 14 no. apartments at 77 Bury Road, Radcliffe. Approved with conditions - 19 February 2009.

52455 - Change of use from former residential care home to a single house (Use Class C3) at 77 Bury Road, Radcliffe. Approved with conditions - 1 June 2010.

Publicity

The neighbouring properties were notified by means of a letter on 21 October and a press notice was published in the Bury Times on 27 October 2016. Site notices were posted on 2 November 2016.

1 letter of support has been received from the occupiers of 81 Bury Road, which has raised the following issues:

- Like to strongly support the application for 13 houses as the current building is an eyesore and devalues houses in the area.
- It attracts litter and crime.
- The plans are well thought out and will not overlook existing properties.
- The design would provide a safe close for young children to play out in.
- There would be sufficient parking available.
- The proposed houses are 3 bed dwellings that would provide housing for young professionals and working families.

3 letters have been received from the occupiers of 19 Orkney Close, which have raised the following issues:

- Generally in favour of the development, but have concerns regarding parking.
- The narrow entrance to Orkney Close is often lined either side with parked cars and it can be difficult to get past to the top end of Orkney Close.
- Double yellow lines would not help as would force cars to park further up the street.
- Concerned about access for vehicles during construction.
- Overwhelmed by the number of dwellings proposed and feel that 13 is a lot given the space available.
- Concerned that the number of parked vehicles would impact upon pedestrian footpaths.

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

Consultations

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

Drainage Section - Comments awaited.

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

Design for security - Crime impact statement should be submitted at reserved matters stage.

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

Metrolink - Recommend conditions relating to stability of metrolink embankment, construction management plan and noise.

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

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to bats, nesting birds and a landscape management plan and a informative relating to invasive species.

Transport for Greater Manchester - No objections, subject to the inclusion of conditions relating to the bus stop, construction management plan, acoustic insulation and detailed design for boundary treatment adjacent to the metrolink line.

Waste Management - None received.

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN2	Conservation and Listed Buildings
EN3/1	Impact of Development on Archaeological Sites
EN3/2	Development Affecting Archaeological Sites
EN3/3	Ancient Monuments
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/1	Tree Preservation Orders
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

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

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

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

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

The site would be located within the urban boundary and would be surrounded by residential properties. As such, the proposed development would not conflict with the surrounding land uses and would be in a sustainable location with good access to public transport and services. The site contains a detached building and is previously developed land. As such, the proposed development would be acceptable in principle and would be in

accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Heritage - The building, which was last used as a nursing home, dates back to the late Victorian/Edwardian and is slightly elevated to Bury Road. The site was included within Withins Lane Colliery in 1893 and by 1907, the railway sidings had been removed and the site redeveloped to provide a single building, which was in use as a rectory. Given its architectural style and age, it is considered that the existing building would be a non-designated heritage asset.

Paragraph 135 of the NPPF states that the effect of an application on a non designated heritage asset should be taken into account when determining an application, with a balance judgement to any harm or loss and the significance of a heritage asset.

The style of the building is modest with no over embellishment. The building has been used for a number of uses over the years - rectory, offices and a nursing home, which has removed the historical interest internally. A fire escape was added to the rear, which is constructed from corrugated metal, which significantly detracts from the character of the building.

The last use of the building was as a care home in 2007 and the building has been vacant ever since. Various planning applications were submitted between 2006 and 2010 on the site, which confirmed that the building was in a poor state of repair. The various consents were not implemented and the fabric of the building has worsened over the past 10 years and the building is dilapidated and un-economic to repair. As such, it is considered that the works undertaken over the years and the dilapidation of the building have reduced the degree of significance and the demolition of the building and redevelopment of the site would be acceptable in this case. Therefore, the proposed development would be in accordance with Policy EN2 of the Bury Unitary Development Plan and the NPPF.

Design and indicative layout - The proposed dwellings would be two storeys in height with dormers and additional living accommodation in the roofspace. The existing dwellings in the area are two storeys in height and there is a mix of types and design. As such, the proposed dwellings, which are of a similar height would not be a prominent feature or appear out of scale. Whilst the proposed dormers are considered to be too large, this would be a consideration for the external appearance on the reserved matters application as this does not form part of the current outline application. The agent has been made aware of these concerns.

The level of private amenity space would be acceptable and there would be space within the rear gardens for bin storage. Two areas for use as a bin collection point would be provided for use on collection days. Therefore, the proposed development would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Layout - The applicant is seeking permission for the principle of residential development on the site and as such, the layout of the site and associated issues will be dealt with at the reserved matters stage.

Impact upon residential amenity - As the layout of the site has been removed from consideration at the outline stage, the consideration of the aspect standards in SPD6 would be assessed at the detailed design stage (reserved matters). However, the indicative layout shows that the aspect standards would be achievable and it would be possible to maintain suitable separation distances. Therefore, the proposed development would not have an significant adverse impact upon the amenity of the neighbouring properties.

Trees - There are two trees on the site, which are protected by a Tree preservation Order (TPO). The trees are located on the boundary of the site with Bury Road and Orkney Close respectively. The proposed site plan indicates that both trees would be retained and tree protection measures would be secured by a condition. Therefore, the proposed development would not have an adverse impact upon the protected trees and the character

of the area and would be in accordance with Policy EN8/2 of the Bury Unitary Development Plan.

Bats - A bat survey was submitted as part of the application and a dusk survey had been undertaken. Whilst there was no bat emergence at 77 Bury Road, commuting and foraging activity was recorded during dusk observation. As such, it is apparent that there is a roost located in relatively close proximity to the building. Therefore, it is recommended that all roof slates are removed in a careful and controlled manner prior to the demolition works. GM Ecology Unit has no objections to the proposal, subject to the inclusion of conditions relating to bats, nesting birds and a landscape management plan and an informative relating to invasive species. Therefore, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Noise - The site is located adjacent to the Metrolink line. The layout of the development would be secured at this stage and the proposed indicative site plan indicates that the proposed dwellings would be 8.2 metres (gable elevation) and 62 metres (rear elevation) from the metrolink line respectively. This would be no closer than the existing dwellings on Olsberg Close as an indicative layout may change at reserved matters stage, the plans show how diastances may be achieved. Pollution Control have no objections to the proposal, subject to the inclusion of a condition relating to a noise survey and the provision of appropriate acoustic insulation and ventilation. It is considered that the proposed noise survey should be provided at the first reserved matters stage, when the detailed design and layout of the proposed dwellings would be assessed. Therefore, the proposed development would not have a significantly adverse impact upon the amenity of the future occupiers and would be in accordance with Policy EN7/2 of the Bury Unitary Development Plan and the NPPF.

Highways issues - The proposed development would be accessed from Orkney Close and appropriate levels of visibility would be provided. The proposed development would provide a footpath along the Orkney Street boundary, which is welcomed. The proposed site plan indicates two bin collection points and the refuse vehicle would collect from Orkney Close and turning facilities would be provided. The Traffic Section has no objections, subject to the inclusion of conditions relating to highway improvements, construction traffic management plan, measures to prevent mud from passing onto the highway and car parking. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

The Metrolink line forms the boundary to the north west of the site and Transport for Greater Manchester (TfGM) has requested additional information to be able to assess the impact upon the Metrolink line. This information has been submitted and further comments will be reported in the Supplementary Report.

Parking - SPD11 states that the maximum parking standards is 2 spaces per 3 bed dwelling. This equates to 26 parking spaces.

The proposed indicative site plan indicates that 22 spaces could be provided. Given that the site has good access to public transport, it is considered that the level of parking provision would be acceptable in this instance. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Planning Obligations - A contribution for recreation provision would be required in accordance with Policy RT2/2 of the Bury Unitary Development Plan and SPD1 and this would be secured by a condition at outline stage.

Response to objectors

- The issues relating to parking and layout have been addressed in the main report.
- The issues relating to parking and access during construction would be addressed by a condition relating to a construction traffic management plan.

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. Applications for approval of reserved matters must be made not later than:
 - the expiration of three years beginning with the date of the grant of outline planning permission; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the layout, the appearance and the landscaping of the site.

Reason. To ensure the satisfactory development of the site and because this application is in outline only.
3. This decision relates to drawings numbered IG1-00, IG1-01, IG1-02 B, IG1-03 A and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
4. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
5. No trees subject to a Tree Preservation Order shall be felled, lopped or topped before, during or after the construction period.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
6. The demolition works hereby approved shall be carried out in accordance with the recommendations contained in Section 10 of the Surveys in Relation to Bats and Breeding Birds, by The Tyrer Partnership, dated October 2015. If the demolition

herbey approved does not commence before 30 April 2018, the building must be re-assessed for bat roosting potential and the results supplied to and approved in writing by the Local Planning Authority.

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

7. No works to trees or shrubs shall occur or demolition commence between 1st March and 31st August inclusive in any year unless a detailed biord nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and has been submitted to and approved in writing by the Local Planning Authority.

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

8. At first reserved matters stage, a landscaping management scheme shall be submitted and shall include elements to mitigate for the loss of trees, shrubs and nesting bird habitat. The development shall be carried out in accordance with the approved details.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity and ecology pursuant to Policies EN1/2 - Townscape and Built Design, EN8/2 – Woodland and Tree Planting and EN6 - Conservation of the Natural Environment of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

9. At the first reserved matters application, a noise survey shall be submitted to the Local Planning Authority. If the ambient noise in any habitable room of any dwelling exceeds 35dB for living rooms and 30dB for bedrooms, a scheme for acoustic insulation and independent ventilation scheme requirements should be submitted, approved and implemented in accordance with the approved scheme and be in situ prior to first occupation.

Reason. To protect the amenity of the occupants of the premises once the development hereby approved is occupied pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

10. 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.

11. Following the provisions of Condition 10 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.

12. Following the provisions of Condition 10 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.

13. As the development comprises 13 units, the development authorised by this permission shall not begin unless and until the Local Planning Authority has approved in writing a scheme to secure recreation provision, which shall include a mechanism for delivery, in accordance with policy RT2/2 – Recreation Provision in New Housing Development and its associated SPD1 – Open Space, Sport and Recreation Provision in New Housing development. The scheme shall be submitted as part of the reserved matters application and the recreation provision shall be delivered in full accordance with the approved details.

Reason - To ensure that the development would contribute to satisfying the need for recreation provision pursuant to Bury Unitary Development Plan Policy RT2/2 - Recreation Provision In New Residential Development and the associated Supplementary Planning Document 1 - Open Space, Sport and Recreation in New Housing Development.

14. Notwithstanding the details indicated on approved plan reference IG1-02 Revision B, full details of the following highway aspects shall be submitted at first reserved matters application stage:

- Topographical survey of the site and surrounding adopted highways to confirm the correct limits of adoption;
- Formation of the proposed means of access to the site from Orkney Close to a specification to be agreed, incorporating the reinstatement of the redundant access, widening of the block paved carriageway to a minimum of 5.5m in width across the proposed junction, widening of the northerly footway abutting the site to a minimum of 1.8m in width and all necessary highway and highway drainage remedial works;
- Formation of pedestrian accesses to the plots fronting Bury Road including all alterations required to the existing boundary treatment and all necessary highway remedial works;
- Provision of visibility splays at the proposed junction with Orkney Close in accordance with the standards in Manual for Streets;
- Adequate in-curtilage bin storage arrangements at each plot and refuse collection facilities at the interface with the adopted highway for use on collection day, to be agreed with Waste Management;
- Proposed internal private road/footway layout to the appropriate standards in Manual for Streets;
- Adequate turning facilities within the curtilage of the site with associated swept path analysis;
- Provision of a street lighting scheme for the proposed residential development

and the junction of the proposed access with Orkney Close and proposals to improve existing lighting levels if required as a result of the assessment. The details subsequently approved shall be implemented to an agreed programme.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

15. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved in writing with the Local Planning Authority and shall confirm/provide the following:
- Access route for demolition/construction traffic from the highway network;
 - Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Parking on site or on land within the applicant's control of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials.

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

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

16. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.
- Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
17. The car parking indicated on approved plan reference IG1-02 Revision B shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied and thereafter maintained at all times.
- Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

18. At the first reserved matters stage, a scheme for acoustically insulating the proposed development against noise and vibration from the adjacent Metrolink line shall be submitted to and approved in writing by the Local Planning Authority. The approved noise insulation scheme shall be completed before first occupation of the dwellings hereby approved.

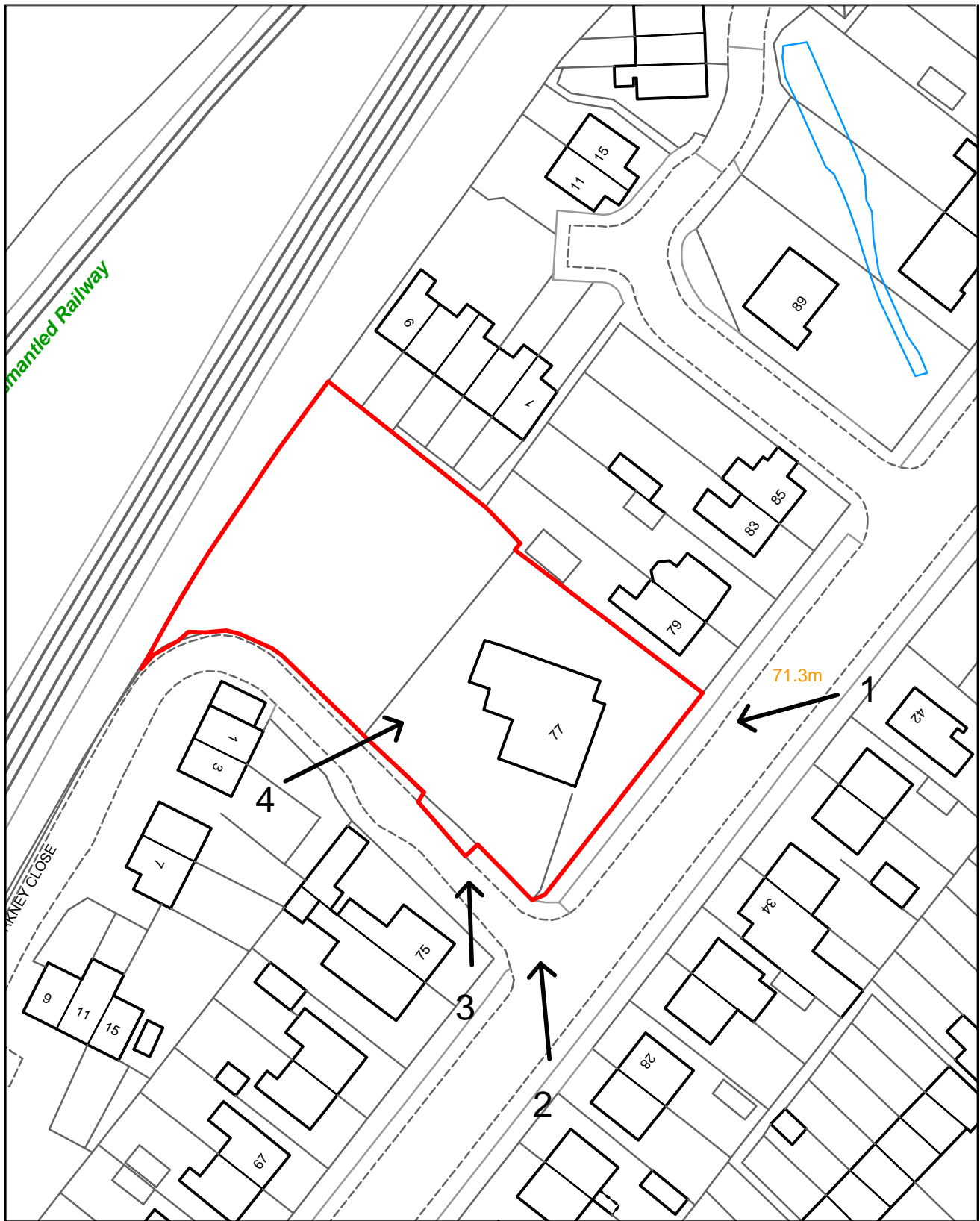
Reason. To secure a reduction in noise from Metrolink in order to protect future residents from noise nuisance, pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

19. At first reserved matters stage, the detailed design for the boundary treatment with the operational Metrolink line shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented as part of the development hereby approved.

