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AGENDA FOR

PLANNING CONTROL COMMITTEE

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To: All Members of Planning Control Committee

Councillors : T Cummings, S Haroon, C Preston (Chair), R Skillen, J Harris, I Schofield, Y Wright, M D'Albert, S Nuttall, M Hayes, K Thomas and J Walker

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 June 2018
Place:	Council Chamber - 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 to be made to the Planning Applications since the issue of the Agenda. This information will be circulated to Members and made available to the public on the Council's website on the day of the meeting.
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 to Members and Officers.

The Agenda and Reports for the meeting are attached.

The Agenda and Reports are available on the Council's website at www.bury.gov.uk – Council and Democracy.

Yours sincerely

Stephen Kenyon CPFA
Interim Executive Director of Resource and Regulation

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

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

3 MINUTES OF THE MEETING HELD ON 22ND MAY 2018 *(Pages 1 - 4)*

4 PLANNING APPLICATIONS *(Pages 5 - 64)*

5 DELEGATED DECISIONS *(Pages 65 - 78)*

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 79 - 82)*

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

7 PLANNING COMMITTEE TRAINING PROGRAMME *(Pages 83 - 86)*

A report from the Head of Development Management detailing the proposed Planning Control Committee training programme for Members during the 2018/19 Municipal Year.

8 TREE PRESERVATION ORDER CONFIRMATION *(Pages 87 - 96)*

A report from the Head of Development Management on the confirmation of a temporary tree preservation order.

9 URGENT BUSINESS

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

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Minutes of: **PLANNING CONTROL COMMITTEE**

Date of Meeting: 22nd May, 2018

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

Public attendance: There were 50 members of the public were in attendance

Apologies for absence: Councillors M Hayes and S Nuttall

PCC.01 DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

PCC.02 MINUTES

Delegated decision:

That the Minutes of the meeting held on 24th April, 2018 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 62473, 62565, 62615 and 62652.

The Committee heard representations from applicants and/or objectors in respect of the applications submitted. This was limited to three minutes for each speaker. Councillors Sarah Southworth spoke as a ward representative in relation to planning application 62546; Councillor Daly in respect of application 62473 and Councillor Tariq on application 62615.

Prior to the Committee meeting, a site visit took place in respect of planning application 62546.

Delegated decisions:

1. That the Committee **Approve** 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:-

62554 1 Parkhills Road, Bury – Bury East – Redvales Ward
Change of use from shop unit (Class A1) to café/ice cream parlour (Class A3) (Groundfloor only)

62557 45 Bury Old Road, Prestwich, Manchester – Prestwich – Sedgley Ward
Extensions and change of use to existing dwelling to form a post graduate study centre (Class D1); Formation of new vehicular access from Kings Road

62565 Land adjacent to 411 Manchester Road, Bury & 10 Fletcher Fold Road, Bury – Bury East – Redvales Ward
Change of use of land (Goshen Lane) adjacent 411 Manchester Road and 10 Fletcher Fold Road to garden; New boundary fences, walls and railings

Note: Councillor J Walker proposed an amendment to Condition 1 to alter the time limit for the development to begin to allow access for residents. This proposal was not seconded, therefore the Committee voted on the Officer recommendation to Approve with Conditions the application.

62615 1 Inman Street, Bury – Bury East – Redvales Ward
Change of use from single dwelling to 6 bed House of Multiple Occupation (HMO) with conversion of garage to rear to living accommodation and erection of pitched roof

Note: Councillor Tariq spoke as a ward representative.

The decision to approve with conditions the application is subject to the addition of the following condition:-

Condition 3: A scheme of sound insulation of the party walls and between floors/ceilings shall be submitted to and approved by the Local Planning Authority before development hereby approved commences. The scheme shall be designed in accordance with Building Regulations Approved Document E (2015), and shall be implemented and in place before the first occupation of the premises.
Reason. Details have not be provided and to reduce nuisance from noise to the occupiers of the adjoining dwelling pursuant to NPPF and UDP Policy EN7/2 Noise Pollution.

62634 4 Glebelands Road, Prestwich, Manchester – Prestwich – Holyrood Ward
Change of use from residential care home (C2) to 11 bed House of Multiple Occupation (HMO)

62652 Land adjacent to 16A Watling Street, Tottington, Bury – Ramsbottom & Tottington – Tottington Ward

Erection of 2 no. pigeon lofts and 2 no. sheds and storage container

Note: The Officer recommendation was a **Split Decision** – to **Approve with Conditions** Proposal A: Erection of 2 no. pigeon lofts and 2 no. sheds and **to Refuse** Proposal B: Erection of storage container. The Committee voted unanimously in favour of the Officer recommendation.

Note: Councillor Haroon left the meeting after consideration of this application.

62673 4 Woodthorpe Court, Prestwich, Manchester – Prestwich – Sedgley Ward
Two storey and first floor side extension

2. That the Committee be **Minded to Approve** 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:-

62546 Land adjacent to 436 Walmersley Road, Bury – Bury East – Moorside Ward
Erection of 6 no. dwellings

Note: Councillor Sarah Southworth spoke as a ward representative.

3. That the following application be **deferred** to the next scheduled meeting of the Planning Control Committee: -

62473 Bramley Fold Farm, Hawkshaw Lane, Tottington, Bury – North Manor Ward
Two storey extension at rear and two storey extension at side; Alterations to existing shed; Repositioning of access gates

Note: Councillor Daly spoke as a ward representative.

Note: The application was deferred for a site visit. Following the speakers' addresses to the Committee, Councillor Harris proposed the site visit and this was seconded by Councillor D'Albert. The Committee voted unanimously in favour of the site visit and no further discussions took place in relation to this application.

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.

CHAIR
COUNCILLOR C Preston

(Note: The meeting started at 7.00 pm and ended at 8.15 pm)

Title	**Planning Applications**
To:	**Planning Control Committee**
On:	**19 June 2018**
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 - West **App No.** 62166

Location: Land at Hutchinson Way, Radcliffe, Manchester, M26 3SB
Proposal: Erection of 8 no. dwellings in two terraces
Recommendation: Approve with Conditions **Site Visit:** N

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02 **Township Forum - Ward:** North Manor **App No.** 62473

Location: Bramley Fold Farm, Hawkshaw Lane, Tottington, Bury, BL8 4LG
Proposal: Proposal A: Alterations to existing shed
Proposal B:Two storey extension at rear and two storey extension at side
Recommendation: Split Decision **Site Visit:** Y

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03 **Township Forum - Ward:** Prestwich - Holyrood **App No.** 62750

Location: 22 Newlands Drive, Prestwich, Manchester, M25 3BU
Proposal: Raised timber deck at rear (approx 800mm above ground level) with steps to garden level
Recommendation: Approve with Conditions **Site Visit:** N

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04 **Township Forum - Ward:** Whitefield + Unsworth - Pilkington Park **App No.** 62751

Location: 34-36 Fountain Place & Aldi Foodstore Ltd, Higher Lane, Whitefield, Manchester, M45 7EA
Proposal: Demolition of 34-36 Fountain Place and the extension of existing car park
Recommendation: Approve with Conditions **Site Visit:** N

Ward: Radcliffe - West

Item 01

Applicant: Owl Estates Ltd

Location: Land at Hutchinson Way, Radcliffe, Manchester, M26 3SB

Proposal: Erection of 8 no. dwellings in two terraces

Application Ref: 62166/Full **Target Date:** 03/05/2018

Recommendation: Approve with Conditions

Description
The application site comprises 2 separate parcels of land, separated by Hutchinson Way and Buckley Street. Both sites contain grassed areas and until recently contained mature trees. The trees were cut down before the application was validated. There are 2 residential properties immediately to the north of the site, which are accessed from Hindle Street.

There are residential dwellings to the north of the site and a car park and nursery to the east. There is an area of amenity space and an electricity substation to the west and residential properties and a skate park to the south.

The proposed development would involve the erection of 8 properties, which would be located in 2 terraces of 4 dwellings on either side of Hutchinson Way. The proposed dwellings would be two storeys in height with rooms in the roofspace and would be constructed from render with stone quoins and a tile roof. Parking would be located to the north of block 1 and would be accessed from Hindle Street and the parking for block 2 would be located at the rear of the dwellings and would be accessed off Buckley Street.

Relevant Planning History
48574 - Demolition of day nursery and 2 houses; construction of 70 apartments with semi-basement parking; construction of new day nursery with associated surface car parking at land at Hutchinson Way/Hindle Street, Radcliffe. Approved with conditions - 14 December 2007.

Adjacent site
34519 - Residential development - 1 dwelling at land adjacent to 15 Hindle Street, Radcliffe. Approved with conditions - 18 September 1998.

39157 - Change of use from public house (Class A3) to childrens day care centre (Class D1) at The Peel Monument public house, Victoria Street, Radcliffe. Approved with conditions - 31 May 2002

41466 - Erection of detached dwelling at land adjacent to 15 Hindle Street, Radcliffe. Approved with conditions - 8 December 2003.

53160 - Single storey side extension (retrospective) at Clever Cloggs Nursery, 56 Green Street, Radcliffe. Approved with conditions - 3 March 2011.

Pre-application enquiry
01982/E - Residential development of 20 no. dwellings at land off Buckley Street, Radcliffe. Completed - June 2017.

Publicity
The neighbouring properties were notified by means of a letter on 13 March 2018.

16 letters have been received form the occupiers of 35, 37, 39, 41, 65, 71, 84, 94, 97, 101,

103 Hutchinson Way, 1, 2, 4, 19, 21, 44, Mulberry Close, 1 Ulundi Street, 15 Hindle Street, 3, 11 Victoria Street, which have raised the following issues:

- There are too many properties for the size of site.
- Only 2 spaces have been allocated, where as the adjacent site has 3 spaces per 4 bedroom property.
- There is a dog waste bin on site, which is used regularly.
- There is no provision for workforce/plant vehicles during the development. The road is not big enough for heavy machinery.
- There are lies in the application. There were trees on site, but these were felled without permission from the forestry commission in February.
- The site is an eyesore since the trees were cleared.
- There are plenty of brownfield sites nearby where houses can be built instead on this open space.
- The council should reject the application as the applicant felled the trees without the relevant authority.
- Traffic on Hutchinson Way is bad currently and more houses will add to the problem.
- Building on this land will create blind spots.
- There is a special school nearby and many minibuses have to pass this point on each school day.
- Two parking spaces are planned, but there are 4 bedrooms, which means cars will park on the pavement.
- The site should be used as a site of nature and a natural environment
- The proposed development would devalue our properties.
- The proposed development would restrict the light to my property.
- My house and garden will be overlooked.
- I am concerned that we have received notification of the application after the trees were removed.
- I work from home and concerned about the noise from the development.
- This area is not suitable for building and the trees should have been kept.
- Does Radcliffe need any more homes considering the amount that would be built on the East Lancs Paper Mill site?
- The properties should be saleable homes and not rental properties.
- The fact that all the residents have been left in the dark as to what's been going on regarding this whole process, considering the planning application was applied for in Nov 2017 and we're only finding about this in March 2018 is a complete joke.
- The owner of Owl properties has a bad reputation.
- Has permission already been granted?

A response has been received from Councillor Shori, which has raised the following issues:

- I am against this proposal based on the fact that according to the Forestry Commission, trees were removed from the site without the necessary licence.
- This has the potential to set a dangerous precedent across the borough that prospective developers may take the law into their own hands and seek to damage the environment simply to expedite any potential development.

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

The neighbouring properties, Councillor and objectors have been notified of revised plans on 5 June 2018.

Should any comments be received, these will be reported in the Supplementary Report.

Consultations

Traffic Section - Revised plans submitted. Further comments will be reported in the Supplementary Report.

Drainage Section - No response.

Environmental Health - Contaminated Land - No objections, subject to the inclusion of

conditions relating to contaminated land.
Waste Management - No response.
Property & Technical Services - No response.
United Utilities - No objections, subject to the inclusion of conditions relating to foul and surface water drainage.
The Coal Authority - No objection, subject to the inclusion of a condition relating to coal mining.
GM Ecology Unit - No objections, subject to the inclusion of conditions relating to nesting birds and off-site compensation for nesting birds.

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
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
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
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
CF1/1	Location of New Community Facilities
CF5	Childcare Facilities
Area RD2	Green Street/New Church Street
SPD1	Open Space, Sport and Recreation Provision
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 (Employment) - The land to the west of Hindle Street is located within an Employment Generating Area (EGA) and as such, Policy EC2/2 is applicable.

Policy EC2/1 states that in EGAs, the Council will only allow development for business (B1), general industrial (B2) and warehousing (B8). Other uses will only be permitted where they constitute limited development or do not substantially detract from an area's value as an EGA.

The EGA is split between a higher level (Hutchinson Way), which is predominantly residential in use and the lower area (Sion Street), which is industrial in character. As the proposed site occupiers a small area within the upper section of the EGA, which is

predominantly residential, it is considered that the proposed development would constitute limited development and as such, would be in accordance with Policy EC2/1 of the Bury Unitary Development Plan.

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

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

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

The site is located within the urban area and there are a mix of uses, including residential, a school, nursing home and nursery in the locality. As such, the proposed development would not conflict with the surrounding land uses and would be in a sustainable location with regard to services and public transport. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

Design and layout - The proposed development would provide 8 dwellings, which would be located in 2 terraces of 4 dwellings. The proposed dwellings would be two storeys in height with a room in the roofspace, which would reflect the mix of properties in the locality. The proposed dwellings would be constructed from render with stone quoins and a tile roof. The predominant material in the surrounding area is brick and as such, a condition requiring the properties to be constructed from brick would be included on any grant of planning consent. The use of headers, cills and a pike detail would add visual interest to the elevations. Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policy EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

All of the proposed dwellings would have a rear garden, which would provide a suitable level of private amenity space. There would be space within the rear gardens for bin storage and this would be the subject of a condition. There would be 1.8 metre high timber boarded fencing to all boundaries, with the exception of the front garden areas, where a lower fence would be provided. The proposed boundary treatments would match the existing treatments in the locality. Therefore, the proposed development would not be a prominent feature in the locality and would be in accordance with Policies H2/1, H2/2, EN1/1 and EN1/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards and as such, is a useful guide in this instance.

There would be 70 metres between the existing nursery building and the rear elevation of block 2 and there would be 24.2 metres between the front elevation of block 1 and the front elevation of block 2. These distances would be in excess of the minimum 20 metre aspect. There would be a minimum of 7 metres from the rear elevation of both blocks to the boundary of the rear gardens, which would comply with the aspect standards.

Nos 15 and 17 Hindle Street do not have any habitable room windows on the rear elevation facing the application site and the habitable room windows are located in the gable elevation. As such, the location of block 2 would not have a significant adverse impact upon the amenity of the neighbouring properties.

Therefore, the proposed development would not impact significantly upon the amenity of the neighbouring properties and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Ecology - The application sites did contain a number of trees, but these were removed prior to the application being validated. The trees were not protected under any preservation order and the site is not located within the conservation area. As such, no planning approval was required for their removal. However, the works may have required consent from the Forestry Commission, who is dealing with this as a separate matter to the planning application. GM Ecology Unit have no objections to the proposal, subject to the inclusion of a condition (No. 8) relating to a landscaping plan, which must include mitigation for the loss of trees. Therefore, the proposed development would be in accordance with Policies EN6/3 of the Bury Unitary Development Plan and the NPPF.

Highways issues - The car parking for block 1 would be located to the north of the proposed dwellings in a single area, which would be accessed from Hindle Street. The parking for block 2 would be located at the rear of the proposed dwellings and would be accessed from Buckley Street. There would be appropriate levels of visibility at these junctions.
Revised plans, which show visibility splays, have been received and further comments from the Traffic Section will be reported in the Supplementary Report.

Parking - SPD11 states that the maximum parking standards is 3 spaces per 4 bed dwelling. This equates to 24 parking spaces.

The proposed site plan indicates that 2 spaces would be provided for each of the proposed dwellings, which equates to 16 spaces. The proposed development is located in close proximity to Radcliffe town centre and has good access to public transport. As such, the proposed development is in a sustainable location and 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.

Response to objectors

- The issues relating to the layout, highways issues, parking, privacy, loss of light, the need for housing have been addressed in the main report.
- The removal of the trees did not require any form of planning approval and the application cannot be refused for this reason but the recommendation is to seek replacements should the development be implemented. It is also within the gift of the Forestry Commission to determine whether or not to seek replacements through their own enforcement powers.
- A construction traffic management plan would be required via a condition.
- The impact upon property prices, the retention of the dog waste bin, the type of tenure of the dwellings (for sale or for rent) and the reputation of the applicant are not material planning considerations and cannot be taken into consideration.
- Planning consent has not been granted for the proposal.
- The planning application was received in November 2017, but did not contain all the relevant information and was invalid. This information was received in March 2018, when the application was and required to be validated and the neighbouring residents informed of the application with an opportunity to comment accordingly.
- No developer is above the law and should comply where required with any conditions imposed. Equally the respective authorities must consider their discretionary powers where works are done without appropriate consents. As such, each case must be considered on their own merits and is not prevented from taking action where necessary.

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

Recommendation: Approve with Conditions

Conditions/ Reasons

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

2. This decision relates to drawings labelled Location plan, S06/484 A, Proposed house types with boundary treatments, received on 5 June, Proposed site plan, received on 5 June and the development shall not be carried out except in accordance with the drawings hereby approved.
   Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

3. Details/Samples of the materials, which shall be red bricks to be used in the external elevations (not render), together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
   Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.

