

## AGENDA FOR

## PLANNING CONTROL COMMITTEE

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**To: All Members of Planning Control Committee**

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

Dear Member/Colleague

### Planning Control Committee

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

<b>Date:</b>	Tuesday, 18 December 2018
<b>Place:</b>	Peel Room, Bury Town Hall
<b>Time:</b>	7.00 pm
<b>Briefing Facilities:</b>	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 publication 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.
<b>Notes:</b>	Food will be made 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](http://www.bury.gov.uk) – Council and Democracy.

Yours sincerely

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

Stephen Kenyon CPFA  
Interim Executive Director of 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 13TH NOVEMBER 2018** *(Pages 1 - 4)*

### **4 PLANNING APPLICATIONS** *(Pages 5 - 108)*

### **5 DELEGATED DECISIONS** *(Pages 109 - 120)*

### **6 PLANNING APPEALS** *(Pages 121 - 130)*

### **7 URGENT BUSINESS**

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

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**Minutes of: PLANNING CONTROL COMMITTEE**

**Date of Meeting:** 13<sup>th</sup> November, 2018

**Present:** Councillor C Preston (In the Chair)  
Councillors A Cummings, M D'Albert, J Harris, S Haroon, M Hayes, G McGill, Y Wright, R Skillen, J Walker

**Public attendance:** 38 member of the public in attendance

**Apologies for absence:** Councillors Schofield

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**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 9<sup>th</sup> October, 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 application 62715, 63275, 63312, 63322.

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

Prior to the Committee meeting, a site visit took place in respect of planning application 62715.

**Delegated decisions:**

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

**62715 31 Quarlton Drive, Tottington, Bury – North Manor Ward**

Demolition of existing dwelling house and erection of replacement dwelling house with detached garage

Note: The decision to Approve with Conditions is subject to the following additional condition:

Condition 14: 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 and the locational considerations given the Green Belt location.

**63100 Summerseat Football Ground, Waterside Road, Summerseat, Ramsbottom, Bury – North Manor Ward**

Siting of storage container with enclosure

**63191 4 Glebelands Road, Prestwich, Manchester – Prestwich – Holyrood Ward**

Change of use from House of Multiple Occupation (Class C4) to a nursery (Class D1 non-residential Institution); External alterations for vehicular access to a rear car park and drop off area; Resurfacing of car park and landscaping to gardens

**63273 St Pauls C of E Primary School, Porritt Street, Bury – Bury East – Moorside Ward**

Siting of single portakabin building to be used for meetings for a temporary period of 3 years

**63275 Land of Claybank Drive, (rear of Victoria Street), Tottington, Bury – Ramsbottom & Tottington – Tottington Ward**

Erection of 3 no. dwellings with associated access off Claybank Drive

**63312 36 Heywood Street, Bury – Bury East Ward**

Change of use from residential (Class C3) to 7 bed/9 person house of multiple occupation (HMO) (Sui Generis)

**PCC.04 DELEGATED DECISIONS**

A report from the Head of 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 8.17 pm)**

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<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>18 December 2018</b>
<b>By:</b>	<b>Development Manager</b>
<b>Status:</b>	<b>For Publication</b>

**Executive Summary**

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

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

**This report has the following implications**

**Township Forum/ Ward:** Identified in each case.

**Policy:** Identified in each case.

**Resources:** Not generally applicable.

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

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

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

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

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

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

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

## **Development Manager**

### **Background Documents**

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

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

<b>01</b>	<b>Township Forum - Ward:</b> Radcliffe - East	<b>App No.</b> 62969
	<b>Location:</b> East Lancs Paper Mill, Church Street East, Radcliffe, Manchester, M26 9PG	
	<b>Proposal:</b> Outline application for up to 400 residential dwellings including details of vehicular access (all other matters reserved) and associated works including relocation of cricket pitch, including a pavillion, provision of open space and sports facilities and demolition of existing building and structures	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> Y
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<b>02</b>	<b>Township Forum - Ward:</b> Bury West - Church	<b>App No.</b> 63280
	<b>Location:</b> Land at Lodge Side, Bury, BL8 2SW	
	<b>Proposal:</b> Erection of shed	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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<b>03</b>	<b>Township Forum - Ward:</b> Ramsbottom and Tottington - Ramsbottom	<b>App No.</b> 63308
	<b>Location:</b> The Grant Arms, 11 Market Place, Ramsbottom, Bury, BL0 9AJ	
	<b>Proposal:</b> Change of use from hotel/public house (Class A4) to financial and professional services (Class A2); External alterations.	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> Y
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<b>04</b>	<b>Township Forum - Ward:</b> Ramsbottom and Tottington - Ramsbottom	<b>App No.</b> 63309
	<b>Location:</b> The Grant Arms, 11 Market Place, Ramsbottom, Bury, BL0 9AJ	
	<b>Proposal:</b> Listed Building consent for change of use from hotel/public house (Class A4) to financial and professional services (Class A2); Internal and external alterations	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> Y
<hr/>		
<b>05</b>	<b>Township Forum - Ward:</b> Radcliffe - West	<b>App No.</b> 63376
	<b>Location:</b> The Old School, 1 Walker Street, Radcliffe, Manchester, M26 1FH	
	<b>Proposal:</b> Conversion of antiques centre/dwelling to 13 no. (total) residential apartments	
	<b>Recommendation:</b> Minded to Approve	<b>Site Visit:</b> Y
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<b>06</b>	<b>Township Forum - Ward:</b> Ramsbottom and Tottington - Ramsbottom	<b>App No.</b> 63407
	<b>Location:</b> The Paddock, Sheep Hey Farm, Leaches Road, Shuttleworth, Ramsbottom, Bury, BL0 0ND	
	<b>Proposal:</b> Variation of condition nos. 2 and 9 of planning permission 59550 for the gate on the corner to be used for maintenance purposes and a single passing place provided	

**Recommendation:** Approve with Conditions

**Site Visit:** N

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**Ward:** Radcliffe - East

Item 01

**Applicant:** Homes England and Bury Council

**Location:** East Lancs Paper Mill, Church Street East, Radcliffe, Manchester, M26 9PG

**Proposal:** Outline application for up to 400 residential dwellings including details of vehicular access (all other matters reserved) and associated works including relocation of cricket pitch, including a pavillion, provision of open space and sports facilities and demolition of existing building and structures

**Application Ref:** 62969/Outline Planning  
Permission

**Target Date:** 28/09/2018

**Recommendation:** Approve with Conditions

### **Description**

The application relates to the former East Lancashire Paper Mill site (ELPM), which is located to the easterly side of the Metrolink line and Radcliffe town centre and to the south of Cross Lane.

The site is an extensive brownfield site, which occupies some 22.72 hectares and is vacant, having been cleared over 10 years ago. The site was formerly occupied by a large paper manufacturing factory, which has since been demolished and a number of lodges. All but one lodge has been drained. A cricket club is present in the centre of the site and is currently in active use. A bowling green is present on the site, but this has not been in active use for a number of years. There are 2 industrial buildings on the corner of Bury Street and Cross Lane, which are single storey and are constructed from brick and render.

Church Street East bisects the site in an east-west direction, connecting to Sandford Street and Rectory Lane. Two culverts, known as Hutchinson's Goit and Bealey's Goit pass through the site.

The south east section of the site is located in the Green Belt and forms part of an area known as Tower Farm. This part of the site contains open fields with clusters of trees.

Access to the site is from Croft Lane, Cock Clod Street and Church Street East via Rectory Lane

There are residential properties to the north and west of the site. There are residential properties with a school and hospice beyond to the north east. Radcliffe Tower and the Church of St Mary and St Bartholomew (which are both Grade I listed buildings) and the associated cemetery are located to the west of the site, with Close Park beyond. There are open fields to the south and the River Irwell forms the boundary to the site to the southwest. Pioneer Mills, which is used for commercial purposes is located on the opposite bank of the River Irwell to the south of the site.

The applicant seeks outline permission for the demolition of the existing buildings and structures and the erection of up to 400 dwellings, the relocation of the cricket pitch and the provision of open space and sports facilities. The means of access to the site would be included and all other matters (appearance, landscaping, layout and scale) would be dealt with at the reserved matters stage. The internal road layout would be addressed at the same time as the layout of the site.

The proposed housing would be located on the land outside of the Green Belt. The cricket pitch and associated facilities would be relocated to land within the Green Belt to the southeast of the site. The area to the south would be used as open space. The indicative

masterplan shows that the proposed development would provide:

- 4.29 hectares of sports pitch provision
- 3.16 hectares of amenity open space
- 3.04 hectares of ecology mitigation area.

The main point of access to the site would be taken from Cross Lane. Additional access points would be provided as follows:

- Sandford Street - pedestrian, cycle and emergency access;
- Bury Street - pedestrian and cycle access;
- Croft Lane - pedestrian and cycle access;
- Cock Clod Street - vehicular, pedestrian and cycle access.

### **Relevant Planning History**

45598 - Hybrid outline application for mixed use development comprising Class B1, B2, B8, industry, residential development, water feature, open space and full application for secondary school and highway infrastructure at East Lancs Paper Mill, Church Street East, Radcliffe. Approved with conditions - 13 September 2007.

55901 - Application to extend the time limit by 3 years for implementation of planning permission 45598 for hybrid outline application for mixed use development comprising Class B1, B2, B8, industry, residential development, water feature, open space and full application for secondary school and highway infrastructure. The extension of time requested relates solely to the outline element and condition no/. 2 attached to the original permission at East Lancs Paper Mill, Church Street East, Radcliffe. Approved with conditions - 4 July 2013

62536 - Prior notification of proposed demolition of the building of the former electrical sub-station at East Lancs Paper Mill, Church Street East, Radcliffe. Prior approval required and granted - 4 April 2018.

63064 - Prior notification of proposed demolition of 3 no. single storey buildings at Former Cocklestorm yard (East Lancs Paper Mill site), Bury Street, Radcliffe. Received - 16 July 2018.

Pre-application enquiry

02070/E - Residential development at former East Lancs Paper Mill, Church Street East, Radcliffe. Received - November 2017

### **Publicity**

The neighbouring properties were notified by means of a letter on 29 June 2018 and a press notice was published in the Bury Times on 5 July 2018. Site notices were posted on 6 July 2018 around the site.

663 neighbouring properties were notified by letter and a full list of the addresses notified is available on the planning file.

21 letters have been received from the occupiers of 21 (Paper Makers Arms), 24 Church Street East, 7 Rectory Lane, 47 Woodley Avenue, 33, 116 Bury Road, 4, 14 - 16 Tower Street, 18 Bury Street, 9 Thorp Avenue, 18 Charter Avenue, 9 Shirebrook Drive, 23 Parkside Close, 26 Radcliffe New Road, Radcliffe, 266 Sunny Bank Road, Bury, 36 Greymont Road, Bury, which have raised the following issues:

- Building on the site of the former paper mill will cause flooding and increase risks to existing properties.
- The existing trees at the rear of my property are causing an issue and need pruning or removing.
- The roads are already at saturation point and the metrolink station brings more vehicles to park in the vicinity.
- There is no high school - where will the children go?

- A new road linking ELPM to Radcliffe New Road should be provided to ease congestion.
- Radcliffe has lost 2 high schools, a civic centre and a leisure centre. There are no plans for a new school, so where will the children from 400 new homes go?
- The site is contaminated - what is being done about the potential contamination risks?
- Listed buildings (the tower and the parish church) will flood
- Object to the relocation of the 100 year old cricket club.
- Church Street East must not be used as a through route.
- Would like to see the cricket club located near to close park
- The number of lodges on the site have been reduced, which will increase the risk of flooding.
- What measures have been put into place to prevent flooding or reduce flood risk?
- What insurance will I get if your development causes my property to flood?
- There are trees at the back of the garage block on Tower Street. The trees have not been managed for years and require pruning. I do not want these trees to be removed.
- The main entrance will be opposite my property and will increase noise and traffic flow.
- The view of greenery will be lost.
- The new road to the relocated cricket club will have an impact upon the wildlife corridor that has been created since this road was blocked off over 30 years ago.
- The development will affect the privacy of the residents of the flats on Tower Street and their garden space.
- Concerns about the position of the cricket pitch on a hilly landfill site.
- Where will the cricketers and supporters park? The surrounding streets are full with residents cars.
- The proposed properties will back directly onto my land and I am concerned about a loss of privacy.
- Additional feeder road capacity needs to be incorporated into any future significant applications for dwellings.
- A new site entry should be considered and should span the River Irwell via bridge.
- Has a traffic survey been completed at the appropriate time?
- The town has no public services - a temporary leisure centre which is not fit for purpose, no civic centre and a terrible library
- I would support the development if Spring Lane is addressed and a new school is built.
- There are no flood defences in Radcliffe and the report ignores the flood risk of the combination of all 3 goits. The houses up stream and the Grade I listed monuments are at risk.
- The site should be used as a wildlife park with trails for bikes and walks and keep the village green.
- The development should provide for a new pharmacy premises on Cross Lane opposite the medical centre which provides adequate disabled access and should have its own allocated parking.
- Crossing points should be provided on Cross Lane.
- The Heritage Statement is inaccurate - no mention of the Manchester to Ribchester roman road, which crosses the site. No mention of the Doomsday report, which included a mill and recent excavations near the Tower revealed medieval structures in the Tower Street area.
- The roads are not wide enough to cater for parked vehicles and 2 spaces per property is not sufficient.

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

### **Consultations**

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

**Drainage Section** - No response.

**Environmental Health - Contaminated Land** - No objections, subject to the inclusion of conditions relating to contaminated land and informatives relating to asbestos and waste management.

**Environmental Health - Air Quality** - No objections, subject to a condition requiring electric charging points for vehicles to be installed.

**Environmental Health - Pollution Control** - No objections, subject to the inclusion of a condition relating to noise mitigation measures.

**Urban Renewal** - No response.

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

**Waste Management** - No objections.

**Environment Agency** - Object - Require information on the risk from Crow Trees Brook, floor levels for the proposed dwellings and the impact of the proposed development downstream. Revised FRA has been received and further comments will be reported in the Supplementary Report.

**Designforsecurity** - No response.

**Cadent Gas Ltd** - No objections, subject to the inclusion of informatives in relation to plant and required easements.

**United Utilities** - No objections, subject to the inclusion of conditions relating to foul and surface water drainage and a construction risk assessment method statement.

**Electricity North West Ltd** - No objections.

**The Coal Authority** - No objections.

**GM Ecology Unit** - No objections, subject to the inclusion of conditions relating to landscaping, otters, invasive species, nesting birds, environmental method statement, drainage strategy, bats, breeding birds and badgers and informatives relating to other mammals and bats.

**G M Archaeological Advisory Service** - No objections, subject to the inclusion of a condition relating to archaeological investigation and recording.

**Historic England** - No objections, subject to a condition relating to the archaeological recording of the site.

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

**Sport England** - Object - concerns about the suitability of the site for the re-located sports facilities. Further information has been received and will be reported in the Supplementary Report.

**Pre-start Conditions** - Agent has agreed with pre-start conditions

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

EC2/1	Employment Generating Areas
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN1/7	Throughroutes and Gateways
EN2	Conservation and Listed Buildings
EN2/3	Listed Buildings
EN3/1	Impact of Development on Archaeological Sites
EN3/2	Development Affecting Archaeological Sites
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/3	Water Pollution
EN7/5	Waste Water Management
EN8	Woodland and Trees
OL1/5	Mineral Extraction and Other Development in the Green Belt
OL5/2	Development in River Valleys
OL7/1	East Lancashire Paper Mill Water Catchment Area

RT1/1	Protection of Recreation Provision in the Urban Area
RT2/1	Provision of New Recreation Sites
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD1	Open Space, Sport and Recreation Provision
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD14	Employment Land and Premises
NPPF	National Planning Policy Framework

### Issues and Analysis

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

**Principle (Employment)** - The site is currently designated as an Employment Generating Area (EGA) in the adopted Bury UDP. Consequently, the principle of the proposal should be assessed against Policy EC2/1.

Policy EC2/1 states that in the defined Employment Generating Areas (EGA), the Council will only allow development for the uses specified - 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 Employment Generating Area.

However, in considering the proposal, there is also a need to take account of paragraphs 120 and 121 of the NPPF, which state that, 'Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:

- a) they should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and
- b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.

Paragraph 121 continues that local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and
- b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.

Whilst SPD14 is not generally applicable to land within an EGA, the tests within it are an appropriate way of determining whether a site is likely to be used for employment.

SPD14 sets out a 'sequential approach' to proposals that would result in the loss of employment land that is considered to be appropriate in land use terms, namely:

- To retain the site in employment use;
- Where the retention of the whole site in employment use is not viable, to consider whether the site is suitable and viable for a mixed use scheme incorporating a satisfactory element of employment uses which would be cross-subsidised by higher value uses; and
- Where a mixed use scheme is inappropriate and/or unviable, to consider the redevelopment of the site for alternative uses subject to a one-off payment to the Council to compensate for the loss of the employment land.

If the continuing use for employment is found not to be viable following these policy tests, alternative uses for the site would be considered.

The site was previously in use as a paper mill and closed in 2001. Prior to closure, the factory had been in a steady decline and once in administration, bidders were sought to take over the company. None were found, which could make a viable use of the site for employment purposes.

Following the closure, the site was purchased by P & F Properties, who sought to redevelop the site for a residential led mixed use development (45598) which included industrial units and a secondary school. The application was approved in 2007 and was extended in 2013 (55901) and the consent expired in 2016. There has been no market interest in the site for employment use since the mills closure in 2001 and the previous consent for a mixed use scheme did not come forward. As such, it is considered that the mixed use approach as per the previous consents (45598 and 55901) was not be viable and there is no reasonable prospect of the site being used for the allocated employment use. Therefore, the proposed development would be acceptable in principle and would not conflict with Policy EC2/1 of the Bury Unitary Development Plan and paragraphs 120 and 121 of the NPPF.

**Principle (Residential)** - 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.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up with sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

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.

Policy H4/1 states that the Council will encourage the provision of affordable housing through negotiation, partnership agreements and the identification of land suitable for such purposes. There will be a particular emphasis given towards encouraging the development of affordable housing as an integral part of large housing developments.

The site for the proposed residential element of the scheme is located within the urban area and there are residential dwellings to the north, west and north east. As such, the proposed development would not conflict with the surrounding land uses. Appropriate infrastructure

would be available. The site contains 3 industrial buildings, hardstandings and lodges associated with the former paper mill and would be previously developed land. As such, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

As the application is in outline with the means of access to be determined at this stage, it is not possible to ascertain the exact number and mix of housing, which will be determined at the reserved matters stage under 'layout'. As such, it is not possible to ascertain which specific units would be affordable at this stage. A condition would be included on the decision notice to ensure that a scheme to secure affordable housing in accordance with relevant policy is submitted at reserved matters stage. Therefore, the proposed development would comply with Policy H4/1 of the Bury Unitary Development Plan and the NPPF.

**Principle (Recreation)** - Paragraph 97 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Policy RT1/1 states that development will not be allowed where it would result in the loss of:

- existing and proposed outdoor public or private recreation facilities, including playing fields, sports grounds, parks and gardens, childrens play areas, allotments and golf courses;
- recreation space within settlements located in the Green Belt;
- indoor facilities for which there is a recreational need;
- any other unidentified recreation provision such as playing fields, sports grounds, parks and gardens, children's play areas, allotments and golf courses, including sites created during the period of the plan.

Exceptions to this policy may be permitted where:

- sports and recreation facilities can best be retained and enhanced through the
- redevelopment of a small part of the site;
- alternative provision of equivalent community benefit is made available; or
- it can be demonstrated that there is an excess of sports pitch provision and public open space in the area, taking account of the recreation and amenity value of such provision.

The application site contains a cricket pitch and a bowling green and informal open space (0.24 hectares in size) on Howard Street. The cricket pitch and the bowling green would be relocated to land to the south of Tower Street (known as Tower Farm) and 3.16 hectares of amenity open space would be provided as part of the proposed development.

The existing cricket pitch, including the ancillary facilities of a portacabin used for changing, is 10,085 square metres with the pitch only is 7,619 square metres. The proposed cricket club, including ancillary facilities would be 13,192 square metres, including 25 parking spaces and a pavilion and the pitch only would be 11,241 square metres. The proposed development would provide a larger facility in terms of square metres and would provide better facilities in the form of a building as opposed to a portacabin. As such, the proposed development would replace the existing sports provision with a better facility in terms of quantity and quality close to the location of the existing club. The detail of the new club would be addressed at the reserved matters stage and would be secured through a condition.

The informal open space of 0.24 hectares at Howard Street would be replaced with 3.16 hectares of amenity open space as part of the proposed development. The detailed landscaping of this area would form part of the reserved matters. However, the proposed development, subject to conditional control, would replace the existing provision with better

provision in terms of quality and quantity.

An agronomy report, which details whether the land would be suitable for use as sports pitches, has been submitted. The report states that the site would be suitable providing the following 3 issues are addressed:

- The spoil arisings are dealt with in agreement with the Environment Agency's requirements.
- A suitable drainage system can be provided to ensure that the pitch is playable
- The site can be utilised given its location within flood zones 2 & 3. This will require liaison with the Environment Agency to determine actions required.

Further information in the form of the Flood Risk Assessment has been received and is currently being assessed by Sport England. Further comments will be reported in the Supplementary Report.

Therefore, the principle of the proposed development is acceptable and would be in accordance with Policy RT1/1 of the Bury Unitary Development Plan and the NPPF.

**Principle (Green Belt)** - The proposed development would involve the provision of amenity space and sports facilities on land to the south and east of Tower Street, which is located in the Green Belt.

Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a. buildings for agriculture and forestry;
- b. the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e. limited infilling in villages;
- f. limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g. limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within an area of the local planning authority.

Paragraph 146 of the NPPF states that certain forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a. mineral extraction;
- b. engineering operations;
- c. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d. the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds; and
- f. development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The proposed development would provide the relocated sports facilities (cricket pitch and

pavilion) in the Green Belt.

The provision of the cricket pitch would be a material change of use of the land by its nature would preserve the openness of the Green Belt. As such, the proposed change of use would be appropriate form of development within the Green Belt.

The proposed pavilion would provide changing facilities for the cricket club, who will utilise the proposed pitch. As such, the building would be associated with the pitch and the provision of changing rooms would be appropriate facilities. As such, the proposed development would be an appropriate form of development in the Green Belt.

Therefore, the proposed development would be in accordance with Policies OL1/2 and OL1/5 of the Bury Unitary Development Plan and paragraphs 145 and 146 of the NPPF.

**Design and layout** - The proposed masterplan indicates that the proposed dwellings would be located in the northern and south western part of the site. The proposed recreational and sports facilities would be located in the south/south eastern part of the site. The proposed masterplan has taken into consideration the physical constraints of the site, including the retention of Hutchinson's Goit and the existing waterbody and whilst the proposed masterplan is indicative, it indicates that the scale of the proposed development can be accommodated within the site.

The indicative layout has been designed to ensure that the proposed development would be outward facing and would respond to the massing and character of the locality. The proposed dwellings would have private amenity space, which would be acceptable in terms of size. There would be a mix of properties from apartments through to detached dwellings. The proposed dwellings would be 2 storeys in height with properties of 2.5 and 3 storeys in height at prominent locations and key corners to add visual interest.

Therefore, the proposed development would assimilate into the streetscene appropriately and would be in accordance with Policies EN1/2, H2/1, H2/2 and EC6/1 of the Bury Unitary Development Plan.

**Impact upon residential amenity** - SPD 6 provides guidance on aspect standards for residential properties and would be relevant in this case. The proposed masterplan shows that the required aspect standards could be accommodated between existing and proposed dwellings and internally within the site. Therefore, the proposed development would comply with the aspect standards and would not have an adverse impact upon the amenity of the neighbouring properties.

**Ecology** - A phase 1 ecology survey has been undertaken for the main site and a separate phase 1 survey for the area where the sports pitches will be located. GM Ecology Unit have been consulted.

Great crested newts - The phase 1 habitat survey assessed the entire site for great crested newts (GCN). Data held by GM Ecology Unit confirmed that there are no records of GCN within the site boundary and as such, there is negligible risk of GCN being present.

Bats - A bat survey was undertaken which states that three species of bat were recorded on site during static monitoring surveys and 2 more species were recorded during emergence/re-entry or transect surveys. Bat activity was the highest in the east of the site with the reservoir providing foraging for the bats. Lower levels of bat activity were recorded over areas of willow and bramble. No evidence of roosting was found during surveys of the three buildings on site. GM Ecology Unit agree with the findings of the report and have no objections, subject to the inclusion of a condition relating to bats.

Bat activity surveys were undertaken for the area of the sports pitches and the report confirmed that the habitat is of moderate potential for bats. Further survey work should be undertaken and GM Ecology Unit have confirmed that these should be submitted with the

reserved matters application.

Otter - No evidence of otters was found during the survey and as stated in the report, it is unlikely that they will utilise the site due to the high retaining walls. Whilst no works to the river are proposed and the risks are low, it is possible that an otter could pass the application site in the River Irwell. As the proposed development is an outline application and the detailed design of the proposals may change (i.e. the retaining walls may require work, GM Ecology Unit have no objections, subject to the inclusion of a condition relating to otters.

Badgers - No evidence of badgers was found on the main site, but there was evidence of badgers on the sports pitch site. This may result in an amendment of the layout of the site and GM Ecology Unit have confirmed that this detail can be submitted as part of the reserved matters application.

Nesting birds - A breeding bird survey was submitted as part of the application for the main site. The report found that there were a total of 38 species recorded, but none were protected species and the habitat types present within the site will require mitigation due to the loss of foraging habitats. GM Ecology Unit has no objections, subject to the inclusion of a condition relating to nesting birds and an landscape and environmental management plan, including measures to protect and enhance the sand martin and house sparrow species.

The appraisal for the sports pitch area recommended that further surveys should be undertaken. GM Ecology Unit have no objections to this and recommend a condition requiring the survey to be submitted as part of the reserved matters application.

Invasive species - Japanese knotweed, Himalayan balsam and giant hogweed were identified on the site and *Crassula helmsii* was recorded. Whilst the report is accepted, it is likely that the species may have spread by the time the development is implemented as the current application is in outline. GM Ecology Unit has no objections, subject to the inclusion of a condition relating to invasive species.

Other mammals - The phase 1 ecology report states that there is a high risk of other mammals such as fox and hedgehog being present on the site. Whilst these are not protected under wildlife law, they are protected under animal welfare law. GM Ecology Unit has no objections, subject to the inclusion of an informative relating to foxes and hedgehogs.

Protection of river Irwell and other watercourses - The development has the potential to negatively impact on the ecological potential of the River Irwell as defined under the Water Framework Directive. The EU Water Framework Directive requires environmental objectives be set for all surface and ground waters to enable them to achieve good status or potential for heavily modified water bodies by a defined date. One objective is to prevent further deterioration which can include changes to flow pattern, width and depth of channel, sediment availability/transport and ecology and biology.

The indicative layout shows a significant buffer between the river and the development, and as such, there is a high potential for enhancement post development, but there may be risks during the construction phase. GM Ecology Unit has no objections to the proposed development, subject for the inclusion of a condition relating to a water framework directive assessment, method statement to protect the River Irwell and a drainage strategy.

In conclusion, GM Ecology Unit confirm that the proposed development would not have a significant adverse impact upon the protected species and the ecology on site, subject to conditional control. There is no reason to disagree with their recommendation. Therefore, the proposed development would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

**Heritage** - Sections 66 and 72 of the Town & Country Planning (Listed Buildings &

Conservation Areas Act) 1990 imposes a statutory duty upon the Local Planning Authority (LPA) to recognise, positively manage and ensure the preservation or enhancement of Listed Buildings and Conservation Areas.

Chapter 12 of the National Planning Policy Framework (NPPF) sets out the Government's planning policy position in relation to development involving heritage matters. Paras 128 to 141 set out how the significance of listed buildings and Conservation Areas must be considered in relation to development proposals including, but limited to, the judgement of harm, significance, loss to heritage assets (Designated ones and non-designated ones).

The proposed development may impact upon 2 listed buildings - Radcliffe Tower and the Church of St Mary & St Bartholomew. Radcliffe Tower is a scheduled ancient monument and a Grade I listed building. It is located to the north of the application site and is constructed from coursed limestone. It is rectangular in plan form and the remnants of the tower are over 20ft high with low arches on the ground to three sides and a doorway on the east elevation.

The Church of St Mary & St Bartholomew dates back to 14th century with 15th, 17th and 19th century additions and alterations. The church is constructed from red sandstone with a three storey crenelated tower. Originally it formed part of the manorial precinct and is Grade I listed building.

The heritage statement confirms that the most important elements of setting of these two listed buildings lies in their immediate surroundings as well as their relationship with each other. The closest element of build form would be the proposed sports pavilion, club house and associated car park, which would be positioned to the south of the tower. This element of setting makes no particular contribution to the significance of either of the Grade I listed buildings. While the construction of the club house and car park would see an alteration to the character and appearance of setting, it would not result in any harm to the significance of either of the heritage assets.

Historic England agree with the conclusion of the Heritage Statement and have no objections to the proposed development, subject to the inclusion of a condition relating to archaeological investigation.

GM Archaeology Advisory Unit have no objections to the proposed development, subject to the inclusion of condition relating to archaeological recording and investigation.

Therefore, the proposed development would preserve the character of the Grade I listed buildings (Radcliffe Tower and Church of St Mary & St Bartholomew) and would be in accordance with Policies EN2/3 and EN3/1 of the Bury Unitary Development Plan and the NPPF.

**Noise** - A noise survey has been submitted as part of the application. The survey undertook noise readings at various locations through the site and reports that the main sources of noise are primarily road traffic noise from the adjacent road (Cross Lane) and bird song. Infrequent noise events, such as bangs and vehicle movements were heard from the nearby industrial buildings.

The survey found that noise levels within the site are low and the dominant source of noise is from Cross Lane. Whilst the indicative site plan shows residential properties along the frontage with Cross Lane, this would represent a continuation of the existing properties on the street and subject to detailed design with regard to enhanced double glazing, the noise levels would not be significantly adverse to the amenity of the future occupiers. In addition, a close boarded fence would be required to these properties to ensure noise levels within the private amenity space would not harm the amenity of the future occupiers.