Reason. To ensure that the boundary treatment is suitable for installation adjacent to an operational Metrolink line pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59984

**ADDRESS: 77 Bury Road
Radcliffe**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

59984

Photo 1



Photo 2

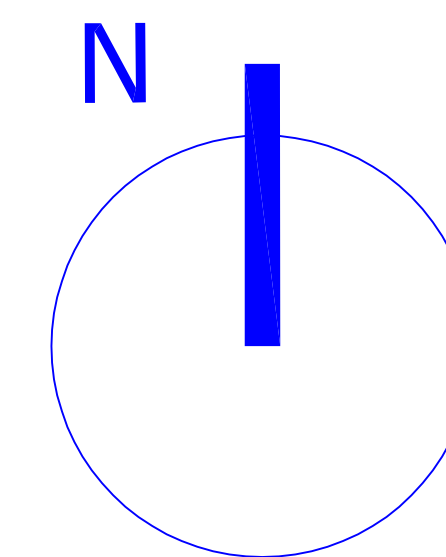
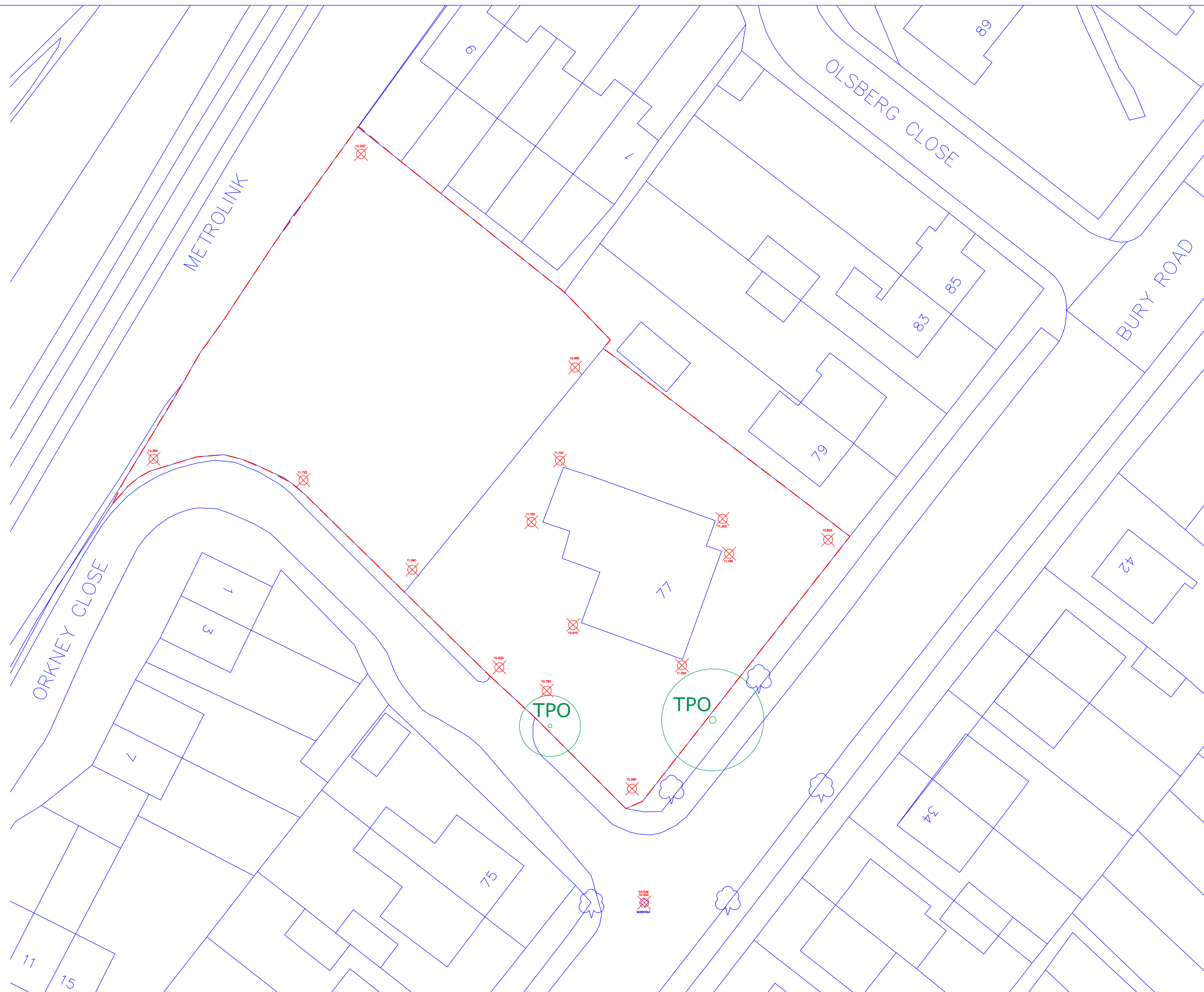


Photo 3



Photo 4





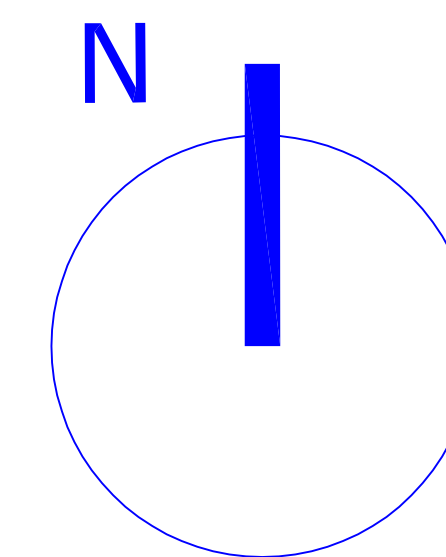
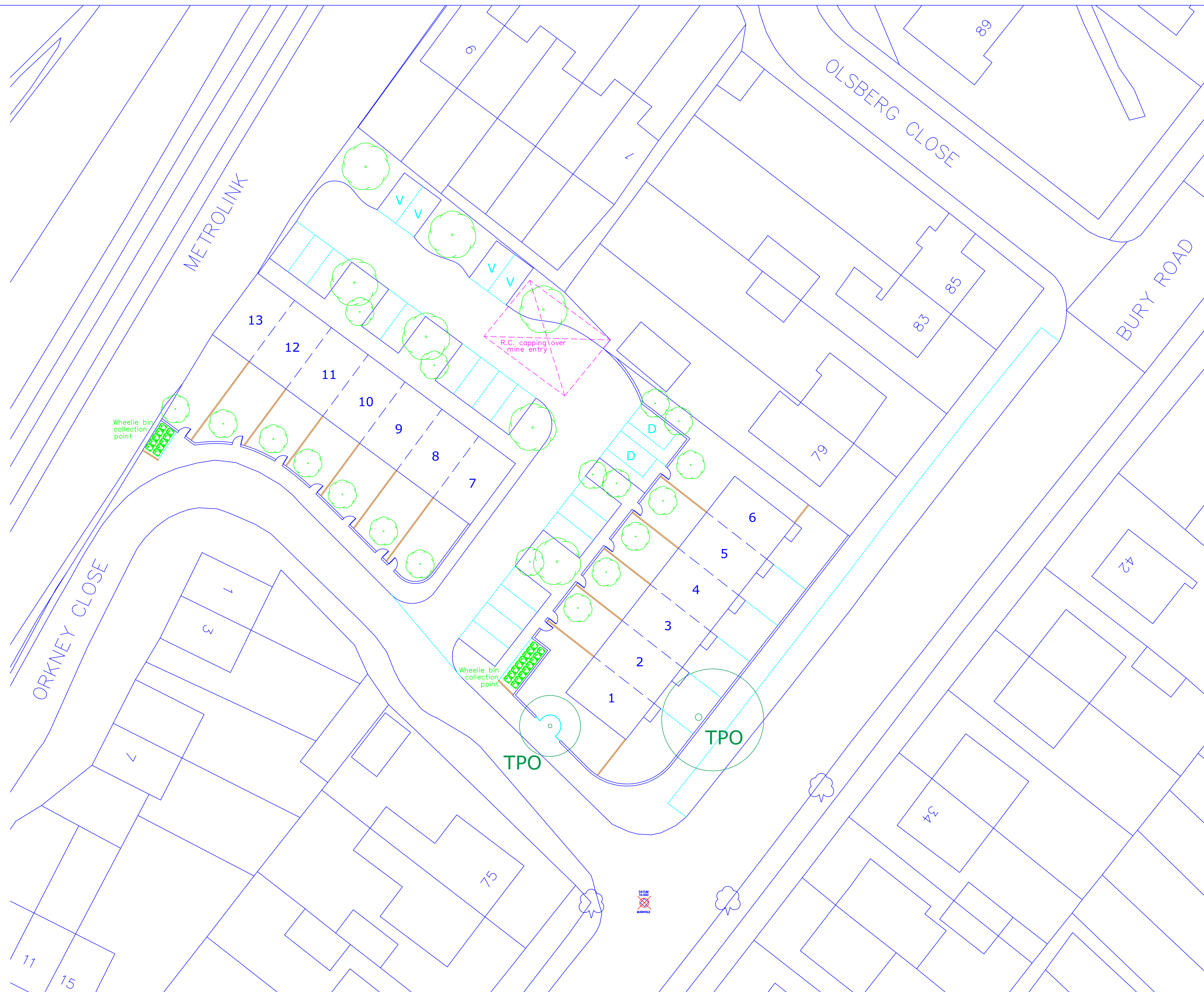
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0 5 10 M	
Land at 77 Bury Road Raddliffe M26 2UT	
scale 1:200@A1 April 2016	
IG1-01	Existing Site Layout showing levels
PPY design Ltd	

2 Helmshore Road, Holcombe Village
Ramsbottom, Lancashire BL8 4PA

Gary Dearden BAC(hons) DipArch RIBA
gary@ppy-design.co.uk www.ppy-design.co.uk
tel/ fax 01706 822731 mobile 07712 669482

EXISTING SITE LAYOUT

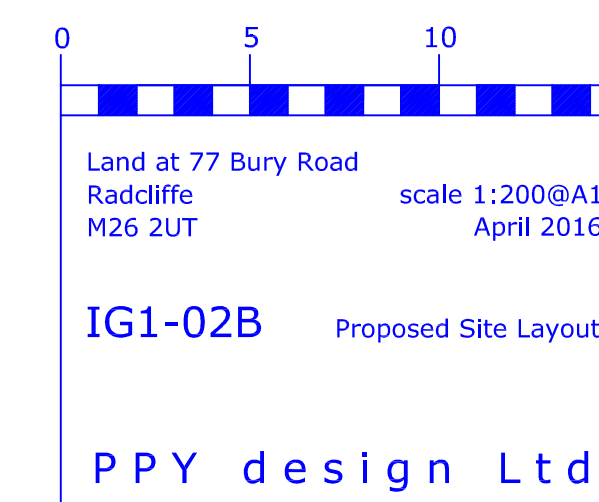


Schedule:

13no. 3 bed dwellings
on 2 storeys plus within loft
utilising dormers

B Layout amended 02.02.2017
A Historic mine entry indicated 15.12.2016

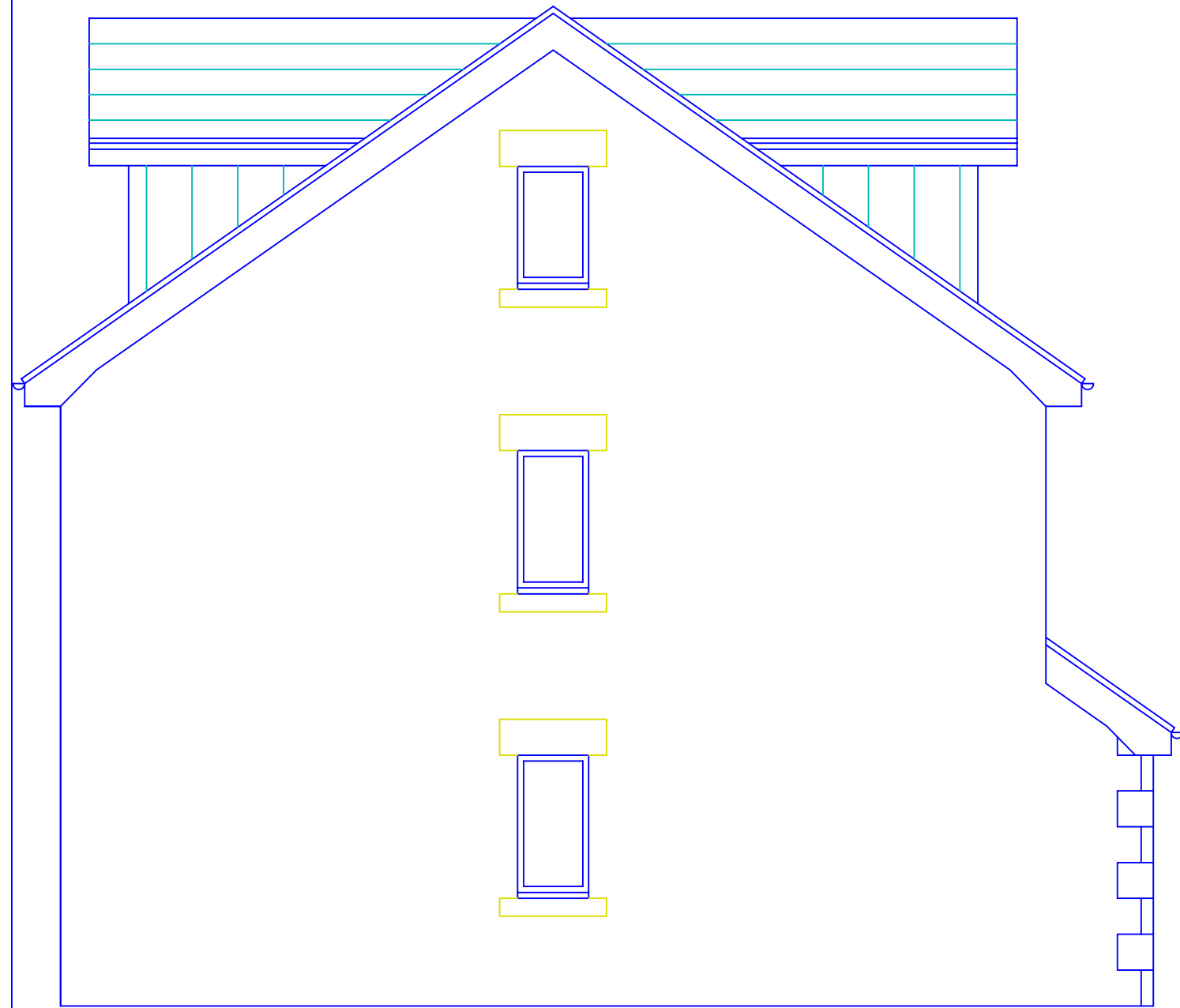
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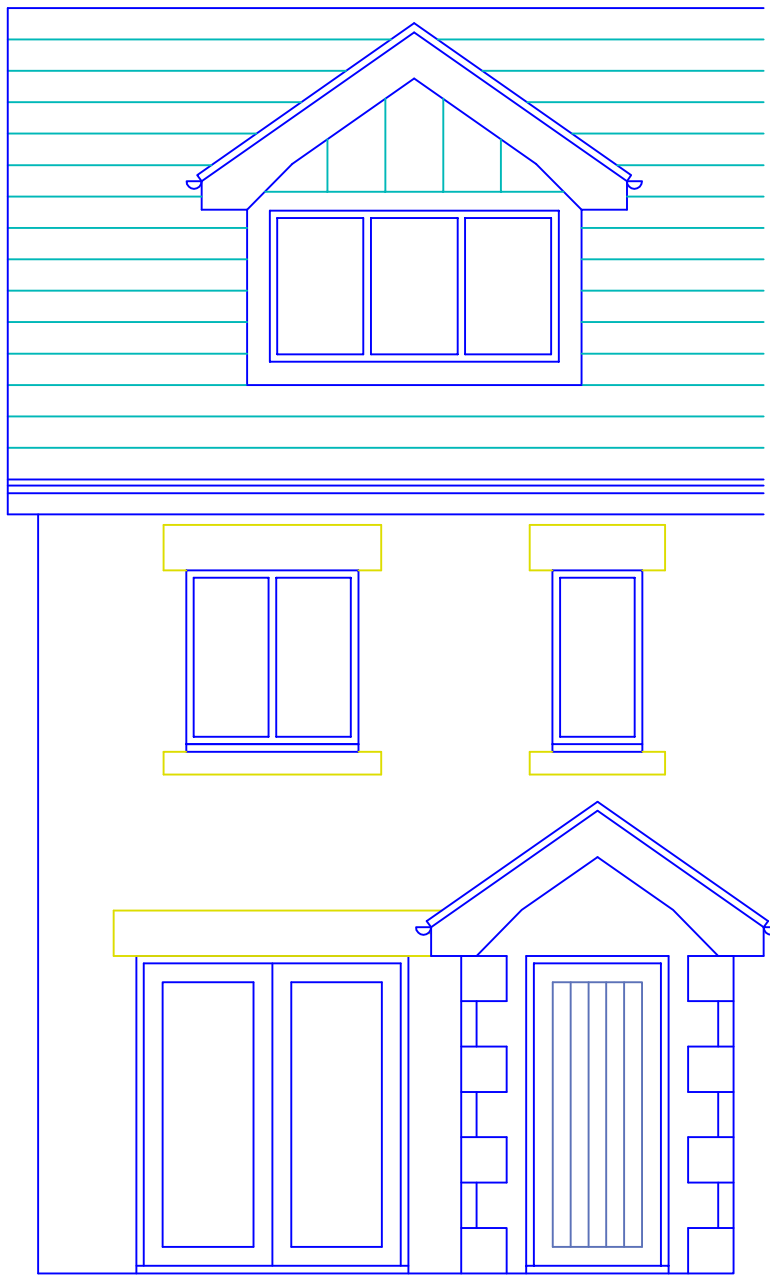
2 Helmshore Road, Holcombe Village
Ramsbottom, Lancashire BL8 4PA

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tel/ fax 01706 822731 mobile 07712 669482

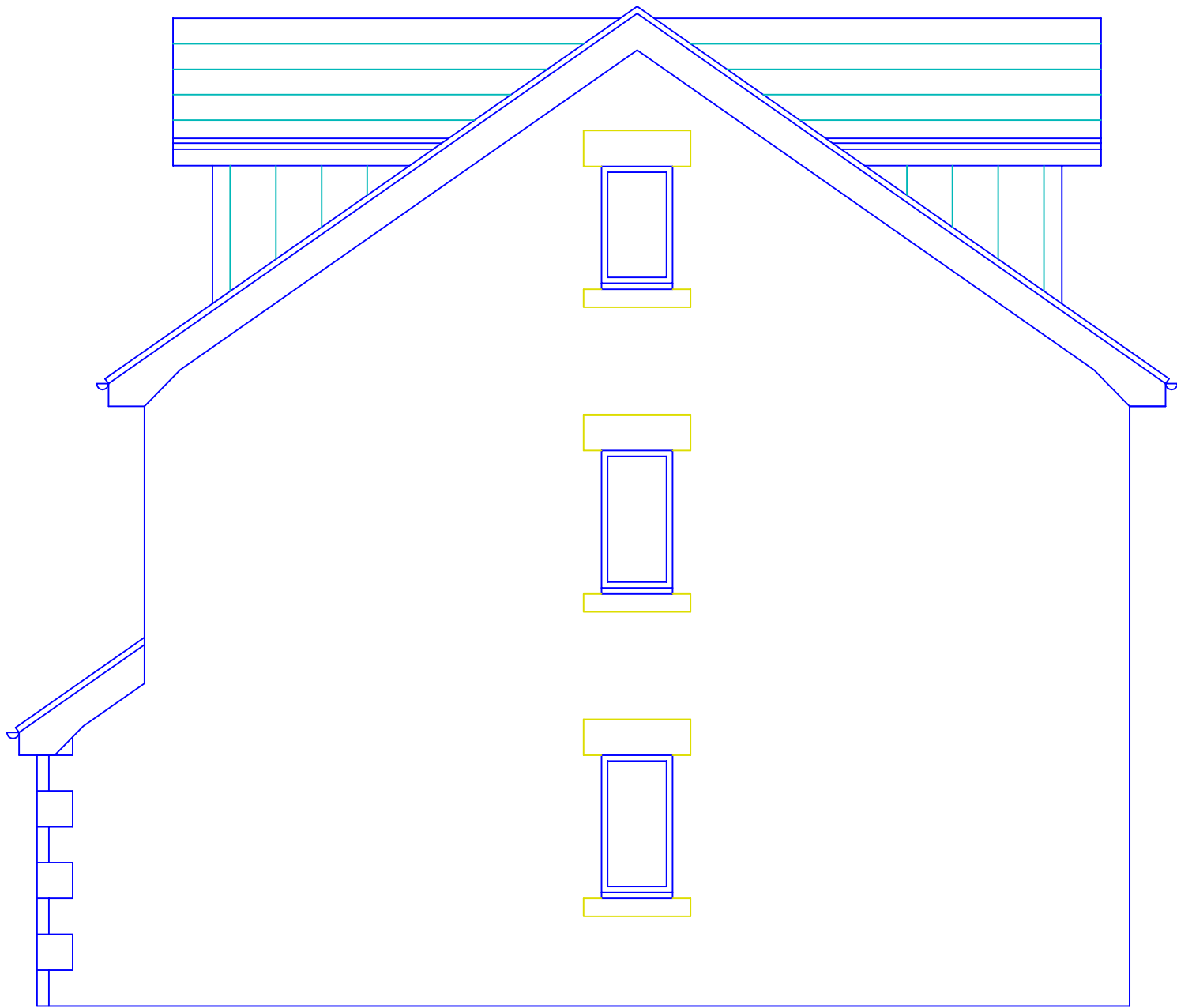
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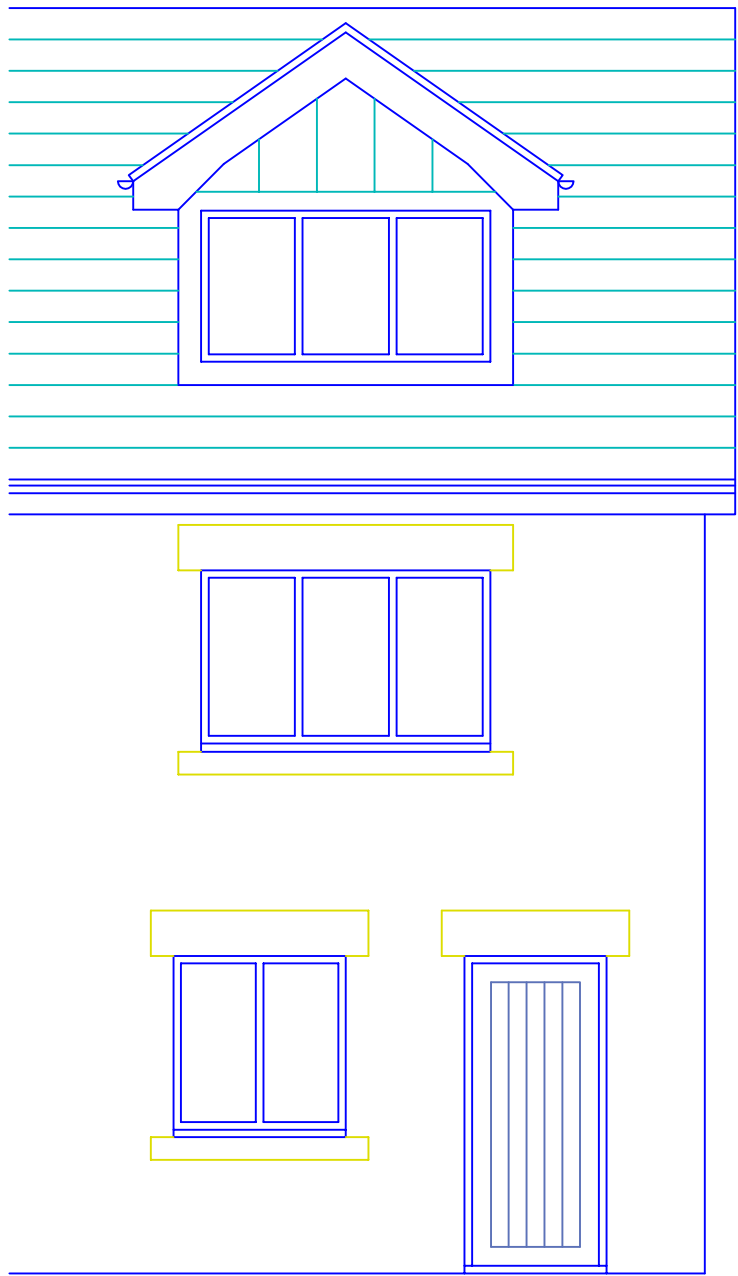
PROPOSED SIDE ELEVATION