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

   Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
   Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National

Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

6. Following the provisions of Condition 4 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.

7. No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year unless otherwise agreed in writing with 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. A landscaping scheme, including details of a scheme to mitigate for the loss of trees on site, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

9. No development shall commence unless or until:
   - A intrusive site investigation report to assess the actual/potential ground conditions and the potnetial risks posed to the development by past coal mining activity shall be submitted to and approved in writing by the Local Planning Authority;
   - Where actual/potential risks have been identified, a report containing details of any remedial works necessary shall be submitted to and approved in writing by the Local Planning Authority.
   - Where remedial works are required, the approved report shall be carried out to the satisfaction of the Local Planning Authority within agreed timescales;
   - A Site Verification report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved 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 risks from coal mining and subsequent remedial works, which is required to secure the satisfactory development of the site in terms of human safety, the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

10. No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning

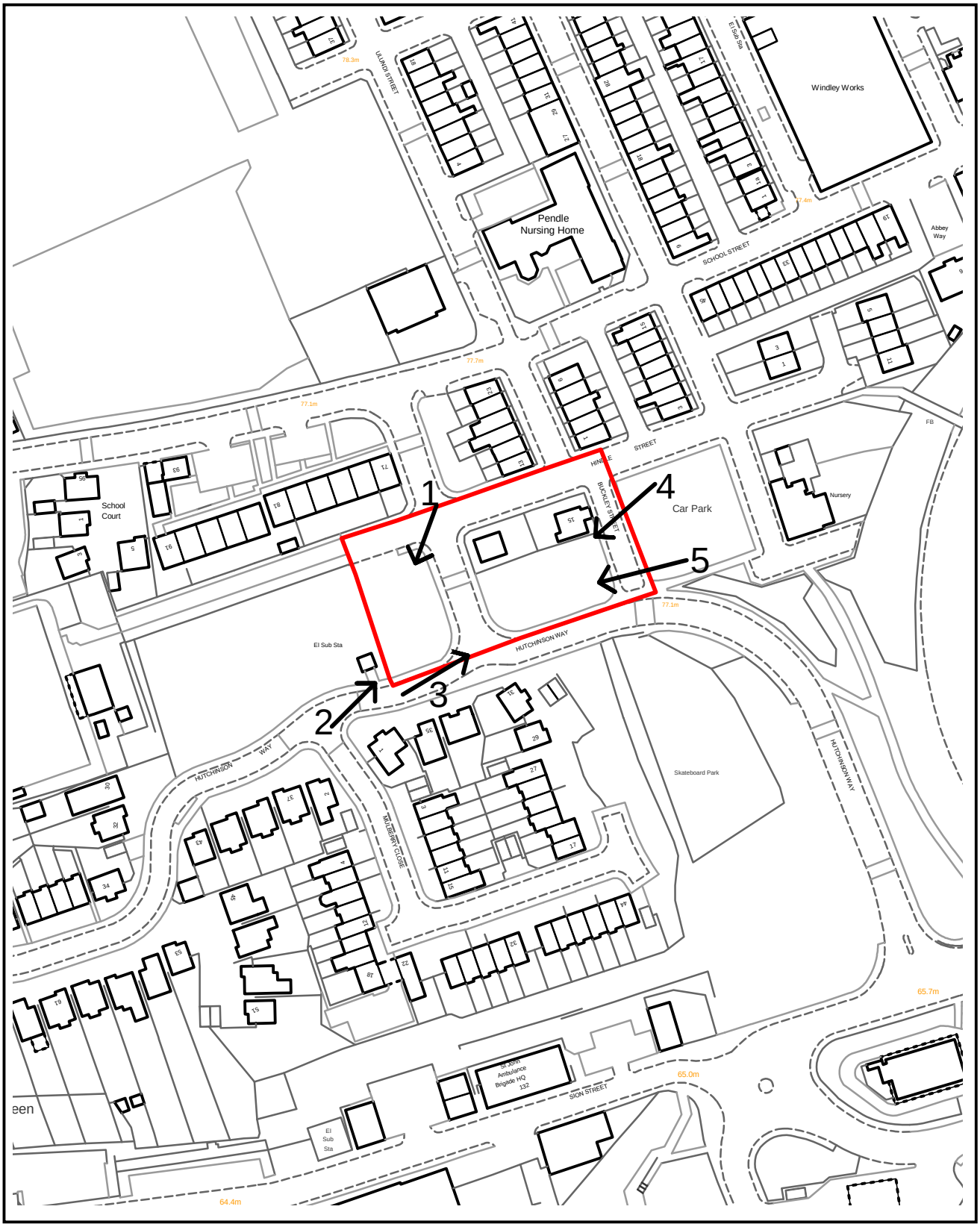
Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.
Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

11. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

12. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwellings hereby approved being brought into use.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62166

ADDRESS: Land At Hutchinson Way
Radcliffe

Planning, Environmental and Regulatory Services

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

62166

Photo 1

Photo 2

62166

Photo 3

Photo 4

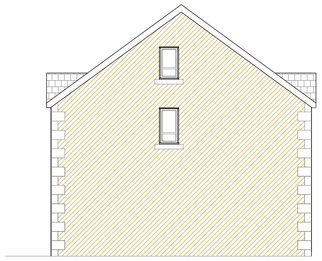
62166

Photo 5

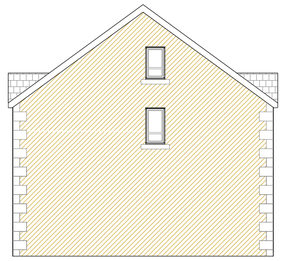
SITE PLAN: 1:200 ON A0 PAPER
NEW RESIDENTIAL DEVELOPMENT AT LAND OF BUCKLEY STREET RADCLIFFE

BARRY CULLEN
ARCHITECTURE
email:barrycullen_bc@yahoo.co.uk
mob: 07851262695

FRONT ELEVATION
block 1&2



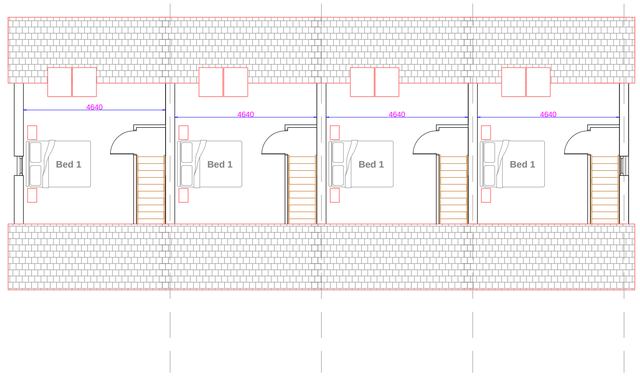
RHS ELEVATION



RHS ELEVATION

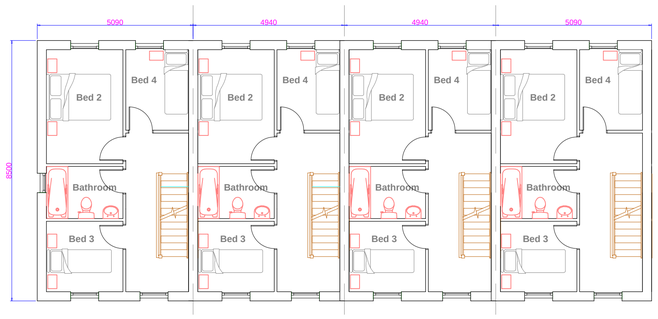
FINISHES

WINDOWS/DOORS: UPVC
WALLS: K REND PAINTED
ROOF :TILES BLACK
HEADS /QUOINS: SANDSTONE
GUTTERING :UPVC
BOUNDARY: AS PER SITE PLAN/ELEVATIONS



LOFT
BLOCK 1 &2

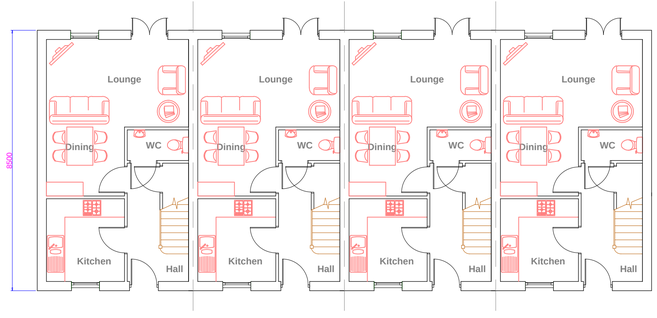
REAR ELEVATION
block 1



FIRST
BLOCK 1 &2

REAR ELEVATION
block 2

2M HIGH TIMBER FENCE



GROUND
BLOCK 1 &2

NOTES

REVISIONS

4.6.2018 PLANNING

HOUSING DEVELOPMENT RADCLIFFE
PLANS ELEVATIONS

CLIENT:ZAF

SCALE: 1:100

REFERENCE NO: 1083 R1

BARRY CULLEN
ARCHITECTURE
email:barrycullen_bc@yahoo.co.uk
mob: 07851262695

Ward: North Manor

Item 02

Applicant: Mr Richard Ali

Location: Bramley Fold Farm, Hawkshaw Lane, Tottington, Bury, BL8 4LG

Proposal: Proposal A: Alterations to existing shed
Proposal B:Two storey extension at rear and two storey extension at side

Application Ref: 62473/Full **Target Date:** 19/04/2018

Recommendation: Split Decision

This application is being presented to Planning Control Committee as Councillor Wright has called the application in, following confirmation from the chair.

This item was deferred for a site visit following the meeting in May.

Description
The application relates to a detached farm house located on Hawkshaw Lane consisting of a farm house, and converted attached barn. The dwelling The property is an isolated, uplands dwelling of long house design with origins prior to 1773. The premises is constructed from natural stone, painted white to the rear and has a natural slate roof. The stone mullions windows to the front of the dwelling are of particular note. The dwelling is two storey at the front, reducing to single storey at the rear creating a distinctive catslide roof. The site is located within the Green Belt, and the dwelling is included on the draft local list. The dwelling is surrounded by open land to the north, south and west with Hawkshaw Lane located to the east of the property.

Proposal A
Planning permission is sought for the removal of an existing shed located to the south of footpath number 3TOT and for the construction of a new timber clad shed, with corrugated metal roofing. The proposed shed would be approximately 4840mm long, and 3075mm wide reaching a maximum height of approximately 2500mm.

Proposal B
Planning permission is sought for the construction of a part two storey, part first floor extension to the rear of the premises that would project approximately 2200mm from the principal rear elevation of the dwelling and incorporates elements of glazing at first and ground floor. A two storey side extension is also proposed that projects approximately 4600mm from the existing side elevation, and is set back approximately 600mm behind the front and rear elevations.

Relevant Planning History
41879 - Conversion of redundant barn to form extension to existing farm house - Approve with Conditions 06/04/2004

02059/E - Extension of existing farmhouse - Enquiry completed 04/01/2018

15/0198 - Construction of building - 01/07/2015

Publicity
The neighbouring properties were notified by means of a letter on 23 February 2018. A site notice was posted on 8 March 2018.

Comments received from the occupants of Melrose in relation to:

- Outbuilding is located on the lane that the occupants have a right of access to.
- Appearance, location and future use of outbuilding unclear.
- If the building is increased in size or moved it could impact on the access to their property.
- Why has access to the shed been moved to the opposite side.

1 objection received from the occupants of Tonge Fold Farm in relation to:

- The entrance to the dwelling is currently utilised as a passing place when two vehicles meet on Hawkshaw lane. Moving the gates would make passing more difficult and could be detrimental to driver safety.

A third party representation has also been received from the Ward Councillor, Councillor Daly stating that "I would like to call in the above application at Bramley Fold Farm in North Manor Ward. This is because the building is on the draft list for non designated heritage assets which came before the committee in November last year for note. As yet it is not policy and no consultation has been undertaken with any property owners. I would like this planning application to be discussed by the planning committee as a number of issues have emerged with regard to the implementation of this proposed policy that should be debated by democratically elected councillors. These include who is expected to submit heritage assessments before a policy is introduced, what evidence base and level are planning officers working to in requesting these assessments and when will this draft list actually enter policy at a council level?"

Revised Design and Access Statement,photographic view points, floor plans, site layout and elevations received. Additional plan received in relation to site analysis. The neighbouring properties, and those who have commented were notified of revised plans and additional information on the 11th April 2018.

One further comment received from Tonge Fold Farm asking for details of the timing for the site visit, and to ensure that the impact of repositioning the gates and concerns relating to potential accidents are considered on the site visit.

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

Consultations

Traffic Section - No objections.

Conservation Officer - Object to the scheme for the following reasons:

- Heritage element of Design and Access statement only refers to the building's history and does not assess the significance of the building or the scheme's impact upon it
- Accommodation appears excessive, and has direct implications for the scale and impact of the proposed extensions
- A landscape section and photographs have been submitted and does not show a significant bank hiding the rear of the property
- The shape of the building is key to it's character

Unitary Development Plan and Policies

OL1	Green Belt
OL1/2	New Buildings in the Green Belt
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2	Conservation and Listed Buildings
EN9/1	Special Landscape Areas
OL7/2	West Pennine Moors
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.

Visual Amenity and Impact on Green Belt
The application site is located in the Green Belt. Paragraph 89 of the National Planning Policy Framework (NPPF) states that the construction of new buildings within the Green Belt are inappropriate. Exceptions to this are:

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

The NPPF continues that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Policy OL1/2 states that the construction of new buildings in the Green Belt is inappropriate unless it is for agriculture and forestry; essential facilities for outdoor sport and recreation; limited extension, alteration or replacement of existing dwellings provided that this would not result in disproportionate additions over and above the size of the original dwelling; and limited infilling in existing villages.

This is further supported by Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt which state that extensions of existing dwellings should not result in disproportionate additions over and above the size of the original dwelling. To assist in what can be considered to be disproportionate SPD 8 considers additions of up to a third (33%). However, that is not to say something larger, or smaller than 33%, would not be supported as each case is considered on it's own merits.

In order to assess the impact of the elements of the proposal in terms of Green Belt and visual amenity the report will be split into two parts, one assessing the impact of the proposed shed (Proposal A) and one to assess the impact of the proposed extensions and alterations to the dwelling (Proposal B).

Shed - Proposal A
The proposed shed would be of the same size and scale as the existing shed, and would sit on the same footprint. The NPPF allows "the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;" and as such, the proposal is considered to be acceptable in principle.

The proposed shed is of a simple and unobtrusive design and as such would have minimal visual impact compared to the existing shed located at the site. SPD 8 states that materials for new buildings within the Green Belt should be sympathetic with the location and

minimise visual impact. The proposed shed would be timber cladded, with a corrugated metal roofing. These materials are considered to be acceptable within the Green Belt and Special Landscape Area. As such, the proposed shed would not be a prominent feature and would not have a significant impact on the openness of the Green Belt. Therefore the proposed shed would comply with UDP Policies OL1/2, EN1/2, SPD 8 and NPPF paragraph 89.

Extensions and Alterations - Proposal B
Supplementary Planning Document 8 (SPD 8) states that the Council may allow an extension up to a third of the volume of the original dwelling. It is noted that the applicant has stated within their Design and Access Statement that PPG2 and SPD 8 do not specify in terms of precise percentages. However the NPPF, which superseded PPG2 in 2012, makes it clear that any extensions or alterations to a building should not result in disproportionate additions over and above the size of the original building. In this instance the proposal would result in extensions that would result in a total volume increase of 38% and as such exceeds the advice given within SPD 8 and therefore has the potential to have a significant impact on the openness of the Green Belt. Whilst every case is judged on it's own merits the proposals as they stand would result in a significant increase in massing over and above the suggested 33% and therefore reasonably requires justification.

The Design and Access Statement submitted with the proposal acknowledges that the site is located within the Green Belt, and the associated limitations that accompanies this when extending a dwelling. Following pre-application advice the increase in volume has been reduced to 38% from 46%. This has been achieved by repositioning the ridge of the rear extension, and by setting back the front and rear elevations of the proposed two storey side extension. A site section has also been included with the application following the alterations made after pre-application, to clarify the impact on the proposal when viewed from Hawkshaw Lane. The applicant considered that the visual harm on the Green Belt will be negligible.

The submitted Design and Access Statement also asks that case law in relation to the volume of demolished structures within the Green Belt be taken into consideration when assessing the scheme. The inclusion of this case law however appears to be misguided, as the case law refers to previously developed sites in relation to the last bullet point of paragraph 89 of the NPPF. The proposal is for an extension of an existing building, rather than redevelopment of the site. The test that needs to be applied in this instance relates to the exception in paragraph 89 that allows "extension or alteration of a building providing it does not result in disproportionate additions over and above the size of the original building" and the proposal needs to be considered within this context.

Additions to buildings within the Green Belt should be limited to subsidiary elements of the original building, and should be simple and unobtrusive in design to ensure that they do not result in disproportionate additions over and above the original dwelling. The proposal as set out would result significant alterations to the rear of the property in particular, adding an additional floor to this aspect. A two storey extension is also proposed to the side of the dwelling increasing the dwellings length and height at this point. The proposal also seeks to add large expanses of glazing to the rear. The first floor gable design glazing in particular would become a significant feature of the rear elevation and would further enhance and exacerbate the increased scale of the dwelling. The introduction of this glazing at the rear is considered not be complimentary to the original property due the scale, height and use of materials and as such not acceptable in terms of impact on the openness of the Green Belt.

SPD 8 states that careful consideration should be given to the impact of a proposal when viewed from several locations within the immediate vicinity and wider countryside. The view of the proposal from main roads, public footpaths and settlements in particular will be given significant weight when assessing planning applications. The Design and Access Statement submitted states that the proposed extensions are located in areas that are less visible from any public vantage point, with the land to the rear and hedgerows providing screening. Photographic views and a section have also been submitted with the application that

illustrate that there is a slight change in topography at the rear of the site, with a rise in levels from the ground floor of the dwelling. The dwelling however is located within close proximity to the Hawkshaw Lane and the rear elevation of the property, at it's current height is clearly visible from this public highway. The proposed development, which includes an increase in height and scale, is considered to be highly prominent and would appear visually intrusive when viewed from this public vantage point.

The side extension is less visible from public vantage points and has been designed so that it is set back from the principal front and rear elevations of the dwelling. Whilst the set back and lower ridge height give an impression of subservience when viewed from the front, the rear glazing element of the extension would appear visually intrusive. SPD 8 states that materials should be sympathetic with the location in order to minimise visual impact. The dwelling is an isolated, upland dwelling in long house design and this local vernacular needs to be addressed within the design of the proposed extension. The use of such extensive glazing panels to the rear of the property, both within the first floor extension and the side extension does not reflect the local vernacular in terms of extent, positioning and materials and as such would have a detrimental impact on the character of the dwelling as we all the visual amenity of the surrounding area.

The applicant has requested that the development proposal is dealt with in line with section 10.10 of SPD 6 which states that "where there is appropriate justification, in the form of an Access Statement and confirmation that the alterations are needed by an appropriately qualified person, the Council will allow exceptions to the above criteria in cases where proposals are for disabled people who require particular adaptations to their homes." The applicant confirms that there are two members of the family who will benefit from the alterations proposed and additional information has been provided to which has sought to justify the space requirements.

The impact of the proposal on the openness of the Green Belt is considered to be inappropriate, and very special circumstances will not exist unless the harm to the Green Belt is clearly outweighed by other considerations. It is accepted that justification on this sensitive issues is reasonably made and single level living is required for less mobile members of the family. The application also states that two members of the family work from home and as such, additional space for home offices is required at the site. However whilst there are specific special needs, the information submitted has not justified the need for the scale of the extensions comprising of 7 bathrooms/ensuites, 3 lounges and various other ancillary rooms - study, reading room etc in this Green Belt location. A less dramatic approach, with a more modest range of accommodation and shared ancillary spaces may be more suitable at this sensitive location.