Environmental Health - Pollution Control have no objections, subject to the inclusion of a condition relating to noise mitigation measures.

Therefore, the proposed development, subject to conditional control, would not have an adverse impact upon the amenity of the neighbouring properties with regard to noise and would be in accordance with Policy EN7/2 of the Bury Unitary Development Plan.

**Flood risk** - The proposed development is located within flood zones 2 and 3. Hutchinsons Goit passes through the site, which is located adjacent to the River Irwell. The proposed dwellings would be located in the northern part of the site and there would be a buffer of between 25 metres and 111 metres between the residential development and the River Irwell. The buffer area would be utilised as an extension to the functional flood plain.

The Environment Agency have objected to the proposal initially and require further information on the risk from Crow Trees Brook, floor levels for the proposed dwellings and the impact of the proposed development downstream to ensure that the proposed development would not increase flood risk elsewhere.

A updated Flood Risk Assessment has been submitted and comments are awaited from the Environment Agency. These will be reported in the Supplementary Report.

**Air quality** - An air quality assessment was submitted with the planning application and found potential impacts during the construction phase and during the operational phase. During the construction phase, the potential impacts include fugitive dust emissions from site activities, which as demolition, earthworks and construction, which would lead to some neighbouring properties experiencing increased levels of dust and particulate matter in the short term. The impact upon the neighbouring properties would be mitigated by site specific measures and as such, the impact upon the amenity of the neighbouring properties would not be significant.

Following completion of the development, there is potential for the exhaust emissions from the traffic associated with the proposed development. Based on the worst case level of traffic, the exposure to nitrogen dioxide would be negligible at all receptors. In addition, the exposure to particulates would be negligible at all receptors. Environmental Health - Air Quality section have no objections, subject to the inclusion of a condition requiring electric charging points for vehicles to be installed. As such, the proposed development would not have a significant adverse impact upon the surrounding area and would be in accordance with Policy EN7/1 of the Bury Unitary Development Plan and the NPPF.

**Trees** - The site contains a number of trees. In terms of quality there are a mix of category B, C and U trees, with the majority of the trees being category C and U, which are of poor quality. Whilst the detailed layout of the scheme is not known at this stage, the removal of the poor quality trees would not harm the character of the area, subject to their replacement. Therefore, the proposed development would not have an adverse impact upon the character of the locality, subject to the conditional control of the re-planting of trees. The proposed development would be in accordance with Policies EN8 and EN8/2 of the Bury Unitary Development Plan.

**Highways issues** - A Transport Assessment (TA) was submitted as part of the application. The number of dwellings proposed has reduced by 40 from the original proposal and the TA is based upon the traffic impact from 440 dwellings.

The potential trips generated by the development has been forecast and it equates to less than 4 trips every minute during the peak hours. The development trips distribute in several directions to/from the site using various key routes. Consequently, the impact of the development in terms of flows on the vast majority of individual links will be significantly less than four trips per minute. The traffic impact of the proposed development has been assessed at several key junctions on the highway network and these were agreed through scoping discussions with Transport for Greater Manchester (TfGM). The modelling results indicate that the junctions would be able to incorporate any additional traffic with only nominal increases in queues and delays. TfGM has no objections to the proposal subject to the inclusion of a condition relating to the provision of CCTV and MOVA as part of the

proposed development. The CCTV and MOVA would enable TfGM to monitor and improve the efficiency of the junctions and increase capacity.

The main accesses to the proposed development would be from Cross Lane and additional access points for a mixture of pedestrian, cycle, vehicular and emergency access would be taken from Sandford Street, Bury Street, Croft Lane and Cock Clod Street.

Vehicular accesses would be provided at Cock Clod Street and further up Cross Lane. Revised plans have been received during the course of the application which have widened the vehicular accesses to provide sufficient space for vehicles to queue when leaving the development. In addition, the accesses were widened to accommodate left and right hand turn lanes at the junctions with Cross Lane, which is welcomed. There would be appropriate levels of visibility at the junctions of the respective accesses and Cross Lane.

Pedestrian and cycle links would be provided at Sandford Street, Bury Street and Rectory Lane. The link would be 4 metres wide and the accesses on Sandford Street and Bury Street could be utilised as an emergency access if required when the detailed layout is known. The proposed masterplan indicates that appropriate levels of parking could be accommodated within the site. The exact level of parking required would be determined at the reserved matters stage once the detailed layout and number of dwellings has been set.

The Traffic Section have no objections in principle and further comments will be reported in the Supplementary Report. Therefore, the proposed development would not have a significant adverse impact upon traffic flow and highway safety and would be in accordance with Policies H2/1 and H2/2 of the Bury Unitary Development Plan.

**Statement of Community Involvement** - A series of consultations took place including letters to various stakeholders and nearby residents, meetings with ward councillors and a webpage where people were able to comment on the proposals prior to the submission of the planning application.

The letters were sent to residents and businesses in the vicinity, ward councillors for the three Radcliffe wards and the MP's office for Bury South. The letters contained information about the proposal and details, time and venue for a public exhibition. Posters were sent to the Council's register of community groups and interested parties and advertisements placed in the local press for the public exhibition. Ward councillors were briefed on 29th January 2018 and all were invited to the public exhibition.

On 30 January 2018, the applicant held a public exhibition at the Radcliffe United Reformed Church between 2pm and 7pm, which allowed the community a chance to see the proposals in greater detail, ask questions and raise concerns. All the information boards available at the exhibition were uploaded to a website. Feedback forms were provided at the event and an online version of the feedback form was uploaded to the website.

46 forms were returned at the meeting and a further 11 comments were received after the exhibition.

Following the public consultation, the proposals were revised, reducing the number of properties from 440 to 400.

### **Response to objectors**

- The issues relating to traffic and highway safety have been addressed in the report above. The proposed access points are acceptable and have acceptable levels of visibility.
- The issues relating to flood risk, land contamination, recreation and the re-location of the cricket club, noise, impact upon privacy, heritage, ecology
- Church Street East would not be used as a through route for vehicles, but could be used by pedestrians and cyclists.
- A separate car park would be provided for use by the cricket club players and

supporters.

- The internal road layout would be part of the reserved matters application once the detailed layout of the site is known.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during pre-application discussions to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

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

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

Reason. To ensure the satisfactory development of the site and because this application is in outline only.
3. This decision relates to drawings numbered SP-01 F, SP-05, SP-06 A, which set the design principles and the associated supporting reports and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
4. 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 15 - 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 15 - Conserving and enhancing the natural environment.
6. A comprehensive construction design for a gas vent trench shall be submitted to and approved in writing by the Local Planning Authority and incorporated into the development to prevent the ingress of landfill gas or ground gas into the residential development area to be approved by the Local Planning Authority before work commences for the construction of the dwellings.  
Subject to the above, a Site Verification Report detailing the design and installation of the gas vent trench, including substantiating evidence, shall be submitted to and approved by the Local Planning Authority with approved timescales. It shall be implemented and validated prior to first occupation of the development hereby approved.  
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.
7. 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.
8. Prior to occupation the applicant shall provide a scheme for electric vehicle charging points for the residential units. EV chargepoints shall be chosen from the Electric Vehicle Homecharge Scheme approved chargepoint model list.  
Reason. To safeguard residential amenity, public health and quality of life and to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable, in accordance with paragraph 35 and 124 of the NPPF.
9. An acoustic attenuation scheme for all dwellings fronting onto the A6053 shall be submitted at the first reserved matters stage. The scheme shall include details of acoustic glazing and acoustically treated ventilation. The acoustic attenuation scheme hereby approved shall be implemented in full before use of the residential premises first commences.  
Reason. To protect the amenity of the occupants of the premises once the development hereby approved is occupied pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.
10. Foul and surface water shall be drained on separate systems.

Reason. To secure proper drainage and to manage the risk of flooding and pollution pursuant to Policies EN7/5 - Waste Water Management and EN5/1 - New Development and Flood Risk of the Bury Unitary Development Plan.

11. 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 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

12. No development shall take place unless or until a Construction Risk Assessment Method Statement (RAMS) for construction of the proposed development has been submitted to and approved in writing by the Local Planning Authority. The statement shall outline the potential impacts from all construction activities on infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to this infrastructure. The development hereby approved shall only be undertaken in accordance with the approved RAMS.

Reason. To ensure a satisfactory form of development and to afford appropriate protection of infrastructure that crosses the site pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

13. No development shall take place unless or until the applicant or their agents or their successors in title have secured the implementation of a programme of archaeological works. The programme is to be undertaken in accordance with Written Schemes of Investigation (WSIs), which must be submitted to and approved in writing by the Local Planning Authority. The WSIs shall cover the following:

1. A phased programme of archaeological fieldwork to include:
  - An updated programme of archaeological desk based assessment which will inform:
    - A programme of archaeological evaluation trenching;
    - Targeted open area excavation (subject to a separate WSI)
2. A programme for post investigation assessment to include:
  - Analysis of the site investigation records and finds
  - Production of a final report
3. Provision for publication and dissemination of the analysis and report on the site investigation.
4. A scheme for presentation and commemoration of the site's heritage
5. Provision for archive deposition of the report, finds and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the programme set-out within the approved WSIs.

Reason. To make a record and advance understanding of heritage assets impacted on by the development and to make the information about the heritage interest publicly accessible pursuant to Policies EN3/1 – Impact of Development on Archaeological Sites, EN3/2 – Development Affecting Archaeological Sites and

EN3/3 – Ancient Monuments of the Bury Unitary Development Plan and Section 12 of the National Planning Policy Framework.

14. If the development hereby approved does not commence before 30th April 2019, the building and trees on site shall be reassessed for bat roosting potential and the findings supplied to and approved in writing by the Local Planning Authority.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
15. Bat activity surveys for the area where the sports pitches are to be relocated to shall be submitted to the Local Planning Authority as part of the first reserved matters application. The survey shall include appropriate mitigation measures and the approved scheme shall be implemented prior to first occupation of the dwellings hereby approved.  
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.
16. An assessment on the the potential impacts upon the otters shall be submitted to the Local Planning Authority as part of the first reserved matters 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.
17. No works to trees or shrubs shall occur between the 1st March and 31st August in any year.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
18. Breeding bird surveys for the areas to be used for the relocated sports pitches shall be submitted to the Local Planning Authority as part of the first reserved matters application. The survey shall include appropriate mitigation measures and the approved scheme shall be implemented prior to first occupation of the dwellings hereby approved.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
19. A reasonable avoidance method statement to prevent any negative impacts on badger habitat shall be submitted to the Local Planning Authority as part of the first reserved matters application. The survey shall include appropriate mitigation measures and the approved scheme shall be implemented prior to first occupation of the dwellings hereby approved.  
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.
20. No development shall commence until full details of a scheme for the eradication and/or control of for himalayan balsam, japanese knotweed, giant hogweed and Crassula helmsii is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for

implementation. If earthworks are delayed beyond 31 March 2019 an updated species invasive survey shall be carried out and the findings submitted to and approved in writing by the Local Planning Authority.

Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

21. A water framework directive assessment to detail the impact from the development upon the River Irwell shall be submitted to the Local Planning Authority as part of the first reserved matters application. The assessment shall include appropriate mitigation measures and the approved scheme shall be implemented prior to first occupation of the dwellings hereby approved.

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.

22. A drainage strategy that demonstrates that there will be no negative impacts on the ecological status/potential of the River Irwell resulting from the disposal of foul water and surface water disposal post-development shall be submitted to and approved in writing by the Local Planning Authority. The details, as approved, shall be implemented in full in accordance with a timetable which has first been agreed in writing by the Local Planning Authority.

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

23. A landscaping scheme shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include:

- native tree and shrub planting;
- mitigation for bat foraging habitat;
- loss of nesting bird habitat;
- measures to enhance the existing reservoir, goits and River Irwell
- marshy grassland and woodland habitat.

The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

24. The development authorised by this permission shall not begin unless and until the Local Planning Authority has approved in writing a scheme to secure Affordable Housing provision as part of the development, which shall include a mechanism for delivery, in accordance with policy H4/1 – Affordable Housing and its associated SPG5 – Affordable Housing Provision in New Residential Developments. The scheme shall be submitted as part of the reserved matters application and the affordable housing provision shall be delivered in full accordance with the approved details.

Reason. To ensure that the development would contribute to satisfying the need

for affordable housing provision pursuant to Bury Unitary Development Plan Policy H4/1 - Affordable Housing and the associated Development Control Policy Guidance Note 5 - Affordable Housing Provision In New Residential Developments.

25. In the event of the development comprising 10 units and a combined floorspace of more than 1000 square metres or 11 units or more (regardless of floorspace), the development authorised by this permission shall not begin unless and until the Local Planning Authority has approved in writing a scheme to secure recreation provision, which shall include a mechanism for delivery, in accordance with policy RT2/2 – Recreation Provision in New Housing Development and its associated SPD1 – Open Space, Sport and Recreation Provision in New Housing development. The scheme shall be submitted as part of the reserved matters application and the recreation provision shall be delivered in full accordance with the approved details.

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

26. 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 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.

27. Planning permission is granted for the principle of residential use only and not for the specific number of dwellings indicated on the submitted plans and / or application.

Reason. It is not possible to grant permission for a specific number of dwellings without a detailed layout pursuant to Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

28. Notwithstanding the submitted plans, details of the internal road layout shall be submitted to the Local Planning Authority as part of the reserved matters application relating to layout.

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

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



Production Date: 06 Dec 2018

Scale 5500 when printed at A4

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Notes



REV	AMENDMENTS	BY	DATE
A	Revised Insect	WH	23.05.18
B	Revised Insect	RC	30.05.18
C	Revised Insect	RC	07.06.18
D	Amendment to govt	RC	14.06.18
E	Amendment to layout following highways changes and altered track details	RC	28.09.18
F	Amendment to govt	RC	01.10.18



- KEY**
- Site Boundary
  - Bury Council Land Ownership
  - Proposed Dwellings
  - Gardens
  - Public Open Space
  - Proposed Roads
  - Proposed Private Drives
  - Emergency Vehicle Access
  - Pedestrian / Cycle / Emergency Vehicle Access only
  - Public Right of Way
  - Proposed Pedestrian Routes
  - Retained Trees
  - Proposed Trees
  - Proposed Realignment of Golt
  - Proposed SUDs attenuation ponds
  - Retained Reservoir
  - Proposed Sports Pavilion/Club House



Homes England  
**East Lancashire Paper Mill**  
 Illustrative Masterplan

DATE: 01.10.2018 SCALE: 1:1250 @ A4  
 DRAWN BY / REVIEWED BY: BH / LW  
 PROJECT NO: DRAWING NO: EDVISION:  
 A00070-132 SP-01 F

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**Ward:** Bury West - Church

Item 02

**Applicant:** Mr Keith Talbot

**Location:** Land at Lodge Side, Bury, BL8 2SW

**Proposal:** Erection of shed

**Application Ref:** 63280/Full

**Target Date:** 17/12/2018

**Recommendation:** Approve with Conditions

### **Description**

The application is retrospective and relates to a small plot of land on top of the embankment on the eastern side of Elton Vale Reservoir. The reservoir is a Site of Biological Importance (SBI) known as Cyrus Ainsworth's Nurseries and Parkers Lodge and the Green Belt runs along the waters edge on the west side and along the boundary fence to the south. To the east is a recently completed housing estate, characterised by detached two storey houses sited on lower ground, behind the reservoir embankment. The pedestrian access to site is through the existing gates to the lodge to the north, near the car park.

The proposal seeks to retain the painted timber shed (light green) with a floor area of 9sqm, located at the top of the embankment in the south-east corner of the reservoir site. The shed, with a maximum height of 2.3m, is used as a potting shed and to store gardening equipment relating to the adjacent small allotment. The allotment is not development and therefore does not require planning permission.

The applicant states that the shed and associated planting area was established as part of the National Garden Scheme and is worked on by a small group of volunteers.

### **Relevant Planning History**

16/0321 - Enforcement notice relating to Unlawful outbuilding - 2/10/17  
Enforcement Appeal dismissed 30/08/18

### **Publicity**

The following neighbours were notified by letter dated 24/10/18. Site notice posted 24/10/18. Nos.1, 11, 14, 15, 17 and 19 Lodge Side.

Five objections, received from occupiers at 2, 8, 15, 19 and 22 Lodge Side, are summarised below.

- Houses on Lodge Side can be overlooked and therefore it would have a detrimental impact on the privacy of neighbouring residents.
- The garden, as part of the National Garden Scheme, is open to the public and this is not acceptable.
- The structure is described as a summerhouse rather than a shed and this implies a different use.
- It interrupts views from the properties on Lodge Side.

All objectors have been notified of the Planning Control Committee.

### **Statutory/Non-Statutory Consultations**

**Drainage Section** - No objection.

**Environmental Health** - No objection.

**Traffic Section** - No objection.

## Pre-start Conditions - N/A

### Unitary Development Plan and Policies

EN6/4	Wildlife Links and Corridors
EN1/1	Visual Amenity
EN1/3	Landscaping Provision
EN8/2	Woodland and Tree Planting
NPPF	National Planning Policy Framework
SPD2	DC Policy Guidance Note 2: Wildlife Links & Corridors
EN1/2	Townscape and Built Design

### 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.

**Background** - The planting beds were established by the applicant and are worked on by a small group of volunteers. It is part of the National Garden Scheme which helps to raise money for charity and increase interest in horticulture. The shed was built to store equipment and give the volunteer gardeners some shelter. The pamphlet for the National Garden Scheme states that the garden would have an open day on Sunday June 17 and other visits would be by arrangement only. It should be noted that the use of the land, effectively as an allotment, does not require planning permission. The shed requires planning permission on the basis that it is a structure on land that does not have 'Permitted Development' rights.

**Visual amenity and impact on character of the Area** - It is important to note that the site is not within the Green Belt where there is a presumption against new buildings unless they fall into certain use categories.

The shed is modest in size, timber built with duck egg blue finish with a traditional appearance and specifically located to support the gardening work carried out on the adjacent land. The adjacent land is used as an allotment with planting beds and this area effectively softens the appearance of the structure and indeed gives it a reason for being there.

In terms of visual amenity and impact on the character of the area, it does not appear out of keeping with the area around the lodge and in this respect, is considered to comply with the NPPF and UDP Policies EN1/1 Visual Amenity.

The main concern is the impact on adjacent residents, specifically Nos.15, 17 and 19 Lodge Side.

**Residential Amenity** - Given the location is on top of the existing embankment, anyone standing next to the shed can look down into the gardens of the houses at a lower level that back onto the embankment, most noticeably No.17 as No.19 is partly screened by a boundary fence and No.15 is furthest away of the three houses.

Currently, there is some screening in the form of a trellis fence with planting along the northern side of the shed. However, as a response to concerns from immediate neighbours about overlooking, the plans have been revised to provide additional screen planting along the rear/east boundary and around the northern side of the shed - in the form of an appropriate beech/laurel hedge and buddleia bushes.

The given the proposed screen planting, which would be required to be planted within the first planting season, and the distances and aspects in relation to neighbours, it is not considered that there would be so serious overlooking, beyond that which would occur in any case without the structure, as to warrant refusing the application.

**Conditions** - Given that the shed is closely associated with the adjacent allotment, it would be reasonable to attach a condition requiring it be dismantled and removed from the site should the use of the shed and adjacent allotment cease.

**Objections** - The concerns of the residents with regard to overlooking and privacy are material considerations and the additional planting should reduce overlooking from the shed somewhat although there would always be some overlooking from the allotment and embankment in any case.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

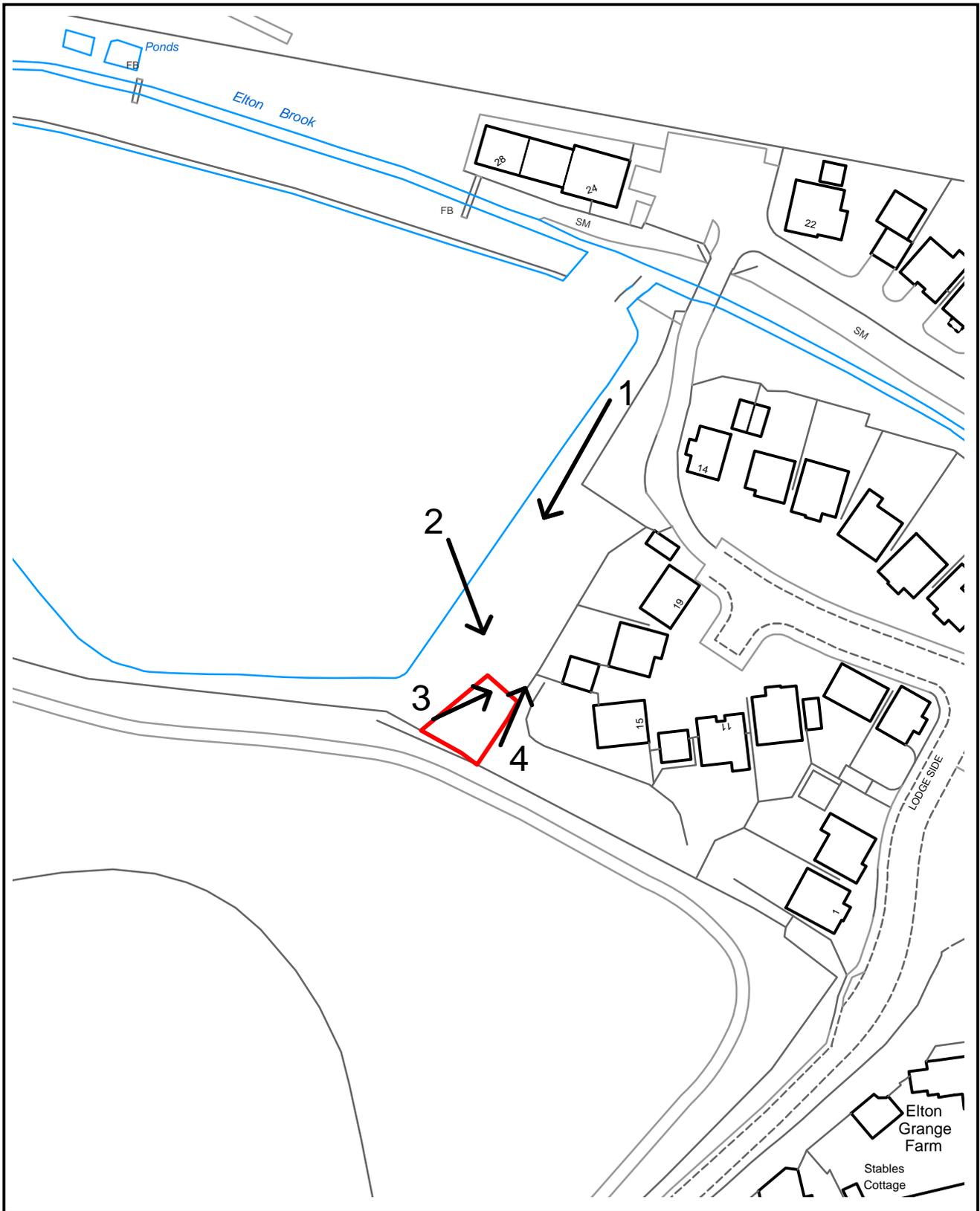
**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. This decision relates to drawings numbered Revised drawing 18/531.01A and 05 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason: For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
2. A planting scheme, including planting schedule, along the eastern boundary and along the northern side of the shed shall be submitted to be approved by the Local Planning Authority within one month of the date of this decision. The approved scheme shall thereafter be implemented within the first planting season from the date of this decision; any plants removed, dying or becoming severely damaged or becoming severely diseased within three years of planting shall be replaced with other of a similar size/species.  
Reason: To reduce overlooking in the interests of residential amenity pursuant to the NPPF and Policy EN1/2 Townscape and Built Design.
3. The shed hereby approved shall be removed from site within 6 months of its use effectively ceasing.  
Reason: In order to retain control of the structure in the interests of visual amenity pursuant to the NPPF and UDP Policy EN1/1 Visual Amenity.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

APP. NO 63280

ADDRESS: Land at Lodge Side  
Bury

Planning, Environmental and Regulatory Services

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63280

Photo 1



Photo 2



63280

Photo 3



Photo 4





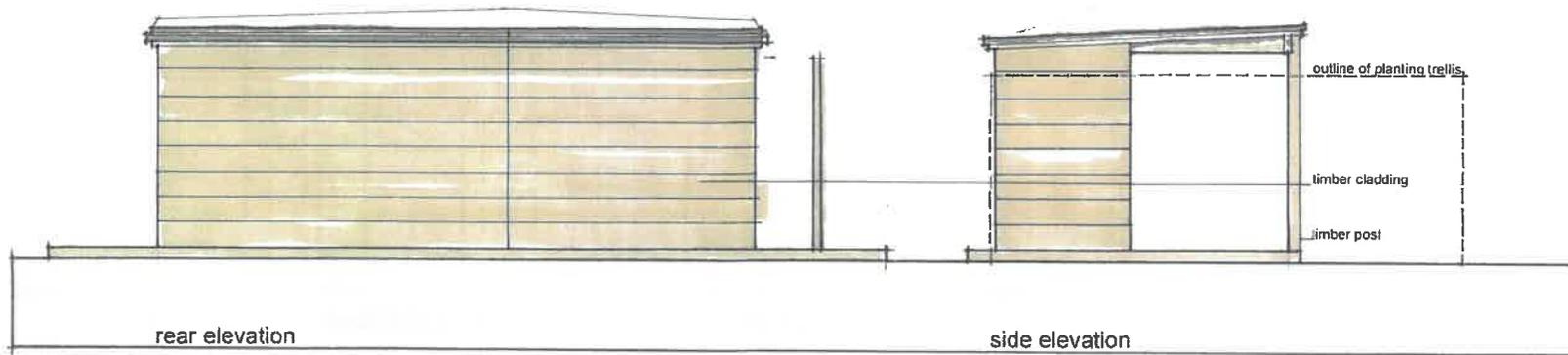
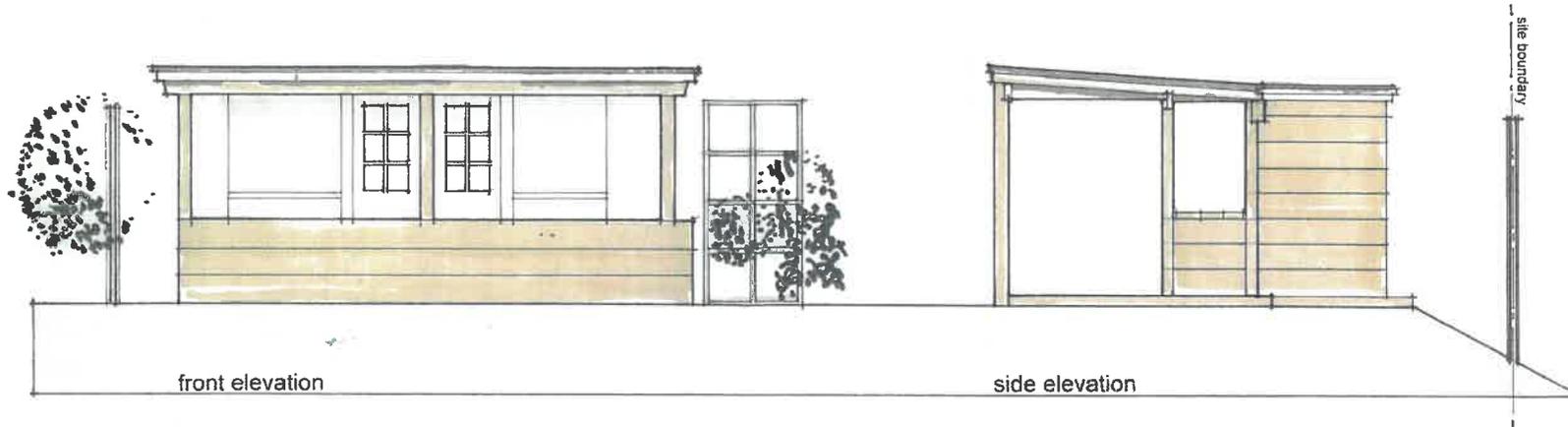
Project shed: lodgeside, bury  
 Drawing site layout

Client mr.k.talbot  
 Dwn. By wjh

Scale 1: 100  
 Drg. No. 18/531.01 (A)

Drg. Size a3  
 Date october 2018

**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



Project shed: lodgeside, bury  
Drawing elevations

Client mr.k.talbot  
Dwn. By wjh

Scale 1: 50  
Drg. No. 18/531.05

Drg. Size a3  
Date october 2018

**JOHN HOLT ARCHITECTS LTD.**

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**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 03

**Applicant:** IFA Private Clients Limited

**Location:** The Grant Arms, 11 Market Place, Ramsbottom, Bury, BL0 9AJ

**Proposal:** Change of use from hotel/public house (Class A4) to financial and professional services (Class A2); External alterations.

**Application Ref:** 63308/Full

**Target Date:** 22/11/2018

**Recommendation:** Approve with Conditions

### **Description**

The application relates to the Grant's Arms, a Grade II Listed Building which was last in use as a public house, restaurant and hotel, and which has been vacant for over 12 months. The building is located within the Ramsbottom Town Centre Conservation Area and is set in a prominent and elevated position in relation to the town centre. The site slopes downwards from north to south and the building is split level, to comprise 3 storey at the front and 2 storey to the rear. Access to the site is via a steep cobbled road which leads from Market Place.

To the north is a public car park beyond which are residential properties on Pinners Close. To the east is an unused and fenced off bowling green, Ramsbottom Civic Hall which is on a draft local list and Market Chambers which is a Grade II Listed Building. To the west are Nos 7-9 Market Place, which are also Grade II Listed, and in front of the building runs the cobbled access road which leads to these buildings and the car park.

Historically, the rear part of the existing building dated from circa 1780 and was known as Top o' th' Brow, later occupied by the Grant Brothers and thereafter called Grants Lodge. The building was later added to in 1828 by a 'T' shaped extension to the south when it became the Grants Arms Hotel, and from OS maps appears the current outline was in existence by 1850. The building is noted for its historical importance and significance within Ramsbottom in relation to the Grant's family, famous industrialists who helped found and develop Ramsbottom and on whom Charles Dickens modelled the Cheeryble brothers in Nicholas Nickleby.