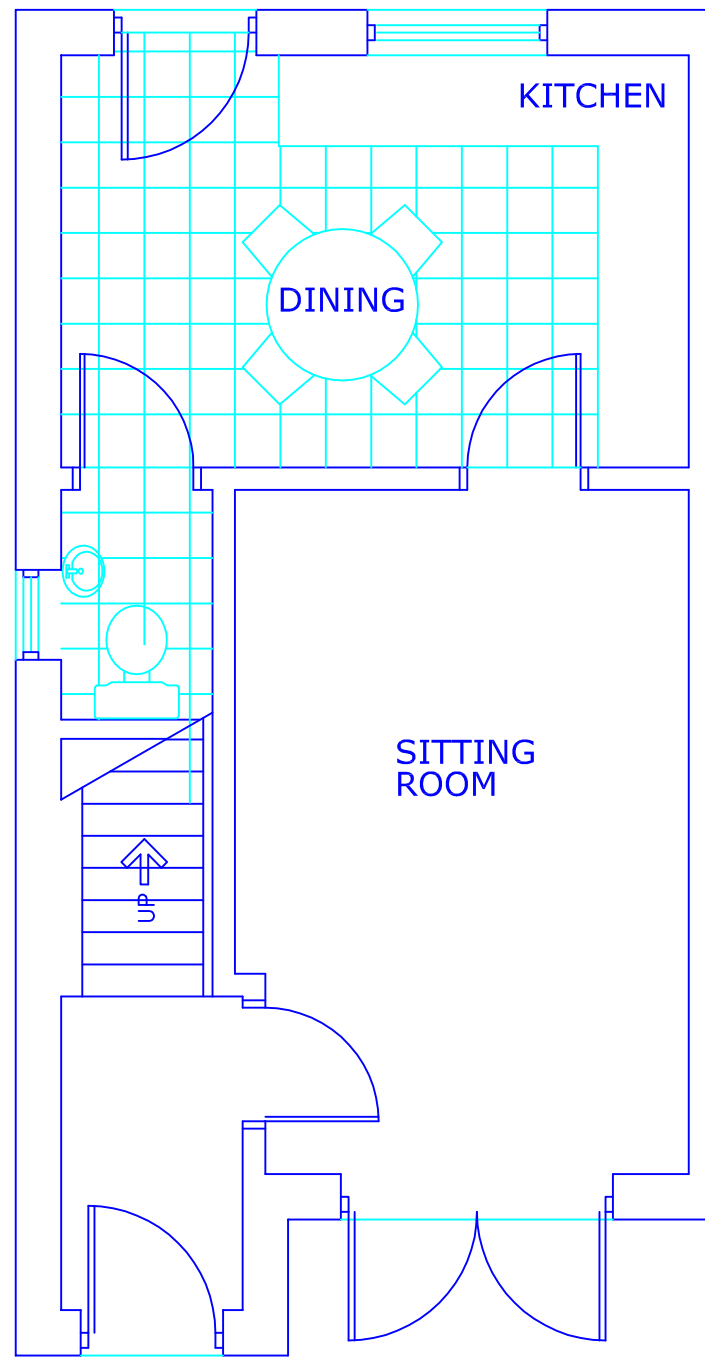
PROPOSED FRONT ELEVATION



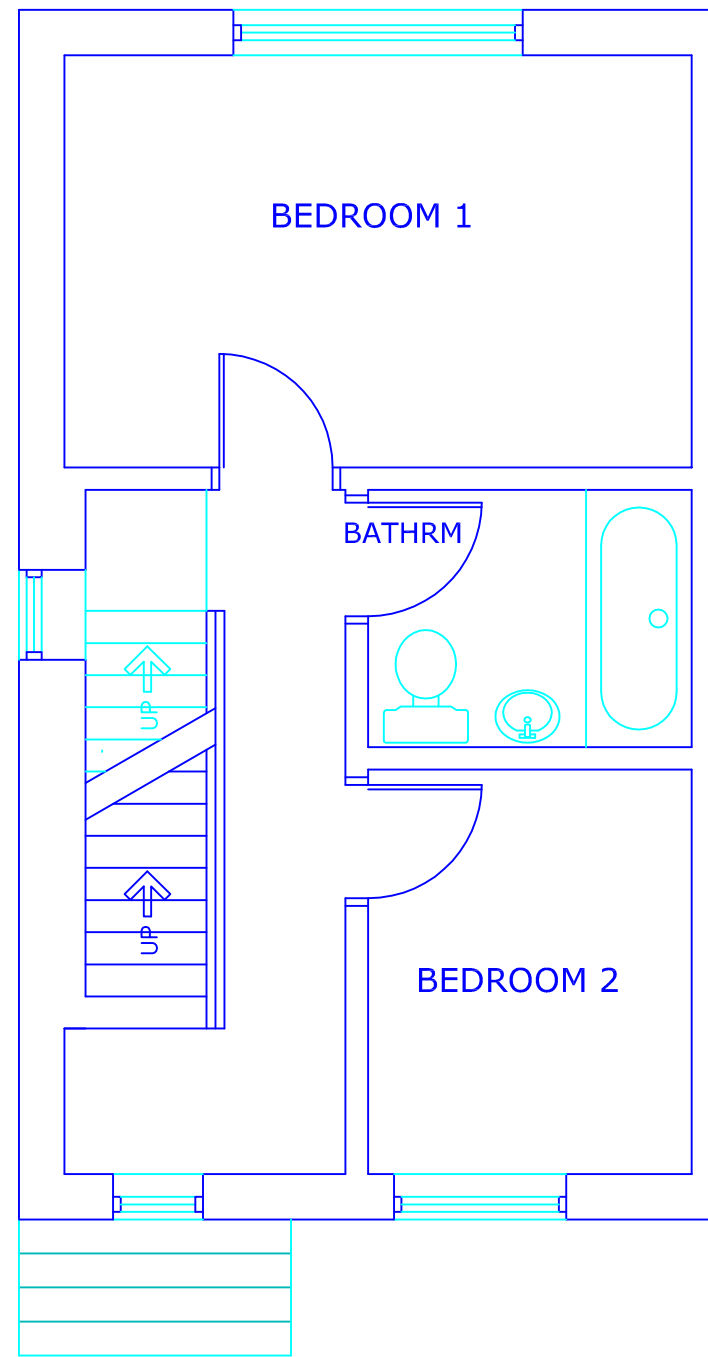
PROPOSED SIDE ELEVATION



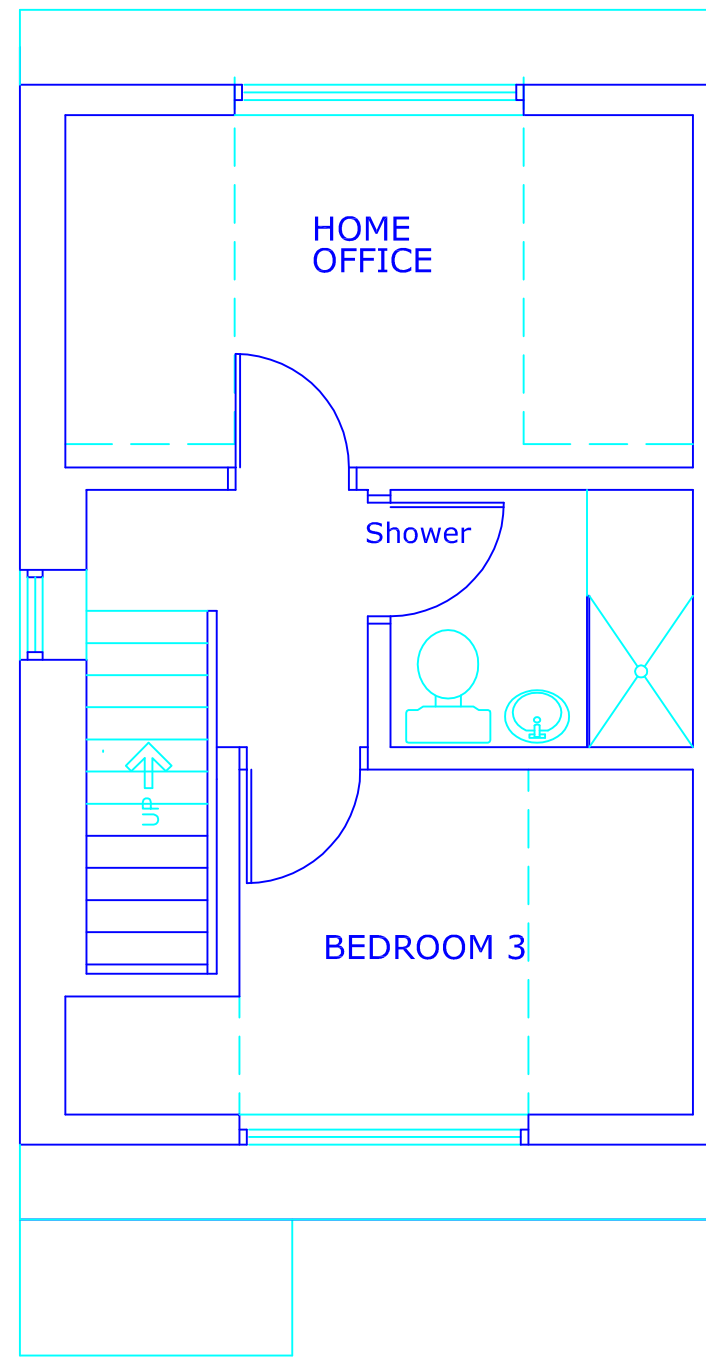
PROPOSED REAR ELEVATION



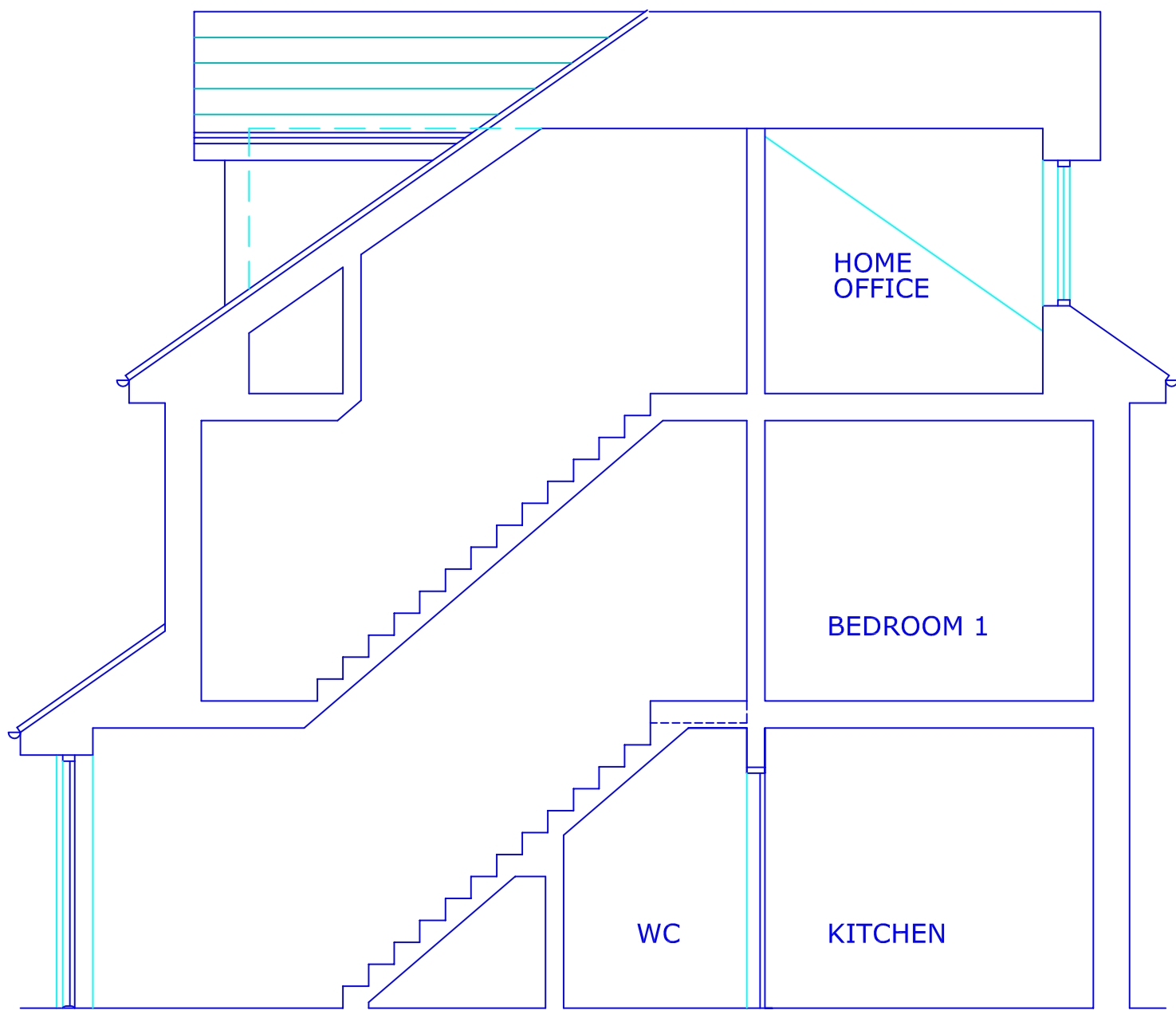
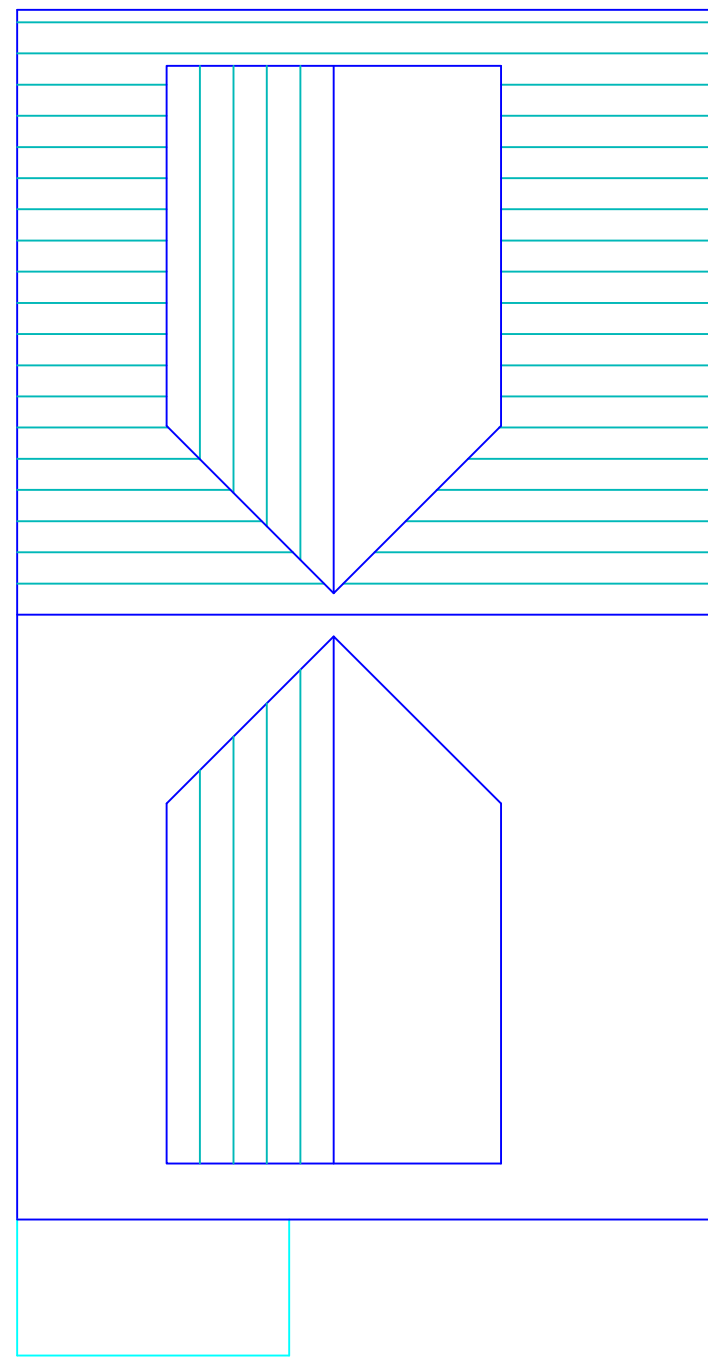
PROPOSED PLAN
GROUND FLOOR



PROPOSED PLAN
FIRST FLOOR



PROPOSED PLAN
SECOND FLOOR



PROPOSED SECTION



PROPOSED
STREET ELEVATION

A Windows added to side elevations 26.09.2016

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0 1 2 3 M

Land at 77 Bury Road
Radcliffe
M26 2UT

scale 1:50@A1
April 2015

IG1-03A

House Type A

PPY design Ltd

2 Helmshore Road, Holcombe Village
Ramsbottom, Lancashire BL8 4PA

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T. 01706 822731 M. 07712 669482

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 02

Applicant: Gladman Care Homes limited

Location: Land off Factory Street, Ramsbottom, Bury, BL0 9BT

Proposal: Variation of conditions 3,7,8 & 11 of planning permission 59005 to allow demolition of the buildings

Application Ref: 62046/Full

Target Date: 12/12/2017

Recommendation: Minded to Approve

This application is minded to approve in order to allow a legal agreement to be completed to link the application to the agreement from the previous application (59005)

Description

The site is located within an Employment Generating Area (EGA) and is a former Council yard, which has been used for the storage of plant and machinery. There is a building in the south western corner of the site, which is constructed from profiled metal sheeting and the remainder of the site is a hardstanding. The site is bounded by a 2 metre high concrete panel fence and trees to the all boundaries. There are two vehicular accesses to the site from Factory Street.