This is further supported by recent appeal decisions within the Borough where appellants have sought permission for developments within the Green Belt, citing additional needs as very special circumstances. Significant weight has been given to the impact of the proposals on the Green Belt with appeal decision APP/T4210/W/16/3149240 stating that *"where there would be adverse effects on the openness of the Green Belt purpose of safeguarding the countryside from encroachment, substantial weight should be given to the harm caused."* This is further reinforced by appeal decision APP/T4210/W/14/3001924 where the appeal inspector concludes that whilst they're sympathetic to the appellants personal circumstances, the potential to adapt the existing accommodation needed to be fully explored in the first instance,. The inspector concluded that the considerations did not clearly outweigh the harm caused by the proposal and therefore very special circumstances did not exist.

In view of the above, it is considered that the proposed development would result in a disproportionate addition over and above the size of the original dwelling and would have an adverse impact upon the openness of the Green Belt. As such, the proposal is inappropriate development, which by its definition, is harmful to the Green Belt and should not be approved, except in very special circumstances. Whilst members of the applicant's family have specific requirements, these do not out weigh the harm to the openness of the Green

Belt. Therefore the proposal would conflict with Policies OL1/2, EN1/2, H2/3 of the Bury UDP, SPD 8 and the NPPF.

Heritage - Proposal B
The farm is included on the draft local list and in consideration of paragraphs 128-135 of the NPPF is considered to be a non-designated heritage asset.. As such, it is necessary to assess the proposal in terms of paragraph 135 of the NPPF which states that "the significance of a non-designated heritage asset should be taken into account in determining the application" and a balanced judgement is required having regard for the scale of harm or loss to the particular heritage asset.

The farm house has a date stone of 1773. Although at present there is no written description within the draft local listing, the dwelling is of a long house plan/design with origins prior to the 1773 date. It is generally well preserved and the Conservation Officer considers that following further analysis it may be worthy of consideration of statutorily national listing. As such, the property is considered to be a significant heritage asset and the proposal needs to have regard to the scale of any harm or loss of significance.

A heritage section was submitted within the design and access statement. However this only refers to the building's history and comments on possible previous changes to the building fabric. There is no further assessment of significance, and little reference or consideration of the NPPF. Following pre-application discussions, and initial comments from the Conservation Officer on the current application, the applicant was asked to address the heritage aspect of the proposal and an amended Design and Access Statement was submitted. This states that "we do not consider the building to be of particular architectural significance." However, this is in contradiction to the Heritage element of the Design and Access statement which explains the history of the building and the site and refers to records of 1618, 1625, 1672, 1773 and 1800 and the remains of a 16th century cruck barn being found during previous conversion works leading the agent to the view that the building was built in the later 16th Century.

The records identified within the Design and Access Statement point to a building site of early age and historic interest, with building fabric of 1773 and earlier and as such implies that the building does in fact have a significant heritage aspect. What has been submitted to support the application is considered to fall short of the requirements of paragraph 128 of the NPPF which requires an applicant to *describe the significance* of any heritage asset *affected by* the proposal, and there is little exploration of how the proposals meet the heritage aspects of the NPPF.

The heritage statement provided has made little attempt to assess the significance of the original building and the scheme's impact on it. Whilst the revised submission does indicate other design options were considered, these have only been illustrated in terms of showing the rear elevation, and without any substantial explanation as to why these were rejected and their impact on the heritage significance of the original dwelling. The final paragraph of page 8 of the Design and Access Statement states that "taking guidance from English Heritage the designs proposed were modern and contrasting to the property. Helping differentiate its periods of change, whilst not impacting on the openness of the Green Belt." This appears to imply the direct involvement of English Heritage (now Heritage England) which does not appear to be the case with this site. Until the significance of the building has been assessed its importance cannot be fully understood, and as such the impact of the proposal on it's significance can not be fully considered.

The shape of the existing building has been identified as a feature of particular importance to it's character and significance and is representative of an isolated long house in an upland setting. The long, lowish profile and catslide roof at the rear have been acknowledged by the Council's Conservation Officer as key elements of the building. The proposed extension to the rear is a substantial alteration, and one that changes the shape and massing of the building and largely removes the catslide feature. Whilst a modern interpretation for an extension to an old building is viewed as acceptable in principle it is

considered that this works best when the new work is subservient to the original structure, and where the character of the original building is not compromised.

The Design and Access Statement identifies other design options, which would leave the roof area mainly intact. Other possibilities of extending the property in a less visually intrusive location to meet the applicants needs should equally be assessed and reasons provided as to why they have been discounted. Without the benefit of a heritage assessment, which identifies the significant parts of the building from a heritage perspective, it is not possible to assess whether the dwelling can be adapted to meet the applicants needs.

The application has been brought before Planning Committee due to the ward councillor's concerns in relation to the Council's draft local list and the designation of the proposal site as a non-designated heritage asset. It should however also be noted that when reviewing the paper file for the survey and collation work for the draft local list, a submission from one of the occupants of the current dwelling is included. At that time, the view of the occupant was that the dwelling was a building of architectural and historical interest and should be considered for the draft local list, amongst others. The LPA agreed with the property's inclusion.

The recent appeal decision at 96 Watling Street, Affetside (Bury MBC reference 61641, Planning Inspectorate Reference APP/T4210/W/17/3187674) should also be taken into consideration when determining this application. Whilst the schemes are naturally different, this appeal decision reinforces section 12 of the NPPF which requires the LPA to have regard to the heritage value of properties, irrespective of whether they have been included, or not included on a local list. This appeal decision states that *"there is disagreement between the parties with regard to the historic, communal and aesthetic value of the appeal dwelling and whether it should be considered to form a non-designated heritage asset. Whilst the building is not on a 'local list' of non-designated heritage assets, this does not mean that it has no heritage value."*

Again, in appeal decision APP/T4210/W/16/3164780 (Greenhalgh Fold Cottage 60468), the Inspector stated "*Planning Policy Guidance (PPG) advises that local planning authorities may identify non-designated heritage assets (Ref ID 18a-039-20140306). Whilst the appeal site may not be 'locally listed', this is not a requirement of PPG, and it does not preclude the relevance of the Council's assessment.*"

In light of these statements, the current application and dwelling to which it relates, has been identified by the Council as a property of significant importance with regard to heritage and it is considered that the applicant has been given adequate opportunities to address this significance.

Therefore the proposed development would by virtue of its size, siting, and design have an unacceptable impact on a Non-Designated Heritage Asset. The proposed development would be neither sympathetic to nor compatible with the historic significance of the building. The proposal would therefore conflict with Policy EN2 of the Bury UDP and Chapter 12 - Conserving and enhancing the historic environment of the NPPF paragraphs 128 - 135.

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

<u>Proposal A</u>
The existing shed has doors to the east and west elevations with the main door to the east. The proposed shed would have the main entrance to the west elevation, with a pedestrian door to the east. The applicant has stated that the entrance has been reorientated so that vehicular access can be gained to the shed, without impeding the access track to the adjacent property.

Proposal B
Due to the location of the proposals and the nearest residential dwelling being approximately 57 metres away and located to the south east of the site. As such, no residential amenity issues are foreseen.

Neighbour Objections
The shed is currently rented to a third party, and the applicant intends to retain this use. As such the activity will not be altered. The proposed footprint of the shed has been retained as existing, and for security reasons and ease of access the proposed access has been limited to the west elevation to allow vehicle access without impeding the access track to Melrose.

The repositioning of the gate posts for the main dwelling has been removed from the application and as such it is considered that the objections raised by the occupants of Tonge Fold Farm have been addressed.

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

Proposal A
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.

Proposal B
The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Split Decision

Conditions/ Reasons

1. **Proposal A -** 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. **Proposal A -** This decision relates to drawings numbered 17/465.SLP and 17/465.08B 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.

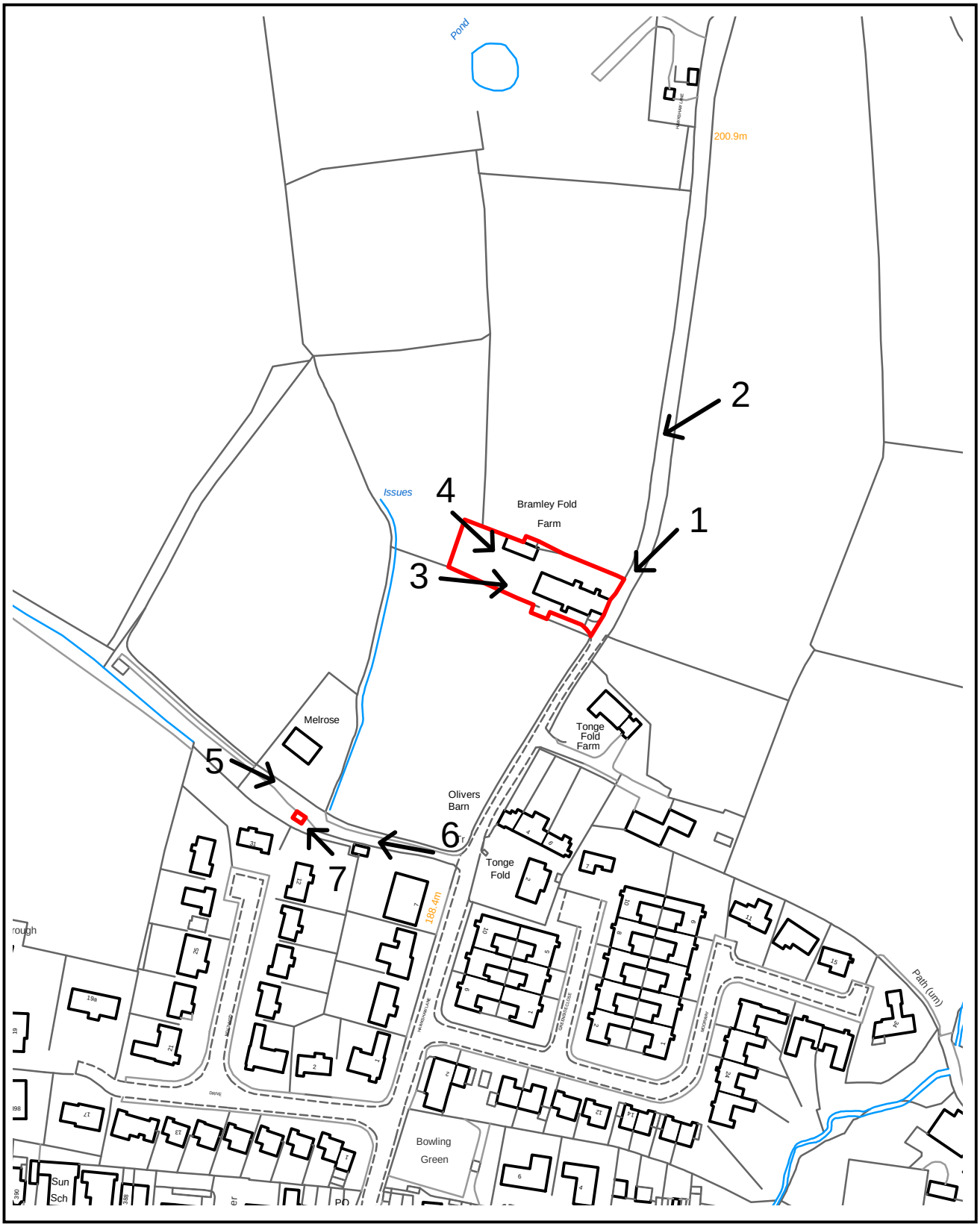
3. **Proposal B -** The proposed development by virtue of its scale and design would lead to inappropriate development within the Green Belt that would erode the character of the property in question and the openness of the surrounding area. The proposed extension would result in a disproportionate addition over and above the size of the original dwelling and subsequently harm the openness of the Green Belt and is therefore contrary to the following policies of the Bury Unitary Development Plan: OL1/2 - New Buildings in the Green Belt and associated Supplementary Planning Document 8: New Buildings and Associated Development in the Green Belt, H2/3 - Extensions and Alterations and associated Supplementary Planning Document 6: Alterations and Extensions to Residential

Properties and National Planning Policy Framework Paragraph 89.

4. **Proposal B -** The proposed development would by virtue of its size, siting, and design have an unacceptable impact on a Non-Designated Heritage Asset. The proposed development would be neither sympathetic to nor compatible with the historic significance of the building. The proposal would therefore conflict with Policy EN2 of the Bury UDP and Chapter 12 - Conserving and enhancing the historic environment of the NPPF paragraphs 128 - 135.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62473

ADDRESS: Bramley Fold Farm, Hawkshaw Lane Hawkshaw

N W E S

Bury COUNCIL

Planning, Environmental and Regulatory Services

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62473

Photo 1

Photo 2

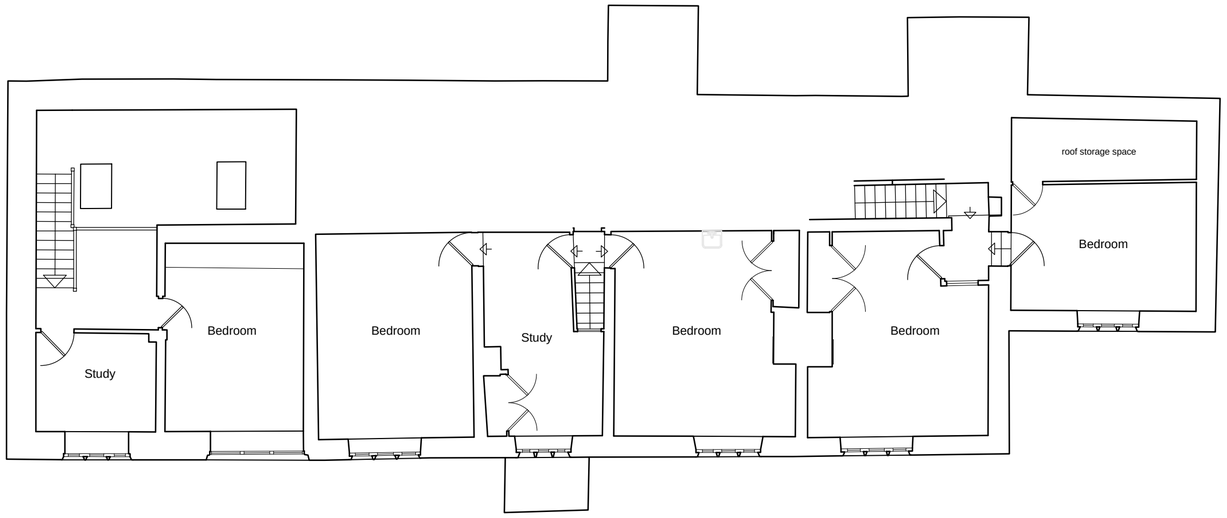
Photo 3

Photo 4

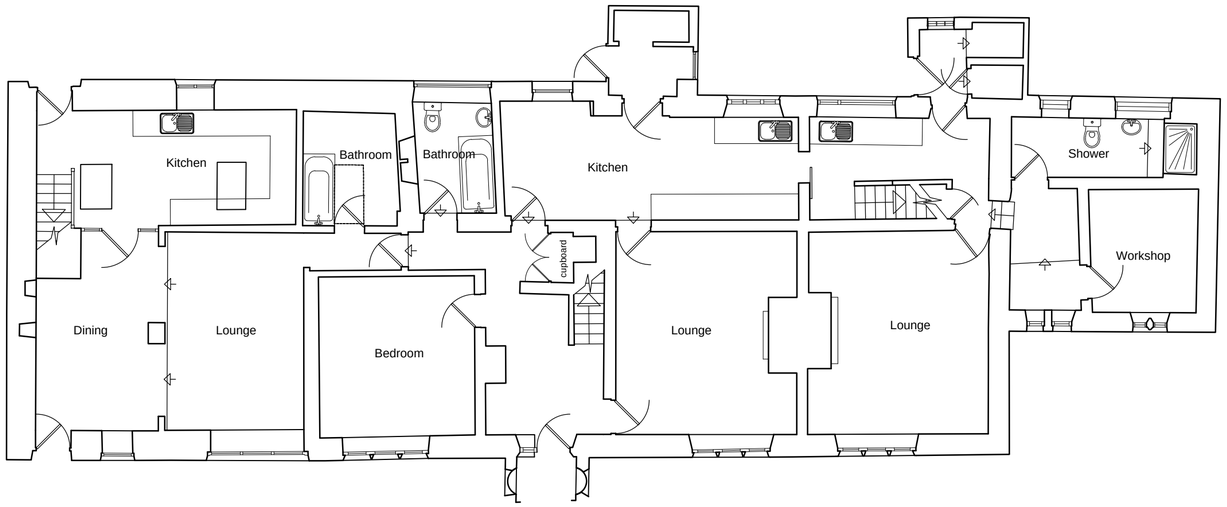
Photo 5

Photo 6

Photo 7



Existing First Floor Plan



Existing Ground Floor Plan

NOTES

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- Contractors to check all dimensions on site prior to commencement of works.
- All works to be carried out in accordance with current statutory Health and Safety Regulations.
- This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.

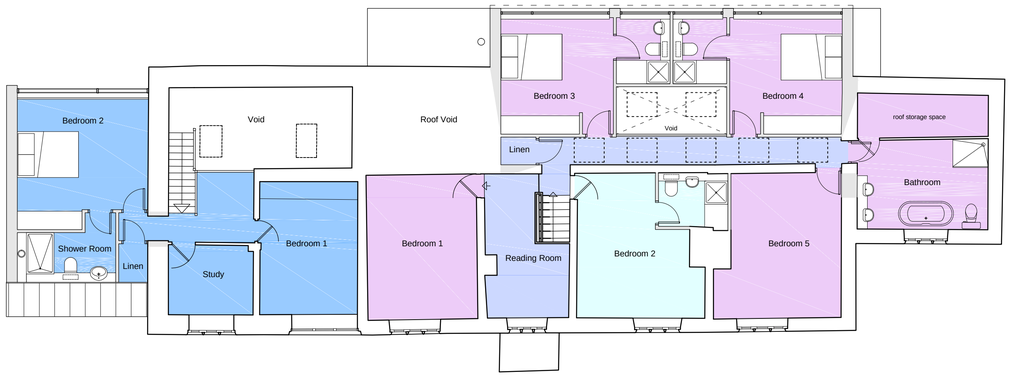
REV.	AMENDMENTS	DATE

Project	EXTENSIONS AND ALTERATIONS: BRAMLEY FOLD FARM, HAWKSHAW
Drawing	EXISTING FLOOR PLANS
Client	MR AND MRS R. ALI
Dwn. By	LO
Scale	1:100
Drg. No.	17/465.01
Drg. Size	A2
Date	SEPTEMBER 2017

JOHN **HOLT ARCHITECTS** LTD.