The original c.1780 building is 2 storey in height which is rendered with a slate roof and arched doorway. The later 1828 extension added to the front is 3 storey, built to address the topography and steep slope of the site it sits within. This has a symmetrical classical front of ashlar stone and stone quoins, slate roof, sash windows and Tuscan half columns to the front doorway and features a clock on the top of the front elevation.

The application seeks consent for a change of use of part of the building from a hotel/public house (Class A4) to a financial and professional services office, (Class A2), together with external alterations.

The change of use to offices would relate to the lower, upper ground floor and first floor of the front and part of the middle section of the building (the 3 storey element). The remainder of the building would be retained as a hotel/public house (Class A4 use).

Alterations would be carried out internally to create open plan offices, meeting rooms and staff facilities to create a high quality office environment to modern standards. This would require the reconfiguration of the layout including the stripping out of some walls and

partitions and insertion of new partitions to form the office spaces and removal of the staircase. These internal works do not require planning permission but would require Listed Building Consent (LBC) which are covered in the concurrent LBC application reference 63309.

Externally, the key elements of the proposals comprise:

- Front elevation (south) - restoration and refurbishment of the existing sash windows ; new front door; repairs to restore the operation of the clock.
- Side (east) elevation - replacement of 2 upper windows with timber sliding sash to match the existing windows in this facade; form new opening in existing boundary wall, new steps, side wall and piers; new entrance door;
- Side (west) elevation - new sliding sash windows and blocking up of existing opening; extension of the first floor oval window to the stairwell; removal of roof structure over the external staircase; new external door with steps to seating area; removal of link building and infill existing store room.

The Applicant proposes to relocate the company's Head Office to the Grant's Arms together with 25 staff. Office hours proposed are Monday to Friday 8am to 6pm.

### **Relevant Planning History**

63309 - Listed Building Consent for change of use from hotel/public house (Class A4) to financial and professional services (Class A2); Internal and external alterations - current application

62929 - Outline application for erection of gated access and garage parking (secure) for 13 garages and a bin store - Refused 22/8/2019

61827 - Outline application for proposed demolition of part of building and erection of sheltered housing including change of use of public house to sheltered housing - Refused 08/03/2018. Dismissed on appeal 3/12/2018.

58807 - Erection of 24 (Cat C) flats for retirement housing for the elderly, communal facilities, landscaping and car parking - Refused 04/09/2015. Appeal dismissed 23/2/2016

58104 - Erection of 24 (Cat C) flats for retirement housing for the elderly, communal facilities, landscaping and car parking - at Land to rear of Grants Arms - Refused 22/1/2015

### **Publicity**

Surrounding businesses and properties including those on Pinners Close, Market Place, Bridge Street and Ox Hey Close notified by letter on 28/9/2018. A full list of those notified of the application and who have made representations can be found on the application file.

Press notice in the Bury Times - 4/10/2018

Site notice posted - 4/10/2018

116 representations made to the application

59 letters of objection received in total.

54 letters of support received in total

3 comments

Objections are summarised as:

- There is already an issue of insufficient parking that is available to the surrounding commercial buildings.
- It jeopardises people's jobs and businesses who rely on parking in the town for work purposes, which may see businesses relocated;
- For the size of the proposed offices, the amount of parking proposed would not be sufficient.
- With the new residential builds on Factory Street this will add even more strain on parking in the area;
- In the evenings and weekend, no one will use the parking spaces so why is there a need to take 35 spaces out of use 24 hours a day;
- The Grant's Arms is an iconic building in the centre of Ramsbottom, named after the

- founding fathers and it should at least remain a leisure/public amenity;
- It should be developed as a centrepiece to our town and not another office block;
  - The use would be against the cultural and heritage traditions and reduce heritage interest in the village;
  - Detrimental to footfall to the village and all the small independent businesses close by;
  - The economy in Ramsbottom could greatly suffer due to lack of parking and reduced heritage/general interest in Ramsbottom;
  - Adds nothing to the town but would take alot away;
  - Development in a Conservation Area should be enhancement - this takes no account of special features and character of buildings in the Conservation area nearby;
  - Offices are not required in Ramsbottom;
  - As next door neighbour and owner of adjacent business concerned about loss of parking and impact on businesses;
  - Whilst I would love the building to thrive I would prefer it to be a hotel in Ramsbottom which is in desperate need for extra accommodation;
  - Understand the building now has 'Asset of Community' Status and it proposed change of use, the building should be advertised for sale at a price agreed fairly on the open market for 12 to 24 months. No such action has been taken. No objection to change of use if a sale cannot be found as a hotel;
  - Not mentioned in the application as an ACV;
  - The Grade II listed building should be dealt with in its entirety and not simply the front section;
  - The owner does not appear to have tried to create a viable community facility. The bowling green has closed, hotel section is completely run down and there has been no investment in the public rooms;
  - It should be sold on the open market to attract investors from the hotel and our trade to the growing food, wine and tourism market for which Ramsbottom is becoming renown;
  - Approval at this time would be to make a hasty decision;
  - Time is needed to explore ways to bring back the Grants Arms into a use to provide much needed accommodation to support Ramsbottom as a tourist destination;
  - It will not bring jobs or money to the town as its purely an office move for a relatively small business employing a small number of people who currently work in Bolton. The building is also way too big for this proposed usage;
  - No job opportunities offered for local people;
  - Should be treated as an application for residential use as conversion from office to residential only needs Prior Approval under p.d. rights;
  - Active neglect of the hotel and bowling green by the owner, including illegal cutting down of trees;
  - Please do not reward deliberate neglect - Bury Council has the powers of maintenance enforcement with regard to listed buildings;
  - No attempts to sell the Grants as a hotel;
  - There have been other hotel success in Ramsbottom - why not this one?;
  - Am a local business owner who approached the owner to leasing or buying the building - the level of investment required to bring the property back to a usable state was not financially viable - the owner has not invested in the building. I was then told the building was not for sale;
  - I along with many others would be willing to save the building given the chance - it has never been on the open market and therefore nobody has had the opportunity to purchase;
  - Grants Arms has industrial, social and historical connections;
  - Aren't you, as a Council supposed to be promoting tourism in the area? if so a hotel is far more use;
  - There are loads of empty buildings in bury for an office use;
  - Reasons for listing go beyond the physical aspects of the building. The history and heritage are clearly also important;
  - The application does not address the issue of the oldest, back part of the building - is this to be left to deteriorate further until it has to be demolished and another important

part of the heritage is lost?

- An application has just been re-submitted for Ripon Hall Avenue which re-enforces the need for accommodation/hotel in Ramsbottom (but not in the middle of a housing estate);
- These owners have never made the property available for sale as a going concern;

The Friends of Ramsbottom Civic Hall (FORCH) have made the following comments: The group is concerned that the changes should not result in a reduction of access, usage or care of the overall site including the front, side and rear of the Grant's Arms, access which has been available to the public for over 100 years and recommends the Council should include the following requirements in their agreement if given:

1. That public access at all times with vehicles, including emergency, council and refuse vehicles to all areas of the front, side and rear of the site be confirmed and agreed by the applicant
2. That the ownership of all parking areas around the site should be determined and public access agreed in the application
3. That the ownership and responsibility for maintenance of all roads around the site should be expressed and agreed in the application.

Objection from the The Ramsbottom Heritage Society (RHS) summarised as follows:

- Lack of Marketing Strategy - Flagrant disregard of the procedure in the Institute of Historic Building Conservation) to follow appropriate marketing procedures;
- The loss of a valued community facility - evidence of its community use submitted
- Viability of the site for development - Our viability survey suggests it could have a prosperous future as a pub/hotel (submitted with the objection letter)
- The future of a listed and iconic building - lack of detail of the intentions for the rear of the building
- Impact of losing 35 car parking spaces
- A ruse to get a change of use further down the line from offices to residential units

Letters of support summarised as:

- Great news - thankfully not another bar;
- Sounds like an excellent use and revival of the building;
- Not only will it bring jobs but also clients visiting which will hopefully help our A1 daytime economy and bring Ramsbottom back to a family friendly town and balance the booze and bite joints it has recently been attracting;

The plans were amended to delete dedicated parking for the scheme which were proposed as part of the original submission.

Amended letters were sent to those who had made representations to the application on 13th November to inform of the deletion of the car park from the proposed scheme and subsequent amendment to the description.

Objections received summarised as:

- The Grant Arms is a focal point of the town and has been for the last 200 years. Turning a building rich in history that has incredible potential to attract tourists and visitors from far and wide, into an office block would be a travesty.
- With proper investment and management the The Grants Arms could return to being the jewel in the crown of Ramsbottom and draw more people to our wonderful town.
- Essentially, if planning is granted it would damage the integrity of the council and previous comments and support of Ramsbottom.
- The Grants was the beating heart of Ramsbottom and still could be again. It was my intention to return it to former glory and was going to crowd fund and borrow £2M to ensure it being transformed into a thriving Townhouse Hotel, Northern Brasserie and

Wedding Venue. It is the focal point of Ramsbottom and cannot be altered from this status.

- This is simply not acceptable and whoever has bought the property needs to understand how unpopular this would be and they need to put it back on the open market.
- People visiting the town are parking in dangerous places and there is limited parking already;
- An office block is for a city centre/industrial area!!
- The owner is not the applicant, the applicant is his financial advisor.
- Given the previous dealing with the true owner you need to look very seriously at this . I object for the sake of Ramsbottom and its future. There are buyers waiting - put it on the open market please
- I've seen far too many local towns being overrun with betting and charity shops in the wake of the rapid decline of public houses, not to mention an influx of old buildings being converted into flats.
- Looking at some of the supports for this application that are not local, I wonder if a little bit of skulduggery is going on here; their comments should be disregarded;
- If the applicant can guarantee car parking for the above mentioned public and locate his staff to a long stay car park then let his application proceed.
- Other applications involving pub/hotel accommodation demonstrates retaining the Grants Arms in its current use would be viable;
- Scant evidence of measures such as security lighting;
- Even though the 35 parking spaces have been removed from the application, they will still need 35 car parking spaces unless their staff are going to come into work by hot air balloon or by bicycle. In a separate deal they will buy the area around the Grants currently used for public parking and convert all 35 slots to private parking only during office hours, no planning permission required. This will threaten every business in town, no parking, no customers, no trade. no chance;
- Contrary to UDP Policy RT4/3 - Visitor accommodation and the NPPF;
- The plans to convert only part of the property would not conserve the Listed building or the character of the Conservation area - contrary to EN2/1 and EN2/3 - the rear part of the building would continue to decline;
- Change of use of part of the building could stifle future potential of the building as a whole;
- Listed as an ACV which is a material planning consideration and should be given significant weight;
- No evidence has been provided that there are no interested other tenants for the hotel/pub;
- There are no pd rights to change from a hotel/restaurant to an office (deleted in the GPDO 2017) as has been stated in the application;
- The heritage statement refers to the 2012 NPPF and not the revised 2018 version.

Support received summarised as:

- The upkeep and maintenance of the building should be at the forefront of everybody in the areas priority and by turning it into offices, that would be used and fully maintained, would ensure this would happen;
- The building has failed many times as a hospitality venue. With the rise of hospitality venues in the area, the maintenance of running a building, of such size, in that industry would be very difficult, financially.
- Having taken the time to read up on the business that intends to make the changes and the clients that they deal with, I completely support the proposal of offices. It would bring clientele into the area, who would support other local businesses, and also create jobs for local people;
- It will be good to see the building restored and to be used in a positive way;
- Surely any future use of the Grant Arms that preserves the historic and architectural integrity of the building as well as bringing jobs to the town is to be welcomed;
- A lot of these objections are based on not wanting to lose the historical significance of the building - how can the history of the building be lost, regardless of how it is used!

The plans give the building a future, which at the moment, it doesn't have.

- I feel strongly that Ramsbottom's popularity would be greatly enhanced by having such a prestigious company based in it's town centre, therefore I completely support this application;
- A lot of objections are based around losing parking, however this would be an issue regardless of who purchases the building or what it is used for.
- Better that the Grants be used and the building restored and looking nice again than be left to become more dilapidated.
- We do not need anymore pubs or bars and as the building has been empty for so long someone needs to take over and look after it before it cannot be restored.
- It's great to see a change in use that will help to contribute foot traffic to local businesses, whilst also restoring and maintaining this iconic building to its former glory and retaining parking spaces for public use.
- The building isn't bringing anyone to Ramsbottom as it is now, so anything that restores the building and brings new people to Ramsbottom will be a boost to the local shops and tradespeople;
- Problems with squatters who have made a right mess of the place. Last thing we need is for the property to fall into further disrepair.
- Ramsbottom has 82 licensed premises and when market trends change we need to change with the times. Trends have simply changed, the number of people who simply do not drink week to week has increased to 43%. This planning application ensures it will be sympathetically renovated, with its clock and internal tower returned to its former glory to respectfully attend the march of time over the town. But, time cannot stand still and move with the times we must.

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

### **Statutory/Non-Statutory Consultations**

**Traffic Section** - No objection

**Environmental Health - Pollution Control** - No response received.

**Environmental Health - Commercial Section** - No comments to make

**Waste Management** - No comments received.

**Historic England (HE)** - Response received from HE to the Listed Building Consent application who have no comments to make on the application proposals.

**Pre-start Conditions** - Applicant/Agent has agreed with pre-start conditions

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

NPPF	National Planning Policy Framework
EC5	Offices
EC5/2	Other Centres and Preferred Office Locations
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
HT2/4	Car Parking and New Development
HT2/5	Public Car Parks
HT5/1	Access For Those with Special Needs
Area	Market Place/Carr Street/Ramsbottom Lane
RM1	
SPD11	Parking Standards in Bury

### **Issues and Analysis**

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning

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

### **Policies - Proposed change of use considerations**

Chapter 7 of the NPPF - Ensuring the vitality of town centres states that policies and decisions should support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation. Policies should seek to promote the long-term viability and vitality by allowing them to grow and diversify, and promote a range of main town centre uses as part of a positive strategy for the future of each venture.

An office is defined as a main town centre use in Annex 2 Glossary of the NPPF.

EC5 - Offices concerns itself with attracting new office development in appropriate locations, such as town centres and other points well related to public transport.

EC5/2 - Other Centres and Preferred Office Locations looks favourably at proposals to locate office development in town and district centres.

TC2 - Town Centre Enhancement and Development encourage town centres to develop as the principal focal points for cultural, leisure, business, professional services, commercial and retailing activities. Development needs to strike a balance between securing sufficient investment to maintain vitality and viability whilst not impairing their attractiveness.

TC2/1 - Upper Floors supports proposals which bring underused and vacant space on upper floors of premises into beneficial use, and encourages a range of uses such as offices and living accommodation to contribute to the overall vitality of town centres. Utilisation of this type of accommodation will also result in proper maintenance and repair of the building fabric, which is particularly important in conservation areas and for individual listed buildings.

### **Principle - Proposed Change of Use**

Offices are considered appropriate as main town centre uses as confirmed in Annex 2 of the NPPF. The proposed development would be located in the centre of Ramsbottom, within walking distance of public transport and located close to public car parks. The proposed development would support the principles of sustainable development which is at the heart of planning policy and where there is a presumption in favour of sustainable development.

The proposed development would regenerate a vacant site and building and with it would bring investment and business to the town centre, and to a building which needs substantial investment for its restoration and maintenance. The town centre, local shops and businesses would also benefit from the additional footfall, from its employees and clients and would contribute to the weekday vitality and viability of Ramsbottom.

UDP Policies actively encourages the location of offices in town centres which are seen as the focal points for business, professional services, commercial and retailing activities as well as cultural and leisure purposes.

The proposed development would therefore be acceptable in principle and would comply with the principles of the NPPF and UDP Policies EC5, EC5/2, TC2 and TC2/1.

The applicant states that the office would be occupied between 8am and 6pm Monday to Friday. As a hotel/ pub, the building could already operate on a 24 hour 7 day basis and as such it is considered that a condition to control hours for an office use in this location would not be necessary.

## **Policies - Conservation considerations**

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

Section 72 sets out the duties imposed upon a Local Planning Authority in respect of Conservation Areas in exercising its planning functions.

The NPPF advocates positive strategies for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other risks. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

Paragraph 189 states that in determining applications, LPA's should require an applicant to describe the significance of any heritage assets affected, including any contribution to their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 190 states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 191 states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

In paragraph 192, LPA's should take account of:

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

Paragraphs 193 and 194 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of a Grade II listed building should be exceptional.

Paragraph 195 - Where a proposed development will lead to substantial harm to (or loss or significance of) a designated heritage asset, LPA's should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or all of the following apply:

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

- the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 196 states that where a development proposals would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

EN1/1 - Visual Amenity does not permit development where proposals would have a detrimental effect on public views of prominent or important buildings, especially those in areas of architectural or historic importance.

EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control policies only support proposals where it can be demonstrated that development would preserve or enhance the special character of the area. Proposals will encourage measures to retain, replace and restore features of historical and architectural interest, remove dereliction and bring unused land or buildings back into beneficial use, have regard to the special character of the surrounding area and in the case of re-use of buildings or introduction of new uses, the impact of the proposal on the character or appearance of the area and the fabric of the existing building.

EN2/3 - Listed Buildings - The Council will actively safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features. Regard will be had to the following factors including the impact of the proposal on the historic fabric of the building, the relationship of any extension to the Listed building, the need to protect the setting of the Listed building and the impact of associated ancillary facilities and infrastructure works.

Market Place has been described in the Ramsbottom Conservation Area Appraisal and Management Plan (November 2011) as the focus of the conservation area, and at the crossroads, as the historic centre of Ramsbottom. The high concentration of listed historic buildings reflects the historic and architectural importance of this area.

**Principle - Proposed Change of Use and Conservation Considerations** - At the heart of the NPPF is the drive to promote sustainable development. Within the context of a heritage setting, policy seeks to establish a balance between securing optimum and viable development and consideration of any likely impact the use and any associated works would have on the character of the area.

Over recent years, the Grant's Arms has suffered decline and deterioration from lack of investment and this is apparent from the structural state of the building and the works identified in the condition report citing the substantial investment which would be needed to bring the building back into a usable state. Unless a certain amount of restoration/repair were to happen, the Grant's Arms would become in danger of deteriorating to such an extent, that the financial burden to restore the building could be too onerous for anybody willing to take on. Deliberate neglect is not material but whether the proposals preserve.

This application presents an opportunity to secure the future of the Grant's Arms with proposals to restore and repair the important and original fabric of the building within its historic context, whilst at the same time bringing it out of a derelict and unused state to one which would make a positive and sustainable contribution to promote local economic vitality. The development would secure a viable and optimum future use of the building for the Ramsbottom Conservation Area which would be of the wider and greater benefit to the community and public and as such in compliance with the principles of paras 192 and 196 of the NPPF.

National conservation policies recognises that there is a judgement to be made between the benefit of bringing back into use or introducing new uses into a building whose future depends on it, balanced against any potential harm which may be caused to the building as

a result. The proposed use for offices is an acceptable use in land use terms in a town centre. In conservation terms, conservation is not just about visual aesthetics and physical changes, it is about the history, feelings and atmosphere such places create and it is what makes these areas so special in character. The history and historic relevance of the building would remain and will always be part of its story. The balance of this and consideration of its future as a new use, does add to the building's story. The proposed use would bring vitality, vibrancy, occupancy and activity, all contributing positively to keeping alive and preserving and enhancing the character of this important part of the conservation area.

It is therefore considered that the proposed use and the appropriateness of the works which would be carried out to enable the restoration of this building would both preserve and enhance the character of this heritage asset within this important part of the Ramsbottom Conservation Area, and would be in accordance with the principles of the NPPF and UDP Policies.

**Principle - Proposed External Alterations and Conservation Considerations** - The application is supported by the submission of a Heritage Appraisal and Planning Statement. The development proposes a scheme of works to the external fabric of the building, due in large part to the lack of investment and maintenance of the building over the last few years. Deterioration is particularly evident to the windows, access points and door openings, roof and to the later additions to the building.

Restoration, repair and some new interventions of the building are therefore proposed to bring it back to a useable state, whilst being mindful at the same time of its status as a Listed Building and its location within a Conservation Area and that works need to respect, preserve and safeguard the building and special character of the area.

Turning to the 'front' or south elevation of the building it is proposed to retain the Georgian facade and windows and refurbish the existing deteriorated sash windows and this would secure this part of the building's historic fabric. It is also proposed to restore the clock to a working order which would also retain the character and history of the building. The front entrance door would be replaced with a suitable specification and the pillar surround retained.

On the side (east) elevation, deterioration can also be seen on the window openings and it is proposed to replace the two of the upper windows with slimline double glazed timber sliding sash windows, which would be the same type and design as the existing and in keeping with the character of the building.

Also on the east elevation, the new opening and steps formed in the existing wall to create an access to the building would be carried out sensitively, providing a new rendered wall and railings which would reflect the existing appearance and considered to be a minor intervention which would not significantly harm the fabric of the building or the site itself. These small changes would not harm the architectural importance and character of the building and would be undertaken in line with the building's Georgian and part early Victorian style. The works would be appropriate and preserve the character of the Conservation Area.

To the west elevation, there would be works comprising replacement windows and new windows and the removal of some structures. There would be a total of four new openings of a sliding sash timber framed type and design which would match the proportions and design as the other windows on this elevation.

It is also proposed to extend the existing first floor oval 'feature' window to the ground floor. There is no evidence to suggest whether this had at one time been an original feature and removed at a later date or not, so it is difficult to make an accurate historic assessment as to whether an extended window would restore a previous element or introduce a new feature. The west elevation is a lesser important elevation and not seen from public views

and as such it is considered this intervention would preserve the character of the Conservation Area and on balance would be an acceptable solution to opening up the elevation on this part of the building. As such, these proposals are considered to be acceptable in terms of conservation principles to preserve the character of the Conservation Area.

The extension of the window would require the removal of a more modern 'link' extension which does not add anything of significant value to the building and it is considered its removal would enhance this particular elevation by revealing the original elevation.

Planning is often about striking and weighting a balance and in this case, the judgement as to whether the works proposed would be appropriate and importantly, secure the future and preserve the building as a nationally and locally important heritage asset, whilst preserving and enhancing the character of the Conservation Area. The application has acknowledged the importance of the building and its setting and the majority of the works would be sensitive and appropriate to the character and architectural qualities of the building.

Paragraph 192 of the NPPF states that LPA's should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of the asset can make to sustainable uses including their economic vitality and the desirability of the new development making a positive contribution to local character and distinctiveness.

Without the repair and renovation works, to enable the building to be brought back into a viable and acceptable use, the building would only suffer more deterioration and degeneration which could have serious repercussions for its future and functionality.

It is therefore considered that the proposed restoration works to the external fabric of the building would, overall, have a positive impact and would both preserve and enhance the character of the Conservation Area and would enable the building to be brought back into use which would be of considerable benefit to the character and preservation of this part of the Ramsbottom Conservation Area.

It is therefore considered that the proposed works would be carried out in accordance with the principles of the NPPF and would be in compliance with UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.

#### Previous application

It is worth noting that there has been a recent outline planning application for the Grant's Arms building for the demolition of part of the building and its replacement with an extension (see planning history above). The application was refused by the LPA and has recently been dismissed on appeal by the Planning Inspector (3/12/2018).

It was concluded that the application was fundamentally flawed in that it did not meet the requirements of para 189 of the NPPF 2018 (para 128 of NPPF 2012), that applicants should describe the significance of the heritage asset to be affected, including any contribution made by their setting. Furthermore there was no advance understanding of the heritage asset to be lost in a manner proportionate to their significance and the impact of the loss. Moreover, there were serious discrepancies in the relationship of the extension to the part of the building to be retained and the design, scale and massing of the extension were totally inappropriate to the character of the listed building and its setting within the Conservation Area. The degree of harm caused would be substantial and contrary to the principles of the NPPF and UDP policies.

Comparatively, this current application has provided a robust and detailed assessment in the Heritage Statement, proportionate to the restoration and repair works proposed, acknowledging the significance of the building and enabling the potential impact of the proposed development to be understood, in compliance with para 189 of the NPPF. Furthermore, the works would be sensitive, appropriate to the character of the building and

conservation setting and positively contribute to enabling the building to be brought back into a sustainable use.

As such, the current application fulfills and complies with the principles of the NPPF and UDP Policies to preserve and enhance the architectural, visual and character of the Conservation Area.

**Principle - Asset of Community Value** - On 16th April 2018 the Grant's Arms was listed by the Council as an Asset of Community Value (ACV) under section 88 of the Localism Act 2011 following a nomination by the Ramsbottom Heritage Society. The process of determining ACV's is separate from the planning process and recognises that the land in the recent past furthered the social wellbeing of the interests of the community. Section 88 gives local groups a right to nominate a building or other land as an ACV. It can be listed if a principal (non-ancillary) use if the asset furthers (or has recently furthered) the local community's social wellbeing or social interests (e.g. sporting or recreational interests) and is likely to do so in the future. The aim of the listing is to allow local community groups a fairer chance to make a bid to buy it on the open market, should it every be put up for sale. Assets must be removed from the list after a period of 5 years.

The effect of the listing is that if the landowner intends to sell the land, they must notify the Council. The Council notifies the nominating group and publicises the intention to sell in the local community. There is an initial 6 week moratorium during which the owner cannot sell the asset and any eligible community group may submit a written request to be treated as a potential bidder. If no requests are received, the owner is free to sell the asset at the end of the 6 weeks. If a request to be treated as a bidder is received within the initial 6 week period, the moratorium on sale is extended to 6 months. This is to allow the community group to put a bid together. However, at the end of this "moratorium", it is entirely up to the owner to determine whether a sale goes through, to whom, and for how much. This means that the community bid may not be the successful one.

On 1st October 2018, the owner of the Grant's Arms Hotel notified the Council of its intention to sell it. The Council notified the nominating group, the Ramsbottom Heritage Society and publicised the notification by way of a notice posted in the Ramsbottom Civic Hall and notices posted in the local area. Initial expressions of interest had to be received within 6 weeks of the date of this notification, by the 12th November 2018.

The initial moratorium period of the Grant's Arms Hotel expired on 12th November with no expressions of interest from community groups to be treated as a potential bidder having been received. This means that the full 6 month moratorium will not be triggered. The property remains as an ACV but the owner can now sell it during the remainder of the protected period (18 months from notification of intention to sell) which ends on 1st April 2020.

If the property is sold before 1st April 2020 then it will be removed from the AVC register.

It is important to note that the provisions of an ACV do not place any restriction on what an owner can do with their property, once on the list, so long as it remains in their ownership. This is because it is planning policy that determines permitted uses for particular sites. In this regard, planning applications have to be determined in accordance with the development plan unless material considerations indicate otherwise (s38 (6) Planning and Compulsory Purchase Act).

It is open to the Local Planning Authority to decide whether a listing as an ACV is a material consideration in determining the planning application, considering all the circumstances of the case. It is judged that the designation of an ACV on the site is a material consideration to be afforded weight for reasons of the proposed change of use of the building, its Grade II Listed status and location in a Conservation Area. This must then be weighed against the following considerations:

In terms of an office use, this has been considered acceptable, as discussed above, and would be in accordance with the principles of sustainable development of the NPPF and UDP Policies EC5 and EC5/2, where offices would be expected to be located in town centres.

In heritage terms, the building is central to the historic core of the Ramsbottom Town centre and has, in the past, been a valuable community use, not just as a pub/hotel, but also a focal meeting point for community groups and social events. This has not been the case for some time, and the past few years has seen the continued demise and decline of the building from the lack of patronage and use of the hotel/pub. Not only that, but the building has suffered from lack of any investment in the recent years, and has degenerated into a poor state, and is being persistently vandalised and broken into.

This application seeks very little intrusive works to the external structure of the building, concentrating instead on the restoration of original features and fabric, enabling the building to be brought back into a viable use. It is judged to cause limited harm to the significance of the building itself and its setting within a conservation area which is ultimately outweighed by the benefits of its continued preservation and protection, thereby satisfying Paragraph 192 of the NPPF.

In its prime, the Grant's Arms would have been the central hub and core of the community but sadly this has not been the case for many years. Whilst it would be taken out of the public domain and use, it has not been in public use for over 12 months and without substantial investment would be unlikely to do so. There is another hotel/function facility in the town centre and the Civic Hall opposite the site provides community facilities and space for functions which could accommodate social needs and other local services to enhance the sustainability of communities and to meet the social and cultural well being and needs of the community, and which could perform similar social functions. As such, it is considered that the resulting proposed development would still be in accordance with the principle of para 92 of the NPPF in chapter 8 - Promoting healthy and safe communities.

It should also be noted that there were no expressions of interest received from other parties as potential bidders during the moratorium period.

Planning is about striking a balance and in this particular case, the importance and need to preserve such a significant Listed Building in the Conservation Area would outweigh any harm caused by allowing the change of use to the building.

As such, it is considered that the loss of the building as a hotel/pub, whilst considered to have some value in contributing the character of the conservation area and the town centre itself, is judged to cause limited harm to the significance and character as a whole and is ultimately outweighed by the benefits of the proposed development, thereby satisfying Paragraph 196 of the NPPF.

**Layout** - The main alterations would involve the layout of the internal arrangements within the building to provide for open plan offices, meeting rooms and facilities.

At the lower ground floor, some partitions and walls would be removed to provide 3 meeting rooms, IT room, staff room and facilities. The upper ground floor and first floor would comprise open plan office space and facilities. These works do not require planning permission in themselves but do require Listed Building Consent and are discussed in detail in the corresponding application.

Outside the building, the public entrances to the front and eastern side would be retained, but with improvements to provide level thresholds and level approaches to the building from the east. At the rear and enclosed by existing boundary fencing, there is an outside yard area which is intended to provide for outdoor space for staff and visitors in more clement weather.

As such, it is considered that the proposed layout would be acceptable and comply with EN1/2, TC2/1 and HT5/1.

**Parking** - There are no proposals to change the existing parking arrangements. There is a public car park to the rear of the site, half of which is Council owned and the other half within the ownership of the current owner of the Grant's Arms and which is leased to the Council. This is a private agreement between the two parties and ownership of the car park is not a matter for this planning application to involve itself with or consider.