Factory Street, Ramsbottom Lane and Stubbins Lane for the boundary to the west with residential properties beyond. There is a bus terminus and Porrit Way to the north with a petrol station beyond. Ramsbottom pool and fitness centre and associated recreation land is located to the east with the East Lancashire Railway line and River Irwell beyond. There are industrial buildings to the south, which form part of the EGA.

Planning permission was granted in August 2016 for the demolition of the existing building and the redevelopment of the site for residential accommodation (Class C2) with care. The building would contain 57 apartments for persons aged 65 or over and would offer various care packages. The proposed building would be predominantly three storeys in height with some two storey elements, where there would be living accommodation in the roofspace. The proposed building would be constructed from stone and render with concrete roof tiles. Vehicular access to the site would be taken from Factory Street at the southern end of the site leading to a car park of 37 spaces, including 6 disabled parking bays. Two pedestrian accesses would be created from Factory Street and an outdoor recreational area would be provided to the north and south east of the site.

The proposed development involves the variation of conditions 3, 7, 8 and 11 to allow the demolition of the buildings to take place prior to the submission of the contaminated land report (Condition 3), landscaping scheme (Condition 7), drainage scheme (Condition 8) and details of highway works (Condition 11).

Relevant Planning History

35747 - Change of use from waste transfer station to open storage of civil engineering plant and machinery at GMWDS waste disposal site, Stubbins Lane, Ramsbottom. Approved with conditions - 16 November 1999.

45117 - Mixed use - residential/offices/workshops at Storage yard, Stubbins Lane/Factory Street, Ramsbottom. Approved with conditions - 15 November 2005.

59005 - Demolition of buildings and redevelopment for Use Class C2 residential accommodation with care comprising 57 apartments for persons aged 65 and over at land off Factory Street, Ramsbottom. Approved with conditions - 10 August 2016.

61730 - Non-material amendment following grant of planning permission 59005:

- Amend the mix of apartments to 16 x one bedroom apartments, 14 x two bedroom apartments, 21 x two bedroom apartments with en-suite, 6 x three bedroom apartments with en-suite.
- External changes - amendments to rooflights, windows and kitchen flue position and number of gables on south elevation increased from 2 to 3.
- Footprint - Amendment to footprint of building (see site plan) at land off Factory Street, Ramsbottom. Approved - 22 August 2017.

Publicity

The neighbouring properties were notified by means of a letter on 19 October 2017.

3 letters have been received from the occupiers of 42 Crow Lane and 30 Factory Street, which have raised the following issues:

- There is a history of homes being flooded on Crow Lane and Factory Street due to the inadequate capacity of the existing old mains sewer.
- At recent meetings of the Ramsbottom flood action group, we were told that no consultation is carried out with the Council, United Utilities or the Environment Agency prior to granting planning permission. You must consult with UU before granting planning permission or Bury MBC will be considered culpable.
- This development will only increase the surface water and sewage problems on Crow Lane.
- The site is located on a very busy junction, with limited visibility and has parked cars, lorries and trailers on Ramsbottom Lane and Crow Lane.
- There have been a number of accidents in this area - please consider the safety of the public in this area with the proposed plans. You must look at ways to slow the traffic down and make pedestrian access in the area safer.
- We did not object to the original proposal, but do object to the proposal to demolish buildings before the landscaping, drainage and remediation plans are agreed, simply because this agreement may take some time.
- During the time taken to address these issues, the site could be left insecure and vulnerable to trespassers as a 10 metre frontage onto Factory Street would be opened up by the removal of the building. Currently the site is secure, and the building and gate prevents access to the site.
- It has been over a year since permission was granted and we do not consider the urgency to start works before discharging the planning duties is a reasonable request.
- We also object to the proposed changes to the permission brought to our attention by the project manager - namely the removal of all the trees on the southern boundary and the replacement of the wall. We do not agree to the removal of the trees or the wall regardless of when the demolition is carried out.

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

Consultations

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

Drainage Section - No response.

Environmental Health - Contaminated Land - No objections, subject to the inclusion of a condition relating to a pre-demolition asbestos survey.

Unitary Development Plan and Policies

EC2/1 Employment Generating Areas

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
H4/2	Special Needs Housing
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/5	Waste Water Management
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
CF1/1	Location of New Community Facilities
CF3	Social Services
CF3/1	Residential Care Homes and Nursing Homes
SPD1	Open Space, Sport and Recreation Provision
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD14	Employment Land and Premises
NPPF	National Planning Policy Framework

Issues and Analysis

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

Principle - The concept and details relating to the site's redevelopment have been approved, with a valid and extant planning permission. This application centres upon timings to allow the submission of the relevant reports or schemes for contaminated land (Condition 3), landscaping (Condition 7), drainage (Condition 8) and details of highway works (Condition 11) following the demolition of the existing buildings on site.

The proposed amendment to the conditions would not allow any building works to be commenced until the relevant details had been provided to and approved in writing by the Local Planning Authority. The proposed amendment would not impact upon the amenity of the neighbouring residents or visual amenity of the site and is considered to be acceptable. Therefore, the proposed development would be in accordance with Policies EN1/2 and EN7 of the Bury Unitary Development Plan.

Bats/ecology -The proposed development would not amend condition 6, which requires the demolition works to be carried out in accordance with the details in the Ecological Appraisal, dated July 2015. As such, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

Planning Obligations - A deed of variation is required to link the current consent with the requirements of the previous legal agreement relating to a contribution for the loss of employment land and to restrict occupancy to those requiring care.

Response to objectors

The objections relating to flooding, surface water and sewage problems and traffic impacts were assessed during application 59005 and are not material to this application. Consultation was carried out with United Utilities and the Environment Agency on the previous application (59005) and both had no objections to the development.

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: Mind to Approve

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered P1-101, S14-010 Rev A, 06570-P1-102 B, 06570-P1-111 A, 06570-P1-122 A, 06570-P1-121 A, 06570-P1-131 A, 06570-P1-132 *, 06570-P1-141 B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. No development, other than demolition, 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. 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 precautionary measure for bats shall be carried out in accordance with the details contained in the Ecological appraisal by FPCR, dated July 2015 (Sections 4.12 to 4.16).

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
7. No development, other than demolition, shall commence unless or until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The contents of the plan should include elements that benefit wildlife. The approved plan shall be implemented in accordance with the approved details, not later than 12 months from the date the building 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.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan, and Section 11 of the National Planning Policy Framework.
8. No development, other than demolition, shall commence unless or until details of a scheme for the disposal of 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. The restaurant shall be for the use of residents of the care home and their guests and employees, and shall not be open to the general public.

Reason. To control and regulate the use of the building to ensure there is adequate parking provision pursuant to Policy HT2/4 - Car Parking of the Bury Unitary Development Plan and SPD11.
10. The hair salon shall be for the use of residents of the care home and shall not be open to the general public.

Reason. To control and regulate the use of the building to ensure there is adequate parking provision pursuant to Policy HT2/4 - Car Parking of the Bury Unitary Development Plan and SPD11.

11. Notwithstanding the details shown indicatively on approved plan reference 1419/01 Revision C, no development, other than demolition, shall commence unless and until full details of the following have been submitted to and approved in writing by the Local Planning Authority:
- Realignment of the junction of Factory Street with Ramsbottom Lane/Stubbins Lane to a specification to be agreed, incorporating the provision of a pedestrian refuge, reinstatement of the redundant site access, provision of a 2.0m min. footway, demarcation of the limits of the adopted highway and all associated highway, street lighting, road marking and highway drainage remedial works;
 - Formation of the proposed development access road onto Factory Street to a specification to be agreed incorporating the provision of a 2.0m min. wide footway, demarcation of the limits of the adopted highway and all associated highway, street lighting, road marking and highway drainage remedial works;
 - Reconstruction and widening of the existing footway abutting the site on Factory Street to a minimum of 2.0m in width between the junction of Factory Street with Ramsbottom Lane/Stubbins Lane and the proposed development access road to a specification to be agreed;
 - Provision of a street lighting scheme for the realigned junction and length of Factory Street abutting the site.

The details subsequently approved shall be implemented to an 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 EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development.

12. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved in writing by the Local Planning Authority and shall confirm/provide the following:
- Access route for construction traffic from the highway network;
 - Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Parking on site or on land within the applicant's control of operatives' and construction vehicles together with storage on site of construction materials.

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

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highway and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development.

13. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any

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

Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

14. The visibility splays indicated on approved plan reference 1419/01 Revision C shall be implemented before the development is brought into use 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 EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
15. The turning facilities indicated on approved plan references 06570 P1-102 Revision B, 1419/SP/01 Revision B and 1419/SP/02 Revision B shall be provided before the development is first occupied and these areas used for the manoeuvring of delivery/service vehicles shall subsequently be maintained free of obstruction at all times
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
16. The car parking indicated on approved plan reference 06570 P1-102 Revision B shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
17. The development hereby approved shall not be brought into use unless and until the measures and facilities indicated on the approved plans and detailed in the submitted Travel Plan Statement have been implemented to the written satisfaction of the Local Planning Authority.
Reason. In order to deliver sustainable transport objectives pursuant to the following Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan and the National Planning Policy Framework.

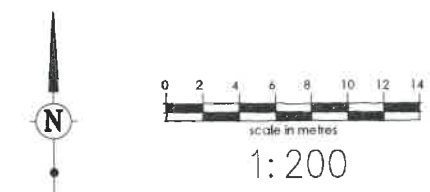
For further information on the application please contact **Helen Longworth** on **0161 253 5322**

Swimming Pool & Fitness Centre



Key:

- Outline of the previously proposed building.
- Application site boundary line.
- Interim car park, refer to Parking Statement.



A	13.04.16	Scheme/layout amended to suit requirements along East Boundary.	TW
Rev	Date	Revision notes	By
DO NOT SCALE			

ADLINGTON

Independent living with care

Drawing Status: **Planning**

Project Title: **Factory Street RAMSBOTTOM**

Drawing Title: **Site Plan**

Date	Scale	Drawn
July 2015	1:200@A1	TW
Project No.	Drawing No.	Rev
06570	P1 - 102	A

Applicant: Mr John Parkinson

Location: 122 Hollins Lane, Bury, BL9 8AH

Proposal: Variation of condition no. 2 (approved plans) of planning permission 60576 for amendment to the red edge site to permit a revised car parking arrangement and relocation of double garage

Application Ref: 62114/Full

Target Date: 28/12/2017

Recommendation: Approve with Conditions

Description

The application relates to a backland site which forms the rear garden of No 122 Hollins Lane, a detached dwelling which fronts a main road. The property has a driveway at the side, next to which is a row of terrace cottages fronting Hollins Lane. The site shares its northern boundary with Unsworth Methodist Church, and to the south, east and western boundaries are the rear gardens of houses on Chapel Close, Church Meadow and Hollins Lane.

Planning permission was granted in November 2016 for the redevelopment of the site to convert No 122 Hollins Lane into 2 No. dwellings and construct 2 new dwellings in the rear garden.

The conversion of No 122 Hollins Lane involved the demolition of part of the southern gable of the dwelling, the demolition of the single storey element on the side, and the store rooms and garage at the rear. Each dwelling would provide 2 bed accommodation with new main entrances created on the side elevation and garden areas to the front and rear. 4 No. parking spaces in total were to be provided, 3 located behind the rear garden of No 120 Hollins Lane and 1 to the rear of No 122A Hollins Lane.

The new dwellings comprised a 'main' house, 2.5 storey in height located in the eastern part of the site adjacent to the northern boundary. The house would provide 5 bed accommodation, a double garage and side/rear garden. The other dwelling would be a 2 bed dormer bungalow located in the southern part of the site with garden areas and parking. Access to the dwellings would be via the existing driveway which runs down the side of No 122, which would be widened following the partial demolition.

This application is for an amendment to the layout of the site which seeks to re-locate the parking spaces allocated for Nos 122 and 122A Hollins Lane and would involve the inclusion of part of the rear garden of No 120 Hollins Lane into the application site area. This land is in the ownership of the applicant.

It is proposed to re-locate the single parking space, formally to be positioned behind No 122A Hollins Lane, next to the 3 spaces opposite. This would provide a row of 4 No. parking spaces in total. The parking area would move approximately 5m into part of the rear garden of No 120 Hollins Lane.

The footprint of the double garage proposed to serve the new detached dwelling would be moved slightly to the west, directly behind the garden area of No 122A.

The application therefore seeks a Variation of Condition (Section 73 application) to amend the approved site layout and red edge location plan.

Relevant Planning History

01839/E - Pre-app enquiry for conversion of existing dwelling into no.2 dwellings & construction of 2 storey detached house with a single storey family annex on land to rear. - Enquiry completed 15/06/2016
43560 - Conversion of double garage to playroom and store room; formation of mono pitch roof over - Approve with Conditions 17/12/2004
60576 - Partial demolition and conversion of existing dwelling into 2 no. dwellings and construction of 1 no. dwelling and 1 no. bungalow and creation of 7 no. parking spaces - Approve with Conditions 23/11/2016
17/0480 - Not built according to plan - 17/11/2017

Publicity

31 letters sent on 3/11/2017 to properties at Nos 102-120 (evens), 103-115 (odds) Hollins Lane; 1-6 Sykes Avenue; 8,11 Chapel Close; 33, 35, 37, 37A, 37B Church Meadow; Unsworth Methodist Church, Hollins Lane.

One letter of objection received from No 118 Hollins Lane which has raised the following issues:

- Am the owner of No 118, and rent the property out, but have had no notice, paperwork or any communication and am totally against the proposal as it would not only affect the value of my house and the rental appeal of the property but is a ludicrous change to the land;
- It would mean my next door now has no back garden and vehicles can just about park at the back door and my garden would be next to a car park;
- Not sure if the person who has bought No 122 has also purchased No 120 to be able to even try and do this

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

Consultations

Traffic Section - No objection subject to conditions.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1/2	Townscape and Built Design
EN6	Conservation of the Natural Environment
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 - The redevelopment of the site has been approved in principle following the grant of planning permission reference 60576.

Matters under consideration involve layout and access, impact on residential amenity and

parking.

Layout and access - The main alteration to the layout of the site would involve using part of the garden of No 120 Hollins Lane. This is in the ownership of the applicant.

The plans show the garden of No 120 is currently 15m in length which would be reduced to 8m to accommodate the row of parking spaces. This would in turn increase the area in front of the proposed new build dormer bungalow which would allow more space to manoeuvre a vehicle around this part of the site.