3 MANCHESTER ROAD BURY LANCASHIRE BL9 0DR
TELEPHONE 0161 764 8314 E-MAIL mail@holtarchitects.co.uk

DO NOT SCALE DRAWING



Proposed First Floor Plan

Proposed Ground Floor Plan

NOTES

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REV.	AMENDMENTS	DATE
A	Chimney position/glazing to en-suites	29.09.17
B	Site Plan included/ chimney moved	04.10.17
C	Side Extension increase	31.10.17
D	Overall volume reduction	19.01.18
E	Additional information and key	05.02.18
F	Flat roof to log store	06.04.18
G	Revised gate position	09.04.18
H	Gate position reinstated	01.05.18

General Spacial Arrangement Legend

- Mr and Mrs Ali
- Mr and Mrs R Ali
- Mr J Ali
- Communal

Project	EXTENSIONS AND ALTERATIONS: BRAMLEY FOLD FARM, HAWKSHAW
Drawing	PROPOSED FLOOR PLANS
Client	MR AND MRS R. ALI
Dwn. By	LO
Scale	1:100
Drg. No.	17/465.06**H**
Drg. Size	A1
Date	JULY 2017

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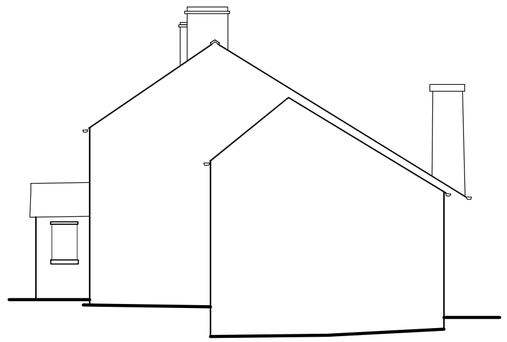
Existing Front Elevation



Existing Gable Elevation to Hawkshaw Lane

NOTES

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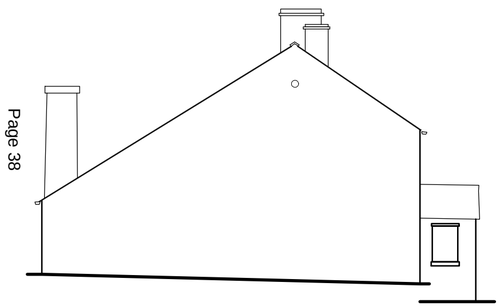
- Contractors to check all dimensions on site prior to commencement of works.
- All works to be carried out in accordance with current statutory Health and Safety Regulations.
- This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.

REV.	AMENDMENTS	DATE



Existing Gable Elevation

Existing Rear Elevation

Project	EXTENSIONS AND ALTERATIONS: BRAMLEY FOLD FARM, HAWKSHAW
Drawing	EXISTING ELEVATIONS
Client	MR AND MRS R. ALI
Dwn. By	LO
Scale	1:100
Drg. No.	17/465.02
Drg. Size	A2
Date	SEPTEMBER 2017

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DO NOT SCALE DRAWING

Proposed Front Elevation

Proposed Gable Elevation to Hawkshaw Lane

NOTES

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- Contractors to check all dimensions on site prior to commencement of works.
- All works to be carried out in accordance with current statutory Health and Safety Regulations.
- This drawing is to be read in conjunction with all relevant consultants' and / or specialists' drawings / documents and any discrepancies or variations are to be notified to the architect before affected work commences.

REV.	AMENDMENTS	DATE
A	revised chimney position/rear elevation fenestration	29.09.17
B	chimney removed/ utility door	04.10.17
C	Side Elevation increased	31.10.17
D	Overall volume of proposed reduced	18.01.18
E	Context of existing site shown	05.02.18
F	Flat roof to log store	06.04.18

Proposed Gable Elevation

Proposed Rear Elevation

Project	EXTENSIONS AND ALTERATIONS: BRAMLEY FOLD FARM, HAWKSHAW
Drawing	PROPOSED ELEVATIONS
Client	MR AND MRS R. ALI
Dwn. By	LO
Scale	1:100
Drg. No.	17/465.07F
Drg. Size	A1
Date	JULY 2017

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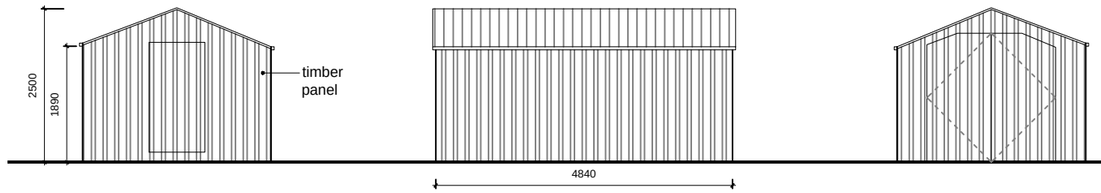
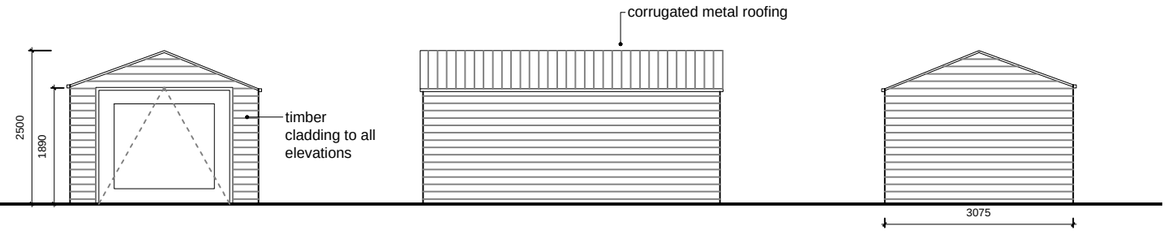


Existing Shed Elevations @1:100



Proposed Shed Elevations @1:100

Existing Shed Site Plan @1:500

Proposed Shed Site Plan @1:500

Project	EXTENSIONS AND ALTERATIONS: BRAMLEY FOLD FARM, HAWKSHAW	Client	MR AND MRS R. ALI	Scale	As noted	Drg. Size	A3
Drawing	EXISTING AND PROPOSED SHED	Dwn. By	LO	Drg. No	17/465.08**B**	Date	OOTOBER 2017

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TELEPHONE 0161 764 8314 E-MAIL mail@holtarchitects.co.uk

DO NOT SCALE DRAWING

Ward: Prestwich - Holyrood

Item 03

Applicant: Mr Jon O'Connor

Location: 22 Newlands Drive, Prestwich, Manchester, M25 3BU

Proposal: Raised timber deck at rear (approx 800mm above ground level) with steps to garden level

Application Ref: 62750/Full **Target Date:** 22/06/2018

Recommendation: Approve with Conditions

This application is being presented to the Planning Control Committee for determination as the application has been submitted by an Officer of the Council

Description
The application relates to a two storey semi-detached dwelling house located on Newlands Drive. The premises has garden areas to front and rear with a driveway located to the front of the property. The garden area to the rear is slightly lower than the ground floor of the dwelling and is currently accessed by steps that are located adjacent to the boundary with No. 24. The dwelling has been previously extended at single storey to the rear.

Planning permission is sought for the construction of an area of raised decking to the rear that projects approximately 1270mm, and includes the provision of steps to the garden that project a further 660mm. A 1.8 metres screen adjacent to the boundary with No. 20 has also been included.

Relevant Planning History
None

Publicity
Neigbour letters sent to 4 neighbouring properties on the 30/04/2018 - no representations received

Consultations
None

Unitary Development Plan and Policies
H2/3 Extensions and Alterations
SPD6 Supplementary Planning Document 6: Alterations & Extensions

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.
Visual Amenity
Supplementary Planning Document 6 (SPD 6) and UDP Policy H2/3 seek to achieve a high

standard of design and development that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

The proposed decking is located entirely to the rear of the property and as such would not impact on the character of the street scene. The decking area would be located adjacent to the property, and is of a suitable scale to allow the applicant to access their rear garden from the existing patio doors.The proposed decking is typical in its design, with timber decking commonly used in domestic gardens.

It is considered that the proposed decking would not have a detrimental impact on the character of the dwelling, neighbouring properties or street scene and as such complies with UDP Policy H2/3 and SPD 6.

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

The proposed raised decking area would not project beyond the existing single storey extension and as such would be screened from the neighbouring property at No. 24. The steps would project beyond the single storey extension however it is considered that these would be used to access the garden rather than as a viewing platform and are therefore considered to be acceptable. In this instance it is considered that the proposal would not have a detrimental impact on the residential amenity of No. 24 Newland's Drive.

There is a 1.8 metre screen proposed on the boundary with No. 20 preventing views into the adjacent habitable room window of this property. The steps would project beyond the proposed screen however it is considered that these would be used to access the garden rather than as a viewing platform and are therefore considered to be acceptable. In this instance it is considered that the proposal would not have a detrimental impact on the residential amenity of No. 20 Newland's Drive.

SPD 6 requires a distance of 7 metres between areas of raised decking, and the directly facing boundary. The decking area would be located approximately 10 metres from the rear boundary and as such exceeds aspect standards. In this instance it is conisdered that the proposal would not reduce the residential amenity of the properties to the rear.

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

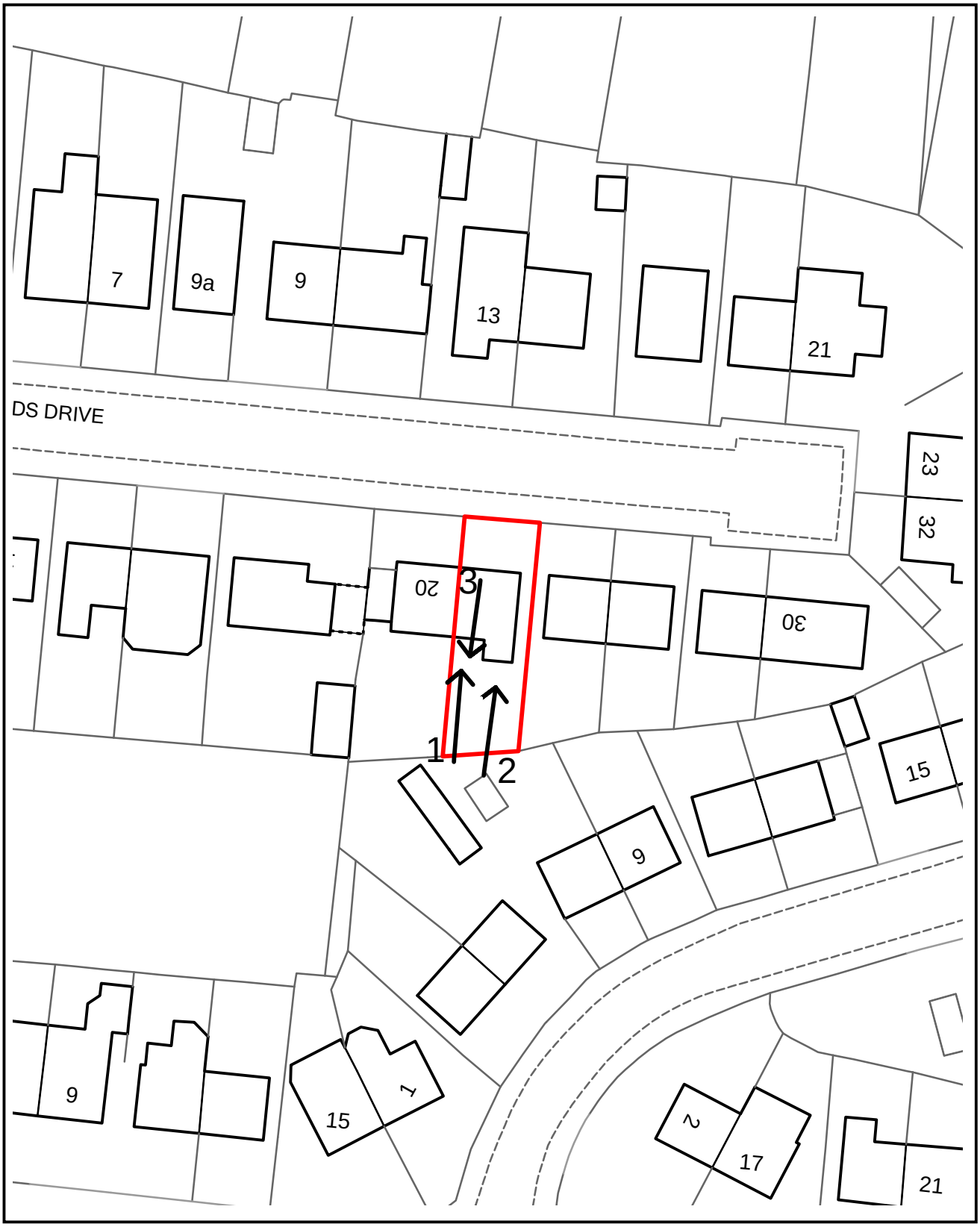
1. The development must be begun not later than three years beginning with the date of this permission.
   Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2. This decision relates to the drawings received on 27th April 2018 and the development shall not be carried out except in accordance with the drawings hereby approved.
   Reason. For the avoidance of doubt and to ensure a satisfactory standard of

design pursuant to the policies of the Bury Unitary Development Plan listed.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62750

ADDRESS: 22 Newlands Drive
Prestwich

Planning, Environmental and Regulatory Services

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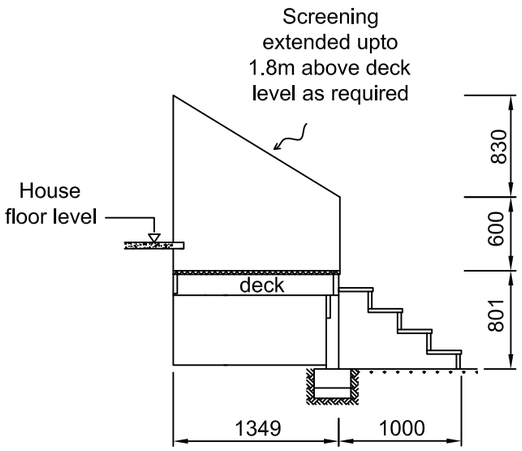
62750

Photo 1

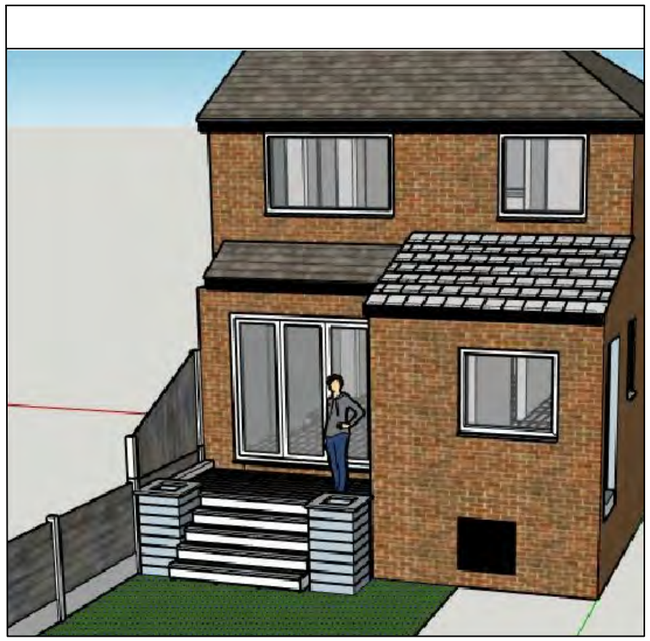
Photo 2

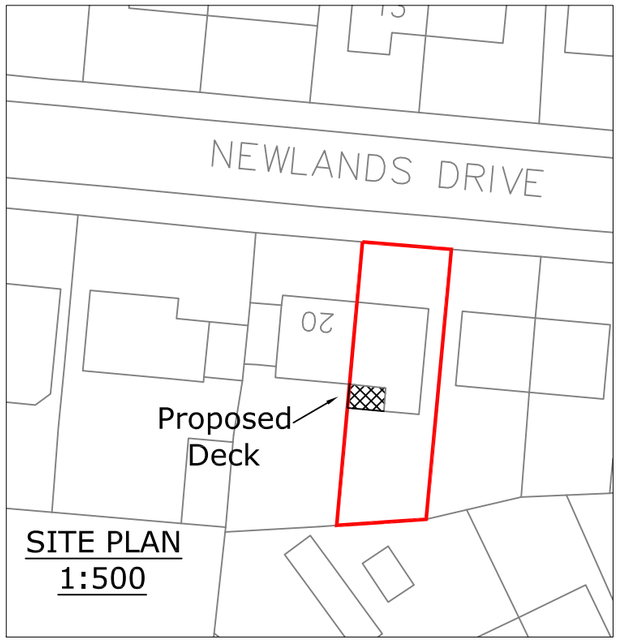
62750

Photo 3

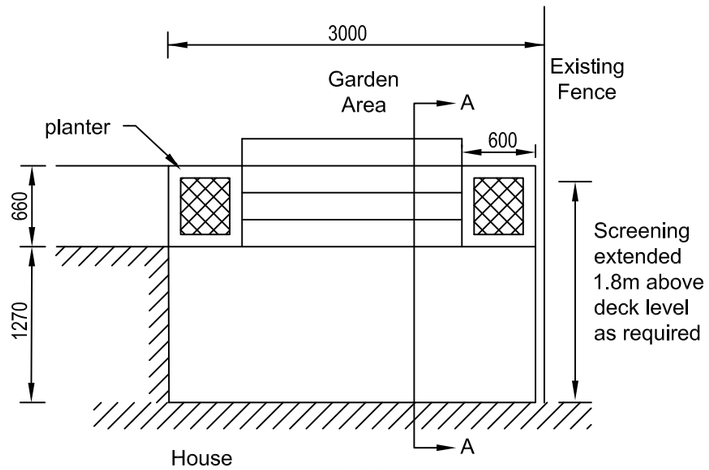


Section A-A
1:50





SITE PLAN
1:500



PLAN
1:50

LOCATION PLAN
1:1250

Project Title 22 NEWLANDS DRIVE REAR DECKING	
Scale Varies	Date March 2018
Drawn by	Checked by
Drawing No.	Revision

Ward: Whitefield + Unsworth - Pilkington Park

Item 04

Applicant: Aldi Stores Limited

Location: 34-36 Fountain Place & Aldi Foodstore Ltd, Higher Lane, Whitefield, Manchester, M45 7EA

Proposal: Demolition of 34-36 Fountain Place and the extension of existing car park

Application Ref: 62751/Full **Target Date:** 22/06/2018

Recommendation: Approve with Conditions

Description
The application site contains a 2 storey building, known as 34 - 36 Fountains Place, which is located in a terrace. There is a retail unit at ground floor and there is a single storey element at the rear. The site is accessed from Fountains Place via an existing car park. There is a servicing area at the rear, which is accessed from Frankton Road.

The remainder of the terrace is in commercial/retail use at the ground floor with 2 floors of maisonettes above. There is a supermarket (Aldi) to the southeast with McDonalds beyond. There is a car park to the north and east of the site. There are residential properties to the south and southwest.

The proposed development involves the demolition of No. 34 - 36 Fountain Place to provide an extension to the existing car park. The proposed development would be accessed from the existing car park and would provide 8 spaces, resulting in 6 additional spaces.