The site is located within a town centre, where it would not be expected that dedicated parking be provided for individual business such as shops, cafes, restaurants and offices, with visitors and employees using the various public car parks which are located in Ramsbottom or public transport.

In accordance with SPD11 - Parking Standards in Bury, a hotel, restaurant and bar requires higher levels of parking - 1 per 7 sqm of floorspace for a restaurant and 1 per bedroom - than for an office use - 1 per 35 sqm of floorspace, more so for the hotel when there are functions.

That said, being in a town centre location with public car parks nearby would negate such a need. This is similarly so for an office use, and employees of this business would be in exactly the same position as all other employees in Ramsbottom who drive to work.

The NPPF advocates that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. The site is in a highly accessible town centre location with excellent public transport networks and in close proximity to other services and businesses with public car parks in the immediate and near vicinity.

The Highway's Section have raised no objection to the proposals.

The proposed development is therefore considered acceptable and would comply with UDP Policies EC5/2, HT2/4 and the principles of the NPPF.

**Access** - The front entrance would be retained as one of the entrances into the building, but this would be from a fairly steep approach over cobbles from Market Place. Access at the eastern part of the building would be improved by the reconfiguration of the existing raised approach to create a level approach and entrance threshold from the direction of the car park at the rear. Single leaf door openings would be replaced with double leaf doors to aid wheelchair access and accessible facilities have been provided at the upper ground floor level.

The proposals would improve the current situation as far as is possibly practical for this building in this particular part of Ramsbottom to provide inclusive access for all and as such would comply with HT5/1.

### **Response to objectors**

- The Grant's Arms is privately owned and it is for the LPA to consider what is in front of it. Alternative schemes for the site can still come forward by interested parties. It is the LPA's duty to determine planning applications which have been submitted and assess their appropriateness and acceptability, in accordance with planning policies, each development being assessed on their own merits.
- It is the applicant's intention to bring forward proposals for the rear part of the building at a later date but the use for the rear half would remain as it is in land use planning terms.
- In line with the regulations under the status as an Asset of Community Value, the intention to dispose of the site was publicised. No expressions of interest were received and the process duly carried out. The opportunity was there for the community group to negotiate.
- The building would be exempt from a change of use to residential through Prior

Approval under Part 3 of the 2015 General Permitted Development Order 2015, as amended due to its Listed Status. A full planning permission would be required for any future change of use proposals.

- All other issues raised have been covered in the above report.
- It is acknowledged that the applicant's Heritage Statement refers to the 2012 NPPF and not the revised NPPF 2018. However, the principles of the NPPF which are relevant to this application have not changed. The above report references the policies of the revised NPPF 2018, and has assessed the application on the current National Planning Policies.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

#### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered - Proposed window Schedule C-0378-11 Rev D; Details of existing vertical sliding sash timber windows - refurb C-0378-12; Specifications for assorted work by Sash Windows NW; Proposed staircase details C-0378-15; External door schedule C-0378-14 Rev A; Proposed Vertical Sliding sash Timber Window details WINDOW TYPE B C-0378-17 Rev A; Proposed Vertical Sliding sash Timber Window details WINDOW TYPE A C-0378-13 Rev C; Proposed Window 23 (Staircase Feature Window) C-0378-18 Rev A; Site location plan C-0378-SLP Rev A; Proposed site layout showing upper ground floor C-0378-06 Rev C; Proposed lower ground floor plan C-0378-07 Rev D; Proposed upper ground and first floor plans C-0378-08 Rev D; Proposed elevations C-0378-09 Rev E; Existing and proposed part site layout to upper ground floor main entrance area C-0378-16; Proposed Sections A-A & B-B C-0378-10 Rev B and the development shall not be carried out except in complete 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 hereby approved shall be carried out in accordance with the Proposed Window schedule dwg C-0378-11 Rev D.  
Reason. In order to preserve the special architectural or historic interest of the building and the character of the Ramsbottom Conservation Area pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual amenity, EN2/1 - Character of Conservation Areas, EN2/2 Conservation Area Control, EN2/3 - Listed Buildings and the principles of the NPPF.
4. Prior to any works involving the access and entrance to the east elevation, details of the design and colour of the railings and specification of the type and colour of the stonework, paving and steps shall be submitted to and approved in writing by the Local Planning Authority. The details shall also include a methodology and

timetable for the proposed works. The approved details and methodology only shall be used in the development hereby approved and thereafter maintained as the approved details.

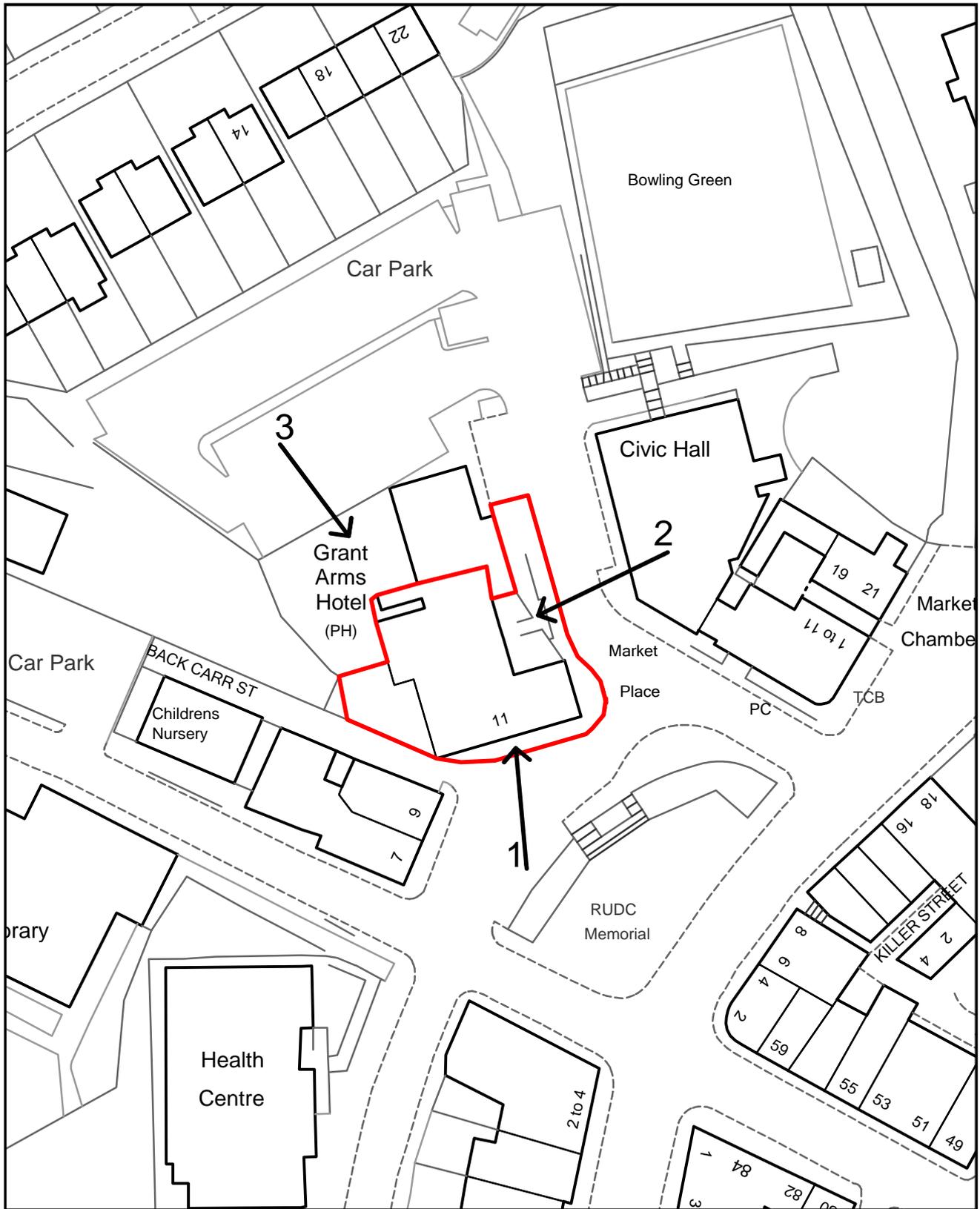
Reason. Details not submitted at application stage. In order to preserve the special architectural or historic interest of the building and the character of the Ramsbottom Conservation Area pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual amenity, EN2/1 - Character of Conservation Areas, EN2/2 Conservation Area Control, EN2/3 - Listed Buildings and the principles of the NPPF.

5. Details of the colour to be used for the proposed new external timber doors on the south and east elevations shall be submitted to and approved by the Local Planning Authority prior to the installation of the doors. The approved colour only shall be used on the doors prior to the fitting of the doors or following the fitting of the doors, within a timescale to be agreed with the Local planning Authority, and thereafter maintained as the approved details.

Reason. Details not submitted at application stage. In order to preserve the special architectural or historic interest of the building and the character of the Ramsbottom Conservation Area pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual amenity, EN2/1 - Character of Conservation Areas, EN2/2 Conservation Area Control, EN2/3 - Listed Buildings and the principles of the NPPF.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 63308**

**ADDRESS: The Grants Arms, Market Place  
Ramsbottom**

**Planning, Environmental and Regulatory Services**

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



**Bury**  
COUNCIL

63308

Photo 1



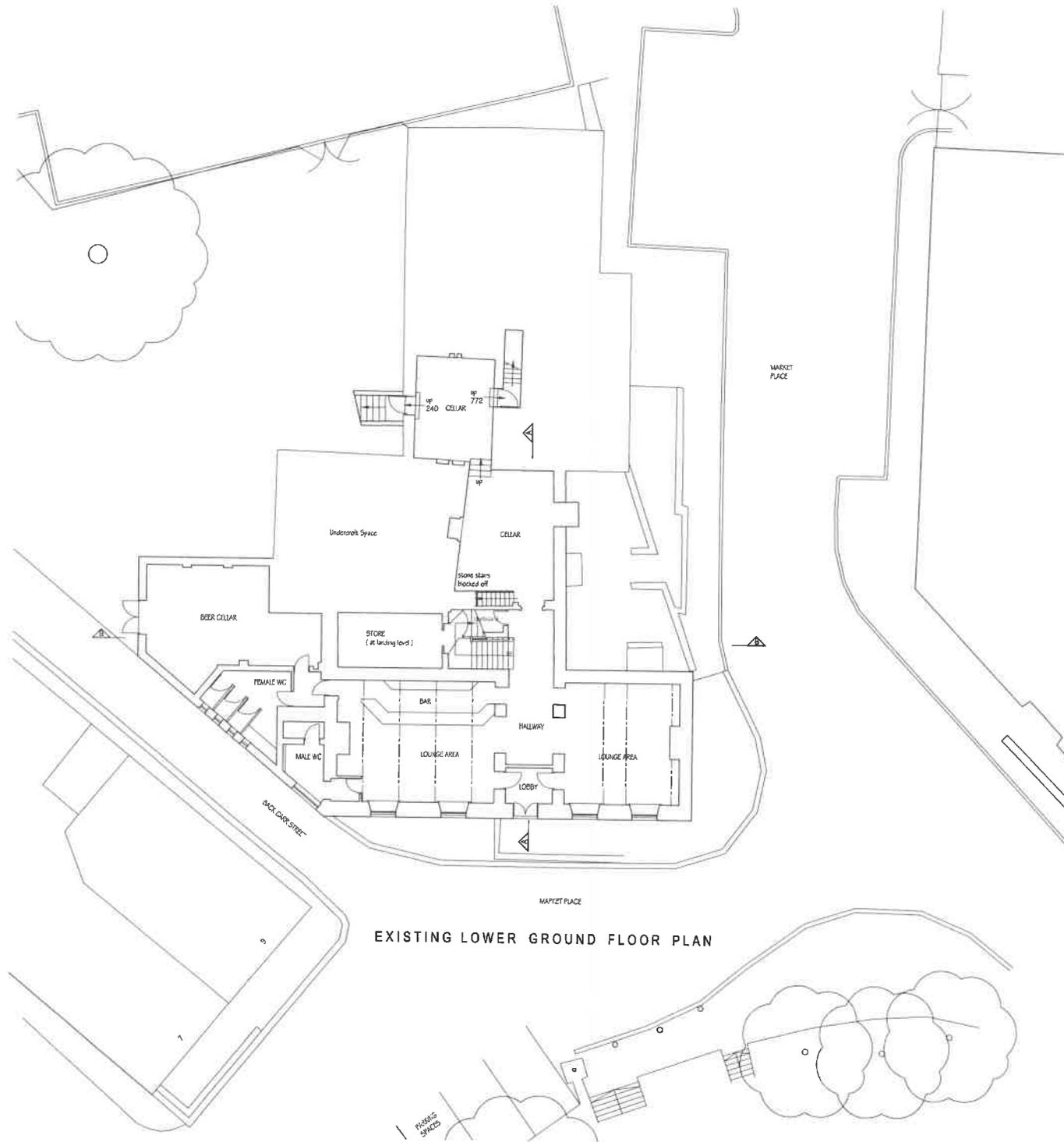
Photo 2



63308

Photo 3





EXISTING LOWER GROUND FLOOR PLAN

NOTES

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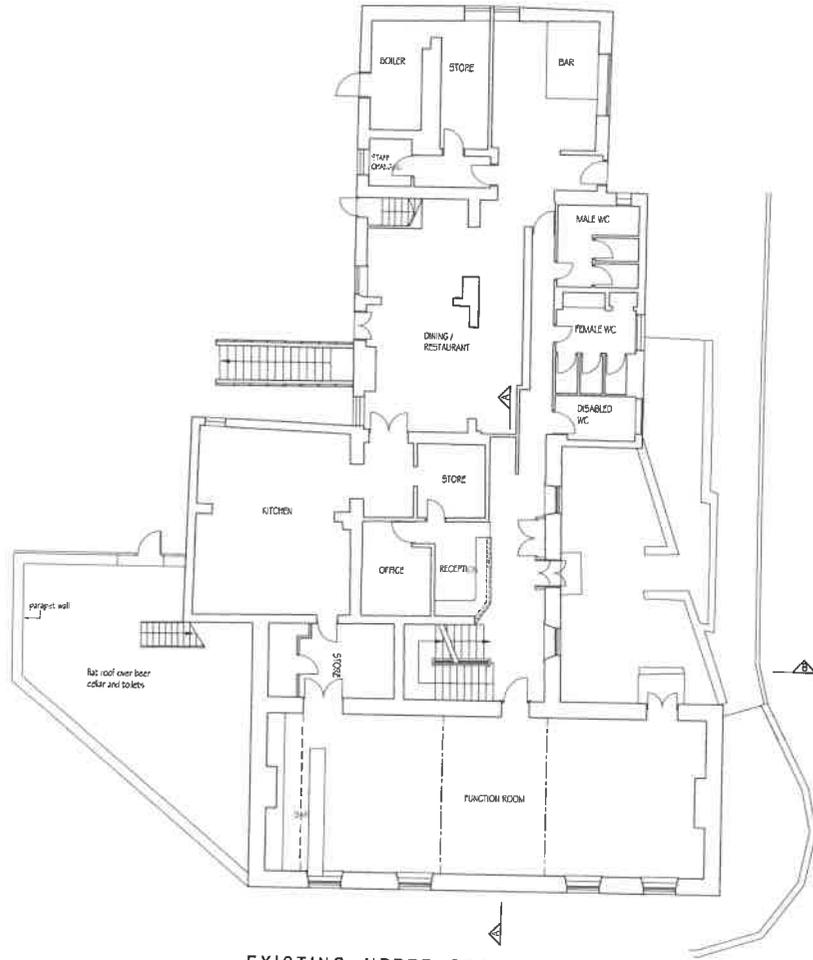
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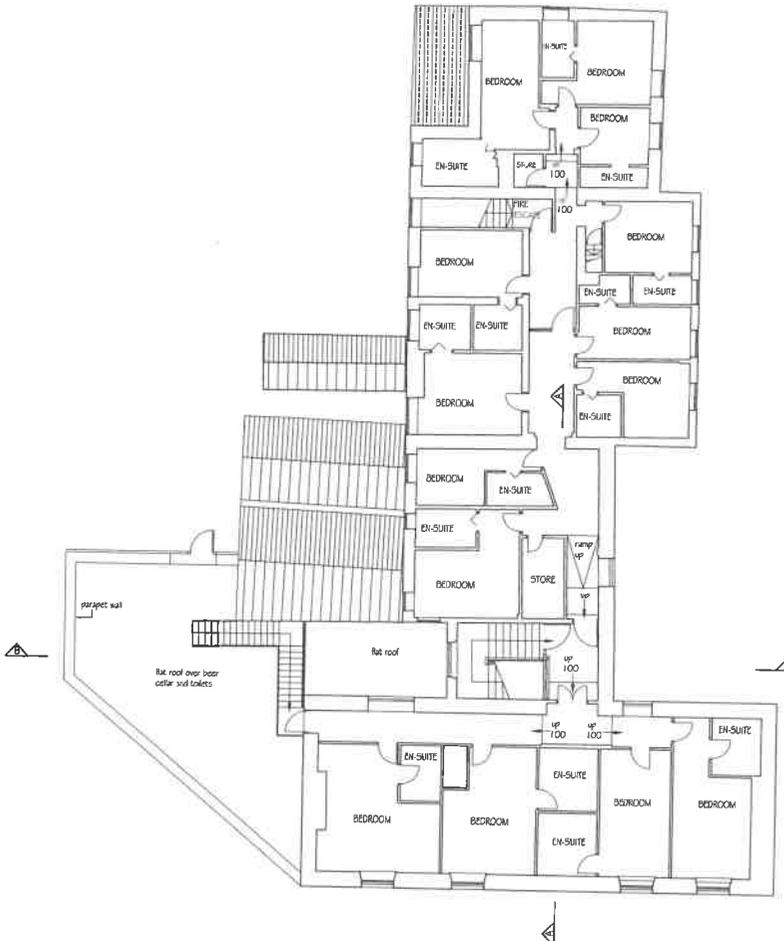
This drawing is to be read in conjunction with all relevant Architectural, Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialist drawings and specifications.

0	PLUMBING GUIDE	23.08.2018	
A	SITE LAYOUT ESTIMATED TO CARVE STREET (SHOWING TYPICAL SPACES)	16.08.2018	
REV	DISCREPANCY	DATE	
CLIENT			
IFA Private Clients Limited			
PROJECT			
Proposed Change of Use to Offices, The Grant Arms, Market Place, Ramsbottom.			
DRAWING			
Lower Ground Floor Plan as Existing			
SCALE	DATE	DRAWN	CHECKED
1:100 @ A1	Aug. 2018	agw	
DISCIPLINE	COORDINATION NO.	REVISION	
C-0376-02		B	





EXISTING UPPER GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN

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A	PLUMBING ISSUE	25.06.2018	
REV	DESCRIPTION	CREATED DATE	
CLIENT			
IFA Private Clients Limited			
PROJECT			
Proposed Change of Use to Offices, The Grant Arms, Market Place, Ramsbottom.			
DRAWING			
Upper Ground Floor and First Floor Plans As Existing			
SCALE	DATE	DRAWN	CHECKED
1:100 @ A1	Aug. 2018	agw	
DRAWING NO.	DATE REFERENCE NO.	REVISION	
C-0378-03		A	



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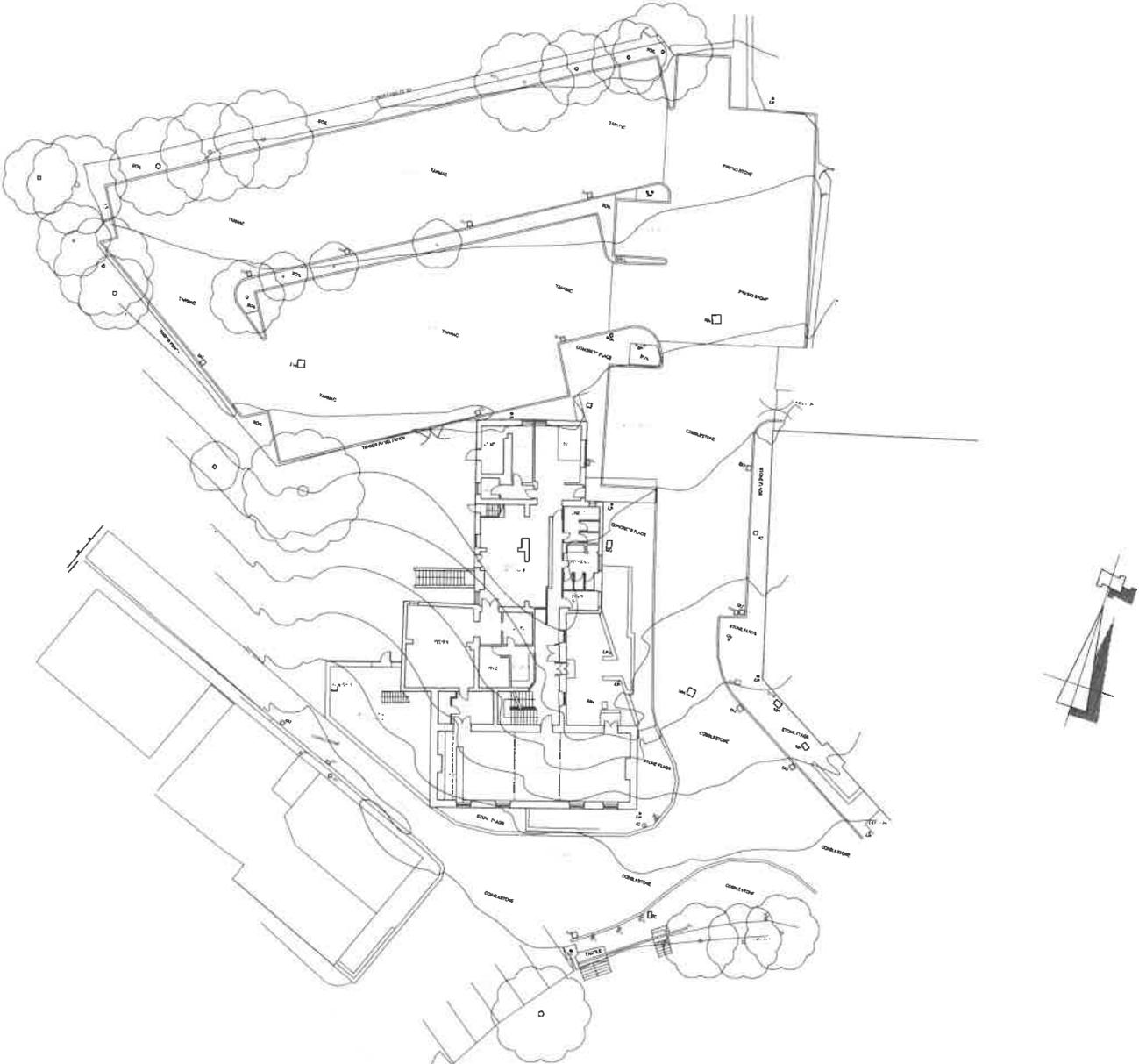
Do not scale from this drawing.

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EXISTING SITE LAYOUT SHOWING UPPER GROUND FLOOR PLAN

REV	PLANNING ISSUE	11.02.2019
A	SITE LAYOUT ENHANCED TO SHOW STREET SHOWING PARKING SPACES	03.09.2018
REV	DESCRIPTION	DATE

CLIENT  
IFA Private Clients Limited

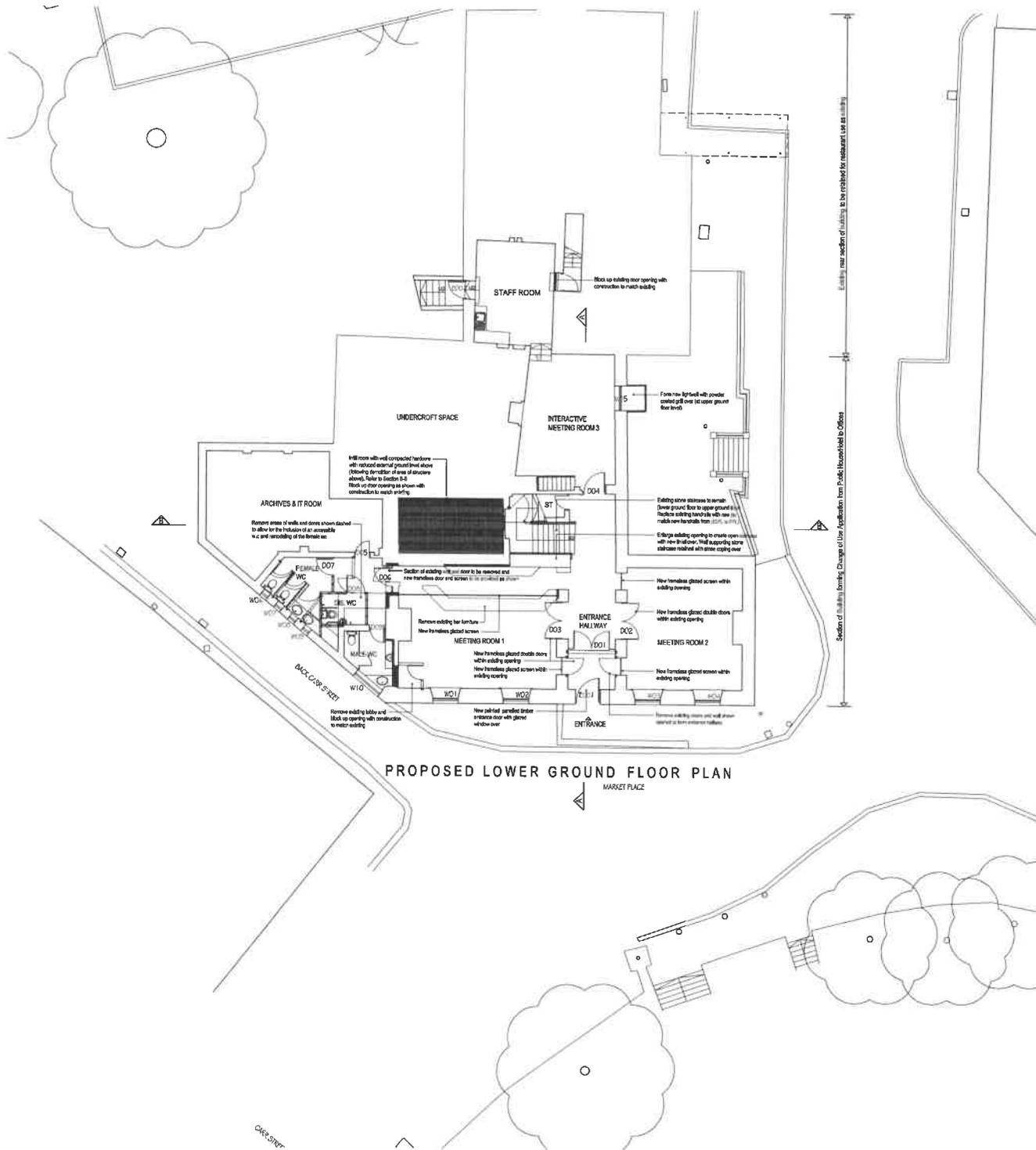
PROJECT  
Proposed Change of Use to Offices, The Grant Arms Market Place, Ramsbottom.

DRAWING  
Site Layout Showing Upper Ground Floor as Existing

SCALE	DATE	DRAWN	CHECKED
1:200 @ A1	Aug, 2018	agw	
DRAWING NO.	SITE REFERENCE NO.	REVISION	
C-0378-01		B	







PROPOSED LOWER GROUND FLOOR PLAN

0018

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PLANNING DRAWING

D	Final/Over 1002 Not an existing area sheet	12.11.2018
C	Correct dimensions provided, Please check numbers added	08.11.2018
B	Planning Issue	25.09.2018
A	Architects Initials - 10% Plan Approved to Car Street road opening system to Market Place - Lower ground floor access and underpinning down 1.5 metres to Bar area - Grounded below	13.08.2018

REV: 03/09/2018 DWG: D112

DATE:

IFA Private Clients Limited

PROJECT

Proposed Change of Use to Offices,  
 The Grants Arms, Market Place, Ramsbottom.

DRAWING

Lower Ground Floor Plan as Proposed

SCALE	DATE	DESIGN	CHECKED
1:100 @ A1	Aug. 2018	MH	
DRAWING NO.	CALC/REFERENCE NO.	REVISION	
C-0378-07		D	



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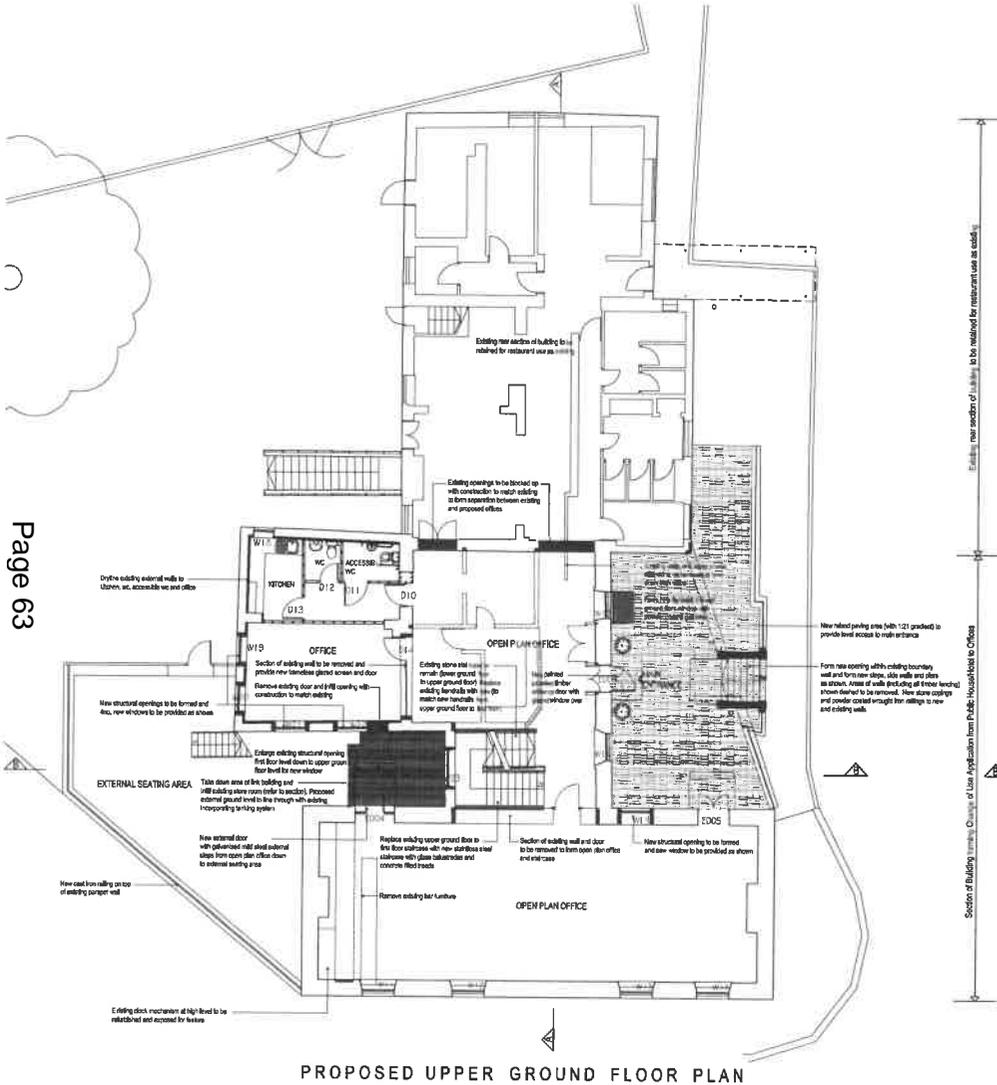
Do not scale from this drawing.