The only other amendment would be to slightly re-position the footprint of the double garage to the area directly behind the garden of No 122A. This would increase the length of the gravel driveway to the new main house.

The layout of the site would not change radically to the originally approved scheme. There would be no alterations to the access into or out of the site and no repercussions in terms of manoeuvring a vehicle into and out of the spaces.

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

Impact on residential amenity - The proposed development would result in 4 parking spaces located behind part of the rear garden of No 118 Hollins Lane, and as such, there would be some activity to this area where there was none previously proposed.

The revised layout plan proposes the erection of a new 1.8m high post and panel fence which would separate the garden from the parking spaces. This would not only screen cars from views from the garden but would also aid in providing an acoustic barrier between the two areas.

The parking of cars next to gardens is not an uncommon arrangement within residential areas, and the scale of the development to provide 4 spaces would also be relatively minor. It is considered there would not be a significant increase in activity, noise and disturbance to this area, and therefore not a detrimental impact on the amenity of the occupiers of No 118 Hollins Lane, and as such considered to comply with UDP Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and H2/6 - Garden and Backland Development.

Parking standards - There would be no alteration to the numbers of parking spaces provided to serve the development and as such acceptable levels of parking would be retained.

Response to objections

- Publicity - Letters were issued as set out in the report above. Legislation requires the LPA's notice to be served on the owner or occupier. The LPA has complied with its obligation for the publicity of the application. Whether or not the applicant has communicated with the objector is a private matter. The application involves only the applicant's land as confirmed by the certification.
- The plans show that there would be a remaining garden depth of 8m.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered - HLD 01C; HLD 02; HLD 03; HLD 04A; HLD 05B; HLD 06, and the development shall not be carried out except in

accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

2. Following the provisions of Condition 3 of planning permission ref 60576, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within the 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.

3. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved 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.

4. 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.

5. The development shall be carried out in accordance with the Tree Protection Measures and Plan detailed in the submitted Arboricultural Report by Birtle Tree Services Ltd dated August 2016, BS 5837:2012 "Trees in relation to design, demolition and construction" and as detailed on plan ref HLD 09A submitted for condition 8 of planning reference 60576. The measures required by the British Standard shall be implemented prior to the commencement of the development hereby approved and shall remain in situ until the development has been completed.

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

Planting of the Bury Unitary Development Plan and chapter 11 - Conserving and enhancing the natural environment of the NPPF.

6. The development shall be carried out in accordance with the details of the landscaping scheme submitted on plan HD 12 as part of discharge of condition 9 of planning permission 60576. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 11 - Conserving and enhancing the natural environment of the NPPF.
7. The development hereby approved shall be carried out in accordance with the drainage plan and scheme, ref HLD 11A and details submitted for part discharge of condition 10 of planning permission 60576. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.
Reason. 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.
8. The development hereby approved shall be carried out in accordance with the details of materials submitted for part discharge of condition 11 of planning permission reference 60576. The approved details only shall be used for the construction of the development hereby approved.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policies EN1/2 - Townscape and Built Design, H2/1 - The Form of New Residential Development and H2/6 - Garden and Backland Development.
9. The development hereby approved shall be carried out in accordance with the phasing scheme of demolition, rebuild and access arrangements as submitted on plan ref HLD09A for part discharge of condition 12 of planning reference 60576.
Reason. To ensure the development is carried out to an appropriate and achievable timetable to ensure there is no detrimental impact on the amenity of adjacent occupiers or highway safety pursuant to Bury unitary development plan Policies and Backland Development and EN1/2 - Townscape and Built Design.
10. The formation of the widened access onto Hollins Lane indicated on the approved plans, incorporating all associated adopted footway improvements, improvements to visibility, provision of a segregated footway within the site and provision of passing places, shall be carried out to an agreed programme and to the approval of the Local Planning authority in accordance with the details submitted for the part discharge of condition 13 of planning permission 60576.
Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, H2/4 - Conversions, H2/6 - Garden and Backland Development and HT6/2 - Pedestrian/Vehicular Conflict.
11. The development hereby approved shall be carried out in accordance with the details, measures and facilities in the approved 'Construction Traffic Management Plan' (CTMP) submitted for condition 14 of planning application 60576. The approved plan shall be adhered to throughout the demolition/construction period

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

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT4 - New Development.

12. The development hereby approved shall be carried out in accordance with the details submitted for condition 15 of planning application 60576 to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained during the period of demolition/construction.

Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT4 - New Development.

13. The visibility splays indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development and widened site access road is brought into use and subsequently maintained free of obstruction above the height of 0.6m on land within the applicant's control.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and RT6/2 - Vehicular/Pedestrian Conflict.

14. The turning facilities indicated on the approved plans shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential development, Garden and Backland Development and HT2/4 - Car parking and New Development.

15. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwellings to which they relate hereby approved being occupied.

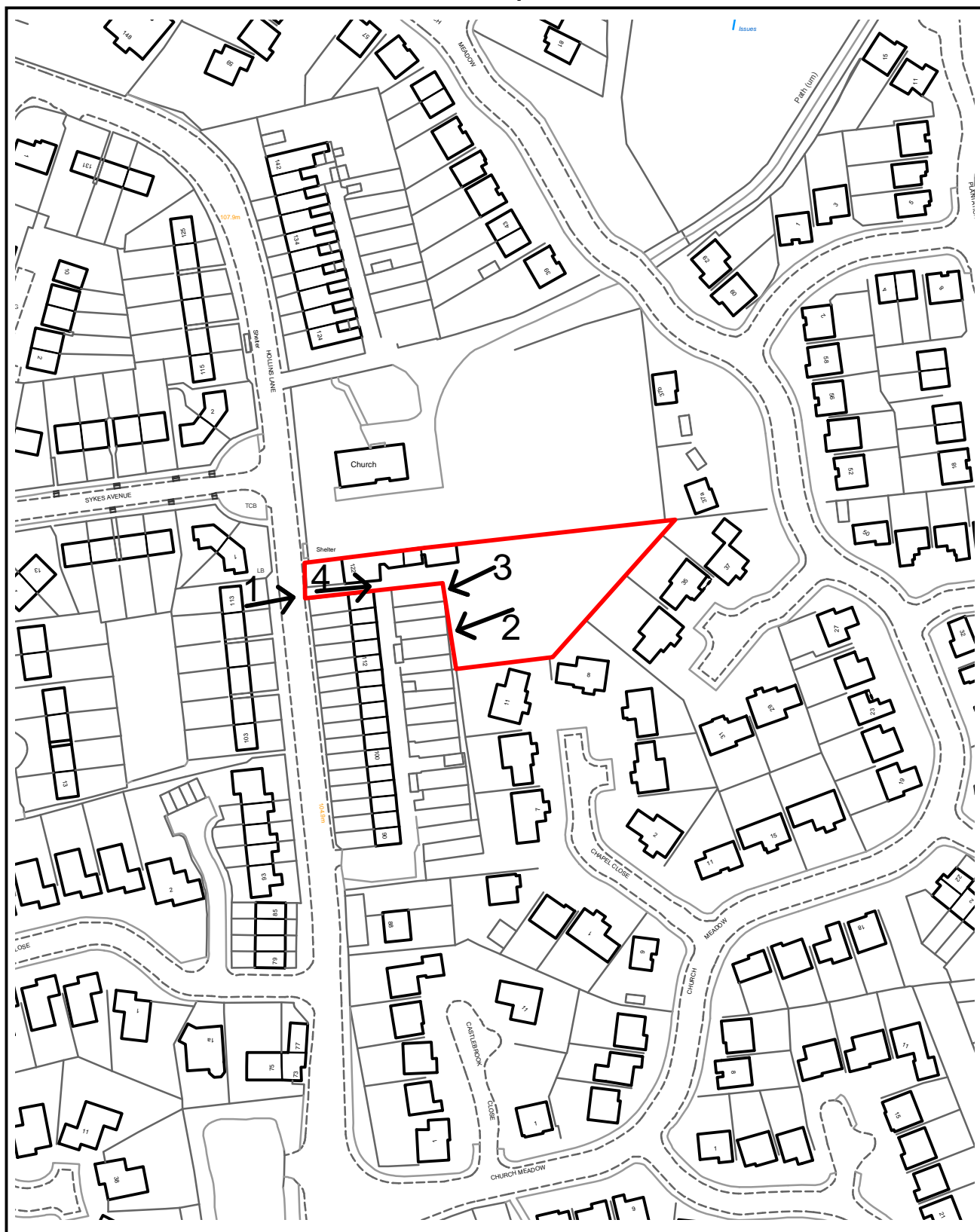
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

16. The new 1.8m high post and panel boundary fence to the side garden of No 118 Hollins Lane, as detailed on proposed site plan ref HLD 01C shall be erected as approved prior to the first occupation of the development hereby approved. The approved boundary fence shall thereafter be maintained as approved.

Reason - To secure the satisfactory development of the site and in the interests of residential amenity pursuant to Policies H2/1 - The form of New Residential Development, HT2/2 - The Layout of New Residential Development , H2/6 - Garden and Backland Development and EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62114

**ADDRESS: 122 Hollins Lane
Bury**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

62114

Photo 1



Photo 2



62114

Photo 3



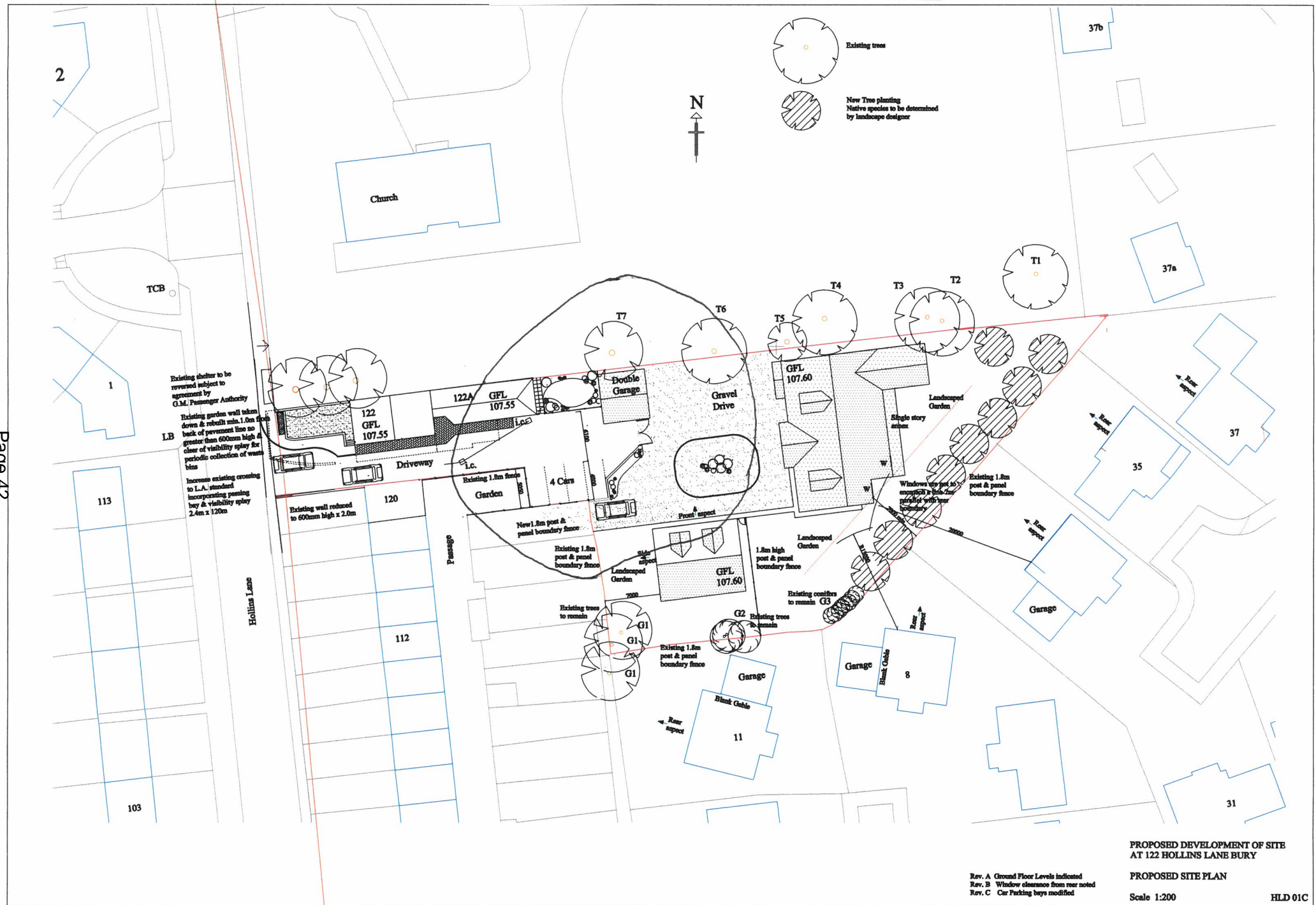
Photo 4



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Proposed Scheme



BURY COUNCIL
DEPARTMENT FOR RESOURCES AND REGULATION
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

19 December 2017

SUPPLEMENTARY INFORMATION

Item:01 77 Bury Road, Radcliffe, Manchester, M26 2UT Application No. 59984
Outline - Demolition of existing care home and erection of 13 no. dwellings

Conditions

Condition 20 should be added in relation to coal mining:

20. As part of the reserved matters relating to layout, the following information shall be provided at the reserved matters application:

- A report to assess the actual/potential for coal mining following intrusive site investigations;
- A layout plan to identify the appropriate zones of influence for the mine entry on site, and the definition of suitable 'no-build' zones;
- Details of any treatment works or mitigation measures to address the risks posed by the mine entry for approval;
- Where mitigation measures are required, a timetable for implementation.

A Site Verification Report detailing the actions taken, 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. The scheme does not provide full details of the actual risk from coal mining, which is required to secure the satisfactory development of the site in terms of human health, coal mining and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

Item:02 Land off Factory Street, Ramsbottom, Bury, BL0 9BT Application No. 62046

Variation of conditions 3,7,8 & 11 of planning permission 59005 to allow demolition of the buildings

Nothing further to report.

Item:03 122 Hollins Lane, Bury, BL9 8AH Application No. 62114

Variation of condition no. 2 (approved plans) of planning permission 60576 for amendment to the red edge site to permit a revised car parking arrangement and relocation of double garage

Publicity

Further objection received from the owner of No 118 Hollins Lane. The objector has provided photographs of the site, the view from their upstairs room has been included in this supplementary report. The following issues were also raised:

- The proposed plan shows an area behind No 120 Hollins Lane which is annotated as 'garden'. This is a hardstanding area which is used for parking.
- The proposed scheme would result in the loss of the garden for No 120, which would change the character of these row of terrace cottages.
- The works have been ongoing for some time which are loud and inconvenient and are not conducive to anyone one to rent my property.
- The wall at the end of the access road is starting to crumble due to the construction vehicles which are frequently entering the site which may start to impact on No 118 and the row in general.