Relevant Planning History
48879 - Extension to existing food store and alterations to car parking provision and external alterations to elevations at Aldi store, Higher Lane, Whitefield. Approved with conditions - 19 December 2007.

58890 - Demolition of store at rear; erection of single storey extension at front and rear; provision of new entrance portico and trolley store; amendments to car park layout and new LED lighting to existing lighting columns at Aldi store, Higher Lane, Whitefield. Approved with conditions - 1 September 2015.

Publicity
The neighbouring properties were notified by means of a letter on 30 April 2018 and a site notice was posted on 9 May 2018.

3 letters have been received from the occupiers of 5, 7 and 8 Frankton Road, which have raised the following issues:
- I object to the proposal.
- I am still unable to see a plan of what the store will look like with the demolition and various extensions proposed in August 2015 and the impact upon the flatson Frankton Road.
- Is the proposal leading to a loss of 4 flats and the business below?
- The lack of social housing should be a council priority not the expansion of Aldi.
- The current store is far too close to the residential properties
- There is noise from lorries delivering day and night, the clatter of container cages and the opening and closing of metal shutters.
- The air conditioning units and refrigerators operate 24 hours a day.

- Extra car traffic
- The proposal would lead to a loss of a shop which serves the community and provides important facilities, such as a pay point for bills and an ATM machine.
- The works proposed will make the area a building site and cause difficulties for access.
- This is a residential area and the proposal would suffer from noise and more would be unacceptable.

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, turning facilities and car parking.
Property & Technical Services - No response.
GM Ecology Unit - No objections, subject to the inclusion of conditions relating to bats and nesting birds.
Drainage Section - No response.
United Utilities - No response.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN7/5	Waste Water Management
EN7/2	Noise Pollution
S1/3	Shopping in District Centres
HT2/4	Car Parking and New Development
EN6	Conservation of the Natural Environment
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.

Design and layout - The proposed development involves the demolition of the existing retail building, which is located on the end of a terrace of retail properties. The building is two storeys in height with a flat roof and contributes little in terms of architectural merit. As such, the demolition of this building would not harm the character of the locality.

The proposed development would be tarmaced and demarcated to provide 8 spaces for the existing car park, which serves the district shopping centre. The existing car park is used frequently and the proposed development would maximise the number of spaces provided within the land currently available and boundary constraints. The proposed development would not lead to a significant increase in noise and would not harm the amenity of the neighbouring properties. Therefore, the proposed development would be in accordance with Policies EN1/2 and S1/3 of the Bury Unitary Development Plan.

Ecology - A bat survey has been submitted with the planning application. No bats were observed emerging from the building during the dusk emergence survey and as there is an absence of likely roosting features, the report concludes that it is unlikley that bats would utilise the building. However, the applicant should undertake reasonable avoidance measures during the demolition works. GM Ecology Unit has no objections,. subject to the inclusion of a condition relating to bats and an informative relating to nesting birds. Therefore, the proposed development would not cause harm to a protected species and

would be in accordance with Policy EN6 of the Bury Unitary Development Plan and the NPPF.

Highways issues - The proposed development would provide 8 spaces as an extension to the existing car park and would provide an additional 6 spaces overall.

The proposed plan indicates that the 2 spaces at the end of the access have crosses in them. It is envisaged that these spaces would be utilised by staff and as such, any manoeuvres to and from these spaces would take place outside of opening hours, when the other spaces would be vacant. The provision of additional parking spaces is welcomed and the proposed layout would maximise the number of spaces provided within the land currently available. The Traffic Section has no objections, subject to the inclusion of conditions relating to a construction traffic management plan, turning facilities and car parking. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Response to objectors

- The development approved in 2015 has been completed.
- The issues relating to noise from lorries, air conditioning units and the location of the current store are not material to this application, which is for the creation of a car park.
- The issues relating to traffic and parking have been addressed in the report above.
- The proposed development is for ane xtension to the car park and would not result in a significant increase in noise.

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

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

2. This decision relates to drawings numbered 1761BOL-198 A, 1761BOL-199 A, 1761BOL-200 B and the development shall not be carried out except in accordance with the drawings hereby approved.
   Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

3. The development shall only be carried out in accordance with the details contained in the Bat Survey Report, Bowland Ecology reference BOW17.830 Sections 5.2 & 5.5, which was submitted as part of the planning application.
   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.

4. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved in writing by the

Local Planning Authority and shall confirm/provide the following:

- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials;
- Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations

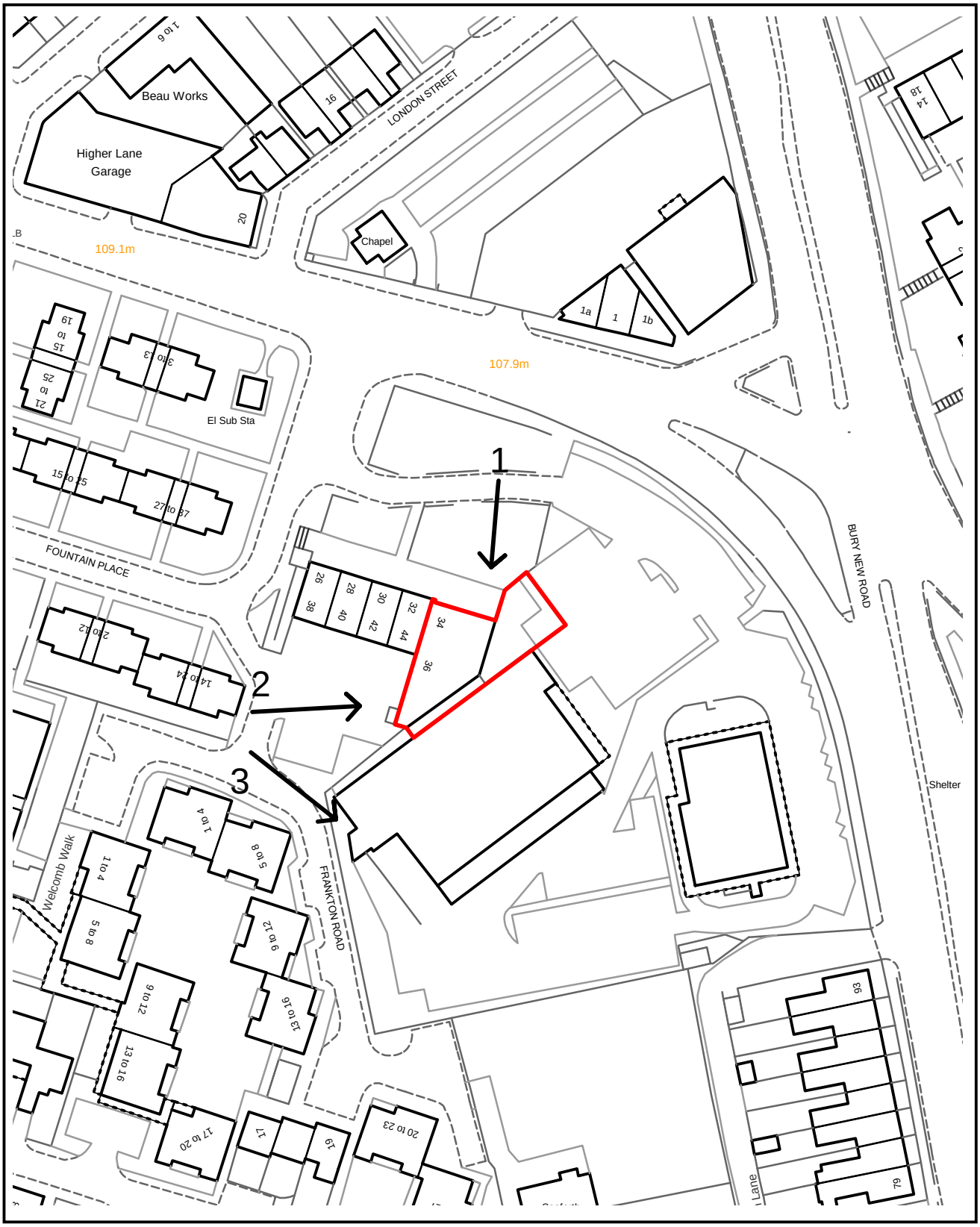
The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.
Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

5. The turning facilities indicated on approved plan reference 1761BOL-200 Revision B shall be provided before the development hereby approved is first brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

6. The car parking indicated on approved plan reference 1761BOL-200 Revision B shall be surfaced and made available for use prior to the development hereby approved being first brought into use and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62751

ADDRESS: 34-36 Fountain Place
Whitefield

Planning, Environmental and Regulatory Services

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62751

Photo 1

Photo 2

62751

Photo 3

0 2.5 5 7.5 10 12.5m
SCALE 1:250

SITE UNDER ALDI OWNERSHIP
(Blue Line)- 0.91 Acres

APPLICATION Land
(Red Line)- 0.11 Acres

Rev	Date	Description	Rev By	Chk'd By
A	260418	RED LINE REVISED	-LEEB	LEEB

Project Title	PROPOSED REDEVELOPMENT BURY NEW ROAD WHITEFIELD
Client	ALDI STORES LIMITED
Status	PLANNING
Scale	1:250 — Drawing Size A1
Date	JULY 17 — Drawn By LEE B — Checked LEE B
Drawing Title	CAR PARK EXTENSION PLAN AS EXISTING
Job-Dwg No	1761BOL-199 — Rev A

2 St. Johns North, Wakefield, WF1 3QA t. 01924 291800

Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG t. 0161 2388555

The Old Rectory, 79 High Street, Newport Pagnell, MK16 8AB t. 01908 211577

101 London Road, Reading, RG1 5BY t. 0118 9507700

10 Gees Court, St Christophers Place, London, W1U 1JJ t. 0207 4091215

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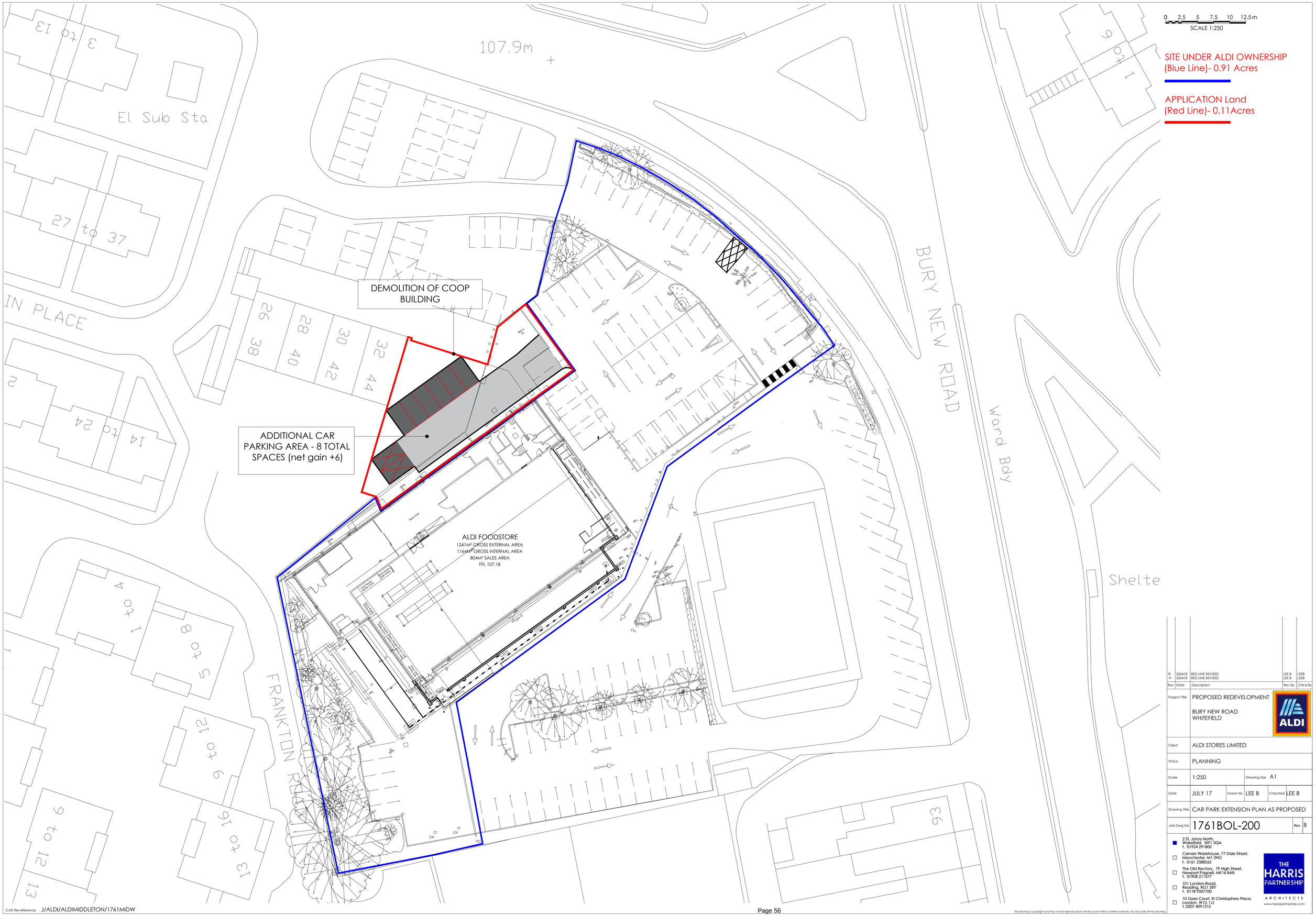

Rev	Date	Description	Rev By	Chk'd By
B-	260418	RED LINE REVISED	LEE B	LEEB
A-	250418	RED LINE REVISED	LEE B	LEEB

Project Title	PROPOSED REDEVELOPMENT BURY NEW ROAD WHITEFIELD
Client	ALDI STORES LIMITED
Status	PLANNING
Scale	1:250 — Drawing Size A1
Date	JULY 17 — Drawn By LEE B — Checked LEE B
Drawing Title	CAR PARK EXTENSION PLAN AS PROPOSED
Job-Dwg No	1761BOL-200 — Rev B

■ 2 St. Johns North, Wakefield, WF1 3QA t. 01924 291800
☐ Carvers Warehouse, 77 Dale Street, Manchester, M1 2HG t. 0161 2388555
☐ The Old Rectory, 79 High Street, Newport Pagnell, MK16 8AB t. 01908 211577
☐ 101 London Road, Reading, RG1 5BY t. 0118 9507700
☐ 10 Gees Court, St Christophers Place, London, W1U 1JJ t. 0207 4091215

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BURY COUNCIL

DEPARTMENT FOR RESOURCES AND REGULATION

PLANNING SERVICES

PLANNING CONTROL COMMITTEE

19 June 2018

SUPPLEMENTARY INFORMATION

Item:01 Land at Hutchinson Way, Radcliffe, Manchester, M26 3SB Application No. 62166

Proposal A - Erection of 7 dwellings

Proposal B - Erection of 1 dwelling (plot 8)

Publicity

In relation to the revised plans, which residents were notified of on 5 June, 13 letters have been received from the occupiers of 2, 4, 11, 19 Mulberry Close, 37, 41, 94 Hutchinson Way, 1 Ulundi Street, 73 School Street, which have raised the following issues:

- The revisions do little to allay my objections.
- The bins are off the road side, but the lorries will stop to collect them.
- The fence does little to alleviate the eyesore that would replace the coppice.
- The building work and traffic will be atrocious and there are not enough parking spaces.
- The felling of the trees took place before permission.
- The proposal is a cramped, poorly thought out scheme that if planning exists at all should be thrown out and the applicant made to restore the site.
- There are no revised plans to view online. What a waste of paper!
- Has the case officer considered any of the residents views or comments to date or responded because to my knowledge you have just ignored the felling of the trees and not responded to any of the comments or objections.
- This is so very wrong. It is disgraceful behaviour. Rishi Shori put in an objection due to illegal felling of the trees like so many residents did and this has just been ignored.
- The site has overflowing drains and the area floods when it rains.
- The render and stone quoins are not in keeping with the houses in the area.
- Parking is an issue especially when the bowling green is in use.
- If the new houses are rental properties, this means 8 more poorly maintained houses.
- There is inadequate parking, especially if the houses are used as HMOs, which would mean 64 cars for 16 spaces.
- The road the houses would be built on is a blind bend with a school near by for children with special needs.
- Cutting down the trees before the application is a big issue and will set a precedent that land owners can do anything to get planning granted.
- What will happen to the dog waste bin, which is much used and needed.
- If the application is passed, what is the timeline for the build.
- Myself and the other residents would like to see the land reinstated back to how it was. How has the removal of the trees been allowed?
- Query as to whether any surfacing works or curbs will be provided on Hindle Street.

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

Response to objectors

- The issues in relation to the design, layout, parking and the felling of the trees have been addressed in the main report
- All comments received have been reported and taken into consideration. The felling of the trees did not require planning permission and the application cannot be refused for this reason. However, condition 8 seeks replacement trees should the development be implemented.
- Condition 10 requires the applicant to submit a scheme for surface water

drainage.

- Condition 3 requires the applicant to submit details of red bricks, which would match the existing properties in the area.
- Given the scale of development, the type of tenure of the dwellings (for sale or for rent) is not a material planning consideration and cannot be taken into consideration.
- The dwelling on plot 8 is recommended for refusal to ensure that there is forward visibility on the bend on Hutchinson Way.
- Condition 13 requires a scheme of improvements, including surfacing works and curbs to Hindle Street.

Consultations
Traffic Section - Proposal A - No objections, subject to the inclusion of conditions relating to forward visibility envelopes, intervisibility, a scheme of highway works, a construction traffic management plan and car parking.
Proposal B - Recommend refusal as the proposed dwelling (plot 8) would impact upon the forward visibility splay on Hutchinson Way.

Recommendation: Split decision:
Proposal A - Erection of 7 dwellings is recommended for approval
Proposal B - Erection of 1 dwelling (Plot 8) is recommended for refusal

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

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

Proposal B
The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Conditions and reasons
Condition 12 relates to car parking. Conditions 13 and 14 should be added in relation to forward visibility envelopes, intervisibility, a scheme of highway works, a construction traffic management plan and car parking.