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

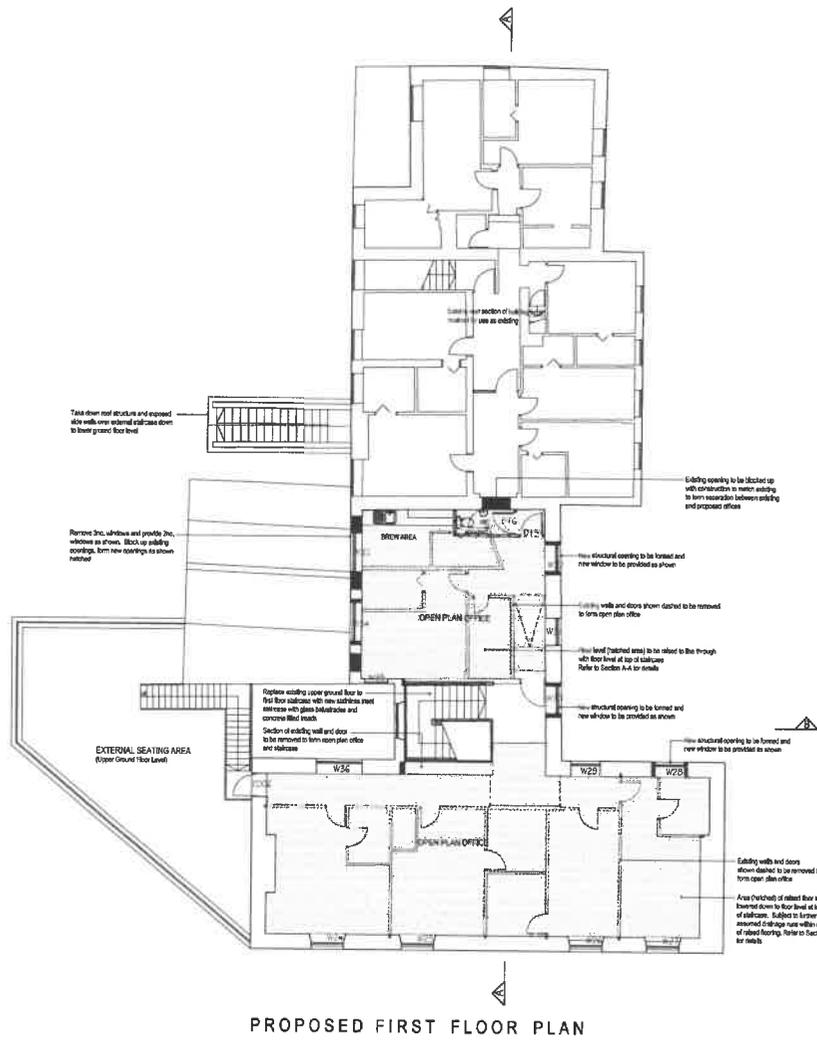
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**PLANNING DRAWING**

D	External Door SC04 arranged in single bay	12.11.2019
C	Two external doors and steps new entrance from open plan office	08.11.2019
B	Planning Draw	21.09.2018
A	Structural Details Upper ground floor entrance door (origin to single door door door) (see added proposed cover plan) (see plan)	14.09.2018

REV: 02/09/2018 DATE: DATE

CLIENT: IFA Private Clients Limited

PROJECT: Proposed Change of Use to Offices, The Grants Arms, Market Place, Ramsbottom.

DRAWING: Upper Ground Floor and First Floor Plans As Proposed

SCALE: 1:100 @ A1	DATE: Aug. 2018	DRAWN: MH	CHECKED:
DRAWING NO. C-0378-08	CLIENT REFERENCE NO.	REVISION:	D



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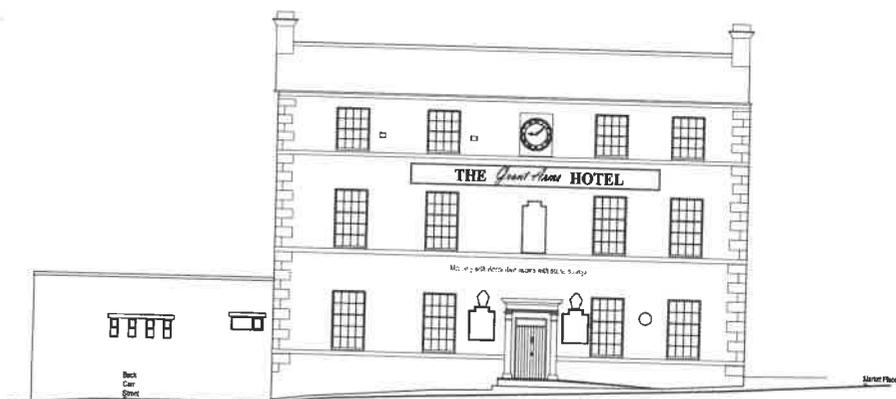
Do not scale from this drawing.

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EXISTING SOUTH EAST ELEVATION



EXISTING SOUTH WEST ELEVATION



EXISTING NORTH WEST ELEVATION



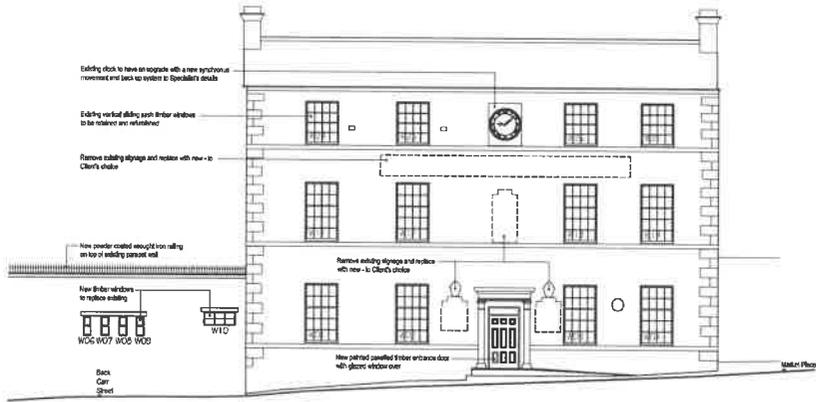
EXISTING NORTH EAST ELEVATION

Page 64

A	PLANNED ELEVATION	7/JUL/2018
REV	DESCRIPTION	CHECK DATE
CLIENT	IFA Private Clients Limited	
PROJECT	Proposed Change of Use to Offices, The Grant Arms, Market Place, Ramsgate.	
DRAWING	Elevations As Existing	
SCALE	DATE	DRAWN
1:100 @ A1	Aug, 2018	LY
OVERSIGHTING	CAD REFERENCE NO.	REVISION
C-0378-04		A



435-477 Whiteley Road, Bay Lane, Lincs. LN8 5SL T: 0151 787 2771 F: 0151 787 2888  
 info@equilibriumarch.co.uk www.equilibriumarch.co.uk



PROPOSED SOUTH EAST ELEVATION



PROPOSED SOUTH WEST ELEVATION



PROPOSED PART NORTH WEST ELEVATION

Page 65



PROPOSED NORTH WEST ELEVATION



PROPOSED NORTH EAST ELEVATION

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

PLANNING DRAWING

REV	DESCRIPTION	DATE
A	Window W11 (both side elevations) had to be added, window W18 added to section	20/11/2018
B	Window W12	15/11/2018
C	Window numbers to 11, 20, 21 and 22 added	15/11/2018
D	Window numbers added. Each new window added. Proposed and new window added	15/11/2018
E	Planning Issue	11/08/2018
F	Client's feedback	11/08/2018
G	Update ground floor walling stone change to light before down	11/08/2018
H	Update window Proposed South West Elevation window added	11/08/2018
I	Check new window to proposed north west elevation	11/08/2018

REV: 11/08/2018  
 CLIENT: IFA Private Clients Limited

PROJECT: Proposed Change of Use to Offices, The Grant Arms, Market Place, Ramsbottom.

ISSUES: Elevations As Proposed

SCALE	DATE	DRAWN	CHECKED
1:100 @ A1	Aug. 2018	MH	
DRAWING NO. C-0378-09	DATE REFERENCE I.C.	REVISION	
		E	

**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 04

**Applicant:** IFA Private Clients Limited

**Location:** The Grant Arms, 11 Market Place, Ramsbottom, Bury, BL0 9AJ

**Proposal:** Listed Building consent for change of use from hotel/public house (Class A4) to financial and professional services (Class A2); Internal and external alterations

**Application Ref:** 63309/Listed Building  
Consent

**Target Date:** 22/11/2018

**Recommendation:** Approve with Conditions

### **Description**

The application relates to the Grant's Arms, a Grade II Listed Building which was formerly in use as a public house, restaurant and hotel, and which has been vacant for over 12 months. The building is located within the Ramsbottom Town Centre Conservation Area and is set in a prominent and elevated position in relation to the town centre. The site slopes downwards from north to south and the building is split level, to comprise 3 storey at the front and 2 storey to the rear. Access to the site is via a steep cobbled road which leads from Market Place.

To the north is a public car park beyond which are residential properties on Pinners Close. To the east is an unused and fenced off bowling green, Ramsbottom Civic Hall which is locally listed and Market Chambers which is a Grade II Listed Building. To the west are Nos 7-9 Market Place, which are also Grade II Listed, and in front of the building runs the cobbled access road which leads to these buildings and the car park.

Historically, the rear part of the existing building dated from circa 1780 and was known as Top o' th' Brow, later occupied by the Grant brothers and thereafter called Grants Lodge. The building was later added to in 1828 by a 'T' shaped extension to the south when it became the Grants Arms Hotel, and from OS maps appears the current outline was in existence by 1850. The building is noted for its historical importance and significance within Ramsbottom in relation to the Grant's family, famous industrialists who helped found and develop Ramsbottom and on whom Charles Dickens modelled the Cheeryble brothers in Nicholas Nickleby.

The original c.1780 building is 2 storey in height which is rendered with a slate roof and arched doorway. The later 1828 extension added to the front is 3 storey, built to address the topography and steep slope of the site it sits within. This has a symmetrical classical front of ashlar stone and stone quoins, slate roof, sash windows and Tuscan half columns to the front doorway and features a clock on the top of the front elevation.

The application seeks Listed Building Consent to facilitate internal and external changes to the fabric to accommodate the change of use of part of the building from a hotel/public house (Class A4) to a financial and professional services office (Class A2).

The change of use to offices and internal alterations would relate to the lower, upper ground floor and first floor of the front and part of the middle section of the building (the 3 storey element). The remainder of the building would be retained as a hotel/public house (Class A2 use).

Internal proposals would involve both restoration and replacement works, revealing parts of

the main roof structure, refurbishing the clock back to working order, restoring windows and openings and replacing cornices and plasterwork, and also the removal of some inappropriate 20th century additions and alterations.

Internal alterations are summarised as:

- Lower ground floor - reconfiguration of the lobby and entrance hallway, conversion and sub division of rooms by insertion of glass screens to create office space and meeting rooms, removal of part of the stair wall to create an open feature staircase to connect to each level of the building and stripping back of stairs to reveal original stone steps.
- Upper ground floor - stripping out of internal walls and partitions to form open plan areas and offices, replacement of the existing timber staircase to form a contemporary feature staircase in stainless steel and glass, refurbishing and displaying the clock mechanism internally for the historic clock to the front elevation, retaining and repairing plaster ceiling roses and cornices.
- First floor - formation of integrated open office space requiring the stripping out of internal walls, partitions and false floors, expose the timber roof trusses.

External proposals comprise restoration/maintenance works, window insertions and removal of previous extensions.

External alterations are summarised as:

- Front elevation (south) - restoration and refurbishment of the existing sash windows; new timber front door; repairs to restore the operation of the clock.
- Side (east) elevation - replacement of 2 upper windows with timber sliding sash to match the existing windows in this facade; form new opening in existing boundary wall, new steps, side wall and piers; new entrance door;
- Side (west) elevation - new sliding sash windows and blocking up of existing opening; extension of the first floor oval window to the stairwell; removal of roof structure over the external staircase; new external door with steps to seating area; removal of link building and infill existing store room.

A comprehensive condition report of the building has been submitted with the application which details the state of the building internally and externally.

### **Relevant Planning History**

63308 - Change of use from hotel/public house (Class A4) to financial and professional services (Class A2); External alterations - current application

62929 - Outline application for erection of gated access and garage parking (secure) for 13 garages and a bin store - Refused 22/8/2019

61827 - Outline application for proposed demolition of part of building and erection of sheltered housing including change of use of public house to sheltered housing - Refused 08/03/2018. Dismissed on appeal 3/12/2018

58807 - Erection of 24 (Cat C) flats for retirement housing for the elderly, communal facilities, landscaping and car parking - Refused 04/09/2015. Appeal dismissed 23/2/2016

58104 - Erection of 24 (Cat C) flats for retirement housing for the elderly, communal facilities, landscaping and car parking - at Land to rear of Grants Arms - Refused 22/1/2015

### **Publicity**

Surrounding businesses and properties including those on Pinners Close, Market Place, Bridge Street and Ox Hey Close notified by letter on 28/9/2018. A full list of those notified of the application and who have made representations can be found on the application file.

Press notice in the Bury Time - 4/10/2018

Site notice - 4/10/2018

14 representations made to the application.  
13 letters of objection received in total  
1 letter of support received in total

A number of the objections received cited both planning references 63308 and 63309 and therefore their responses have been reported on both applications, although not all the comments made are relevant to the application for Listed Building Consent.

Objections are summarised as:

- As next door neighbour and owner of adjacent business concerned about loss of parking and impact on businesses;
- Whilst I would love the building to thrive I would prefer it to be a hotel in Ramsbottom which is in desperate need for extra accommodation;
- Understand the building now has 'Asset of Community' Status due to its prominent position and the social history associated with it. As a proposed change of use, the building should be advertised for sale at a price agreed fairly on the open market for 12 to 24 months. No such action has been taken. No objection to change of use if a sale cannot be found as a hotel
- Reducing the number of spaces would deter visitors to the town who will stop coming which will affect local businesses and events held at the civic hall;
- Office block not required;
- Would destroy the historic interest of the building itself;
- It should remain a public amenity to serve the village and add to the culture rather taking away;
- It would make more sense to do a bespoke office building;
- Quality restaurant and hotel is needed in the area;
- This proposal will kill trade and interest in the village;
- The change of use would remove the tradition that was built by the Grant Brothers that featured in the work of Charles Dickens;
- There are many events held in Ramsbottom that use this area and which creates footfall;
- Barriers claiming the majority of the car parking would cause huge issues for businesses;
- Once the change of use is completed, would planning have less control over future changes of use;
- The Grade II listed building should be dealt with in its entirety and not simply the front section.
- The owner does not appear to have tried to create a viable community facility. The bowling green has is closed, hotel section is completely run -down. and there has been no investment in the public rooms.
- This important building contributes to the culture and character of Ramsbottom. To turn it into yet another office block (the old bank on Bridge street is also to be offices) which present a closed / dead appearance should not be allowed, it should be sold on the open market to attract investors from the hotel and pub trade to the growing food ,wine and tourism market, for which Ramsbottom is becoming renown;
- Approval would be to make a hasty decision;
- The application does not have enough detail about the future of the important rear part of the building and how it would be protected - Within their letter of 5/2/2018 responding to a previous application (number 61827), Historic England made the following statements: the Grant Arms is a Grade II Listed building of national interest, and prominent contributor to the character and appearance of Ramsbottom conservation area. The rear part of the building could potentially be of notable significance for understanding the earlier history of both the building and the conservation area;
- Should be treated as an application for a residential use as conversion from office to residential only needs a prior approval under permitted development;
- The viability of the hotel is indisputable - the heritage society has identified over 30 community groups and uses over and above its hotel function;
- Active negative neglect by owner including the destruction of bowling green, illegal

- cutting down of trees, general mess, lack of maintenance and poor care of the building;
- The deteriorated state must not influence a planning application;
- Bury council has powers of maintenance enforcement with regard to listed buildings;
- Aware of several expressions of interest in running the Grants Arms as a hotel;
- Why not offer the Grant's arms for sale as a hotel and market test the owners contention that a properly run hotel cannot survive in Ramsbottom?;
- As a building of community interest, this proposal is not in the communities interest. I am from Ramsbottom and am a local business owner with a view to either obtaining a lease or to buy. The level of investment required to bring this property back to a usable state was not financially viable. The owner was not prepared to invest in any property repairs has not spent any money on the upkeep of the building for many years;
- Reasons for listing go beyond the physical aspects of the building;
- Public access and communal value would be lost

The Friends of Ramsbottom Civic Hall (FORCH) have made the following comments:  
The group is concerned that the changes should not result in a reduction of access, usage or care of the overall site including the front, side and rear of the Grant's arms, access which has been available to the public for over 100 years and recommends the council should include the following requirements in their agreement if given:

1. That public access at all times with vehicles, including emergency, council and refuse vehicles to all areas of the front, side and rear of the site be confirmed and agreed by the applicant
2. That the ownership of all parking areas around the site should be determined and public access agreed in the application
3. That the ownership and responsibility for maintenance of all roads around the site should be expressed and agreed in the application.

Objection from the The Ramsbottom Heritage Society (RHS) summarised as follows:

- Lack of Marketing Strategy - (Flagrant disregard of the procedure in the Institute of Historic Building Conservation) to follow appropriate marketing procedures;
- The loss of a valued community facility - evidence of its community use submitted
- Viability of the site for development - Our viability survey suggests it could have a prosperous future as a pub/hotel (submitted with the objection letter)
- The future of a listed and iconic building - lack of detail of the intentions for the rear of the building
- Impact of losing 35 car parking spaces
- A ruse to get a change of use further down the line from offices to residential units

The plans were amended to delete dedicated parking for the scheme which were proposed as part of the original submission.

Amended letters were sent to those who had made representations to the application on 13th November, to inform of the deletion of the car park from the proposed scheme and subsequent amendment to the description.

Objections summarised as:

- Asset of Community Value should remain accessible to the community not turned into offices - with proper investment it could open as a successful hotel/restaurant;
- A lot of supporters of these applications seem to be under the impression that this is the only way to restore and save the building. To my knowledge, the pub has never been put up for sale as a going concern to give anyone else the chance to do just that;
- Hopefully relevant comments by heritage consultees will be brought forward when this proposal is considered;
- There is a lack of concern about the lack of measures such as security lighting;

Letters of support summarised as:

- If a new owner/user is willing to preserve the historical elements of this building they

should be welcomed. I'm sure the council could put conditions on any approval to make this so.

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

### **Statutory/Non-statutory Consultations**

**Listed buildings** - National Amenity Societies - No comments received.

**Historic England** - No comments to make on the basis of the information available and suggest the views of the LPA's conservation officer are considered.

**Pre-start Conditions** - Applicant/Agent has agreed with pre-start conditions

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

NPPF	National Planning Policy Framework
EC5	Offices
EC5/2	Other Centres and Preferred Office Locations
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
HT2/4	Car Parking and New Development
HT2/5	Public Car Parks
HT5/1	Access For Those with Special Needs
Area	Market Place/Carr Street/Ramsbottom Lane
RM1	
SPD11	Parking Standards in Bury
NPPG	National Planning Policy Guide

### **Issues and Analysis**

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

### **Policies**

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

The NPPF advocates positive strategies for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other risks. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

Paragraph 189 states that in determining applications, LPA's should require an applicant to describe the significance of any heritage assets affected, including any contribution to their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 190 states that Local Planning Authorities should identify and assess the

particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 191 states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

In paragraph 192, LPA's should take account of:

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

Paragraphs 193 and 194 states than when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of a Grade II listed building should be exceptional.

Paragraph 195 - Where a proposed development will lead to substantial harm to (or loss or significance of) a designated heritage asset, LPA's should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or all of the following apply:

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

Paragraph 196 states that where a development proposals would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

EN1/1 - Visual Amenity does not permit development where proposals would have a detrimental effect on public views of prominent or important buildings, especially those in areas of architectural or historic importance.

EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control policies only support proposals where it can be demonstrated that development would preserve or enhance the special character of the area. Proposals will encourage measures to retain, replace and restore features of historical and architectural interest, remove dereliction and bring unused land or buildings back into beneficial use, have regard to the special character of the surrounding area and in the case of re-use of buildings or introduction of new uses, the impact of the proposal on the character or appearance of the area and the fabric of the existing building.

EN2/3 - Listed Buildings - The Council will actively safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features.

Regard will be had to the following factors including the impact of the proposal on the historic fabric of the building, the relationship of any extension to the Listed building, the need to protect the setting of the Listed building and the impact of associated ancillary facilities and infrastructure works.

Market Place has been described in the Ramsbottom Conservation Area Appraisal and Management Plan (November 2011) as the focus of the conservation area, and at the crossroads, as the historic centre of Ramsbottom. The high concentration of listed historic buildings reflects the historic and architectural importance of this area.

## **Principle - Heritage, Significance and Listed Building Considerations**

### Current state of the building

A comprehensive condition report has been submitted with the application which details the state of the building internally and externally. In summary, the building would be just about serviceable but its condition is continuing to deteriorate and decline and the building has been subject to a number of acts of vandalism, break-ins and squatters.

The works which would be required and the level of investment which would be needed to bring the building back to a proper and usable state would require substantial investment, and this would be without the further surveys which are recommended to fully determine the extent of works which would be required to not only bring it back to a reasonable and usable condition, but one which would secure its longevity for the future.

Debate centres around striking a planning balance between the preservation of the building for the future, and the extent of works and possible impacts this could have on its Listed status and its Significance as a Heritage Asset. This is discussed below.

### Significance

A Heritage Appraisal and Statement of Significance has been submitted with the application which considers in detail the significance of the building and its heritage values with respect to para 189 of the NPPF. The document 'Conservation Principles, Policies and Guidance, 2008 by Heritage England, advises on best practice in understanding the historic environment and significance of places and buildings. Significance is a collective term for the sum of all heritage values attached to a place, be it a building or larger historic area such as a whole village. The 'Conservation principles' sets out these Values as falling within four categories - Historic, Communal, Evidential and Aesthetic Values.

Evidential value - the potential of a place to yield evidence about past human activity

Historical value - the ways in which past people, events and aspects of life can be connected through a place to the present- tends to be illustrative or associative

Aesthetic value - the ways in which people draw sensory and intellectual stimulation from a place

Communal value - the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.

The Grant's Arms is one of the most important buildings in Ramsbottom and is the key building in this part of the town's core. The key heritage elements are the history of the building, its role in the development of Ramsbottom, the history of the Grant family and the Charles Dickens association. The front/south elevation is the most important physical element, together with parts of the east facing central link and internally the main rooms, the barrel vaulted cellar and the 1828 layout that remains behind the 20th Century additions.

The submitted Statement of Significance appraises the heritage values of the Grant's Arms identifying it as making a valuable contribution to the historic core of Ramsbottom Town

Centre. Past physical alterations have been fairly minimal, the building being added to on the west elevation by single storey additions which are easily removable. The historic fabric of the building and its architectural features are still evident, and contribute to the reasons why it is considered to be such an important and noteworthy building in Ramsbottom.

Identifying the significance of the building and its importance within the Conservation Area enables a more informed judgement to be made on development proposals to enable a reasonable assessment to the extent of any loss, if any, development proposals would have on the significance of the building.

As stated above, it is clear from surveys and inspections of the external and internal fabric of the building that there would need to be a programme of restoration/maintenance works required to enable the future occupation and use of the building. The effects of such works on the significance of the building is balanced and weighed against the benefits and merits of the scheme to secure and preserve the future of the building.

#### Summary of works

The proposal contains elements which would both restore and remove what is significant about the building.

#### Proposed restoration changes

New use for part of the building

Removal of inappropriate 20th century alterations and additions

Restoration/replacement of the external envelope including roof, windows, doors and clock

Revealing parts of the main roof structure

New steps, walls, railings and paving to the east entrance

#### Proposed changes to the historic fabric

Introduction of new window openings in the east and west elevations

Loss of flanking walls to part of the internal staircase on a number of floors, part of the staircase itself and removal of what appear to be some original internal doors and architraves

Introduction of some additional glazed screens and doors

Removal of some ceilings

### **Analysis of impact of the proposed development**

The building has been empty for some time and prior to that, had been a business which had been failing for a number of years. Buildings in such states can deteriorate quickly, and action would soon be needed to ensure the building does not degenerate beyond repair or beyond a repair which could be carried out without having a harmful impact on its historic fabric and significance.

The Grant's Arms is a sizeable building and as evidenced by the failing business and little or no interest shown in it since. The application states the building does not now lend itself to continued hotel/pub use, and this is partly due to the extent of business competition within and around Ramsbottom. Other proposals for the site, to demolish part of the building and add an extension were considered under a previous application by the LPA for the site and were deemed to be harmful to the significance of the building, partly due to the extent of demolition proposed and intrusive works which were unjustified and would have caused unacceptable loss of a significant building.

The priority must be to ensure that the building is put to an appropriate use and one that can support the level of investment required to restore and maintain the building's fabric. The proposed use can achieve this.

Looking at the principles of the NPPF, and para 196 in particular, it is stated that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the

proposal including, where appropriate, securing its optimum viable use'. This is a key test which is also considered in the section below, 'Principle - Proposed change of use and Heritage/Listed Building Considerations.

### External works

Externally, interventions and intrusions to the fabric of the building would be relatively minor. The south and east facing elevations are the most important in terms of the character of the Market Place.

On the front it is proposed to retain the Georgian facade and windows and refurbish the existing deteriorated sash windows and therefore secure this part of the building's historic fabric. It is also proposed to restore the clock to a working order which would again retain the character and history of the building. The front entrance door would be replaced with a suitable specification of a timber pannelled type and design and the pillar surround also retained.

On the side (east) elevation, deterioration can also be seen on the window openings and it is proposed to replace the two of the upper windows with slimline double glazed timber sliding sash windows, which would be the same type and design as the existing and in keeping with the character of the building.

Also on the east elevation, the new opening and steps formed in the existing wall to create an access to the building would be carried out sensitively, providing a new rendered wall and railings which would reflect the existing appearance and considered to be a minor intervention which would not significantly harm the fabric of the building or the site itself. These small changes would not harm the architectural importance and character of the building and would be undertaken in line with the building's Georgian and part early Victorian style. The works would be appropriate and preserve the character of the Listed Building.

New ground and first floor window insertions on the west elevation would be of the same design as the existing and a type expected for this age of building. It is also proposed to extend the existing first floor oval 'feature' window to the ground floor. There is no evidence to suggest whether this had at one time been an original feature and removed at a later date or not, so it is difficult to make an accurate historic assessment as to whether an extended window would restore a previous element or introduce a new feature. The west elevation is a lesser important elevation and not seen from public views and as such it is considered this intervention would not cause significant harm to the historic fabric of the building and on balance would be an acceptable solution to opening up the elevation on this part of the building. As such, these proposals are considered to be acceptable in terms of heritage principles to preserve the character and fabric of the Listed Building.

The extension of the window would require the removal of a more modern 'link' extension which does not add anything of significant value to the building and it is considered its removal would enhance this particular elevation by revealing the original elevation.

Planning is often about striking a balance and in this case, the judgement as to whether the works proposed would be appropriate and very importantly, secure the future and preserve the building as a nationally and locally important heritage asset. Paragraph 192 of the NPPF states that LPA's should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of the asset can make to sustainable uses including their economic vitality and the making a positive contribution to local character and distinctiveness.

Without the repair and renovation works, to enable the building to be brought back into a viable and acceptable use, the building would only suffer more deterioration and degeneration which could have serious repercussions for its future and functionality.

It is therefore considered that the proposed restoration works to the external fabric of the

building would, overall, have a positive impact and would be sympathetic to the architectural character and features and preserve the historic significance of the building. The works would enable the building to be brought back into use which would be of considerable benefit to the character and preservation of the Listed Building for the future.

#### Internal works

Internally, alterations would be more extensive but this mainly involves the stripping out of internal walls and partitions of little heritage value dating from the later part of the 20th century. There would be removal of partition walls and ceilings between the floors which are not of any particular significance and insertion of glazed screenings, but these would not be intrusive to the historic fabric being easily removable in the future. The layout and fabric of the 'beer' cellar would remain untouched, being utilised as an IT/archives room.

It is proposed to strip back part of the ceiling on the upper floor to reveal the original roof and kingpost and purling structure, which would expose the original historic fabric and positively contribute to the overall scheme.

The only aspect of the proposed works which would involve more extensive and intrusive works would be the loss of the flanking walls to the staircase to provide an open working space. This would involve the removal of part of the stone/brick wall and the original fabric of the building.