Response to objections:

- The site already benefits from planning permission and is in the process of being

implemented. The scheme under consideration relates to the relocation of parking spaces and a slight repositioning of the garage and not the principle of the development nor the main constituent parts e.g. the access, the siting of the dwelling and annex nor the reducing of the property to the side of the access road.

- UDP Policy H2/1 - The Form of New Residential Development and H2/6 - Garden and Backland Development, amongst other considerations, has regard to the impact of developments on residential amenity and specifically that reasonable standards of privacy and residential amenity are maintained for neighbouring properties.
- Whilst there would be a loss of 'grassed' or enclosed garden area for No 120 that would reduce the amount of private/enclosed amenity space which is currently provided, there would be 8m behind this property that would remain as their outdoor amenity space. This area is already a hardstanding and is used for the parking of one car by this property. However, it is not uncommon for terrace properties to have more limited amenity space than other types of houses, or to utilise their outdoor space for car parking. This area could also be enclosed by a fenced boundary, without the need for permission, and become a more 'private' area for these occupants if desired. As such, it is considered that the proposed development would not impact on the amenity of the occupiers of this property in the future, and the proposals would comply with H2/1 and H2/6.
- In terms of character of the area, No 120 Hollins Lane is situated at the end of the row of the terrace houses. Many of the other houses on this row, by fencing or enclosed their 'grassed' garden areas, have separated of these areas from where they park a car behind the houses. This would also be the case as a result of the proposed development, albeit unrelated and therefore the 'perception' or change to the character of these terrace houses would not be readily observed, nor is it readily open to the public and therefore is considered not to cause undue harm to the character of the area.
- Noise and disturbance associated with a development works are controlled under by separate legislation, under the Environmental Protection Act and are matters for Environmental Health.
- Matters of damage to property as a result of the works would be private matters between the developer and those affected and not a concern of the planning decision.

62114-Item 3



REPORT FOR DECISION

Agenda Item 5

Bury
COUNCIL

Agenda
Item

5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	19 December 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 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 13/11/2017 and 10/12/2017



Ward: Bury East

Application No.: 61920 **App. Type:** FUL 21/11/2017 Refused
Location: Robert Peel, Castle Buildings, Market Place, Bury, BL9 0LD
Proposal: Creation of beer garden to rear of existing public house premises

Application No.: 62062 **App. Type:** FUL 16/11/2017 Approve with Conditions
Location: Unit B28, 1 St Johns Gardens, The Rock, Bury, BL9 0NN
Proposal: Relocation of existing entrance doors to Central Street elevation

Application No.: 62097 **App. Type:** FUL 07/12/2017 Approve with Conditions
Location: 1A Princess Parade, Bury, BL9 0QL
Proposal: Change of use from retail shop (Class A1) to drinking establishment (Class A4)

Application No.: 62115 **App. Type:** P3JPA 08/12/2017 Prior Approval Not Required
Location: 3 Houghton Street, Bury, BL9 0TA
Proposal: Notification for prior approval for a proposed change of use from a shop (Class A1) to dwellinghouse (Class C3)

Application No.: 62139 **App. Type:** LDCP 06/12/2017 Lawful Development
Location: 33 The Haymarket, Bury, BL9 0BX
Proposal: Lawful development certificate for proposed change of use from retail (Class A1) to restaurant / cafe (Class A3)

Ward: Bury East - Moorside

Application No.: 61948 **App. Type:** FUL 16/11/2017 Approve with Conditions
Location: 132 Walmersley Road, Bury, BL9 6DX
Proposal: Addition of railings to boundary wall at rear to maximum total height of 3m

Application No.: 61998 **App. Type:** ADV 14/11/2017 Approve with Conditions
Location: Unit 6, Woodfields Retail Park, Peel Way, Bury, BL9 5BY
Proposal: 3 no. internally illuminated fascia signs; 4 no. vinyl logos

Application No.: 62093 **App. Type:** FUL 27/11/2017 Approve with Conditions
Location: 43A Walmersley Road, Bury, BL9 5AE
Proposal: First floor extension at rear (to existing first floor flat)

Ward: Bury East - Redvales

Application No.:	61936	App. Type:	FUL	14/11/2017	Approve with Conditions
Location:	William Kemp Heaton Centre, 1 Howarth Close, Bury, BL9 9SB				
Proposal:	Variation of condition no. 2 of planning permission 59636 to amend the site layout plan and arboricultural report to allow realignment of the access road				
Application No.:	61982	App. Type:	FUL	07/12/2017	Approve with Conditions
Location:	626 Manchester Road, Bury, BL9 9SU				
Proposal:	Roller shutters covering front door				

Ward: **Bury West - Church**

Application No.:	62011	App. Type:	GPDE	13/11/2017	Prior Approval Not Required - Extension
Location:	12 Euxton Close, Bury, BL8 2HY				
Proposal:	Prior notification for proposed single storey rear extension				
Application No.:	62023	App. Type:	LDCP	30/11/2017	Lawful Development
Location:	82 Watling Street, Bury, BL8 2TG				
Proposal:	Lawful development certificate for proposed single storey rear extension				
Application No.:	62037	App. Type:	FUL	13/11/2017	Approve with Conditions
Location:	3 Rothbury Close, Bury, BL8 2TT				
Proposal:	Single storey extension at front/side and single storey extension at rear; Rendering of existing front elevation to match extension				

Ward: **Bury West - Elton**

Application No.:	62057	App. Type:	GPDE	13/11/2017	Prior Approval Not Required - Extension
Location:	14 Hawes Close, Bury, BL8 1UH				
Proposal:	Prior notification of proposed single storey rear extension				
Application No.:	62108	App. Type:	FUL	06/12/2017	Approve with Conditions
Location:	27 Horsham Close, Bury, BL8 1XY				
Proposal:	Two storey rear extension				

Ward: **North Manor**

Application No.:	61953	App. Type:	FUL	20/11/2017	Approve with Conditions
Location:	264 Bolton Road, Hawkshaw, Bury, BL8 4JN				
Proposal:	Single storey extension at rear				
Application No.:	61994	App. Type:	FUL	29/11/2017	Approve with Conditions
Location:	62 Ribble Drive, Bury, BL9 6RT				
Proposal:	Single storey rear extension				

Application No.:	62047	App. Type:	FUL	16/11/2017	Approve with Conditions
Location:	24 Vernon Road, Tottington, Bury, BL8 4DD				
Proposal:	Single storey extension at side/rear				
Application No.:	62075	App. Type:	FUL	15/11/2017	Approve with Conditions
Location:	Boundary House, 11 Bolton Road, Tottington, Bury, BL8 4HZ				
Proposal:	Single storey flat roofed double garage extension to side				
Application No.:	62105	App. Type:	FUL	05/12/2017	Approve with Conditions
Location:	12 Mayfield Road, Ramsbottom, Bury, BL0 9TB				
Proposal:	Two storey extension at side and single storey extensions at rear with non-opening obscure leaded light window at first floor level in gable wall				
Ward:	Prestwich - Holyrood				
Application No.:	61907	App. Type:	PIAPA	23/11/2017	Prior Approval Not required
Location:	2 Brandram Road, Prestwich, Manchester, M25 1HJ				
Proposal:	Prior approval of proposed change of use from shop (Class A1) to dwellinghouse (Class C3)				
Application No.:	62020	App. Type:	FUL	07/12/2017	Approve with Conditions
Location:	Land at Sandgate Road, Whitefield, Manchester, M45 6WG				
Proposal:	Temporary siting of three storage containers and one site office cabin				
Application No.:	62078	App. Type:	FUL	08/12/2017	Approve with Conditions
Location:	14 Guest Road, Prestwich, Manchester, M25 3DL				
Proposal:	Demolition of existing single storey rear extension and erection of replacement single storey extension at rear				
Application No.:	62101	App. Type:	GPDE	23/11/2017	Prior Approval Not Required - Extension
Location:	8 Tamworth Avenue, Whitefield, Manchester, M45 6UL				
Proposal:	Prior notification of proposed single storey rear extension				
Application No.:	62111	App. Type:	FUL	28/11/2017	Approve with Conditions
Location:	33 Ferndene Road, Whitefield, Manchester, M45 6RB				
Proposal:	Two storey extension at side; External alterations including bi-fold doors at rear				
Application No.:	62118	App. Type:	FUL	08/12/2017	Approve with Conditions
Location:	259 Heywood Road, Prestwich, Manchester, M25 2QR				
Proposal:	Two storey extension at side and rear and front porch extension				

Ward: **Prestwich - Sedgley**

Application No.:	61967	App. Type:	FUL	14/11/2017	Approve with Conditions
Location:	91 Downham Crescent, Prestwich, Manchester, M25 0BG				
Proposal:	First floor extension at side and rear and refurbishment of existing outbuilding				
Application No.:	61988	App. Type:	GPDE	27/11/2017	Prior Approval Required & Granted - Ext
Location:	42 Fairway, Prestwich, Manchester, M25 0JH				
Proposal:	Prior notification for proposed single storey rear extension				
Application No.:	61992	App. Type:	GPDE	13/11/2017	Prior Approval Required & Granted - Ext
Location:	114 Albert Avenue, Prestwich, Manchester, M25 0LU				
Proposal:	Prior notification for proposed single storey rear extension				
Application No.:	61999	App. Type:	FUL	17/11/2017	Approve with Conditions
Location:	11 Winchester Avenue, Prestwich, Manchester, M25 0LJ				
Proposal:	Front porch; Single storey extensions at side/rear; Loft conversion with rear and front dormers				
Application No.:	62030	App. Type:	FUL	04/12/2017	Approve with Conditions
Location:	6 Woodthorpe Grange, Prestwich, Manchester, M25 0GU				
Proposal:	First floor extension at side				
Application No.:	62038	App. Type:	FUL	23/11/2017	Approve with Conditions
Location:	3 Meadfoot Avenue, Prestwich, Manchester, M25 0AR				
Proposal:	Loft conversion with roof extension and dormers at front and rear; New roof to existing conservatory at rear				
Application No.:	62042	App. Type:	FUL	07/12/2017	Refused
Location:	5 Wells Avenue, Prestwich, Manchester, M25 0GN				
Proposal:	Dormers at front and rear and flat roof balcony at rear; Render to all elevations; boundary wall at rear/side 2.2-2.6m and 1.8m wall with gates at front				
Application No.:	62044	App. Type:	FUL	23/11/2017	Approve with Conditions
Location:	25 Ogden Street, Prestwich, Manchester, M25 1JL				
Proposal:	First floor balcony to front elevation				
Application No.:	62045	App. Type:	FUL	14/11/2017	Approve with Conditions
Location:	48 Parksway, Prestwich, Manchester, M25 0JB				
Proposal:	Erection of two storey side and rear extensions; front porch and pitched roof over existing two storey flat roof extension				
Application No.:	62058	App. Type:	FUL	16/11/2017	Approve with Conditions
Location:	38 Parksway, Prestwich, Manchester, M25 0JB				
Proposal:	Single storey basement level extension and two storey extension at side/rear; Front porch				

Application No.:	62069	App. Type:	FUL	08/12/2017	Approve with Conditions
Location:	28 George Street, Prestwich, Manchester, M25 9WS				
Proposal:	Front dormer extension and new porch extension				
Application No.:	62096	App. Type:	GPDE	06/12/2017	Prior Approval Not Required - Extension
Location:	3 Parksway, Prestwich, Manchester, M25 OJE				
Proposal:	Prior notification of proposed single storey rear extension				
Application No.:	62107	App. Type:	FUL	08/12/2017	Approve with Conditions
Location:	2 & 4 South Meade, Prestwich, Manchester, M25 OJL				
Proposal:	Raise roof ridge height by 600 mm with roof extension and loft conversion (nos. 2 & 4) and dormer at rear of no. 4				
Application No.:	62119	App. Type:	FUL	05/12/2017	Approve with Conditions
Location:	166 Albert Avenue, Prestwich, Manchester, M25 OHF				
Proposal:	Single storey extension at front/side, two storey extension at side and single storey extension at side/rear (to existing basement level); External alterations				
Application No.:	62121	App. Type:	FUL	08/12/2017	Approve with Conditions
Location:	7 Cranbrook Drive, Prestwich, Manchester, M25 OJZ				
Proposal:	Two storey extension at side and rear and single storey extension at rear; External alterations including render to front elevation				
Application No.:	62125	App. Type:	FUL	30/11/2017	Approve with Conditions
Location:	32 Scholes Lane, Prestwich, Manchester, M25 OBA				
Proposal:	Single storey side extension				
Application No.:	62131	App. Type:	FUL	04/12/2017	Approve with Conditions
Location:	125 Rectory Lane, Prestwich, Manchester, M25 1DA				
Proposal:	Porch/canopy at front, two storey extension at side and single storey extension at rear				
Application No.:	62146	App. Type:	FUL	04/12/2017	Approve with Conditions
Location:	46 Meade Hill Road, Prestwich, Manchester, M25 ODJ				
Proposal:	Single storey extensions at side and rear				
Application No.:	62234	App. Type:	GPDE	08/12/2017	Prior Approval Required Refused - Ext
Location:	11 Winchester Avenue, Prestwich, Manchester, M25 0LJ				
Proposal:	Prior notification for proposed single storey rear extension				

Ward: Prestwich - St Mary's

Application No.:	61945	App. Type:	FUL	24/11/2017	Refused
Location:	36 Church Lane, Prestwich, Manchester, M25 1AJ				
Proposal:	Removal of existing brick wall and replacement with stone retaining wall				

Application No.: 61983 **App. Type:** FUL 16/11/2017 Approve with Conditions
Location: 73 Hilton Lane, Prestwich, Manchester, M25 9SD
Proposal: Single storey rear extension, loft conversion and two storey side extension

Application No.: 62043 **App. Type:** FUL 22/11/2017 Approve with Conditions
Location: 5 Beckley Avenue, Prestwich, Manchester, M25 9GY
Proposal: First floor rear extension and construction of pitched roof over existing two storey flat roofed extensions.