13. **Proposal A**
Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- Undertaking of speed surveys on Hutchinson Way to determine prevailing vehicles speeds in the vicinity of the site;

- Submission, on a topographical based survey of the site and adjacent highways, of a forward visibility envelope at the bend in accordance with the standards in Manual for Streets based on the appropriate stopping sight distance determined by the surveys, with no obstructions above the height of 0.6m within it;
- Submission, on a topographical based survey of the site and adjacent highways, of visibility splays at the junctions of the car park access to 'Block 1' with Hindle Street, car park access to 'Block 2' with Buckley Street and Hindle Street with Hutchinson Way bend, in accordance with the standards in Manual for Streets based, in relation to the latter, on the appropriate stopping sight distance determined by the surveys, with no obstructions above the height of 0.6m within them;
- Submission, on a topographical based survey of the site and adjacent highways, of measures to ensure adequate intervisibility between users of the existing crossing facility on Hutchinson Way and north-bound approaching vehicles;
- Submission of a scheme of highway works within the limits of the existing adopted highway on Hindle Street to a specification to be agreed, incorporating the resurfacing of the carriageway, formation of the proposed car park access, extension of the footway to the west of the car park access, formation of a kerb and verge on the northerly side of Hindle Street, demarcation of the limits of the adopted highway and all associated highway and highway drainage remedial works;
- Submission of a scheme of footway works on Buckley Street to a specification to be agreed, incorporating the formation of a car park access in a position determined by the provision of appropriate visibility splays, reconstruction of the footway abutting the site, demarcation of the limits of the adopted highway and all associated highway and highway drainage remedial works;
- Boundary treatments abutting the adopted highway to ensure that the required forward visibility envelope and visibility splays are not obstructed and that there will be not encroachment of adjacent footways by parked vehicles;
- Measures at the interface with the adopted highway to ensure that there will be no level differences between the back of the footway and the site;
- Foundation details for 'Block 1' to ensure that there will be no adverse impact on the adopted highway at Hutchinson Way;
- Bin storage arrangements within the curtilage of each dwelling in accordance with Waste Management's 'Guide To Refuse Collection Requirements & Storage Methods For New Developments'.

The details subsequently approved shall be implemented to an approved programme. The forward visibility envelope and visibility splays shall be implemented before the development is first occupied and subsequently maintained free of obstruction above the height of 0.6m.
Reason. To ensure good highway design, maintain the integrity of the adopted highway and ensure the intervisibility of the users of the site and the adjacent highways in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design

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

- Hours of operation in relation to the number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials;
- Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations

The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. 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. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

1. **Proposal B**
The proposal (Plot 8) with regard to the position of the dwelling and the associated boundary fencing would restrict forward visibility at the adjacent bend on Hutchinson Way and intervisibility between users of the existing crossing facility and north-bound approaching vehicles to sub-standard levels, which would be detrimental to highway safety. Therefore, the proposed development would conflict with the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.

Item:02 Bramley Fold Farm, Hawkshaw Lane, Tottington, Bury, BL8 4LG Application No. 62473
Proposal A: Alterations to existing shed
Proposal B:Two storey extension at rear and two storey extension at side

Nothing further to report.

Item:03 22 Newlands Drive, Prestwich, Manchester, M25 3BU Application No. 62750
Raised timber deck at rear (approx 800mm above ground level) with steps to garden level

Nothing further to report.

Item:04 34-36 Fountain Place & Aldi Foodstore Ltd, Higher Lane, Whitefield, Manchester, M45 7EA Application No. 62751

Demolition of 34-36 Fountain Place and the extension of existing car park

Conditions
Conditions 7 and 8 should be added in relattion the reinstatement of the gable end and boundary treatments.

7. Prior to the commencement of development, details relating to the reinstatement of the gable end to Nos 32 & 44 Fountain Place shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development.
Reason. To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

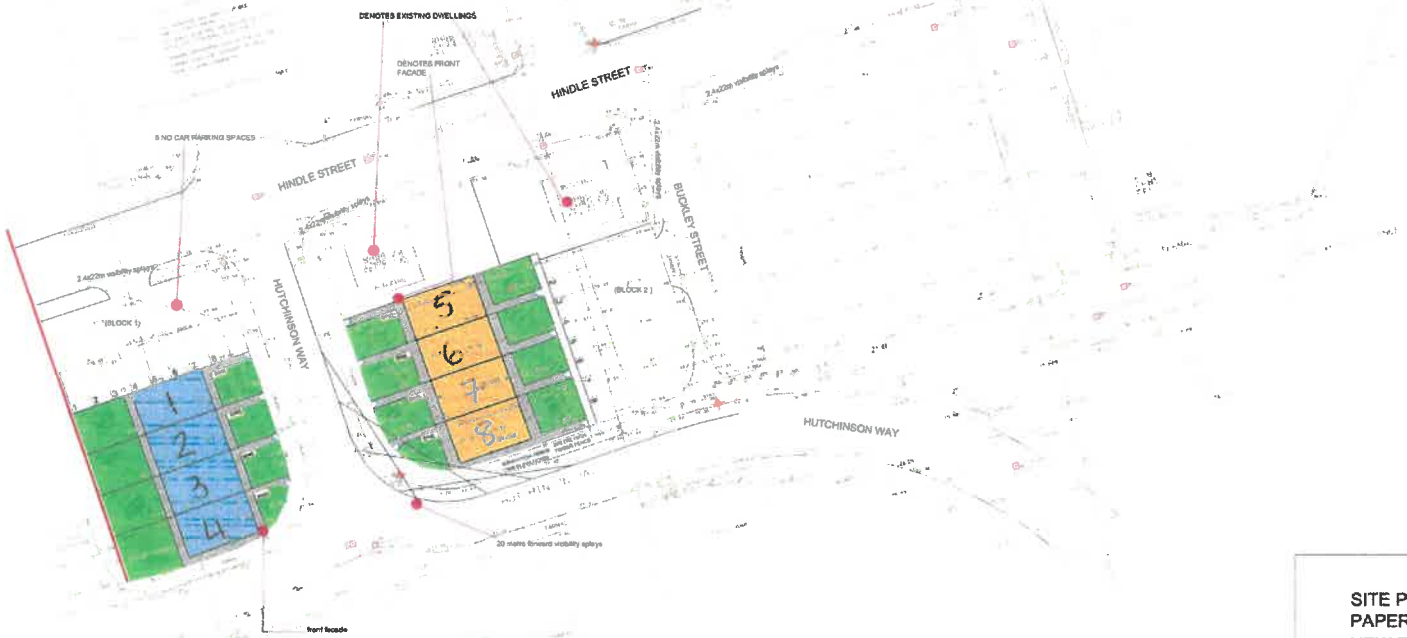
8. Prior to the commencement of development, details relating to the proposed boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development.
Reason. To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

62166 - Item 01

	block 2
	garden
	block 1
	Paving within development

ALL DRAINAGE TO EXISTING PUBLIC SEWER

NORTH



SITE PLAN: 1:200 ON A0 PAPER
NEW RESIDENTIAL DEVELOPMENT AT LAND OF BUCKLEY STREET RADCLIFFE

BARRY CULLEN
ARCHITECTURE
email:barrycullen_bc@yahoo.co.uk
mob: 07851262695

Item: 08

Representation from Michael Lewis on behalf of owner of 44 Rectory Lane

We write on behalf of the Applicant who has been in contact with Mr.Marno.

We formally object to the proposed confirmation of the draft TPO, as amended, which is on the June 19 th Agenda.

The stated reason for the Order is that the trees contribute to the visual amenity of the street scene.

However,the trees are not visible from the street.

In addition we submitted a Report / Survey from a suitably qualified Arborealist prior to the March 30 th deadline.

We submit the the Report is a compelling , factual argument against the Order, now amended.

The Report referred to the trees / shrubs , their generally poor condition, and there is nothing to add in this regard.

There was a formal pre - app prior to submission of the Planning Application, confirming that the proposed scheme was acceptable on Planning grounds, and subsequent discussions, but no mention of trees until the draft served just before the relevant Committee.

As it is impossible for the Applicant to appear in person at Committee,or to appoint an advocate , we respectfully request that this letter of objection be read out .

Thank you

REPORT FOR NOTING

Agenda Item	5

DECISION OF:	**PLANNING CONTROL COMMITTEE**
DATE:	**19 June 2018**
SUBJECT:	**DELEGATED DECISIONS**
REPORT FROM:	**HEAD OF DEVELOPMENT MANAGEMENT**
CONTACT OFFICER:	**DAVID MARNO**
TYPE OF DECISION:	**COUNCIL**
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	The report lists: Recent delegated planning decisions since the last PCC
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices

IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A
Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS **DIRECTOR:**

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

1.0 BACKGROUND

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

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-None

Contact Details:-

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

Tel: 0161 253 5291
Email: d.marno@bury.gov.uk

Planning applications decided using Delegated Powers

Between 14/05/2018 and 10/06/2018

Ward: **Bury East**

Application No.: 62511 **App. Type:** FUL 06/06/2018 Approve with Conditions

Location: Fairfield General Hospital, Rochdale Old Road, Bury, BL9 7TD

Proposal: Construction of a car park and associated access, footpaths, boundary treatments, lighting columns and landscaping.

Application No.: 62660 **App. Type:** LDCP 23/05/2018 Refused

Location: 46 Manchester Road, Bury, BL9 0SX

Proposal: Certificate of lawfulness for proposed use from existing C4 (HMO) to C4 (Large HMO) for 7 persons.

Ward: **Bury East - Moorside**

Application No.: 62721 **App. Type:** FUL 08/06/2018 Approve with Conditions

Location: Chamberhall Business Park, LGC Standards Proficiency Testing Ltd,1 Chamberhall Green, Bury, BL9 0AP

Proposal: Variation of condition nos. 15 and 16 of planning permission 61732 to allow the existing drain to be constructed over in accordance with the submitted build over agreement and method statement (condition 16 to be amended to reference the updated drainage plan)

Application No.: 62757 **App. Type:** FUL 06/06/2018 Approve with Conditions

Location: 9 Burrs Lea Close, Bury, BL9 5HT

Proposal: Garage conversion with new access door at rear and access ramp at side

Ward: **Bury East - Redvales**

Application No.: 62591 **App. Type:** FUL 21/05/2018 Approve with Conditions

Location: 1 Howarth Close, Bury, BL9 9SB

Proposal: Single storey GRP electric sub-station on concrete plinth

---

Application No.: 62621 **App. Type:** FUL 21/05/2018 Approve with Conditions

Location: Derby High School, Radcliffe Road, Bury, BL9 9NH

Proposal: Creation of an outdoor learning space adjacent to the 'Inspire' building within the school grounds. The new space will include large timber gazebos; timber frames for displaying artwork, paths and hard surfacing to create a performance space, new planting, raised beds and seating

---

Application No.: 62642 **App. Type:** FUL 24/05/2018 Approve with Conditions

Location: 487 Manchester Road, Bury, BL9 9SH

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

Application No.: 62649 **App. Type:** FUL 14/05/2018 Approve with Conditions

Location: 87 Radcliffe Road, Bury, BL9 9LD

Proposal: Amendment to approved planning application 61728 (part single/part two storey extensions to side and rear) for alteration of roof design and addition of rear dormer

---

Application No.: 62651 **App. Type:** FUL 14/05/2018 Approve with Conditions

Location: 185 Parkhills Road, Bury, BL9 9AF

Proposal: Balcony at rear

Application No.: 62665 **App. Type:** FUL 21/05/2018 Approve with Conditions

Location: 146 Parkhills Road, Bury, BL9 9AW

Proposal: Part single storey / part two storey extension at rear; First floor extension at side

---

Application No.: 62681 **App. Type:** FUL 29/05/2018 Approve with Conditions

Location: 5 Richmond Street, Bury, BL9 9BS

Proposal: Front porch extension and canopy; Widening of existing vehicular access

---

Application No.: 62692 **App. Type:** FUL 14/05/2018 Approve with Conditions

Location: 130 Redvales Road, Bury, BL9 9PS

Proposal: Two storey extension at rear and relocation of conservatory

---

Application No.: 62728 **App. Type:** GPDE 18/05/2018 Prior Approval Not Required - Extension

Location: 34 Harrow Close, Bury, BL9 9UD

Proposal: Prior notification of proposed single storey rear extension

---

Application No.: 62813 **App. Type:** LDCP 01/06/2018 Lawful Development

Location: 3 Lakeland Crescent, Bury, BL9 9SF

Proposal: Lawful development certificate for a proposed single storey, flat roofed side extension.

Application No.: 62875 **App. Type:** GPDE 04/06/2018 Prior Approval Required Refused - Ext

Location: 414 Manchester Road, Bury, BL9 9NS

Proposal: Prior notification for proposed single storey rear extension

Ward: **Bury West - Church**

Application No.: 62648 **App. Type:** FUL 22/05/2018 Approve with Conditions

Location: 210 Ainsworth Road, Bury, BL8 2SB

Proposal: Demolition of existing detached garage and erection of new single storey side extension.

Application No.: 62695 **App. Type:** FUL 23/05/2018 Approve with Conditions

Location: 33 Fieldhead Avenue, Bury, BL8 2LX

Proposal: Single storey extensions at rear; front & rear dormer extensions & hip to gable roof conversion

Application No.: 62755 **App. Type:** FUL 06/06/2018 Approve with Conditions
Location: 17 Bispham Close, Bury, BL8 2TJ
Proposal: Single storey rear extension

Application No.: 62766 **App. Type:** FUL 06/06/2018 Approve with Conditions
Location: 14 Grange Road, Bury, BL8 2PE
Proposal: Single storey extension at side and rear

Ward: **Bury West - Elton**

Application No.: 62556 **App. Type:** FUL 21/05/2018 Approve with Conditions
Location: 19 Burrs Close, Bury, BL8 1JT
Proposal: Removal of existing conservatory and erection of a single storey extension at rear

---

Application No.: 62640 **App. Type:** FUL 24/05/2018 Approve with Conditions
Location: 342 Brandlesholme Road, Bury, BL8 1EX
Proposal: First floor rear extension; single storey rear extension and erection of garden room

---

Application No.: 62641 **App. Type:** GPDE 29/05/2018 Prior Approval Not Required - Extension
Location: 30 Bowes Close, Bury, BL8 1UA
Proposal: Prior notification for proposed single storey extension at rear

---

Application No.: 62643 **App. Type:** FUL 14/05/2018 Approve with Conditions
Location: 55 Trimingham Drive, Bury, BL8 1JW
Proposal: Erection of 2 metre high boundary wall/fencing/gates to sides and rear

---

Application No.: 62716 **App. Type:** FUL 23/05/2018 Approve with Conditions
Location: 81 Trimingham Drive, Bury, BL8 1EL
Proposal: Single storey extension at front with render to front elevation; Erection of 2 metre high boundary wall/fence at side

---

Application No.: 62717 **App. Type:** FUL 18/05/2018 Approve with Conditions
Location: 34 Trimingham Drive, Bury, BL8 1JW
Proposal: First floor extension at front

Application No.: 62786 **App. Type:** FUL 06/06/2018 Approve with Conditions
Location: The Barn, Springside View, Bury, BL8 4LU
Proposal: Single storey extension at side and raised decking area with glazed panels at side

Ward: **North Manor**

Application No.: 62426 **App. Type:** FUL 17/05/2018 Refused

Location: 3 Heath Avenue, Ramsbottom, Bury, BL0 9UN

Proposal: Two storey front extension; Two storey side extension to form garage with bedroom accommodation above

---

Application No.: 62627 **App. Type:** LDCP 22/05/2018 Lawful Development

Location: 2 Greenmount Close, Tottington, Bury, BL8 4HN

Proposal: Certificate of lawfulness for proposed single storey rear extension

---

Application No.: 62628 **App. Type:** FUL 14/05/2018 Approve with Conditions

Location: 3 St Austell Drive, Tottington, Bury, BL8 4EY

Proposal: Loft conversion with 2 no. dormers and 1 no. rooflight within existing roof at front and 3 no. loft windows at rear and removal of first floor over garage and erection of new flat roof over garage

---

Application No.: 62631 **App. Type:** FUL 17/05/2018 Approve with Conditions

Location: 61 Keats Road, Tottington, Bury, BL8 4EP

Proposal: First floor side extension and single storey rear extension

---

Application No.: 62633 **App. Type:** FUL 18/05/2018 Approve with Conditions

Location: Shaunings Cottage, Bolton Road, Tottington, Bury, BL8 4JA

Proposal: First floor extension to side elevation; Demolition of existing single storey rear extension, conservatory and detached single garage and the erection of new single storey rear extension

---

Application No.: 62682 **App. Type:** FUL 15/05/2018 Approve with Conditions

Location: 6 Tor Avenue, Tottington, Bury, BL8 4HG

Proposal: Single storey extension at side and rear

Application No.: 62691 **App. Type:** FUL 14/05/2018 Approve with Conditions

Location: 471 Bolton Road West, Ramsbottom, Bury, BL0 9RN

Proposal: Two storey side and single storey rear extension

Application No.: 62694 **App. Type:** FUL 08/06/2018 Approve with Conditions

Location: 101 Longsight Road, Ramsbottom, Bury, BL0 9TA

Proposal: Two storey extension at rear

Application No.: 62696 **App. Type:** FUL 08/06/2018 Approve with Conditions

Location: Al Bosco, 2-4 Robin Road, Summerseat, Bury, BL9 5QP

Proposal: Variation of condition no. 2 (approved plans) of planning permission 60710 to amend the front elevation and regularisation of the balcony position

---

Application No.: 62732 **App. Type:** FUL 31/05/2018 Approve with Conditions

Location: 9 Swan Road, Ramsbottom, Bury, BL8 4ES

Proposal: Two storey extension at front/side with bay window at front and new entrance canopy

Application No.: 62736 **App. Type:** FUL 24/05/2018 Approve with Conditions
Location: 34 Larkfield Close, Tottington, Bury, BL8 4QJ
Proposal: Two/single storey extension at rear

Application No.: 62741 **App. Type:** FUL 05/06/2018 Approve with Conditions
Location: 8 Stretton Road, Ramsbottom, Bury, BL0 9SX
Proposal: First floor side extension above garage and single storey rear extension including replacement of upvc conservatory roof with solid roof

---

Application No.: 62748 **App. Type:** LDCP 25/05/2018 Refused
Location: 9A Park Road, Ramsbottom, Bury, BL0 9RZ
Proposal: Certificate of lawfulness for proposed rear dormer extension

---

Application No.: 62758 **App. Type:** FUL 05/06/2018 Approve with Conditions
Location: 2 Baldinston, Bury, BL9 6RX
Proposal: Two storey extension at side to include rebuilding of garden wall and grading of the land

---

Application No.: 62814 **App. Type:** LDCP 30/05/2018 Refused
Location: The Courtyard, Hollymount Lane, Tottington, Bury, BL8 4HP
Proposal: Cerificate of lawfulness for proposed single storey rear extension

Ward: **Prestwich - Holyrood**

Application No.: 62564 **App. Type:** FUL 14/05/2018 Approve with Conditions
Location: 35 St Margarets Road, Prestwich, Manchester, M25 2GT
Proposal: Two storey extension at side; Canopy at front

Application No.: 62629 **App. Type:** LDCP 23/05/2018 Lawful Development
Location: 10 Wilton Street, Prestwich, Manchester, M25 1JG
Proposal: Certificate of lawfulness for proposed single storey extension at rear