It is considered that this in itself, and if to be carried out in isolation with no other restoration, repair, maintenance or preservation works, would have some significant impact on the historic fabric of the building. However, these works do propose the retention of the plinth where the walls are to be removed and these works would be carried out such that the lines of the existing walls would be readily identifiable both at head and floor level, and would therefore continue to tell the story of the layout of the building.

The removal of the existing upper timber section of the stair is of little if any significance and the proposed replacement stair would be minimalist in nature, predominantly formed of glass and stainless steel. It is considered that this intrusion would not cause harm to the original fabric or affect the overall character of the building.

Whilst there would be some harm to the significance of the building from the removal of the staircase wall, planning is about striking a balance between harm caused to significance weighed against the other benefits which would outweigh such a harm.

The applicant has acknowledged that there would be a loss to the significance but that this would be balanced against the extent of restoration and reinstatement which would bring significant improvements to preserving the historic importance and future of the building. Not only that, but the works enable a vacant, deteriorated and damaged building to be brought back into a sustainable and viable use consistent with its conservation.

The justification that the opening up of the staircase is crucial to the operation of the business is of lesser weight, but has merit in the case for the substantial benefit and value the re-use and extent of necessary works would achieve to preserve the building.

This application calls for a pragmatic approach accepting that there may be some loss of significance, but one which is acceptable in order to save the building.

All the other works proposed would either be of no loss of significance or negligible loss to the significance to the building and would result in substantial benefits to restore and preserve the architectural features and special historic character and fabric of the Listed Building.

On balance, it is considered that the proposals would be neutral, comprise in the main the restoration of the building to retain its original character and in conclusion there would not be substantial harm caused by the development proposals. The proposals would also be

a sound basis from which to consider the future of the 18th century structure at the rear.

With suitable planning conditions, which would mainly seek further detail of works already agreed and acceptable in principle, it is considered that the proposed development would be appropriate and acceptable and would continue to preserve the architectural qualities of the historic building to secure its future and would therefore comply with the principles of the NPPF in paragraphs 192 and 196 and UDP Policy EN2/3 - Listed Buildings.

**Principle - Proposed change of use and Heritage/Listed Building Considerations**

The new use would secure the future of this listed building, a positive for both the building and the town and as stated above, the works required to facilitate the new use would not be substantial or of significant harm.

Policy EN2/3 states that new uses for Listed Buildings are often the key to their preservation, especially where buildings have become wholly or partly redundant. Paragraphs 192 of the NPPF advocates the desirability of sustaining and enhancing the significance of the heritage asset and putting them to viable and sustainable uses. The re-use of the building would also be of further benefit to the local community and contribute positively to local character and distinctiveness, by preserving one of the most iconic buildings in Ramsbottom rather than letting it fall into such a state beyond feasible repair and restoration.

As analysed in the report above, the proposed works would not cause intrinsic harm to the historic features and character or appearance of the building, nor be unsympathetic to the setting of the Listed Building.

The submitted heritage, planning and condition statements have been carried out by qualified and experienced conservation specialists, are comprehensive and contain statements and guidance to justify the proposals, and therefore considered to be in compliance with para 189 of the NPPF.

It is therefore considered that the proposed use and the schedule of works required to preserve and restore the building would not adversely affect the architectural features and character or appearance of the listed building and would seek to positively safeguard and preserve the historic fabric of the building for the future, and as such would be in accordance with the principles of the NPPF and UDP Policies.

Previous application

It is worth noting that there has been a recent outline planning application for the Grant's Arms building for the demolition of part of the building and its replacement with an extension (see planning history above). The application was refused by the LPA and has recently been dismissed on appeal by the Planning Inspector (3/12/2018).

It was concluded that the application was fundamentally flawed, in that it did not meet the requirements of para 189 of the NPPF 2018 (para 128 of NPPP 2012) that applicants should describe the significance of the heritage asset to be affected, including any contribution made by their setting. Furthermore there was no advance understanding of the heritage asset to be lost in a manner proportionate to their significance and the impact of the loss. Moreover, there were serious discrepancies in the relationship of the extension to the part of the building to be retained and the design, scale and massing of the extension were totally inappropriate to the character of the listed building and its setting within the Conservation Area. The degree of harm caused would be substantial and contrary to the principles of the NPPF and UDP policies.

Comparatively, this current application has provided a robust and detailed assessment in the Heritage Statement, proportionate to the restoration and repair works proposed, acknowledging the significance of the building and enabling the potential impact of the proposed development to be understood, in compliance with para 189 of the NPPF. Furthermore, the works would be sensitive, appropriate to the character of the listed

building and conservation setting and positively contribute to enabling the building to be brought back into a sustainable use.

As such, the current application fulfills the principles of the NPPF and UDP Policies to preserve and enhance the architectural, visual and character of the Conservation Area.

**Historic England** - Do not have any comments to make on the application.

### **Response to objectors**

- The Grant's Arms is privately owned and it is for the LPA to consider what is in front of it. Alternative schemes for the site can still come forward by interested parties. It is the LPA's duty to determine planning applications which have been submitted and assess their appropriateness and acceptability, in accordance with planning policies, each development being assessed on their own merits.
- The current planning application deals with matters relating to parking, access, principle of the office use in a town centre location and its status as an Asset of Community Value
- It is the applicant's intention to bring forward proposals for the rear part of the building at a later date but the use for the rear half would remain as it is in land use planning terms. Remedial works to make repairs to stop leaks and rot to the roof would be carried out to secure this part of the building.
- The building would be exempt from a change of use to residential through Prior Approval under Part 3 of the 2015 General Permitted Development Order 2015, as amended due to its Listed Status. A full planning permission would be required for any future change of use proposals.
- All other issues have been covered in the above report.
- In terms of an LPA's powers of maintenance enforcement, the building is not in such a poor state to warrant a section 215. There are Urgent Repairs Notices for Listed Buildings. However, non compliance would mean the Council would have to purchase the building. As there is an active application, there is no compulsion at this stage to consider formal action but the Council would consider all appropriate actions.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.  
Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. This decision relates to drawings numbered - Proposed window Schedule C-0378-11 Rev D; Specifications for assorted work by Sash Windows NW; Details of existing vertical sliding sash timber windows - refurb C-0378-12; Proposed staircase details C-0378-15; External door schedule C-0378-14 Rev A; Proposed Vertical Sliding sash Timber Window details WINDOW TYPE B C-0378-17 Rev A; Proposed Vertical Sliding sash Timber Window details

WINDOW TYPE A C-0378-13 Rev C; Proposed Window W23 (Staircase Feature Window C-0378-18 Rev A; Site location plan C-0378-SLP Rev A; Proposed site layout showing upper ground floor C-0378-06 Rev C; Proposed lower ground floor plan C-0378-07 Rev D; Proposed upper ground and first floor plans C-0378-08 Rev D; Proposed elevations C-0378-09 Rev E; Existing and proposed part site layout to upper ground floor main entrance area C-0378-16; Proposed Sections A-A & B-B C-0378-10 Rev B and the development shall not be carried out except in complete 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. Prior to the commencement of any works required to the stonework, repair/alteration/restoration of the render or re-pointing required by the development hereby approved, details of the methodology, specification and colours/materials shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be used in the development hereby approved prior to the commencement of any works involving the stone, render and re-pointing of the building.  
Reason. Details not submitted at application stage. In order to preserve the special architectural or historic interest of the building and the character of the Ramsbottom Conservation Area pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual amenity, EN2/1 - Character of Conservation Areas, EN2/2 Conservation Area Control, EN2/3 - Listed Buildings and the principles of the NPPF.
4. The development hereby approved shall be carried out in accordance with the Proposed Window schedule dwg C-0378-11 Rev D.  
Reason. In order to preserve the special architectural or historic interest of the building and the character of the Ramsbottom Conservation Area pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual amenity, EN2/1 - Character of Conservation Areas, EN2/2 Conservation Area Control, EN2/3 - Listed Buildings and the principles of the NPPF.
5. Prior to any works involving the access and entrance to the east elevation, details of the design and colour of the railings and specification of the type and colour of the stonework, paving and steps shall be submitted to and approved in writing by the Local Planning Authority. The details shall also include a methodology and timetable for the proposed works. The approved details and methodology only shall be used in the development hereby approved and thereafter maintained as the approved details.  
Reason. Details not submitted at application stage. In order to preserve the special architectural or historic interest of the building and the character of the Ramsbottom Conservation Area pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual amenity, EN2/1 - Character of Conservation Areas, EN2/2 Conservation Area Control, EN2/3 - Listed Buildings and the principles of the NPPF.
6. Prior to any works to the internal roof space of the building, and works to open up the internal roof space, details of the proposed works shall be submitted to and approved by the Local Planning Authority. The details shall include a methodology of the proposed works and any materials to be used. The approved details only shall be implemented in the development hereby approved and thereafter maintained as the approved details.  
Reason. Details not submitted at application stage. In order to preserve the special architectural or historic interest of the building pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual amenity, EN2/1 - Character of Conservation Areas, EN2/2 Conservation Area Control, EN2/3 - Listed Buildings and the principles of the NPPF.
7. Details of the colour to be used for the proposed new external timber doors on the

south and east elevations shall be submitted to and approved by the Local Planning Authority prior to the installation of the doors. The approved colour only shall be used on the doors prior to the fitting of the doors or following the fitting of the doors, within a timescale to be agreed with the Local planning Authority, and thereafter maintained as the approved details.

Reason. Details not submitted at application stage. In order to preserve the special architectural or historic interest of the building and the character of the Ramsbottom Conservation Area pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual amenity, EN2/1 - Character of Conservation Areas, EN2/2 Conservation Area Control, EN2/3 - Listed Buildings and the principles of the NPPF.

8. Prior to the restoration of the clock, details of its fixing mechanisms, internally and externally shall be submitted to and approved by the Local Planning Authority. The approved details only shall be implemented in the development hereby approved.

Reason. Details not submitted at application stage. In order to preserve the special architectural or historic interest of the building and the character of the Ramsbottom Conservation Area pursuant to Bury Unitary Development Plan Policies EN1/1 - Visual amenity, EN2/1 - Character of Conservation Areas, EN2/2 Conservation Area Control, EN2/3 - Listed Buildings and the principles of the NPPF.

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

**Ward:** Radcliffe - West

Item 05

**Applicant:** Mr Osman Salim

**Location:** The Old School, 1 Walker Street, Radcliffe, Manchester, M26 1FH

**Proposal:** Conversion of antiques centre/dwelling to 13 no. (total) residential apartments

**Application Ref:** 63376/Full

**Target Date:** 18/01/2019

**Recommendation:** Minded to Approve

**The application is Minded to Approve subject to the completion of a S106 agreement relating to the provision of a commuted sum of £18,743.40 pursuant to UDP Policy RT2/2 and SPD1 to be spent upon local recreation project(s) and an affordable housing element for one dwelling.**

**The Development Control Manager has recommended a site visit prior to determination by the Planning Control Committee.**

### **Description**

The application relates to a former school building that has been, until recently, in use as an antiques centre with a dwelling situated in the eastern most part. The brick built structure is an attractive and historic feature within the locality with many original external architectural features remaining intact. On the east side of the building there is a car park and a number of outbuildings which would be demolished. There is a brick boundary wall around the car park and along the back boundary with properties on Rossall Avenue.

The area is residential in character with housing to the north, south and west. To the east is Stand United Reformed Church and a short row of shops with flats above, both fronting Stand Lane. Access is along Walker Street which runs into Stand Lane.

The proposal is to demolish outbuildings in the car park and convert the main building into 13 apartments with parking and amenity space. There would be three 1-bed, seven 2-bed and three 3-bed apartments over the three floors with accommodation in the basement and the roofspace.

The scheme does not include major external works but the existing windows and doors would be replaced with similar styled painted timber mock sash and case. There would be new windows on the west elevation, overlooking the amenity space and the adjacent garages and new rooflights in the roof.

The access from Walker Street would be as existing, through new electronic gates into a 16 space car park. The main amenity space would be in the south west corner of the site, at the rear of the building. The bin store and bike store would be accessed from pedestrian gates at the western end of the site.

### **Relevant Planning History**

62199 - Conversion of antiques centre/dwelling to 12 no. residential apartments - Refused 22/03/201. Overlooking and inadequate drawings.

### **Publicity**

Press Notice posted in Bury Times 01/11/18 and Site notice posted 23/10/18. The following neighbours were notified by letter dated 22/10/18.

Nos. 2-30(even) Rossall Avenue, 280 - 288 Stand Lane, 13, 14, 15, 20, 21, 22, 23, 31, 32, 33 and 34 Chapelfield.

Objections in the form of individual letters and a petition received from 12-28 Rossall Avenue.

Amended Plan letter sent to objectors on 15/11/18.

Objections can be summarised below:

- Unacceptable loss of privacy through overlooking from the property towards houses on Rossall Avenue.
- Overdevelopment of the site.
- Increased noise impact on properties on Rossall Avenue.

The objectors have been notified of the planning Control Committee Meeting.

### **Statutory/Non-Statutory Consultations**

Traffic Section - No objection subject to conditions.

Environmental Health - No objection.

Conservation - No objection.

Waste Management - No objection.

Greater Manchester Police - No objection.

Greater Manchester Ecology Unit - No objection.

**Pre-start Conditions** - The applicant/agent has agreed the precommencement conditions.

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

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
EN7	Pollution Control
EN7/2	Noise Pollution
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
EN1/1	Visual Amenity
SPD11	Parking Standards in Bury
SPD15	Residential Conversions
SPD16	Design and Layout of New Development in Bury
RT2/2	Recreation Provision in New Housing Development
SPD1	Open Space, Sport and Recreation Provision
SPD15	Residential Conversions
SPD5	DC Policy Guidance Note 5: Affordable Housing

### **Issues and Analysis**

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

**Policies** - The NPPF indicates the importance of maintaining a sufficient supply of housing, particularly where it involves the appropriate reuse of brownfield land and buildings.

UDP Policy H1/2 - Further Housing Development. The Council will have regard to the following factors when assessing proposals for housing development on sites not identified

on the Proposals Map:

- a) the need to direct development towards the urban area;
- b) the availability of infrastructure;
- c) the need to avoid the release of peripheral open land, unless this can be shown to be consistent with urban regeneration;
- d) the suitability of the site in land use terms with regard to amenity, the nature of the local environment and surrounding land uses;

H2/4 - Conversions. Applications for the conversion of buildings into two or more self contained units, or the conversion of a building into a house of multiple occupation, will be considered with regard to the following factors:

- a) the effect on the amenity of neighbouring property through noise, visual intrusion, the position of entrances, impact of parking areas, extensions and fire escapes;
- b) the general character of the area and the existing concentration of flats;
- c) the amenity of occupants;
- d) the effect on the street scene of any changes to the external appearance of the building;
- e) car parking and servicing requirements.
- f) other policies and proposals of the Plan.

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

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

SPD11 Parking Standards in Bury sets out detailed guidance and issues relating to parking in various developments.

SPD15 Residential Conversions supports Policy H2/4 and sets out detailed guidance and assessment criteria.

**Heritage Policy and Guidance** - Section 66 of the Planning (Listed Building and Conservation areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

Section 72 sets out the duties imposed upon a Local planning Authority in respect of Conservation Areas in exercising its planning functions.

Para 126 of the NPPF states that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; desirability of new development making a positive contribution to local character and distinctiveness and opportunities to draw on the contribution made by the historic environment to the character of a place.

Para 135 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the

significance of the heritage asset.

UDP Policy EN2/3 Listed Buildings seeks to actively safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features.

**Principle** - Given that the site is within a residential area with available infrastructure, the principle of a residential conversion to the existing vacant property is acceptable subject to appropriate details with regard to changes to what is a building of significant historic character, suitable parking and acceptable levels of privacy being maintained with regard to the surrounding neighbours. The proposal, in principle, complies with UDP Policy H1/2 Further Housing Development.

**Heritage Issues** - The building is considered to be a Non-Designated Heritage Asset (NDHA). The Heritage Statement submitted with the application recognises the significance of the former school and indicates that the works proposed would improve and enhance the appearance of the building would enhance the physical and cultural continuity within the townscape.

Externally the main changes to the building involve existing and new windows. The existing timber framed windows would be replaced with similar styled windows whilst the four new windows on the side/west elevation would also be timber framed with stone cills and head to match the existing. Within the roof, the new roof lights would be slimline, conservation style.

It is considered that the proposed development would actively safeguard the historical and architectural character and features of the building and provide a sympathetic solution to its continued use and help secure its long term future. The development is therefore considered to be acceptable and would comply with the principles of the NPPF and UDP Policies EN1/1 and EN2/3.

**Visual amenity** - The proposed scheme, with no major external structural alterations, would be sensitive to the existing structure and would help protect and enhance the building which has minor historic and architectural interest locally. Within the wider streetscape the proposed conversion would add amenity value and would be not appear out of keeping.

The proposed scheme would comply with the NPPF and UDP policies H2/4 Conversions, EN1/1 Visual Amenity, EN1/2 Townscape and Built Design, H2/3 Listed Buildings and SPD15 Residential Conversions.

**Residential amenity** - The rear elevation of the existing building and particularly the outrigger in the south east corner, are relatively close to the shared boundary with properties on Rossall Avenue. The outrigger facing No.18 is less than 2m from the rear garden boundary.

Given this relationship with the houses on Rossall Avenue and despite the existing conifer trees along the boundary, there is potential for serious overlooking issues. In response to these concerns the plans have been amended to indicate non-opening, obscure glazing up to a minimum height of 1.7m for all first floor windows on the rear elevation and also to the ground floor windows on the outrigger closest to the shared boundary with No.18. These requirements for obscure glazing to 1.7m would ensure no direct overlooking and protect residential amenity and therefore be compliant with the NPPF and UDP Policies and guidance.

In addition to obscure glazing, it is proposed to replace the existing dilapidated boundary fence to an appropriate height (approximately 2m) in order to provide, along with the existing conifer trees, further screening between the site and the properties on Rossall Avenue. There are no serious overlooking issues around the rest of the site.

There are no other residential amenity issues arising. As such the proposal complies with the NPPF and UDP policy HT2/4 Conversions and SPD15 Residential Conversions.

**Traffic and Servicing** - The access and proposed parking provision for 16 cars is considered to be appropriate to the number of units. The cycle store in the south west corner of the site is welcomed and the bin store along the western boundary is acceptable. There is no objection from the Traffic Team and the proposal, in terms of access, parking and servicing is acceptable and complies with the NPPF, UDP Policies HT2/4 Car Parking, New Development, H2/4 Conversions and associated guidance in SPD 11 and SPD 15.

**Contaminated Land** - Given the nature of the application, there are no serious issues in this respect. Conditions relating to unforeseen contamination would be attached to any decision, if approved.

**Recreation Provision** - The requirement of a commuted sum of £18,743.40 for recreation provision, in accordance with UDP Policy RT2/2 and SPD1 has been agreed and will be subject to a Section 106 legal agreement. The Refurbishment of equipment and surfacing at the Play Area in Hollinhurst Playing Fields has been identified as a project to benefit.

**Affordable Housing** - In accordance with the revised National Planning Policy Framework, there is a requirement within a development of this size, to provide one affordable housing unit within the development. This would be dealt with as part of the S106 legal agreement.

**Objections** - The concerns of the objectors with regard to overlooking are valid and have been addressed in the revised plans. With regard to overdevelopment, the existing building and site is considered suitable for 13 apartments without appearing cramped. Issues relating to increased noise and disturbance are not considered to so serious an issue as to warrant refusal.

#### **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 Paragraph 38 of the National Planning Policy Framework.

**Recommendation:** Minded to Approve

#### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 13.629/OS, 01A, 02A, 03A, 04, 05B, 06C, 07C, 08F, 09 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the materials to be used in the external elevations, including windows, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.

4. Prior to the commencement of development, details of the proposed new boundary fence along the southern boundary 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 and shall be in situ before first occupation.

Reason - To secure the satisfactory development of the site and in the interests of residential amenity pursuant to UDP Policy H2/4 Conversions.

5. Before the first occupation of the development hereby permitted the following windows shall be fitted with non-opening/obscured glazing (min obscurity level 3) to a minimum height of 1.7m from floor level and shall be permanently retained in that condition thereafter:

- ground floor windows on the rear/south elevation to Apartment 2,
- low level windows abutting floor on rear /south elevation to aptment 10
- all first floor windows on the rear/south elevation of the building,

Reason. To protect the privacy of adjoining occupiers and to accord with Policies H2/1 The Form of New Residential Development, H2/3 Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 Alterations and Extensions to Residential Properties.

6. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and; The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

7. Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.

Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

8. Prior to any external works to the roof and tower commencing, a precautionary bat method statement shall be submitted to and agreed in writing by the Local Planning Authority. The report shall set out any findings and mitigation schemes and timings for implementation and shall be carried out in accordance with the approved details.

Reason. In the interests of ecology pursuant to the NPPF and the Wildlife and

Countryside Act 1981.

9. The vehicular access alterations indicated on approved plan 13 629/08F, incorporating the widening of the existing footway crossing and all associated highway remedial works, provision of visibility splays at the back edge of the footway and inward opening electric gate set back a minimum of 5.5m from the kerb, shall be implemented to the satisfaction of the Local Planning Authority before the development is first occupied.  
Reasons. To ensure good highway design in the interests of road safety pursuant to the NPPF and UDP HT2/4 Car Parking and New Development.
  
10. The turning facilities indicated on approved plan reference 13 629/08 Amendment E shall be provided before the dwellings are first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.  
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to the NPPF and UDP Policy HT2/4 Car Parking and New Development.
  
11. The car parking indicated on approved plan reference 13 629/08F shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained at all times.  
Reason. To ensure adequate off-street car parking provision in the interests of road safety.
  
12. The bin store shall be available for use before first occupation.  
Reason. In order to secure proper refuse storage and collection pursuant to UDP Policy H2/4 Conversions.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 63376**

**ADDRESS: The Old School, 1 Walker Street  
Radcliffe**

**Planning, Environmental and Regulatory Services**

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



63376

Photo 1



Photo 2

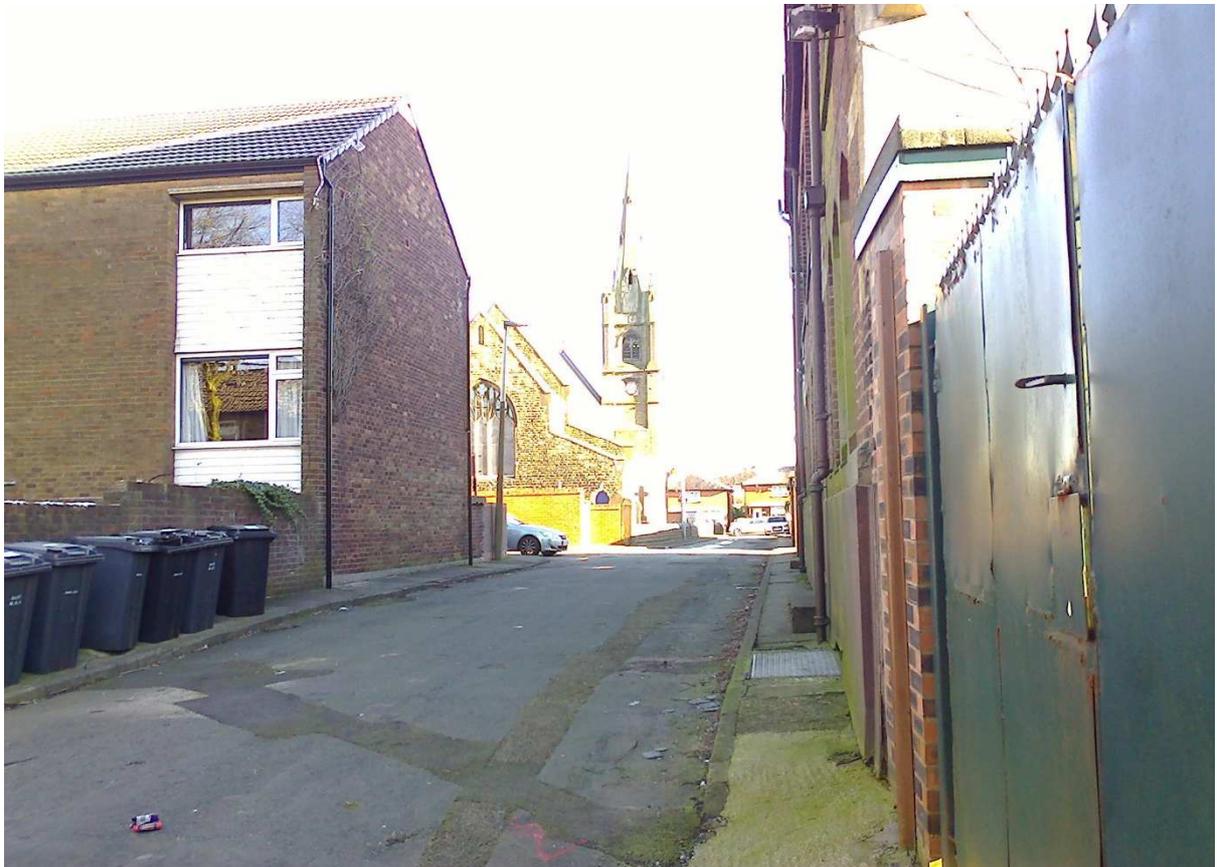


63376

Photo 3



Photo 4



63376

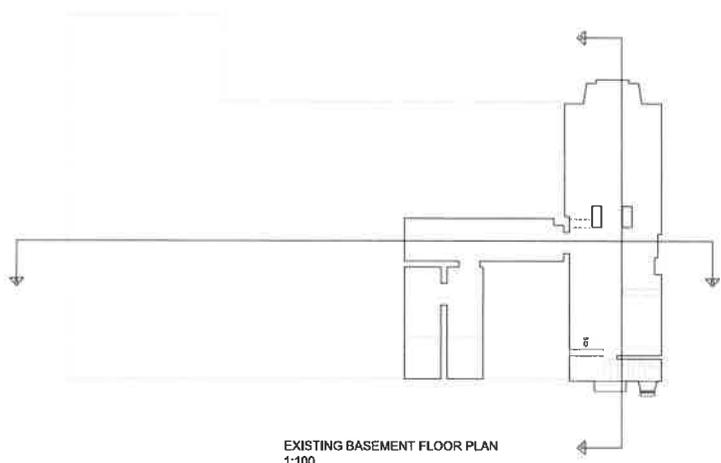
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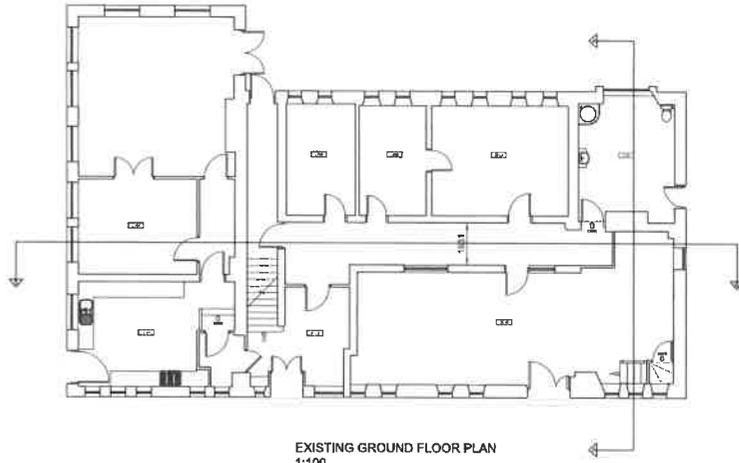
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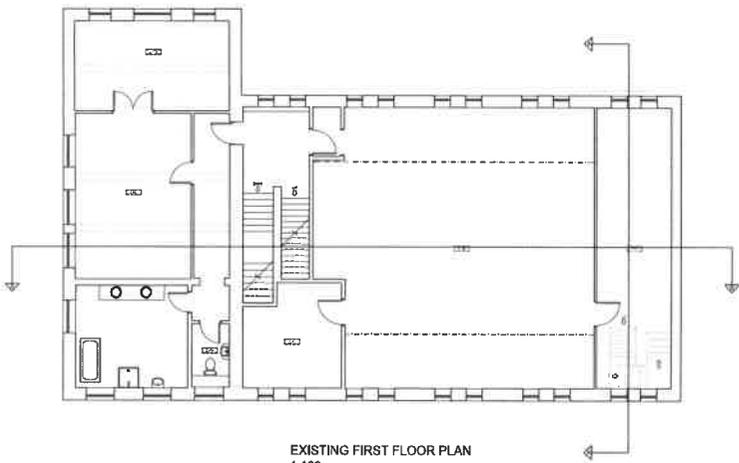
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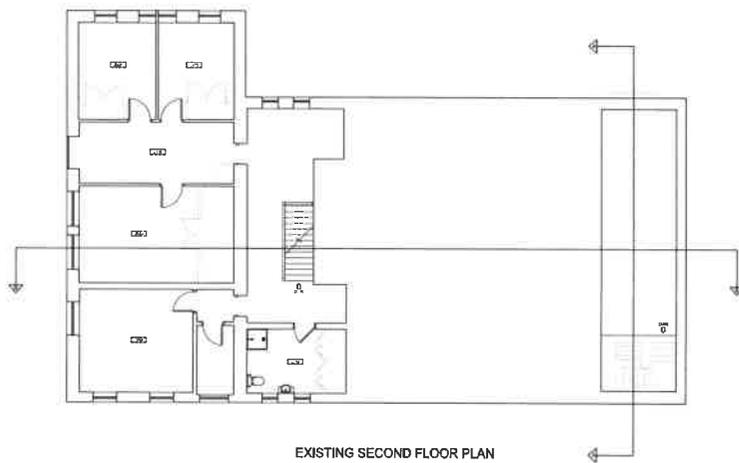
EXISTING BASEMENT FLOOR PLAN  
 1:100



EXISTING GROUND FLOOR PLAN  
 1:100



EXISTING FIRST FLOOR PLAN  
 1:100



EXISTING SECOND FLOOR PLAN  
 1:100

Page 91



**PLANNING ISSUE**  
 SUBJECT TO LOCAL AUTHORITY APPROVAL

REV	DESCRIPTION	BY	DATE
A	FIRST ISSUE	TB	25.07.18

PROJECT  
 PROPOSED RESIDENTIAL DEVELOPMENT  
 THE OLD SCHOOL HOUSE  
 WALKER STREET  
 RADCLIFFE  
 BURY  
 M26 1FH

CLIENT  
 MR OSMAN SALIM

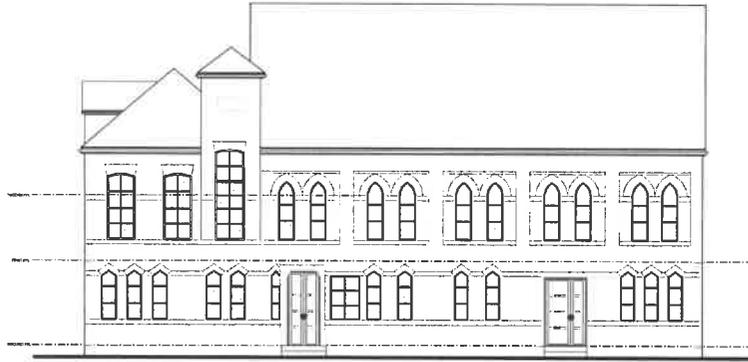
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DRAWN	TB	DATE	25.07.18
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APPROVED			

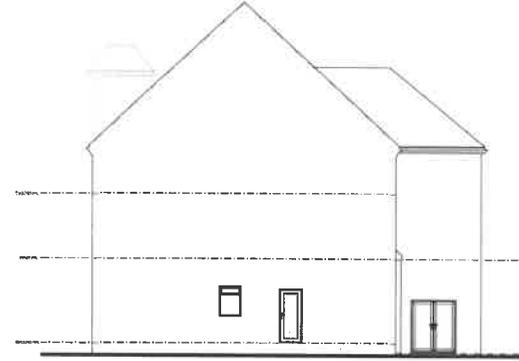
HOWARD & SEDDON A.R.I.B.A.  
 CHARTERED ARCHITECTS  
 64 WINDSOR GARDEN  
 53-55, CHICHESTER AVENUE  
 TEL: 01246 313131 - 01246 313132  
 FAX: 01246 313131 - 01246 313132  
 E-MAIL: ADMIN@H&SARCHITECTS.CO.UK

JOB No.	DRG No.	REVISION
13,629	01	A

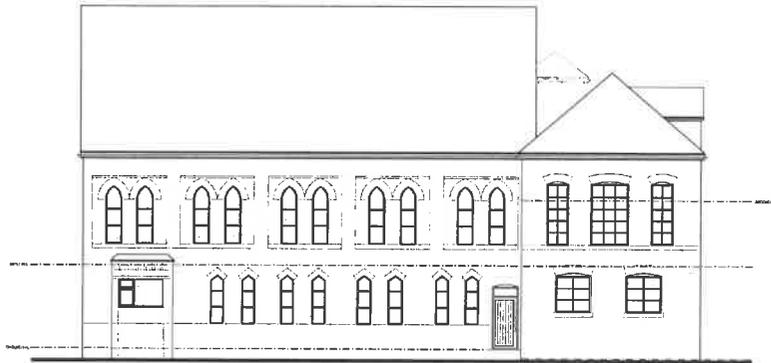
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 ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY MANUFACTURING OR FABRICATION AND ANY ANOMALIES TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.