Application No.: 62048 **App. Type:** FUL 24/11/2017 Approve with Conditions
Location: 42 Prestwich Park Road South, Prestwich, Manchester, M25 9PE
Proposal: Demolition of extensions at side and rear; Three storey/single storey extension at side and two storey extension at side/rear; Alterations to external elevations; Alterations to gardens at front/side/rear and new gates/wall at front

Application No.: 62056 **App. Type:** FUL 24/11/2017 Approve with Conditions
Location: 1 Stanley Avenue South, Prestwich, Manchester, M25 3AR
Proposal: Roof extension with front dormers and extension at side to existing bungalow to form two storey dwelling; New front porch and raised patio at side

Application No.: 62059 **App. Type:** FUL 08/12/2017 Approve with Conditions
Location: 492 Bury New Road, Prestwich, Manchester, M25 7AN
Proposal: 1 No. automatic number plate recognition camera mounted on 4 metre high column

Application No.: 62060 **App. Type:** ADV 08/12/2017 Approve with Conditions
Location: 492 Bury New Road, Prestwich, Manchester, M25 7AN
Proposal: 8 No. non-illuminated lamp post / wall mounted car park management signs

Application No.: 62091 **App. Type:** FUL 01/12/2017 Approve with Conditions
Location: 35 Hilton Lane, Prestwich, Manchester, M25 9SA
Proposal: Single storey extension at rear

Ward: Radcliffe - East

Application No.: 61910 **App. Type:** FUL 07/12/2017 Approve with Conditions
Location: 20 Thorp Avenue, Radcliffe, Manchester, M26 2GW
Proposal: Two storey extension at side/rear; Porch and bay windows at front; Erection of 2m high boundary wall to rear; 1.2 m high boundary wall/railings/gate at front: Erection of brick shed at rear

Application No.: 62049 **App. Type:** FUL 14/11/2017 Approve with Conditions
Location: 11 Crosby Road, Radcliffe, Manchester, M26 4JL
Proposal: Installation of 1 no. new first floor window to front elevation

Application No.:	62070	App. Type:	FUL	01/12/2017	Approve with Conditions
Location:	Constellation House, Milltown Street, Radcliffe, Manchester, M26 1WD				
Proposal:	Variation of condition no. 2 (approved plans) of planning permission 61594 to show the existing brickwork to be rendered				
Application No.:	62080	App. Type:	FUL	29/11/2017	Approve with Conditions
Location:	24 Sherwood Avenue, Radcliffe, Manchester, M26 4LE				
Proposal:	Two storey extension at side and single storey extension at side/rear				
Application No.:	62094	App. Type:	FUL	21/11/2017	Approve with Conditions
Location:	54 Grindsbrook Road, Radcliffe, Manchester, M26 4JS				
Proposal:	Single storey extension at rear, replacement detached garage at rear and alterations to main entrance				
Application No.:	62095	App. Type:	FUL	08/12/2017	Approve with Conditions
Location:	Unit 1, 101 Church Street West, Radcliffe, Manchester, M26 2SX				
Proposal:	Proposed MOT testing station ancillary to existing motor vehicle repairs (Class B2)				
Application No.:	62150	App. Type:	LDCP	08/12/2017	Lawful Development
Location:	29 Higher Ainsworth Road, Radcliffe, Manchester, M26 4JH				
Proposal:	Lawful development certificate for proposed single storey rear extension, loft conversion/dormer and outbuilding				

Ward: **Radcliffe - North**

Application No.:	62035	App. Type:	GPDE	13/11/2017	Prior Approval Not Required - Extension
Location:	3 Tipton Close, Radcliffe, Manchester, M26 3WZ				
Proposal:	Prior notification for proposed single storey rear extension				
Application No.:	62120	App. Type:	FUL	08/12/2017	Approve with Conditions
Location:	8 Winston Close, Radcliffe, Manchester, M26 4WS				
Proposal:	Single storey extension at front, side and rear				

Ward: **Radcliffe - West**

Application No.:	61951	App. Type:	FUL	16/11/2017	Approve with Conditions
Location:	Land at rear of 51-61 Ainsworth Road, Radcliffe, Manchester, M26 4FA				
Proposal:	Erection of 1 no. dwelling				
Application No.:	62031	App. Type:	FUL	16/11/2017	Approve with Conditions
Location:	221A Stand Lane, Radcliffe, Manchester, M26 1JJ				
Proposal:	Two storey rear extension				

Ward: **Ramsbottom + Tottington - Tottington**

Application No.:	62001	App. Type:	P3MPA	27/11/2017	Prior Approval Not Required
Location:	Three Gates Farm, Turton Road, Tottington, Bury, BL8 3QG				
Proposal:	Application for notification for prior approval for a proposed change of use of agricultural building to a use within class B8 storage or distribution				
Application No.:	62004	App. Type:	FUL	27/11/2017	Approve with Conditions
Location:	Stables Country Club, Bolholt Hotel, Walshaw Road, Bury, BL8 1PU				
Proposal:	Single storey entrance lobby and new window to first floor elevation.				
Application No.:	62010	App. Type:	GPDE	13/11/2017	Prior Approval Not Required - Extension
Location:	63 Rosewood Avenue, Tottington, Bury, BL8 3HG				
Proposal:	Prior notification for proposed single storey rear extension				
Application No.:	62036	App. Type:	FUL	13/11/2017	Approve with Conditions
Location:	2 Rosewood Avenue, Tottington, Bury, BL8 3HG				
Proposal:	Two storey side extension				

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.:	61970	App. Type:	FUL	07/12/2017	Refused
Location:	Bast House Farm Cottage, Manchester Road, Ramsbottom, Bury, BL9 5LZ				
Proposal:	Detached double garage with log store and wc				
Application No.:	61995	App. Type:	FUL	23/11/2017	Approve with Conditions
Location:	11 Linden Crescent, Tottington, Bury, BL8 3GE				
Proposal:	New garage adjoining existing garage				
Application No.:	62016	App. Type:	FUL	16/11/2017	Refused
Location:	2 Lime Grove, Ramsbottom, Bury, BL0 0BD				
Proposal:	Two storey front extension				
Application No.:	62024	App. Type:	FUL	23/11/2017	Approve with Conditions
Location:	1 Alba Street, Ramsbottom, Bury, BL0 4NA				
Proposal:	Works to 3 no. existing window openings				
Application No.:	62025	App. Type:	LBC	23/11/2017	Approve with Conditions
Location:	1 Alba Street, Ramsbottom, Bury, BL0 4NA				
Proposal:	Listed building consent for works to 3 no. existing window openings.				
Application No.:	62053	App. Type:	FUL	13/11/2017	Approve with Conditions
Location:	3 Baker Street, Ramsbottom, Bury, BL0 9LW				
Proposal:	Single storey side extension				

Application No.:	62054	App. Type:	FUL	24/11/2017	Approve with Conditions
Location:	14 Moray Close, Ramsbottom, Bury, BL0 9YS				
Proposal:	Two storey rear extension and garage extension				
Application No.:	62092	App. Type:	FUL	07/12/2017	Approve with Conditions
Location:	103 Holcombe Old Road, Ramsbottom, Bury, BL8 4NF				
Proposal:	Removal of existing slates to front and rear roof slope to facilitate repair of roof structure and re-installation of existing roof slates; Re-pointing of chimney stacks and renewed lead flashings				
Ward:	Whitefield + Unsworth - Besses				
Application No.:	62040	App. Type:	FUL	17/11/2017	Approve with Conditions
Location:	2 Waterdale Drive, Whitefield, Manchester, M45 8SB				
Proposal:	Detached double garage at front				
Application No.:	62063	App. Type:	FUL	24/11/2017	Approve with Conditions
Location:	20 Stanway Road, Whitefield, Manchester, M45 8EG				
Proposal:	Variation of condition no. 2 (approved plans) of planning permission 61014 to add a first floor side window to the rear extension				
Application No.:	62136	App. Type:	GPDE	08/12/2017	Prior Approval Not Required - Extension
Location:	29 Hindburn Close, Whitefield, Manchester, M45 8JP				
Proposal:	Prior notification of proposed single storey rear extension				
Ward:	Whitefield + Unsworth - Pilkington Park				
Application No.:	61928	App. Type:	FUL	07/12/2017	Approve with Conditions
Location:	16 Ringley Park, Radcliffe, Manchester, M45 7NT				
Proposal:	Single storey extension at rear with first floor roof terrace; Two/single storey extension and alterations to front with first floor balcony; External alterations including render to elevations; Replacement access gates and render to existing boundary walls				
Application No.:	61958	App. Type:	FUL	16/11/2017	Refused
Location:	53 Hampstead Drive, Whitefield, Manchester, M45 7YA				
Proposal:	New front boundary and side fencing and installation of pedestrian gate and double electric gates				
Application No.:	61981	App. Type:	FUL	16/11/2017	Approve with Conditions
Location:	33 Ringley Road, Whitefield, Manchester, M45 7LD				
Proposal:	Alterations to front elevation and single storey extension; alterations to rear; additional floor to attic with dormers to front and balcony to rear; increase in ridge height by 300mm and new electronic gates				
Application No.:	62071	App. Type:	FUL	27/11/2017	Approve with Conditions
Location:	109 Radcliffe New Road, Whitefield, Manchester, M45 7WG				
Proposal:	Two storey side and rear extension, single storey rear extension and loft conversion				

Application No.:	62072	App. Type:	FUL	04/12/2017	Approve with Conditions
Location:	23 Birch Avenue, Whitefield, Manchester, M45 7HW				
Proposal:	Demolition of existing garage and erection of single storey and first floor rear extension				
Application No.:	62117	App. Type:	FUL	07/12/2017	Approve with Conditions
Location:	35 Ringley Road, Whitefield, Manchester, M45 7LD				
Proposal:	Two storey extension at side; Single storey attached double garage at front; New entrance porch at front and raised decking at rear; Closure of vehicular access off Ringley Drive and alterations to retained access off Ringley Road				
Application No.:	62159	App. Type:	GPDE	08/12/2017	Prior Approval Not Required - Extension
Location:	37 Bury New Road, Whitefield, Manchester, M45 7FL				
Proposal:	Prior notification of proposed single storey rear extension				

Ward: **Whitefield + Unsworth - Unsworth**

Application No.:	61933	App. Type:	FUL	13/11/2017	Approve with Conditions
Location:	20 Bent Fold Drive, Bury, BL9 8NG				
Proposal:	Single storey porch extension at front				
Application No.:	61934	App. Type:	LDCE	13/11/2017	Lawful Development
Location:	20 Bent Fold Drive, Bury, BL9 8NG				
Proposal:	Lawful development certificate for existing single storey extension at rear				
Application No.:	62055	App. Type:	FUL	29/11/2017	Approve with Conditions
Location:	27 Langdale Drive, Bury, BL9 8HP				
Proposal:	Two storey side and single storey rear extension including rear dormer				
Application No.:	62082	App. Type:	GPDE	30/11/2017	Prior Approval Required & Granted - Ext
Location:	4 Woburn Drive, Bury, BL9 8DA				
Proposal:	Prior notification for proposed single storey rear extension				
Application No.:	62099	App. Type:	FUL	04/12/2017	Approve with Conditions
Location:	5 Cartmel Close, Bury, BL9 8JA				
Proposal:	Single storey extension at rear linked to existing garage with conversion of garage to habitable room				
Application No.:	62123	App. Type:	FUL	30/11/2017	Approve with Conditions
Location:	9 Ventnor Avenue, Bury, BL9 8HH				
Proposal:	Single storey extensions to side and rear				
Application No.:	62147	App. Type:	FUL	04/12/2017	Approve with Conditions
Location:	77 Haweswater Crescent, Bury, BL9 8LT				
Proposal:	Single storey extension at rear				

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REPORT FOR DECISION

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	19 December 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,
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**Planning Appeals Lodged
between 13/11/2017 and 10/12/2017**



Application No.: 61641/FUL

Appeal lodged: 14/11/2017

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Refuse

Applicant: Mr Neil Hunter

Location 96 Watling Street, Tottington, Bury, BL8 3QL

Proposal Demolition of existing dwelling and erection of 1 no. new dwelling

Total Number of Appeals Lodged: 1

**Details of Enforcement Appeal Decisions
between 13/11/2017 and 10/12/2017**



Location: 38 Manchester Old Road, Bury, BL9 0TR

Case Ref:

0111 / 16

Issue: Erection of external staircase

Appeal Decision: Dismissed 08/12/2017

Appeal Decision

Site visit made on 6 December 2017

by B.S.Rogers BA(Hons) DipTP MRTPI

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

Decision date: 08 December 2017

Appeal A Ref: APP/T4210/C/17/3169033

Appeal B Ref: APP/T4210/C/17/3169034

38 Manchester Old Road, Bury, BL9 0TR

- The appeals are made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - Appeal A is made by Mr Paul Deaville and Appeal B by Mrs Catherine Ruth Tributsch-Deaville against an enforcement notice issued by Bury Metropolitan Borough Council.
 - The enforcement notice was issued on 11 January 2017.
 - The breach of planning control as alleged in the notice is without planning permission, the erection of an external staircase at the rear of the property.
 - The requirement of the notice is to dismantle and permanently remove the external spiral staircase from the rear of the property including any associated fixtures and fittings.
 - The period for compliance with the requirements is 60 days.
 - The appeals are proceeding on the ground set out in section 174(2)(c) of the Town and Country Planning Act 1990 as amended.
-

Decision

1. The appeals are dismissed and the enforcement notice is upheld.

The appeal on ground (c)

2. I am unable to consider the planning merits of the development which have been put forward in this case, as an appeal on ground (c) is concerned solely with whether or not there has been a breach of planning control. Neither the appellants nor the Council have indicated their reasoning as to why this may or may not be a breach of planning control so I shall go on to consider the relevant factors.
3. The development which is the subject of this appeal is the addition of a spiral staircase to the rear of an existing single storey, flat-roofed extension to the rear of the appeal property, an end terraced house. This is a building operation which falls within the definition of 'development' in Section 55 of the Act and would require planning permission unless otherwise permitted by the relevant development order. In this case, the appellants indicate in their comments of 9 July 2017 that the staircase has been in position for approximately 3 years. The relevant order at that time was The Town and Country Planning (General Permitted Development) Order 1995, as amended (GPDO).
4. The relevant part of the GPDO is Class A of Part 1 of Schedule 2 – *The enlargement, improvement or other alteration of a dwellinghouse*. However, in this Class, development is not permitted where the enlarged part of the dwellinghouse would have a single storey and extend beyond the rear wall of

the original dwellinghouse by more than 3m (in the case of a terraced house). In this case, the rear extension is approximately 3m deep and the addition of the spiral staircase has taken the overall depth beyond the 3m limit.

5. The temporary amendment to the GPDO introduced in 2013, which applied at the time the development was carried out, allowed extensions up to 6m deep. However, this required a prior notification procedure to be undertaken by the developer, which did not, to my knowledge, occur in this case.
6. Accordingly, the staircase required planning permission and its erection without permission was a breach of planning control. The appeals must therefore fail.

B.S. Rogers

Inspector