---

Application No.: 62636 **App. Type:** FUL 06/06/2018 Approve with Conditions
Location: 131 & 133 Heys Road, Prestwich, Manchester, M25 1QJ
Proposal: Erection of 2 no. semi-detached dwellings

Application No.: 62656 **App. Type:** FUL 23/05/2018 Approve with Conditions
Location: 130 Cuckoo Lane, Prestwich, Manchester, M25 2NG
Proposal: Single storey rear extension; loft conversion and front porch

---

Application No.: 62675 **App. Type:** FUL 31/05/2018 Approve with Conditions
Location: Garage colony at Lilac Grove, Prestwich, Manchester, M25 3DT
Proposal: Variation of condition no. 2 (approved plans) and condition no. 3 (materials) of planning permission 61635 to alter boundary wall

Application No.: 62683 **App. Type:** FUL 15/05/2018 Approve with Conditions
Location: 15 Hill Top Avenue, Prestwich, Manchester, M25 1LL
Proposal: Two/single storey extension at rear

Application No.: 62699 **App. Type:** FUL 17/05/2018 Approve with Conditions
Location: 2 Orford Road, Prestwich, Manchester, M25 3DB
Proposal: Single storey rear and side extension

Application No.: 62734 **App. Type:** FUL 24/05/2018 Approve with Conditions
Location: 12 Poppythorn Lane, Prestwich, Manchester, M25 3BS
Proposal: Two storey extension at side and single storey extension at side/rear

---

Application No.: 62762 **App. Type:** LDCP 29/05/2018 Lawful Development
Location: 6 Willow Road, Prestwich, Manchester, M25 3DZ
Proposal: Lawful development certificate for proposed construction of detached building to be used as a garden room and a store

---

Application No.: 62848 **App. Type:** GPDE 30/05/2018 Prior Approval Required Refused - Ext
Location: 124 Heys Road, Prestwich, Manchester, M25 1LA
Proposal: Prior notification for proposed single storey rear extension

---

Application No.: 62872 **App. Type:** GPDE 01/06/2018 Prior Approval Required Refused - Ext
Location: 124 Heys Road, Prestwich, Manchester, M25 1LA
Proposal: Prior notification for proposed single storey rear extension

Ward: **Prestwich - Sedgley**

Application No.: 62624 **App. Type:** FUL 24/05/2018 Approve with Conditions
Location: 7 Sedgley Park Road, Prestwich, Manchester, M25 0BJ
Proposal: Two storey extension at side

Application No.: 62637 **App. Type:** FUL 18/05/2018 Approve with Conditions
Location: 8 Fairway, Prestwich, Manchester, M25 0JH
Proposal: Single storey porch extension at front

Application No.: 62654 **App. Type:** FUL 30/05/2018 Approve with Conditions
Location: 5 Circular Road, Prestwich, Manchester, M25 9NR
Proposal: Construction of raised decking area above car port in residential garden

---

Application No.: 62661 **App. Type:** FUL 24/05/2018 Approve with Conditions
Location: 60 Windsor Road, Prestwich, Manchester, M25 0DE
Proposal: Two storey side and rear extension

Application No.: 62713 **App. Type:** FUL 23/05/2018 Refused
Location: 67 Albert Avenue, Prestwich, Manchester, M25 0LU
Proposal: Two storey extension at rear; Loft conversion with roof extension and front dormer; New front porch

---

Application No.: 62714 **App. Type:** GPDE 17/05/2018 Prior Approval Not Required - Extension
Location: 38 George Street, Prestwich, Manchester, M25 9WS
Proposal: Prior notification for proposed single storey rear extension

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

Application No.: 62593 **App. Type:** FUL 23/05/2018 Approve with Conditions
Location: 8 Clifton Road, Prestwich, Manchester, M25 3HQ
Proposal: Change of use of first floor from photographic studio to one bedroom flat

---

Application No.: 62632 **App. Type:** FUL 23/05/2018 Approve with Conditions
Location: 506 Bury New Road, Prestwich, Manchester, M25 3AN
Proposal: Change of use from a B1 Office to an 8 Bed House in Multiple Occupation including installation of lightwell to front garden as escape route to basement and two storey extension at rear

---

Application No.: 62685 **App. Type:** FUL 24/05/2018 Approve with Conditions
Location: 12 The Downs, Prestwich, Manchester, M25 9RB
Proposal: 2 no. dormer extensions to front and 1 no. rear dormer extension

---

Application No.: 62690 **App. Type:** FUL 18/05/2018 Approve with Conditions
Location: 112 Venwood Road, Prestwich, Manchester, M25 9UH
Proposal: Demolition of existing single storey side extension; Erection of two storey side extension changing hipped roof to new side gable roof and new flat roof rear dormer at loft level.

Application No.: 62710 **App. Type:** FUL 22/05/2018 Approve with Conditions
Location: 214 Butterstile Lane, Prestwich, Manchester, M25 9UN
Proposal: First floor side extension and replacement of flat roofs with pitched roofs

---

Application No.: 62747 **App. Type:** LDCP 25/05/2018 Lawful Development
Location: 3 The Drive, Prestwich, Manchester, M25 1BJ
Proposal: Certificate of lawfulness for proposed conversion of integral garage to habitable accommodation and replacement of garage door with window and matching brickwork

---

Application No.: 62756 **App. Type:** FUL 24/05/2018 Approve with Conditions
Location: 65 Butterstile Close, Prestwich, Manchester, M25 9PH
Proposal: Two storey rear extension

Application No.: 62763 **App. Type:** LDCP 30/05/2018 Lawful Development
Location: 4 Lynmouth Grove, Prestwich, Manchester, M25 9TH
Proposal: Lawful development certificate for proposed front porch

Ward: **Radcliffe - East**

Application No.: 62531 **App. Type:** FUL 14/05/2018 Approve with Conditions

Location: Radcliffe Boys Club, Withins Avenue, Radcliffe, Manchester, M26 2XB

Proposal: Change of use from community centre to educational facility (Class D1) with creation of associated parking spaces

Ward: **Radcliffe - North**

Application No.: 62662 **App. Type:** LDCP 22/05/2018 Refused

Location: 18 Salisbury Road, Radcliffe, Manchester, M26 4QD

Proposal: Certificate of lawfulness for proposed rear dormer extension

---

Application No.: 62719 **App. Type:** FUL 01/06/2018 Approve with Conditions

Location: 14 Parnham Close, Radcliffe, Manchester, M26 3XU

Proposal: Two storey side extension and single storey rear extension

---

Application No.: 62745 **App. Type:** AG 22/05/2018 Prior Approval Required and Granted

Location: Openshaw Fold Farm, Bury And Bolton Road, Radcliffe, Manchester, M26 4EP

Proposal: Prior notification of proposed agricultural building and will include three roller shutter doors of sufficient width and height to provide access for agricultural vehicles and machinery

---

Application No.: 62746 **App. Type:** FUL 05/06/2018 Approve with Conditions

Location: 30 Turks Road, Radcliffe, Manchester, M26 4PU

Proposal: Rear dormer extension and addition of 2 no. windows to side elevation

Ward: **Radcliffe - West**

Application No.: 62671 **App. Type:** FUL 14/05/2018 Approve with Conditions

Location: 46 Hollinhurst Road, Radcliffe, Manchester, M26 1LY

Proposal: Two storey side extension and single storey front/side extension

---

Application No.: 62724 **App. Type:** FUL 31/05/2018 Approve with Conditions

Location: 10 Dale Street, Radcliffe, Manchester, M26 1AB

Proposal: Installation of ATM to shop front

Application No.: 62725 **App. Type:** ADV 31/05/2018 Approve with Conditions

Location: 10 Dale Street, Radcliffe, Manchester, M26 1AB

Proposal: 1 No. internally illuminated ATM surround sign

Ward: **Ramsbottom + Tottington - Tottington**

Application No.: 62614 **App. Type:** FUL 23/05/2018 Refused
Location: 323 Turton Road, Tottington, Bury, BL8 3QG
Proposal: Alterations to front garden area to form parking area and erection of retaining wall

---

Application No.: 62635 **App. Type:** FUL 18/05/2018 Approve with Conditions
Location: 26 Woodstock Drive, Tottington, Bury, BL8 4BW
Proposal: Single storey extensions at front and rear to existing garage with garage conversion and porch at front

---

Application No.: 62680 **App. Type:** FUL 14/05/2018 Approve with Conditions
Location: 18 Brammay Drive, Tottington, Bury, BL8 3HS
Proposal: Porch at front and front dormer extension

Application No.: 62687 **App. Type:** FUL 17/05/2018 Approve with Conditions
Location: 23 Booth Way, Tottington, Bury, BL8 3JL
Proposal: Two storey side extension

Application No.: 62698 **App. Type:** FUL 24/05/2018 Approve with Conditions
Location: 21 Birch Avenue, Tottington, Bury, BL8 3EF
Proposal: Two storey extension at side

Application No.: 62705 **App. Type:** GPDE 17/05/2018 Prior Approval Not Required - Extension
Location: 5 Woodstock Drive, Tottington, Bury, BL8 4BW
Proposal: Prior notification for proposed single storey rear extension

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.: 62338 **App. Type:** FUL 04/06/2018 Approve with Conditions
Location: Land on east side of Hawkshaw Lane, Tottington, Bury, BL8 4LD
Proposal: Erection of agricultural building and hard cored access track

---

Application No.: 62542 **App. Type:** LBC 17/05/2018 Approve with Conditions
Location: 3 Alba Street, Ramsbottom, Bury, BL0 4NA
Proposal: Listed building consent to paint the exterior windows and door grey (currently stained)

Application No.: 62545 **App. Type:** FUL 08/06/2018 Approve with Conditions
Location: 9A Market Place, Ramsbottom, Bury, BL0 9AJ
Proposal: Sub-division of existing apartment into 2 no. apartments

---

Application No.: 62549 **App. Type:** LDCP 14/05/2018 Refused
Location: Lower Dickfield Farm, Lower Dickfield, Helmshore Road, Ramsbottom, Bury, BL8 4PD
Proposal: Certificate of lawfulness for proposed access road to be 3 metres wide and with a tarmacadam surface

Application No.: 62589 **App. Type:** FUL 22/05/2018 Approve with Conditions

Location: 8 Eccles Street, Ramsbottom, Bury, BL0 9HQ

Proposal: Demolition of existing front porch and replacement of existing garage door with new entrance door; Installation of full height glazed window and Juliet balcony to rear elevation; Creation of additional vehicular access off Eccles Street; Bin store enclosure at front

---

Application No.: 62606 **App. Type:** FUL 14/05/2018 Approve with Conditions

Location: 5-9 Bridge Street, Ramsbottom, Bury, BL0 9AB

Proposal: External fabric alterations including replacement of windows and modification window openings on the rear elevation and modification of door opening on the front elevation to a window.

Application No.: 62646 **App. Type:** LBC 08/06/2018 Approve with Conditions

Location: 9A Market Place, Ramsbottom, Bury, BL0 9AJ

Proposal: Listed building consent for sub-division of existing apartment into 2 no. apartments

---

Application No.: 62666 **App. Type:** FUL 06/06/2018 Approve with Conditions

Location: Bank Top Farm, Moorbottom Road, Ramsbottom, Bury, BL8 4NP

Proposal: Conversion of barn to 1 no. dwelling with alterations to access track/stone wall

---

Application No.: 62669 **App. Type:** FUL 17/05/2018 Approve with Conditions

Location: 3 Alba Street, Ramsbottom, Bury, BL0 4NA

Proposal: Paint the exterior windows and door grey (currently stained)

Application No.: 62672 **App. Type:** LDCP 24/05/2018 Refused

Location: 29 Cemetery Road, Ramsbottom, Bury, BL0 9PU

Proposal: Certificate of lawfulness for proposed single storey rear extension

---

Application No.: 62678 **App. Type:** FUL 23/05/2018 Approve with Conditions

Location: John Spencer Hazelhurst, 258-260 Bolton Road West, Ramsbottom, Bury, BL0 9PX

Proposal: Replacement of 2 no. flagpole antennas

Application No.: 62679 **App. Type:** LBC 23/05/2018 Approve with Conditions

Location: John Spencer Hazelhurst, 258-260 Bolton Road West, Ramsbottom, Bury, BL0 9PX

Proposal: Listed building consent for replacement of 2 no. flagpole antennas

---

Application No.: 62689 **App. Type:** FUL 24/05/2018 Approve with Conditions

Location: 1 Engel Close, Ramsbottom, Bury, BL0 9XU

Proposal: Single storey rear extension

Application No.: 62697 **App. Type:** ADV 30/05/2018 Approve with Conditions

Location: Morrisons Supermarket, King Street, Ramsbottom, Bury, BL0 9AA

Proposal: 3 no. externally illuminated fascia signs; 2 no. internally illuminated box signs and 2 no. internally illuminated store totem signs

Application No.: 62718 **App. Type:** LDCP 25/05/2018 Lawful Development

Location: Hazelhurst Primary Community School, Geoffrey Street, Ramsbottom, Bury, BL0 9PQ

Proposal: Certificate of lawfulness for proposed supply and erection of 1 item of children's play equipment and required area of safety surfacing below in compliance with RoSPA critical fall height recommendations

Ward: **Whitefield + Unsworth - Besses**

Application No.: 62609 **App. Type:** LDCP 14/05/2018 Lawful Development

Location: 21 Billberry Close, Whitefield, Manchester, M45 8BL

Proposal: Certificate of lawfulness for proposed alterations to front elevation together with internal alterations to convert garage to living accommodation

---

Application No.: 62644 **App. Type:** FUL 24/05/2018 Approve with Conditions

Location: 1 Pilkington Drive, Whitefield, Manchester, M45 8JX

Proposal: Single storey extension at side

Application No.: 62659 **App. Type:** LDCP 22/05/2018 Lawful Development

Location: 373 Parr Lane, Bury, BL9 8PH

Proposal: Certificate of lawfulness for proposed single storey side extension and part single storey/part two storey rear extensions

---

Application No.: 62684 **App. Type:** FUL 06/06/2018 Refused

Location: Land at Albert Road/Bilberry Close, Whitefield, Bury

Proposal: Application to remove planning obligations under Section 106A of the Town and Country Planning Act 1990 of planning permission 32656 to cease the use of the open land as amenity space.

Application No.: 62790 **App. Type:** DEM 24/05/2018 Prior Approval Required and Granted

Location: Wheatfield, Victoria Avenue, Whitefield, Manchester, M45 6DP

Proposal: Prior notification of proposed demolition of single storey former day community centre

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

Application No.: 62255 **App. Type:** FUL 15/05/2018 Approve with Conditions

Location: 34A Higher Lane, Whitefield, Manchester, M45 7FY

Proposal: Addition of first floor structure to convert bungalow to two storey detached dwelling

---

Application No.: 62588 **App. Type:** FUL 21/05/2018 Approve with Conditions

Location: 5 Marle Croft, Whitefield, Manchester, M45 7NB

Proposal: Raised ridge height of main roof with dormer at rear and porch extension at front, conversion of garage to living accommodation with pitched roof, extension to existing drive way at the front and 1m high boundary wall.

Application No.: 62653 **App. Type:** FUL 14/05/2018 Approve with Conditions

Location: 17 Pinfold Lane, Whitefield, Manchester, M45 7NY

Proposal: First floor rear extension and external alterations including addition of first floor window to side elevation

Application No.: 62686 **App. Type:** FUL 23/05/2018 Approve with Conditions

Location: 12 Dales Avenue, Radcliffe, Manchester, M45 7RN

Proposal: Single storey rear extension and dormer loft conversion

Ward: **Whitefield + Unsworth - Unsworth**

Application No.: 62604 **App. Type:** FUL 14/05/2018 Approve with Conditions

Location: 5 Sandown Road, Bury, BL9 8HN

Proposal: Single storey extension at side

Application No.: 62638 **App. Type:** FUL 14/05/2018 Approve with Conditions

Location: 1 Bloomfield Drive, Bury, BL9 8JX

Proposal: Two storey extension at rear; First floor extension at side with garage conversion; pitched roof to existing flat roofed areas; repositioning of raised decking at rear.

Application No.: 62639 **App. Type:** FUL 14/05/2018 Approve with Conditions

Location: 3 Castle Road, Bury, BL9 8JL

Proposal: Two storey side extension

Application No.: 62667 **App. Type:** FUL 06/06/2018 Approve with Conditions

Location: Unsworth Methodist Church, Hollins Lane, Bury, BL9 8AW

Proposal: Change of use from church hall (Class D1) to office with store and workshop area (Class B1)

Total Number of Applications Decided: **108**

REPORT FOR DECISION

Bury COUNCIL

Agenda Item	6

DECISION OF:	**PLANNING CONTROL COMMITTEE**
DATE:	**19 June 2018**
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:	Planning Appeals: - Lodged - Determined Enforcement Appeals - Lodged - Determined
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices

IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS **DIRECTOR:**

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

1.0 BACKGROUND

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

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

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-

Contact Details:-
David Marno, Head of Development Management
Planning Services, Department for Resources and Regulation,
3 Knowsley Place ,Bury BL9 0EJ
Tel: 0161 253 5291
Email: d.marno@bury.gov.uk

Planning Appeals Lodged
between 14/05/2018 and 10/06/2018

Application No.: 62013/FUL
Decision level: DEL
Recommended Decision: Refuse

Appeal lodged: 17/05/2018
Appeal Type: Written Representations

Applicant: Mr C & Mrs K Pickford
Location 215 Ainsworth Road, Bury, BL8 2RU

Proposal Creation of new vehicular access revised scheme involving 5m diagonal driveway

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Total Number of Appeals Lodged: 1

Planning Appeals Decided between 14/05/2018 and 10/06/2018

Application No.: 62265/FUL
Decision level: DEL
Recommended Decision: Refuse

Appeal Decision: Withdrawn
Date: 16/05/2018
Appeal type: Written Representations

Applicant: Bury Dental Practice

Location: 434 Manchester Road, Bury, BL9 9NS

Proposal: First floor extension at side with supporting pillar at front/side

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Agenda Item	7

REPORT FOR INFORMATION

MEETING:	**PLANNING CONTROL COMMITTEE**
DATE:	**19th June 2018**
SUBJECT:	**PLANNING COMMITTEE TRAINING PROGRAMME**
REPORT FROM:	**DEVELOPMENT MANAGER (RESOURCE AND REGULATION)**
CONTACT OFFICER:	**DAVID MARNO – HEAD OF DEVELOPMENT MANAGEMENT**

TYPE OF DECISION:	**N/A**
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain

SUMMARY:	The report sets out the proposed training programme for Planning Control Committee Members that will place over the 2018/2019 Municipal year.
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to note the report.