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 1:100



EXISTING SIDE ELEVATION  
 1:100



EXISTING REAR ELEVATION  
 1:100



EXISTING SIDE ELEVATION  
 1:100



**PLANNING ISSUE**

SUBJECT TO LOCAL AUTHORITY APPROVAL

A	FIRST ISSUE	TB	01.08.18
REV	AMENDMENTS	BY	DATE

PROJECT  
 PROPOSED RESIDENTIAL DEVELOPMENT  
 THE OLD SCHOOL HOUSE  
 WALKER STREET  
 RADCLIFFE  
 BURY  
 M26 1PH

CLIENT  
 MR OSMAN SALIM

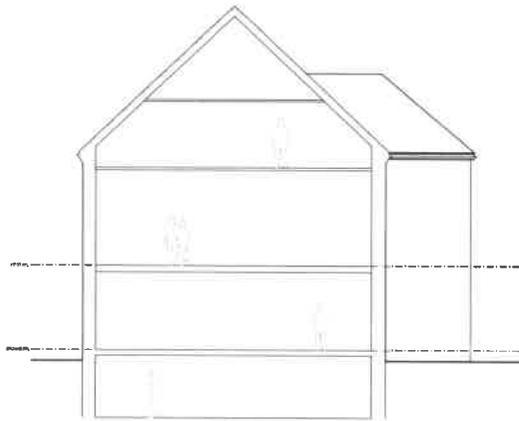
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APPROVED			

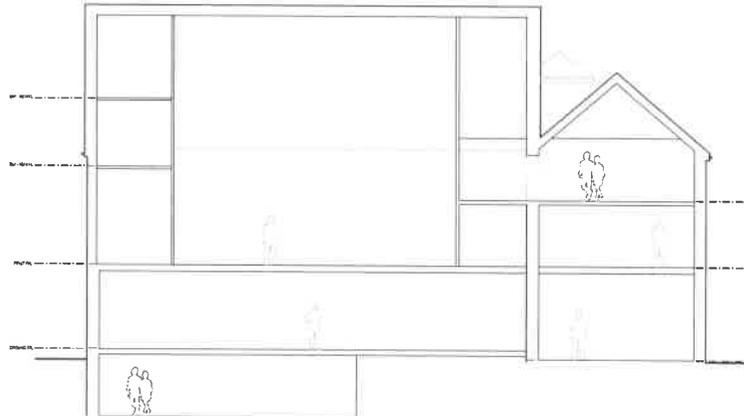

**HOWARD & SEDDON A.R.I.B.A.**  
 CHARTERED ARCHITECTS  
 25 WINDSOR SQUARE  
 5MK, CHELSEA, M3 7UL  
 TEL: 020 7181 4000  
 FAX: 020 7181 4001  
 E-MAIL: ADMIN@HOWARDSEDDON.CO.UK

JOB No.	DWG No.	REVISION
13,589	02	A

NOTES  
 ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY MANUFACTURING OR FABRICATION AND ANY ANOMALIES TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.



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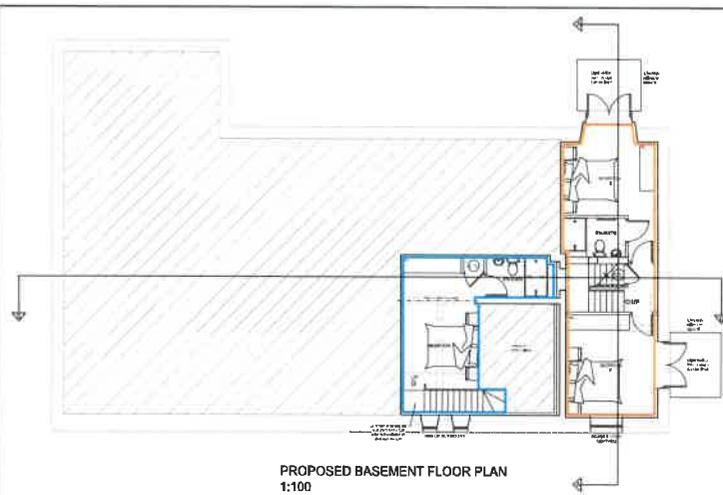
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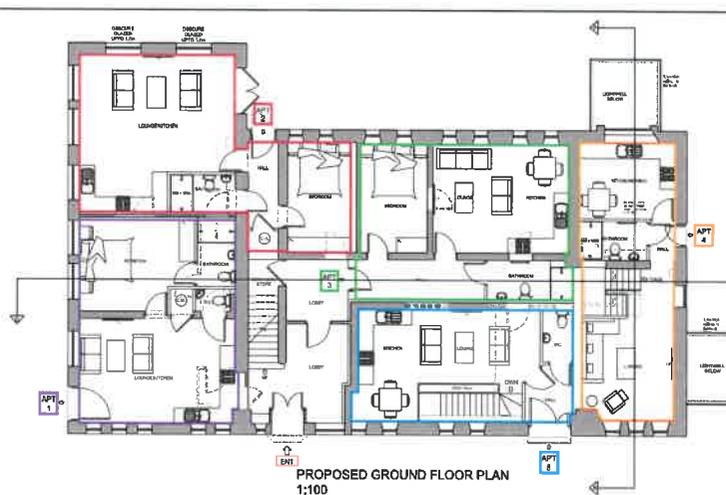
A		REV	AMENDMENTS	TB	DATE
A		REV	AMENDMENTS	TB	DATE
PROJECT PROPOSED RESIDENTIAL DEVELOPMENT THE OLD SCHOOL HOUSE WALKER STREET RADCLIFFE BURY M26 1FH					
CLIENT MR OSMAN SALIM					
DRAWING TITLE EXISTING SECTIONS					
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APPROVED					
 HOWARD & SEDDON A.R.I.B.A. CHARTERED ARCHITECTS 44 WOODHURST ROAD SLEY, CHESHIRE SK13 7SE TEL: 01457 81848 - 89238206 FAX: 01457 81151 - 89238205 E: H&S@H&SARCHITECTS.CO.UK					
JOB No.	13,629	DRG No.	03	REVISION	A

PLANNING ISSUE  
 SUBJECT TO LOCAL AUTHORITY APPROVAL

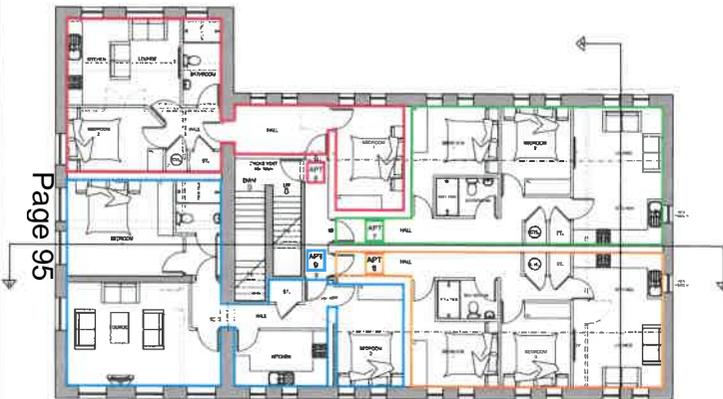




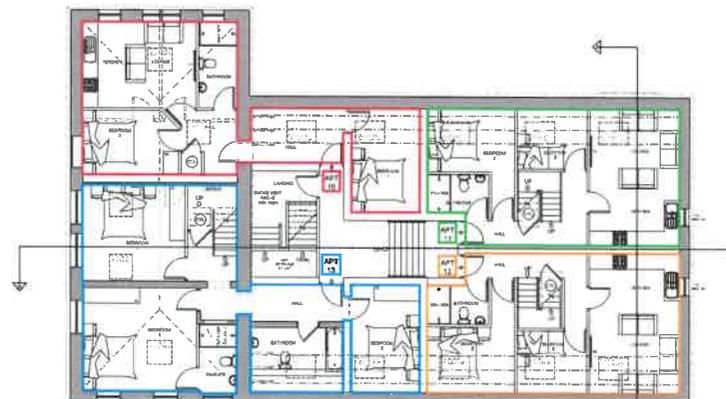
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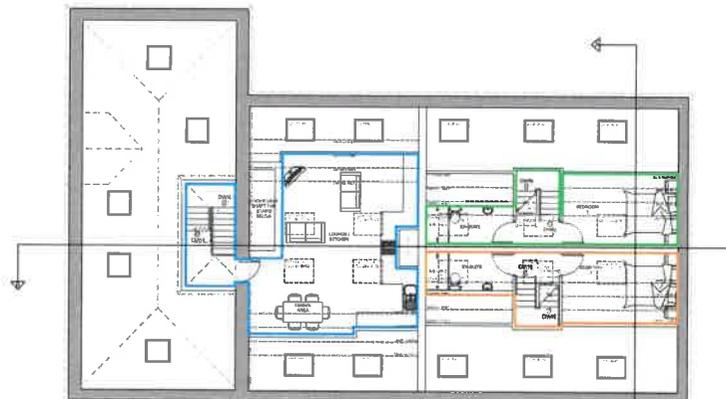
PROPOSED GROUND FLOOR PLAN  
1:100



PROPOSED FIRST FLOOR PLAN  
1:100



PROPOSED SECOND FLOOR PLAN  
1:100



PROPOSED MEZZANINE DECK  
1:100

NOTES  
ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY MANUFACTURING OR FABRICATION AND ANY ANOMALIES TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.

**KEY**

GROUND FLOOR	FLOOR AREA (m <sup>2</sup> )
Apartment 1 - 1bed, 1 bath	48.2
Apartment 2 - 1bed, 1 bath	56.1
Apartment 3 - 1bed, 1 bath	50.0
Apartment 4 - duplex - 2bed, 2 bath	78.3
Apartment 5 - duplex - 2bed, 2 bath	56.4
FIRST FLOOR	
Apartment 6 - 2bed, 1 bath	54.7
Apartment 7 - 2bed, 1 bath	55.9
Apartment 8 - 2bed, 1 bath	54.4
Apartment 9 - 2bed, 1 bath	73.4
SECOND FLOOR	
Apartment 10 - 2bed, 1 bath	50.1 at 1.5m Ceiling Height
Apartment 11 - duplex - 3bed, 2 bath	58.2 at 1.5m Ceiling Height
Apartment 12 - duplex - 3bed, 2 bath	58.2 at 1.5m Ceiling Height
Apartment 13 - duplex - 3bed, 2 bath	111 at 1.5m Ceiling Height
<b>NET SALEABLE FLOOR AREA = 804.9</b>	

Page 95



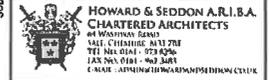
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A	FIRST ISSUE	TB	13.08.18
REV	AMENDMENTS	BY	DATE

PROJECT  
PROPOSED RESIDENTIAL DEVELOPMENT  
THE OLD SCHOOL HOUSE  
WALKER STREET  
RADCLIFFE  
BURY  
M26 1FH

CLIENT  
MR OSMAN SALIM

DRAWING TITLE  
PROPOSED FLOOR PLANS

DRAWN	TB	DATE	13.08.18
CHECKED		SCALE	1:100 (A1)
APPROVED			



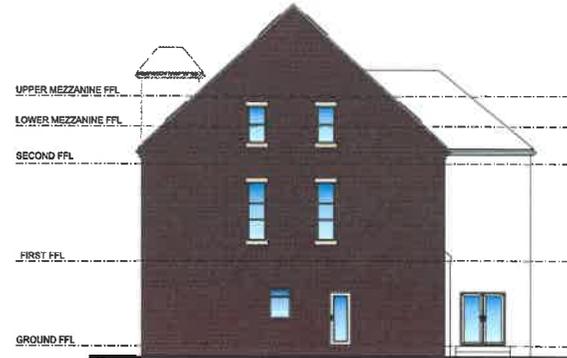
JOB NO.	13,629	DWG NO.	05	REVISION	B
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PLANNING ISSUE  
SUBJECT TO LOCAL AUTHORITY APPROVAL

NOTE  
 ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY MANUFACTURING OR FABRICATION AND ANY ANOMALIES TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.



PROPOSED FRONT ELEVATION  
 1:100



PROPOSED SIDE ELEVATION  
 1:100



PROPOSED REAR ELEVATION  
 1:100



PROPOSED SIDE ELEVATION  
 1:100

Page 96

0 5m  
 SCALE 1:100

REV	DESCRIPTION	BY	DATE
C	INCREASE OBSCURE GLAZING	TB	15.11.18
B	ADDITIONAL INFO	TB	01.10.18
A	FIRST ISSUE	TB	15.08.18

PROJECT  
 PROPOSED RESIDENTIAL DEVELOPMENT  
 THE OLD SCHOOL HOUSE  
 WALKER STREET  
 RADCLIFFE  
 BURY  
 M26 1FH

CLIENT  
 MR OSMAN SALIM

PLANNING ISSUE  
 SUBJECT TO LOCAL AUTHORITY APPROVAL

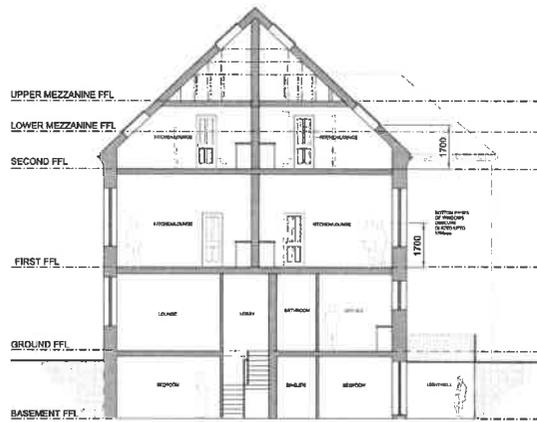
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APPROVED			

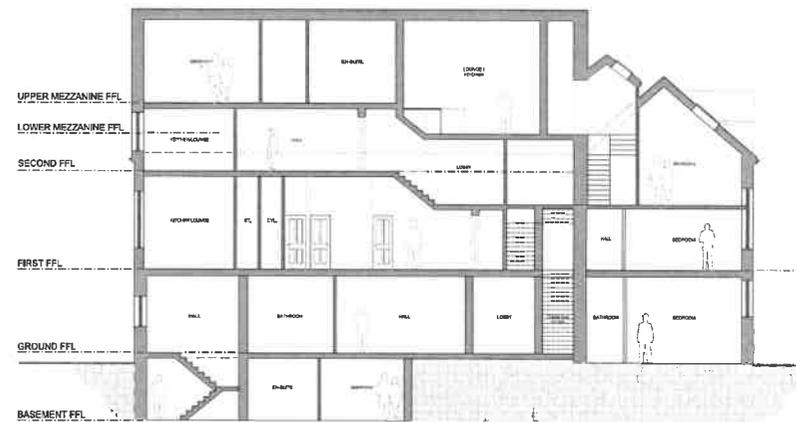
HOWARD & SEDDON A.R.I.B.A.  
 CHARTERED ARCHITECTS  
 AT WASHINGTON BUILDING  
 5411 CHESTER ROAD  
 TEL: 01452 710141 - 703 2004  
 FAX: 01452 710142 - 703 2005  
 E-MAIL: ARCHITECTS@HOWARDSEDDON.CO.UK

JOB No.	13,629	ENG No.	06	REVISION	C
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NOTES  
 ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO ANY MANUFACTURING OR FABRICATION AND ANY ANOMALIES TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.



SECTION A-A 1:100



SECTION B-B 1:100



C	INCREASE OBSCURE GLAZING	TB	15.11.18
B	ADDITIONAL INFO	TB	01.10.18
A	FIRST ISSUE	TB	18.08.18
NO.	AMENDMENTS	BY	DATE

PLANNING ISSUE

SUBJECT TO LOCAL AUTHORITY APPROVAL

PROJECT  
 PROPOSED RESIDENTIAL DEVELOPMENT  
 THE OLD SCHOOL HOUSE  
 WALKER STREET  
 RADCLIFFE  
 BURY  
 M26 1FH

CLIENT  
 MR OSMAN SALIM

DRAWING REF: E  
 PROPOSED SECTIONS

DRAWN	TB	DATE	18.08.18
CHECKED		SCALE	1:100 (A1)
APPROVED			

HOWARD & SEDDON A.R.I.B.A.  
 CHARTERED ARCHITECTS  
 11 WINDYBANK ROAD  
 SALFORD, CHESHIRE, M6 7TE  
 TEL: 0161 2751181 - 1973 8000  
 FAX: 0161 2751182 - 1963 3485  
 E-MAIL: ADMIN@HCSWEDDON.COM

JOB NO.	13,629	DRG NO.	07	REVISION	C
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**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 06

**Applicant:** Mr Andrew Rothwell

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

**Proposal:** Variation of condition nos. 2 and 9 of planning permission 59550 for the gate on the corner to be used for maintenance purposes and a single passing place provided

**Application Ref:** 63407/Full

**Target Date:** 19/12/2018

**Recommendation:** Approve with Conditions

### **Description**

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

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

The site was used as a temporary camp site during the Ramsbottom Festival in September 2015 and the structures (toilets and shower block) were removed from the site in November 2015. The site has been used to host events and functions in a large tipi tent. The use of the site for events was permitted for up to 28 days in a calendar year under Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. The use of the site for functions has now ceased.

Planning permission was granted for the change of use of the field to a camping site, including the siting of 2 moveable portaloo's and shower block. The shower block measured 3 metres by 3 metres and the proposed portaloo building is 1.2 metres by 1.3 metres. The buildings are clad in timber and the site is accessed from Leaches Road. The planning permission included a condition, which required the applicant to provide a scheme of passing places on the access to the site.

The proposed development involves the variation of conditions 2 (approved plans) and 9 (passing places) of application 59550. The approved plans condition would be varied to allow an access on the bend to be used for maintenance purposes only. The applicant has used this access for the emptying of the portaloo building on average 1 - 2 times per week.

Condition 9 would be varied to provide a single passing place rather than a scheme for *passing places*. The agent has confirmed that the land required for the passing places, is in the ownership of a third party, who has consented only to a single passing place, but will not agree to the provision of another passing place.

### **Relevant Planning History**

33506 - Conversion of existing outbuildings to form 6 dwellings and garages at Sheep Hey

Farm, Leaches Road, Shuttleworth. Approved with conditions - 13 October 1997

59550 - Change of use of field to camping site including siting of 2 no. moveable portaloos and shower block at The Paddock, Sheep Hey Farm, Leaches Road, Shuttleworth. Approved with conditions - 24 May 2016

Adjacent site

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

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

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

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

Enforcement

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

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

### **Publicity**

The neighbouring properties were notified by means of a letter on 29 October 2018 and a press notice was published in the Bury Times on 8 November 2018. Site notices were posted on 6 November 2018.

9 letters have been received from the occupiers of Sheep Hey Farm House, 6, 7, 8 Leaches Road, Shuttleworth, 41 Fir Street, Ramsbottom, 9 Wroxham Close, Bury, Summit Planning Associates, Manchester, which have raised the following issues:

- the requirement for multiple passing places was put into place for the safety of residents. The applicant has ignored these pre commencement conditions until recently putting in 1 inadequate passing place.
- The other passing places are not passing places and are private property. Leaches Road is a single track lane and traffic has increased considerably since the camp site opened.
- It is not impossible for the applicant to insert passing places on their land. This will cost them money which they are reluctant to spend.
- The gateway at the corner has been in use for 2 years. There have been a number of near misses. Highways say they cannot prevent its use.
- A single passing place is not acceptable to ensure the safety of residents and users of Leaches Road.
- The provision of a scheme of passing places is not impossible. They have proved this already by their attempt at the passing place they have already installed. If the farmer was offered sufficient for the use of his land I am sure an agreement could be reached.
- We would request a condition that the gate is kept closed and locked except when being used for maintenance to prevent the campers from accidentally using it.
- In addition, the single passing place that has been installed is very narrow, and without the use of the space at the gate entrance (opposite the passing place) it is not possible for two vehicles to pass safely; since that is private land (notices have been put up), yet its use is required for the passing place to function safely, does that not render the scheme unworkable?
- The passing place shown on the plan in front of my stables is NOT a passing place - it is private property which I use to park my car in.
- My horse is stabled at Sheep hey and as one of many horse riders who use Leaches

Lane, I feel there are inadequate passing places.

- The location on the bend would be highly dangerous especially if commercial vehicles are to be used even with a single passing place - I.e. chemical removal of toilet waste etc;
- I do not really know how it was ever acceptable to put toilets and have them emptied within 30 metres of a residential property, the smell is like a sewerage farm.
- I look forward to your support on this matter as do all the other residents - If they need to continue with the site (none of us want them to continue with the site it down values our properties) why can you at least insist that the toilets are moved to the far side of the field away from residential homes.
- A highways consultant visited the site and carried out a technical assessment. He concluded that the information provided was wholly inadequate. Additional passing place details should be submitted. The same information has been submitted for in relation to the variation of condition 9 and is inadequate.
- A strong message should be send to the applicant that information relating to a detailed technical matter cannot be relegated to information provided on a shoestring budget. Clearly the applicant is resistant to spend the appropriate amount of money.
- The applicant maintains that the condition is unenforceable as it requires works on land outside of the applicant's control/ By securing agreement from a third party, the applicant has invoked the meaning of a Grampian condition. As such, the details can be considered.

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

#### **Statutory/Non-Statutory Consultations**

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

**Public Rights of Way Officer** - No objections in principle. Further comments will be reported in the Supplementary Report.

**Pre-start Conditions** - Not relevant.

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

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

#### **Issues and Analysis**

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless

there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

**Design and layout** - The gated access onto Leaches Road, which is the subject of the variation of condition 2, did not require planning consent. Planning consent is only required for an new access onto a classified road. Leaches Road is not a classified road and as such, the use of the access gate does not require planning consent.

However, the applicant has made an application to amend condition 2 to allow the gate to be used for maintenance purposes only and the access nearest to Sheep Hey would be used by campers at the site as per the approved plans. The gate is of a similar appearance to other gates in the locality and would not be a prominent feature in the locality. Therefore, the proposed development would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

**Highways issues** - The gate on the corner did not require planning consent. However, the applicant has confirmed that it is their intention to utilise this access for maintenance purposes only. Currently a tractor and trailer visit the site to empty the toilets weekly as per the requirements of condition 7. Any driver of a tractor would be at a higher level and would be able to view traffic approaching and would have acceptable levels of visibility. This coupled with the occasional use (once per week) would mean that the proposed development would not have a significant adverse impact upon highway safety.

The proposed development involves the variation of the condition to ensure that one passing place is provided, rather than a *scheme of passing places*. The applicant owns the land edged red on the attached plan and the adopted highway, which is surfaced in tarmac, which is shown in pink. For the avoidance of any doubt, the grass verges on either side of the tarmac (adopted highway) are owned by a third party and not the applicant.

The applicant has been negotiating with the landowner for a period of time. The negotiations took a long time and one of the neighbouring properties stated that they would actively encourage the landowner not to agree to provide the passing places, which added time to this process. The applicant has secured consent to provide a single passing place, which has been surfaced in tarmac and is shown on photo 4. A letter from the landowner, dated September 2018, confirms that they will allow 1 passing place, but do not feel it necessary to grant any more passing places. The landowner's refusal to allow the applicant to undertake the works could be a valid defence at court when disputing an enforcement notice.

The objectors to the site commissioned a planning consultant and highways consultant to submit concerns on their behalf. The works to provide the passing places must be commensurate with the scale of the development. The camp site has a restriction to 20 pitches and specifically excludes motorhomes and caravans from using the site. The Traffic Section considered the single passing place to be acceptable and the condition was part discharged on the basis that the condition required more than one passing place. The budget of the applicant is not a material planning consideration. The details submitted for the condition discharge application and the current application have been considered. However, as discussed above, a landowners's refusal to allow the applicant to undertake the works could be a valid defence at court when disputing an enforcement notice

The passing place would be 123 metres from the location of the maintenance gate and 100 metres to the wide area of tarmac over the motorway bridge. As such, the passing place would be an equal distance from the areas where cars could pass. The camp site has a limit to the number of pitches and allows a maximum of 20 pitches at any one time. Given the scale of the traffic utilising the access and the location of the passing place, which is equidistant between the current areas used for passing and there are good levels of intervisibility, it is considered that a single passing place would be acceptable. The Traffic Section has no objections in principle and further comments will be reported in the Supplementary Report.

### **Response to objectors**

- The issues relating to passing places and the use of Leaches Road have been addressed in the report above.
- The gateway at the corner does not require planning consent.
- The landowner has confirmed by letter that he is unwilling to allow a second passing place to be constructed.
- The location of the toilets was approved during the previous application and is not being assessed during this proposal.
- The impact upon property prices is not a material planning consideration.
- The conditions on the previous permission have been discharged and accepting the variance of condition 9 would mean that only one passing place would be necessary.