IMPLICATIONS:

Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? No
Financial Implications and Risk Considerations:	N/A
Statement by Director of Finance and E-Government:	N/A
Equality/Diversity implications:	

	No (see paragraph below)
Considered by Monitoring Officer:	N/A
Are there any legal implications?	N/A (see paragraph)
Staffing / ICT / Property:	N/A
Wards Affected:	ALL
Scrutiny Interest:	N/A

TRACKING / PROCESS **DIRECTOR:**

Chief Executive/ Management Board	Executive Member/Chair	Ward Members	Partners
Scrutiny Commission	Executive	Committee	Council

1.0 BACKGROUND

1.1 This report presents the programme of training for Members of the Planning Control Committee for the period of the 2018/2019 Municipal year.

Planning Control Committee Member training is seen as an important element of the role of ensuring that the decision making process is robust and that Members are confident in understanding planning issues.

To ensure that Members are confident in the decision making process, Officers in the past have provided guidance notes, special briefings and externally run planning courses to ensure a high level of proficiency and professionalism is maintained in this role.

1.2 Planning is continually changing and is implementing its policy changes. Therefore training is of key importance of keeping abreast of this change in terms of regulation, policy and its implementation.

1.3 Some training sessions arise as a result of discussions that take place in Committee meetings that centre upon challenging planning issues. Given the difficult role of the Planning system, this is not surprising and part of the training programme will include refresher sessions or topic sessions where issues have caused difficulty, or policy or regulation is particularly challenging.

1.4 Some of the proposed sessions will need to be planned in advance with bookings made for transport and will therefore need to be fixed. Other sessions can be more fluid. Officers will let Committee know in advance.

2.0 The Programme

22 May 2018	Planning Protocols and Material Considerations
19 June 2018	Formulating Conditions and Reasons for Refusal
31 July 2018	An Architect's View of Planning
10 August 2018	Outcomes Tour
4 September 2018	Greater Manchester Spatial Framework / Local Plan
9 October 2018	National Planning Policy Framework
13 November 2018	Working from Home/Planning Information
18 December 2018	Planning Law Update
22 January 2019	Green Belt
19 February 2019	Regeneration
26 March 2019	Permitted Development
23 April 2019	Free session - end of year summary

3.0 Delivery

3.1 The outcomes tour is an all day requirement. However, it is anticipated that the other training sessions shall take place on the afternoon of forthcoming Planning Committee meetings at 3 Knowsley Place. Actual times will be confirmed nearer the date to ensure that any Committee site visits are also accommodated into the programme. Papers will be circulated as appropriate.

4.0 Recommendation

4.1 It is recommended that the above report be noted and that the importance of Member training is formally committed to by the Committee. This will ensure that the decision making process is an informed and robust one, particularly in the changing world of planning.

List of Background Papers:- None

Contact Details:-
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Head of Development Management
Department of Resource and Regulation
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REPORT FOR DECISION

Bury COUNCIL

Agenda Item 8

MEETING:	**PLANNING CONTROL COMMITTEE**
DATE:	**19-06- 2018**
SUBJECT:	**TREE PRESERVATION ORDER CONFIRMATION**
REPORT FROM:	**HEAD OF DEVELOPMENT MANAGEMENT**
CONTACT OFFICER:	**DAVE MARNO**

TYPE OF DECISION:	**COUNCIL**
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain

SUMMARY:	The report considers the confirmation of a temporary tree preservation order currently made on 44 Rectory Lane & 12A Branksome Avenue

OPTIONS & RECOMMENDED OPTION	The Committee is recommended to confirm, with modifications set out in this report, the extant temporary Tree Preservation Order (No.342) designated as 44 rectory lane and 12A Branksome Avenue.

IMPLICATIONS:

Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Financial Implications and Risk Considerations:	Director of Finance and E-Government to advise regarding risk management - N/A
Statement by Director of Finance and E-Government:	N/A
Equality/Diversity implications:	N/A

Considered by Monitoring Officer:	N/A
Are there any legal implications?	Yes – Confirmation of the Order and recording on the Local Land Charges Register
Staffing / ICT / Property:	N/A
Wards Affected:	St Marys
Scrutiny Interest:	N/A

TRACKING / PROCESS **EXECUTIVE DIRECTOR:**

Chief Executive/ Management Board	Executive Member/Chair	Ward Members	Partners
Scrutiny Commission	Executive	Committee	Council

Introduction

This report sets out the issues relating upon the current temporary tree preservation order currently designated at 44 Rectory Lane/12A Branksome Avenue.

Discussion

44 Rectory Lane is a detached property in use as a private community care centre and 12A Branksome Avenue is a semi-detached property whose rear garden adjoins the rear garden of 44 Rectory Lane. The area is predominantly residential in character.

Following an assessment of trees on the site, the Council imposed a temporary Tree Preservation Order on 21st February 2018. The order, attached at Appendix 1 at the back of this report, related to a total of 16 trees, 15 at 44 rectory Lane and one at 12A Branksome Avenue. The TPO Order was as a result of concern that the extent of the tree cover on the site may be under threat from redevelopment of the site following the submission of a planning application for the change of use of the property to a dwelling and the erection of a new dwelling in the rear garden area. The loss of trees would have a significantly detrimental impact on the character of the site and how it is viewed from surrounding properties. Furthermore, the retention of selected trees would benefit the future development on the site.

The effects of the temporary Tree preservation Order are exactly the same as a full order, provided that the temporary order is subsequently confirmed within 6 months.

Issues

Subject to Regulation 6 of the The Town and Country Planning (Tree Preservation) (England) Regulations 2012, objections and representations that are made in writing must be appropriately considered.

Letters were issued to the owners/occupiers of 44 Rectory Lane and 12a Branksome Avenue and adjacent properties where the trees appear to overhang. Representations about the Order were accepted up to Friday 30th March 2018 and as a result of this publicity, one representation was made on behalf of the owner of 44 Rectory Lane.

Mr W J Rowbottom (Rowbottom's Tree Services Ltd) on behalf of the site owner, Dr MD Crane.

- Several of the trees are in poor condition and not worthy of retention.
- Several of the trees require extensive remedial works.

Following a subsequent site visit by the Council's Tree Officer and Planning officer to consider the objections raised, it is considered that the following trees could be removed from the TPO as they are poor specimens and do not warrant a TPO designation. As such the order should be modified to remove the following trees from the designation:

T2 Willow – Generally poor structure (bark unions, internal crack).
T14 Cherry – Generally poor life expectancy due to fungus/rot.

The position of the trees is detailed on the plan at Appendix 1 attached to this report.

The other trees that were highlighted in the objection were:

T1 Ash – This could be retained with some pruning and make a positive contribution to boundary screening and character of the site.

Trees T6 Oak, T12 Ash, T13 Ash, and T15 Pine - These trees are of varied quality but as a group within the site, contribute to the amenity and character of the site. It is recognised that the trees would be removed should the approved planning scheme for the new dwelling in the rear garden area (Ref.62261) be implemented as the planning approval overrides the TPO, however their retention is desirable should the development of the site not take place. For information, the approved site plan for 62261 is attached at Appendix 2.

The effect of the order would and can only protect trees and not bushes. However, it is considered that, without details of any remedial works that may be required, the confirmation of the temporary order to a full tree preservation order on this site should be confirmed with the proposed modification.

Future removal of trees would be subject to assessment and consideration by the Local Planning Authority (LPA) and where works are considered to be appropriate, works could be permitted to be carried out under circumstances and/or subject to conditional controls. In addition, any tree removals can be subject to replanting requirements to serve to maintain the natural aesthetics the site provides.

The effects of such an order do not prevent good maintenance being carried out. However, such works could only be done following formal approval from the LPA.

Recommendation

That the current temporary preservation order issued on 44 Rectory Lane and 12A Branksome Avenue and their immediate curtilage as identified in Appendix 1 is confirmed with the modifications detailed.

List of Background Papers:-
Appendix 1 - Temporary Tree Preservation Order dated: 21st February 2018
Appendix 2 – Approved Site Plan for planning application 62261

Contact Details:-
David Marno
Head of Development Management
Dept of Resources and Regulation
3 Knowsley Place
Bury BL9 0EJ

Tel: 0161 253 5291
Email: d.marno@bury.gov.uk

APPENDIX 1

TREE PRESERVATION ORDER

Town and Country Planning Act 1990

The Metropolitan Borough of Bury

(44 Rectory Lane & 12A Branksome Avenue, Prestwich)

Tree Preservation Order (No. 342) 2018

The Metropolitan Borough of Bury (Bury Council) in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as the Metropolitan Borough of Bury (44 Rectory Lane & 12A Branksome Avenue, Prestwich) Tree Preservation Order (No. 342) 2018

Interpretation

2.—(1) In this Order "the authority" means Bury Council

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3.—(1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 21st day of February 2018.

123/18

The Common Seal of the Metropolitan Borough of Bury was affixed to this Order in the presence of—

.....

Authorised by the Council to sign in that behalf

CONFIRMATION OF ORDER

This Order was confirmed by the Metropolitan Borough of Bury without modification on the day of 20

OR

This Order was confirmed by the Metropolitan Borough of Bury, subject to the modifications indicated by , on the day of 20

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by the Metropolitan Borough of Bury on the day of 20

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Metropolitan Borough of Bury on the day of 20 by a variation order under reference number a copy of which is attached

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

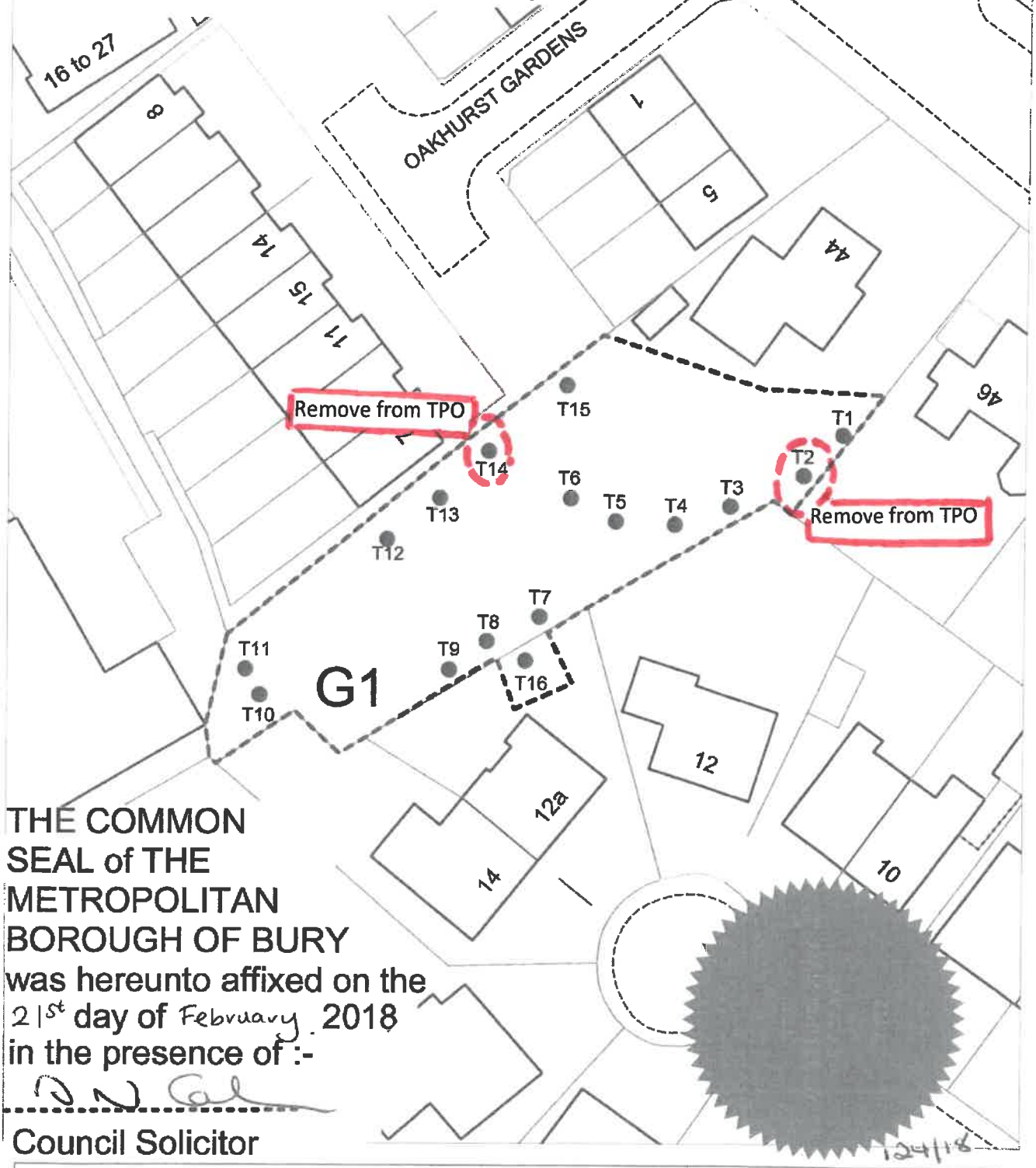
This Order was revoked by the Metropolitan Borough of Bury on the day of 20

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

APPENDIX 1

Map referred to in the Metropolitan Borough of Bury
(44 Rectory Lane and 12a Branksome Avenue, Prestwich)
Tree Preservation Order (No.342) 2018



THE COMMON SEAL of THE METROPOLITAN BOROUGH OF BURY was hereunto affixed on the 21st day of February 2018 in the presence of :-

D N Cal

Council Solicitor

124/18

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N W E S

Bury COUNCIL

SCHEDULE

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

Reference on map	*Description*	*Situation*
None.		

Trees specified by reference to an area
(within a dotted black line on the map)

Reference on map	*Description*	*Situation*
None.		

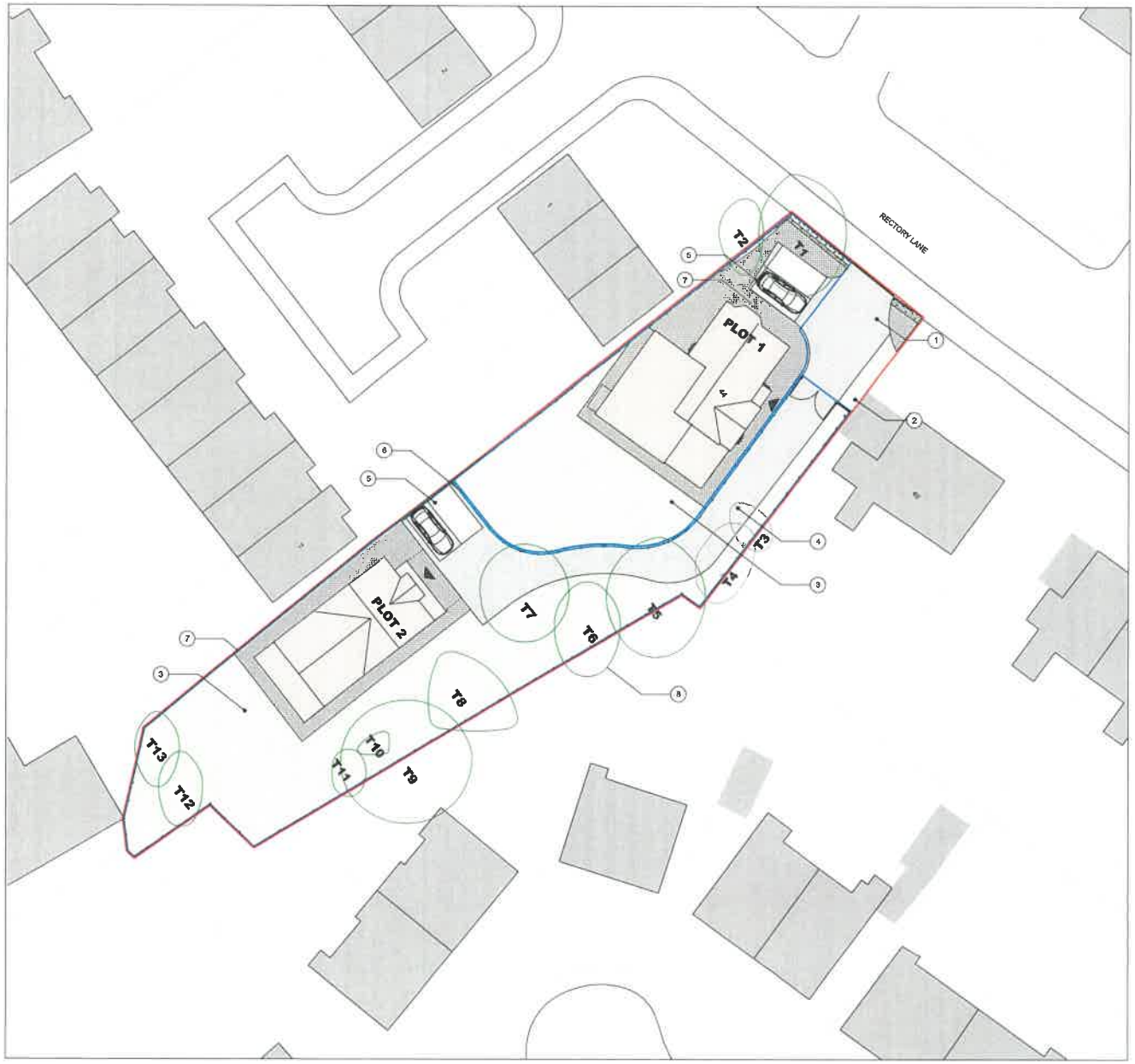
Groups of Trees
(within a broken black line on the map)

Reference on map	*Description*	*Situation*
G1	4 x Ash	T1, T8, T12, T13
	1 x Goat Willow	T2
	4 x Sycamore	T3, T4, T9, T16
	1 x Copper Beech	T5
	1 x Oak	T6
	1 x Magnolia	T7
	2 x Apple	T10, T11
	1x Cherry Plum	T14
	1 x Pine	T15

Woodlands
(within a continuous black line on the map)

Reference on map	*Description*	*Situation*
None.		

APPENDIX 2



1 Site - Landscape Plan
1 : 200

Page 95

Note Block - Landscaping

1 Shared surface in permeable block paving.
2 Secure gate with electronic access, with video and intercom.
3 Lawned garden area.
4 Newroad to provide access to Plot 2, in permeable block paving.
5 Parking space in permeable block paving.
6 Plot dividing / boundary fencing. 1.8m High vertical lap timber.
7 Hard landscaping in permeable paving stones / bricks.
8 Remaining Trees

10 0 10 20 30 40 50
SCALE 1:1250
m

N

Legend - Boundaries

Site Boundary
Plot Boundary

DEBTAL ARCHITECTURE

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CLIENT
M. Lewis

PROJECT
44 Rectory Lane

TITLE
Landscape Plan

PROJECT NO. DA17073. DRAWING NO. 005. REV. 1

STATUS
PLANNING

SCALE @ A1 As indicated DATE 09 JAN 2018 DRAWN BY TD

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