### **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 Paragraph 38 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

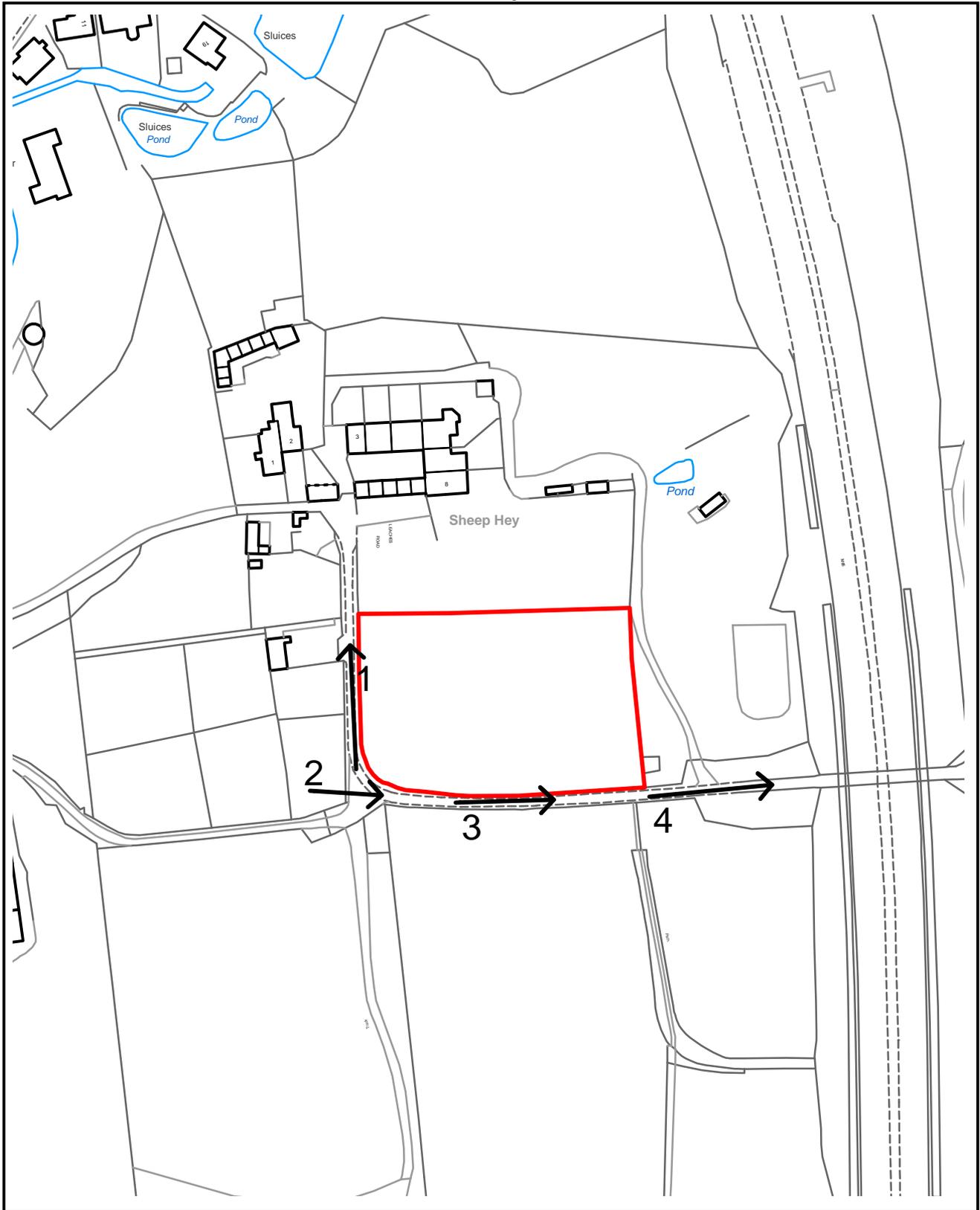
1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location plan, 15/188/01D, 15/188/02 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. There shall be no external lighting to the camp site at any time other than for emergency purposes.  
Reason. In the interests of residential amenity pursuant to Policy EN1/2 of the Bury Unitary Development Plan.
4. The refuse storage facilities approved as part of condition 5 of permission 59550 shall be implemented prior to the development hereby approved being first used and maintained thereafter.  
Reason. In order to ensure that the development would maintain adequate facilities for the storage of waste, including recycling containers, in the interests of amenity and pursuant to Policy RT4/3 - Visitor Accommodation of the Bury Unitary Development Plan.
5. The landscaping scheme approved as part of condition 6 of permission 59550 shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.  
Reason. No details have been submitted and to secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy

EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

6. All foul drainage shall be contained within a sealed and watertight tank, which shall be emptied at least once a week.  
Reason: To protect the residential amenity of the neighbouring properties pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.
7. The only means of access to the site for users of the camp site shall be from Leaches Road only and the access gate on the corner shall be used for maintenance purposes only.  
Reason: To ensure a satisfactory means of access to the site pursuant to Policy EN1/2 - Townscape and Built Environment of the Bury Unitary Development Plan.
8. The passing place approved as part of condition 9 of application 59550 shall be implemented and made available for use prior to the camp site approved being brought into use.  
Reason: To ensure good highway design in the interests of road safety pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
9. The gravel area indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the camp site hereby approved being brought into use.  
Reason: To ensure adequate off street facilities in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development and EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
10. The camp site hereby approved shall not be used or occupied by any motorhomes or caravans.  
Reason: To reduce the visual impact of the development and in the interests of highway safety pursuant to Policies EN1/1 - Visual Amenity and EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan and Section 9 of the National Planning Policy Framework.
11. The development shall be carried out in accordance with the plan approved as part of condition 12 of application 59550, which details a maximum of 20 pitches.  
Reason: In the interests of visual amenity and highway safety pursuant to Policy EN1/2 of the Bury Unitary Development Plan and Section 9 of the National Planning Policy Framework.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 63407**

**ADDRESS: The Paddock, Sheep Hey Farm  
Leaches Road, Shuttleworth**

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

63407

Photo 1



Photo 2



63407

Photo 3



Photo 4



HEDGE 40-60CM HIGH HAWTHORN (CRATAEGUS MONOGYNA) STAGGERED DOUBLE ROW. 5-7 PLANTS PER METRE.

1400 WIDE GRASS STRIP BETWEEN ROAD & GATE SURFACED IN TARMAC

EXISTING GREENHOUSE

SEMI MATURE WOODLAND

FIELD GATE

SHOWER BLOCK & PORTALOOS

REFUSE DISPOSAL AREA REED SCREENING

'GRASSINGS' ON HARDCORE BASE (SGG SPECIFICATION)

MATURE TREES

GENTLE SLOPE NORTH EAST TO SOUTH WEST

20 PITCHES (VARIABLE)

APPROX 1500 HIGH DRY STONE WALL

FIELD SURROUNDED BY 1250 HIGH TIMBER POST & RAIL FENCE

\* FIELD GATE MAINTENANCE ACCESS ELECTRICITY POLE

BANKING

ACCESS FROM WHALLEY ROAD

EXISTING PASSING PLACE

\* 24/10/18 - GATEWAY FOR MAINTENANCE ACCESS BFD

1:K LAYOUT PLAN

30/11/16 PASSING PLACES ADDED\*

26/07/16 INFORMATION ADDED TO SATISFY CONDITIONS

14/02/16 DETAILS AMENDED

4/12/15

15/188/01A/B/D

USE OF FIELD FOR CAMPING

SHEEPREY FARM, LEACHES ROAD, SHUTTLEWORTH

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<b>REPORT FOR NOTING</b>
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<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>18 December 2018</b>
<b>SUBJECT:</b>	<b>DELEGATED DECISIONS</b>
<b>REPORT FROM:</b>	<b>HEAD OF DEVELOPMENT MANAGEMENT</b>
<b>CONTACT OFFICER:</b>	<b>DAVID MARNO</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	The report lists: Recent delegated planning decisions since the last PCC
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	The Committee is recommended to the note the report and appendices
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework?      Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management
<b>Statement by Executive Director of Resources:</b>	N/A
<b>Equality/Diversity implications:</b>	No
<b>Considered by Monitoring Officer:</b>	N/A
<b>Wards Affected:</b>	All listed
<b>Scrutiny Interest:</b>	N/A

**TRACKING/PROCESS****DIRECTOR:**

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

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**1.0 BACKGROUND**

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

**2.0 CONCLUSION**

That the item be noted.

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**List of Background Papers:-None**

**Contact Details:-**

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Planning Services, Department for Resources and Regulation  
3 Knowsley Place  
Bury BL9 0EJ

**Tel: 0161 253 5291**

**Email: [d.marno@bury.gov.uk](mailto:d.marno@bury.gov.uk)**

**Planning applications decided using Delegated Powers  
Between 05/11/2018 and 09/12/2018**



Ward: **Bury East**

---

**Application No.:** 63167    **App. Type:** FUL    08/11/2018    Approve with Conditions  
**Location:** 399 Rochdale Road, Bury, BL9 7DB  
**Proposal:** Single storey extension at side/rear and change of use from financial services (Class A2) to form  
2 no. flats and 2 no. retail units (Class A1) with new shop fronts

---

**Application No.:** 63287    **App. Type:** ADV    09/11/2018    Split Decision  
**Location:** Unit B 12 The Rock Shopping Centre, Goodall Street, Bury, BL9 OJQ  
**Proposal:** A: 2 no. digitally printed vinyl graphics  
B: 1 No. set of internally illuminated letters and crest

---

**Application No.:** 63294    **App. Type:** FUL    20/11/2018    Refused  
**Location:** 8 Bolton Street, Bury, BL9 0LQ  
**Proposal:** Change of use from estate agents (Class A2) to private hire taxi booking office (Sui Generis)

---

**Application No.:** 63295    **App. Type:** ADV    20/11/2018    Refused  
**Location:** 8 Bolton Street, Bury, BL9 0LQ  
**Proposal:** 1 no. externally illuminated fascia sign and 1 no. externally illuminated projecting sign

---

**Application No.:** 63299    **App. Type:** P3CPA    06/11/2018    Prior Approval Required and Refused  
**Location:** Second Floor, 1 Crompton Street, Bury, BL9 0AD  
**Proposal:** Prior approval for change of use from financial & professional services (Class A2) to assembly & leisure uses (escape room task solving leisure activity) (Class D2)

---

**Application No.:** 63303    **App. Type:** FUL    05/11/2018    Refused  
**Location:** 35 Shepherd Street, Bury, BL9 0RT  
**Proposal:** Two storey extension at rear

---

**Application No.:** 63314    **App. Type:** FUL    15/11/2018    Approve with Conditions  
**Location:** Second Floor, Ela Mill, Cork Street, Bury, BL9 7BW  
**Proposal:** Change of use of second floor of mill from storage and offices into a gaming venue

---

**Application No.:** 63315    **App. Type:** FUL    06/11/2018    Approve with Conditions  
**Location:** Unit B26, 114 The Rock, Bury, BL9 0PJ  
**Proposal:** Change of use from mixed use (Class A1-A5) to podiatry clinic (Class D1)

---

**Application No.:** 63318    **App. Type:** FUL    04/12/2018    Approve with Conditions  
**Location:** 51 Market Street, Bury, BL9 0FN  
**Proposal:** Change of use from bank (Class A2) to restaurant (Class A3) with ancillary children's play area on first floor and exterior alterations including 2 no. flues at rear

---

**Application No.:** 63353    **App. Type:** FUL    04/12/2018    Approve with Conditions  
**Location:** 9 Broad Street, Bury, BL9 0DA  
**Proposal:** Alterations to existing restaurant frontage including replacement ground floor windows

---

**Application No.:** 63354    **App. Type:** ADV    21/11/2018    Approve with Conditions  
**Location:** 9 Broad Street, Bury, BL9 0DA  
**Proposal:** 2 No. non-illuminated fascia signs

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**Ward: Bury East - Moorside**

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**Application No.:** 63372    **App. Type:** FUL    12/11/2018    Approve with Conditions  
**Location:** 34 Raymond Avenue, Bury, BL9 6NN  
**Proposal:** Single storey extension at rear

---

**Ward: Bury East - Redvales**

---

**Application No.:** 63186    **App. Type:** FUL    15/11/2018    Approve with Conditions  
**Location:** Heaton House, Brierley Street, Bury, BL9 9HN  
**Proposal:** Change of use from training centre (Class D1) to 6 no. flats (Class C3) and associated car park

---

**Application No.:** 63207    **App. Type:** LDCP    05/12/2018    Lawful Development  
**Location:** Derby Works, Manchester Road, Bury, BL9 9NX  
**Proposal:** Lawful development certificate for proposed hardstanding to improve vehicle access within the site.

---

**Application No.:** 63266    **App. Type:** FUL    05/11/2018    Refused  
**Location:** Land between 701 & 703 Whitefield Road, Bury, BL9 9PL  
**Proposal:** Erection of 2 no. dwelling houses

---

**Application No.:** 63286    **App. Type:** FUL    08/11/2018    Approve with Conditions  
**Location:** 96 Manchester Road, Bury, BL9 0TH  
**Proposal:** Change of use of single dwellinghouse (C3) to an 8 bed HMO (sui generis) with external alterations

---

**Application No.:** 63293    **App. Type:** FUL    19/11/2018    Approve with Conditions  
**Location:** Warth Industrial Estate, Warth Road, Bury, BL9 9NB  
**Proposal:** Change of use of Units 2B, 2C and 2D to trade counter use (Sui Generis) and the formation of a new access onto Radcliffe Road

---

**Application No.:** 63304    **App. Type:** FUL    28/11/2018    Approve with Conditions  
**Location:** 121 Cornwall Drive, Bury, BL9 9EX  
**Proposal:** Single storey extension at side/rear and loft conversion with dormers at front and rear

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**Application No.:** 63349    **App. Type:** FUL    28/11/2018    Refused  
**Location:** 11 Somerset Drive, Bury, BL9 9DG  
**Proposal:** Single storey extensions at side and rear

---

**Application No.:** 63427    **App. Type:** GPDE    12/11/2018    Prior Approval Required Refused - Ext  
**Location:** 19 Britain Street, Bury, BL9 9PD  
**Proposal:** Prior notification for proposed single storey rear extension

---

**Ward: Bury West - Church**

---

**Application No.:** 63317    **App. Type:** FUL    06/11/2018    Approve with Conditions  
**Location:** 22 Mile Lane, Bury, BL8 2JE  
**Proposal:** Raise ridge height of roof of existing bungalow to form two storey dwelling including dormers; single storey extension at rear

---

**Application No.:** 63382    **App. Type:** PMBPA    06/12/2018    Prior Approval Required and Granted  
**Location:** Meadowcroft Farm, Lowercroft Road, Bury, BL8 3PD  
**Proposal:** Prior approval for the proposed change of use of an agricultural building to 2 no. dwellinghouses (Class C3) and associated building operations

---

**Application No.:** 63387    **App. Type:** FUL    06/12/2018    Approve with Conditions  
**Location:** 6 Clitheroe Drive, Bury, BL8 2JU  
**Proposal:** First floor extension at side and extension of existing detached garage at front

---

**Ward: Bury West - Elton**

---

**Application No.:** 63268    **App. Type:** LDCP    06/11/2018    Lawful Development  
**Location:** 20 Leigh Lane, Bury, BL8 2RH  
**Proposal:** Certificate of lawfulness for proposed single storey extension at side

---

**Application No.:** 63305    **App. Type:** FUL    12/11/2018    Approve with Conditions  
**Location:** 1 Whitburn Drive, Bury, BL8 1EH  
**Proposal:** Single storey extension at side

---

**Application No.:** 63310    **App. Type:** FUL    15/11/2018    Approve with Conditions  
**Location:** 29 Rudgwick Drive, Bury, BL8 1YA  
**Proposal:** First floor side extension; Alterations to front porch with pitched roof on front elevation

---

**Application No.:** 63381    **App. Type:** FUL    06/12/2018    Approve with Conditions  
**Location:** 44 Woodhill Road, Bury, BL8 1BD  
**Proposal:** First floor extension at side

---

**Ward: North Manor**

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**Application No.:** 63313    **App. Type:** FUL    09/11/2018    Approve with Conditions  
**Location:** Hewlett Court, Newcombe Road, Ramsbottom, Bury, BLO 9XJ  
**Proposal:** Two storey extension at side

---

**Application No.:** 63347    **App. Type:** FUL    06/11/2018    Approve with Conditions  
**Location:** 8 Leamington Avenue, Bury, BL9 5LD  
**Proposal:** Single storey extension at rear; Widening of existing driveway

---

**Application No.:** 63365    **App. Type:** FUL    30/11/2018    Approve with Conditions  
**Location:** 1 Hunt Fold Drive, Tottington, Bury, BL8 4QG  
**Proposal:** Erection of 1 no. new dwelling to replace existing bungalow

---

**Application No.:** 63366    **App. Type:** LBC    30/11/2018    Approve with Conditions  
**Location:** 46 Mount Pleasant, Nangreaves, Bury, BL9 6SR  
**Proposal:** Listed building consent for insertion of conservation rooflights within a loft conversion

---

**Application No.:** 63377    **App. Type:** FUL    12/11/2018    Approve with Conditions  
**Location:** 11 Troutbeck Close, Tottington, Bury, BL8 4LJ  
**Proposal:** Single storey extension at front/side with garage, Juliet balconies at rear, external alterations to include porch and render to all elevations

**Ward: Prestwich - Holyrood**

---

**Application No.:** 63201    **App. Type:** FUL    12/11/2018    Approve with Conditions  
**Location:** 12 Cromwell Road, Prestwich, Manchester, M25 1HR  
**Proposal:** Single storey extension at rear

---

**Application No.:** 63271    **App. Type:** FUL    06/11/2018    Approve with Conditions  
**Location:** 5 Daneshill, Prestwich, Manchester, M25 2QL  
**Proposal:** Single storey extension at side and rear

---

**Application No.:** 63276    **App. Type:** FUL    12/11/2018    Approve with Conditions  
**Location:** 6 Oaklands Drive, Prestwich, Manchester, M25 1LJ  
**Proposal:** Two storey extension at side and rear

---

**Application No.:** 63278    **App. Type:** LDGP    06/11/2018    Lawful Development  
**Location:** 489 Bury Old Road, Prestwich, Manchester, M25 1WJ  
**Proposal:** Lawful development certificate for proposed single storey rear extension

---

**Application No.:** 63306    **App. Type:** FUL    12/11/2018    Approve with Conditions  
**Location:** 157 Heywood Old Road, Rochdale, Manchester, M24 4QR  
**Proposal:** Raise main roof ridge height by 1 metre to create habitable space; Two storey extension at rear; single storey extension at side/rear; canopy at front and side.

---

**Application No.:** 63351    **App. Type:** FUL    16/11/2018    Approve with Conditions  
**Location:** 2 Mount Road, Prestwich, Manchester, M25 2QQ  
**Proposal:** Erection of storage outbuilding at rear

**Ward: Prestwich - Sedgley**

---

**Application No.:** 63146    **App. Type:** FUL    29/11/2018    Approve with Conditions  
**Location:** 41 Meade Hill Road, Prestwich, Manchester, M8 4LW  
**Proposal:** Two storey extension at side

---

**Application No.:** 63229    **App. Type:** FUL    05/11/2018    Approve with Conditions  
**Location:** 47 Bishops Road, Prestwich, Manchester, M25 OHS  
**Proposal:** Porch and study extension at front; Part single storey / part two storey extensions at side; Two storey extension at rear

---

**Application No.:** 63260    **App. Type:** LDCP    15/11/2018    Lawful Development  
**Location:** 14 Dovedale Avenue, Prestwich, Manchester, M25 OBU  
**Proposal:** Certificate of lawfulness for proposed single storey extension at rear

---

**Application No.:** 63296    **App. Type:** FUL    21/11/2018    Approve with Conditions  
**Location:** 61 Scholes Lane, Prestwich, Manchester, M25 OAW  
**Proposal:** Part single storey / part two storey extension at rear

---

**Application No.:** 63346    **App. Type:** FUL    08/11/2018    Approve with Conditions  
**Location:** 48 George Street, Prestwich, Manchester, M25 9WS  
**Proposal:** Raising of the roof height of the existing single storey extension at side/rear; Loft conversion with dormers at front and rear and external alterations

---

**Application No.:** 63356    **App. Type:** FUL    28/11/2018    Approve with Conditions  
**Location:** 67 Albert Avenue, Prestwich, Manchester, M25 OLU  
**Proposal:** Single storey extensions at front and rear; Loft conversion with gable build up and dormers at front and rear

---

**Application No.:** 63403    **App. Type:** GPDE    16/11/2018    Prior Approval Not Required - Extension  
**Location:** 20 George Street, Prestwich, Manchester, M25 9WS  
**Proposal:** Prior notification for proposed single storey rear extension

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

---

**Application No.:** 63131    **App. Type:** FUL    09/11/2018    Refused  
**Location:** 49 Rainsough Brow, Prestwich, Manchester, M25 9XW  
**Proposal:** Use of part of site as hand car wash

---

**Application No.:** 63332    **App. Type:** FUL    04/12/2018    Approve with Conditions  
**Location:** Land adjacent 2 Barnhill Drive, Prestwich, Manchester, M25 9WU  
**Proposal:** Variation of condition 2 (approved plans) of planning permission 55806 for erection of detached dwelling and single garage: Revision to materials on front gable only- render changed to brickwork; Removal of sun terrace at rear and addition of dormer roof at rear; additional velux to the front elevation

---

**Application No.:** 63418    **App. Type:** GPDE    23/11/2018    Prior Approval Not Required - Extension  
**Location:** 3 Barnhill Road, Prestwich, Manchester, M25 9WH  
**Proposal:** Prior notification for proposed single storey rear extension

**Ward: Radcliffe - East**

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**Application No.:** 63234    **App. Type:** FUL    08/11/2018    Approve with Conditions  
**Location:** Radcliffe Hall C Of E Methodist Primary School, Bury Street, Radcliffe, Manchester, M26 2GB  
**Proposal:** Replacement boundary facing and gates up to 2.4m high at 7no. locations and extension to existing bin store and hard standing

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**Application No.:** 63345    **App. Type:** FUL    07/12/2018    Approve with Conditions  
**Location:** 35-37 Blackburn Street, Radcliffe, Manchester, M26 1NR  
**Proposal:** Change of use from retail (Class A1) and associated offices to disabled adult day care centre (Class D1); External alterations to include alterations to side door and addition of glass handrail to front

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**Application No.:** 63369    **App. Type:** FUL    04/12/2018    Approve with Conditions  
**Location:** 151 Starling Road, Bury, BL8 2HF  
**Proposal:** Two storey extension at side

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**Application No.:** 63444    **App. Type:** GPDE    13/11/2018    Prior Approval Required Refused - Ext  
**Location:** 5 New Church Court, Radcliffe, Manchester, M26 2UD  
**Proposal:** Prior notification for proposed single storey rear extension

**Ward: Radcliffe - North**

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**Application No.:** 63156    **App. Type:** FUL    08/11/2018    Refused  
**Location:** 19 Cobden Street, Radcliffe, Manchester, M26 4HR  
**Proposal:** Conversion of existing community centre/club to form 2 no. dwellings; New pitched roof and alterations to fenestration

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**Application No.:** 63246    **App. Type:** FUL    08/11/2018    Approve with Conditions  
**Location:** 41 Bury Old Road, Ainsworth, Bolton, BL2 5PF  
**Proposal:** Detached 1 no. bungalow to replace existing storage building

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**Application No.:** 63288    **App. Type:** FUL    15/11/2018    Approve with Conditions  
**Location:** Meadow Cottage, Delph Lane, Ainsworth, Radcliffe, Bolton, BL2 5PP  
**Proposal:** Single storey extension at front; External alterations including new first floor window at rear; 2 no. roof lights at rear and new upvc windows to replace existing; porch canopy at side and erection of 1.83 metres high fencing to replace existing

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**Application No.:** 63321    **App. Type:** FUL    21/11/2018    Approve with Conditions  
**Location:** Land to the rear of 41 Bury Old Road, Bury, Bolton, BL2 5PF  
**Proposal:** Change of use of stable to dwelling and single storey extension at side with subterranean accommodation and window/door modification

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**Application No.:** 63340    **App. Type:** CON    23/11/2018    Raise No Objection  
**Location:** Unit 1, Meadow Business Park, Meadow Lane, Bolton, BL2 6PT  
**Proposal:** Article 18 Consultation from Bolton MBC (ref. 04333/18) - Additional use of premises as Gym (Class D2)

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**Application No.:** 63390    **App. Type:** GPDE    15/11/2018    Prior Approval Not Required - Extension  
**Location:** 18 Winchester Road, Radcliffe, Manchester, M26 3LY  
**Proposal:** Prior notification for proposed single storey rear extension

**Ward: Radcliffe - West**

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**Application No.:** 63262    **App. Type:** FUL    06/11/2018    Approve with Conditions  
**Location:** 27 Limefield Road, Radcliffe, Manchester, M26 3SU  
**Proposal:** Two storey extension at side

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**Application No.:** 63331    **App. Type:** FUL    16/11/2018    Approve with Conditions  
**Location:** 268 Bolton Road, Radcliffe, Manchester, M26 3GW  
**Proposal:** Single storey extension at rear

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**Application No.:** 63334    **App. Type:** CON    20/11/2018    Raise No Objection  
**Location:** Shoreside Stables, Prestolee Road, Stoneclough, Radcliffe, M26 1HJ  
**Proposal:** Demolition of stables and erection of cat boarding facility

**Ward: Ramsbottom + Tottington - Tottington**

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**Application No.:** 63265    **App. Type:** LDCP    05/11/2018    Lawful Development  
**Location:** 7 Spring Close, Tottington, Bury, BL8 3SA  
**Proposal:** Lawful development certificate for proposed single storey rear extension

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**Application No.:** 63330    **App. Type:** FUL    23/11/2018    Approve with Conditions  
**Location:** 1 Holthouse Road, Tottington, Bury, BL8 3JP  
**Proposal:** Single storey extension at front

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**Application No.:** 63338    **App. Type:** FUL    14/11/2018    Approve with Conditions  
**Location:** 27 Hilda Avenue, Tottington, Bury, BL8 3JE  
**Proposal:** Single storey extension at rear

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**Application No.:** 63359    **App. Type:** FUL    16/11/2018    Approve with Conditions  
**Location:** 18 Leigh Close, Tottington, Bury, BL8 4HL  
**Proposal:** Single storey rear extension

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**Ward: Ramsbottom and Tottington - Ramsbottom**

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**Application No.:** 63105    **App. Type:** FUL    09/11/2018    Refused  
**Location:** Land between 317 & 319 Whalley Road, Shuttleworth, Ramsbottom, Bury, BLO 0ER  
**Proposal:** Erection of 1 no. dwelling

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**Application No.:** 63289    **App. Type:** FUL    29/11/2018    Approve with Conditions  
**Location:** 15 Lilburn Close, Ramsbottom, Bury, BLO 9LY  
**Proposal:** Two storey extension at rear and single storey garage at side

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**Application No.:** 63298    **App. Type:** FUL    06/11/2018    Approve with Conditions  
**Location:** 11 Mount Street, Ramsbottom, Bury, BLO 9EU  
**Proposal:** 2 no. single storey extensions at rear

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**Application No.:** 63300    **App. Type:** FUL    12/11/2018    Approve with Conditions  
**Location:** 50 Chiltern Road, Ramsbottom, Bury, BLO 9LF  
**Proposal:** Pitched roof to existing front porch and single storey extension at front, two storey extension at side/rear, first floor extension at rear and pitched roof to existing single storey extension at rear

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**Application No.:** 63323    **App. Type:** FUL    08/11/2018    Approve with Conditions  
**Location:** 15 Bridge Street, Ramsbottom, Bury, BLO 9WN  
**Proposal:** Change of use from former bank to B1 offices at first floor and part ground floor, to include first floor extension at rear

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**Application No.:** 63358    **App. Type:** ADV    21/11/2018    Refused  
**Location:** 18-20 Holcombe Village, Ramsbottom, Bury, BL8 4LZ  
**Proposal:** 1 No. internally illuminated fascia sign and 1 no. internally illuminated projecting sign

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**Application No.:** 63360    **App. Type:** FUL    22/11/2018    Approve with Conditions  
**Location:** Bank Top Farm, Moorbottom Road, Ramsbottom, Bury, BL8 4NP  
**Proposal:** Variation of condition no. 2 (approved drawings) of planning permission 62666: Revised front elevation to include the addition of solar panels

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**Ward: Whitefield + Unsworth - Besses**

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**Application No.:** 63405    **App. Type:** GPDE    16/11/2018    Prior Approval Not Required - Extension  
**Location:** 35 Thatch Leach Lane, Whitefield, Manchester, M45 6EN  
**Proposal:** Prior notification for proposed single storey rear extension

**Application No.:** 63174    **App. Type:** FUL    05/11/2018    Approve with Conditions  
**Location:** Land adjacent to 3 Myrtle Grove, Radcliffe, Manchester, M45 7RR  
**Proposal:** Variation of conditions 2 & 10 following the grant of permission 57950:  
Relocation of driveway, footway and street light

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**Application No.:** 63184    **App. Type:** FUL    21/11/2018    Approve with Conditions  
**Location:** 83 Sergeants Lane, Whitefield, Manchester, M45 7TR  
**Proposal:** First floor extension at front and porch at front; External alterations

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**Application No.:** 63221    **App. Type:** FUL    09/11/2018    Approve with Conditions  
**Location:** 7 Parklands, Whitefield, Manchester, M45 7WY  
**Proposal:** Single storey extension at front

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**Application No.:** 63247    **App. Type:** P3CPA    15/11/2018    Prior Approval Required and Granted  
**Location:** 171 Radcliffe New Road, Whitefield, Manchester, M45 7RG  
**Proposal:** Prior notification for proposed change of use to A3 Cafe

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**Application No.:** 63319    **App. Type:** FUL    15/11/2018    Approve with Conditions  
**Location:** 43 Dales Lane, Whitefield, Manchester, M45 7JQ  
**Proposal:** Two storey rear extension, extension to existing roof and addition of 2 no. velux windows to front elevation, external alterations and the removal of the existing detached garage including render to elevations

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**Application No.:** 63320    **App. Type:** FUL    15/11/2018    Approve with Conditions  
**Location:** 28 Marle Croft, Whitefield, Manchester, M45 7NB  
**Proposal:** Erection of car port; driveway gates at front and elevational alterations

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**Application No.:** 63327    **App. Type:** CON    20/11/2018    Raise No Objection  
**Location:** Higher Heaps Barn, Ringley Road, Stoneclough, Radcliffe, M26 1DY  
**Proposal:** Article 18 Consultation from Bolton MBC (ref. 03913/18) - Erection of stable block for 8 horses including tack room and midden

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**Application No.:** 63341    **App. Type:** FUL    22/11/2018    Approve with Conditions  
**Location:** 7 Stanley Drive, Whitefield, Manchester, M45 7HF  
**Proposal:** Two storey extension at side and single storey extension at rear

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**Application No.:** 63364    **App. Type:** FUL    04/12/2018    Approve with Conditions  
**Location:** 7-11 Radcliffe New Road, Radcliffe, Manchester, M45 7QX  
**Proposal:** Extension and alterations to existing restaurant/takeaway premises to create additional kitchen space and additional toilet facility

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**Application No.:** 63371    **App. Type:** LDGP    06/12/2018    Lawful Development  
**Location:** 4 Marle Croft, Whitefield, Manchester, M45 7NB  
**Proposal:** Lawful development certificate for proposed single storey rear extension

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**Application No.:** 63380    **App. Type:** FUL    28/11/2018    Approve with Conditions  
**Location:** 10 Parkstone Avenue, Whitefield, Manchester, M45 7QH  
**Proposal:** Front porch; single storey rear extension, garage conversion including the addition of a pitched roof and dormer extension at rear

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**Application No.:** 63391    **App. Type:** FUL    06/12/2018    Approve with Conditions  
**Location:** 55 Sergeants Lane, Whitefield, Manchester, M45 7TR  
**Proposal:** Two storey and first floor extensions at front and external alterations

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**Ward: Whitefield + Unsworth - Unsworth**

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**Application No.:** 62912    **App. Type:** FUL    15/11/2018    Approve with Conditions  
**Location:** Car park to north of 129 Croft Lane, Bury, BL9 8QH  
**Proposal:** Temporary extension of existing car park including earthworks and laying out of a hardcore surface to provide 13 additional car parking spaces, together with installation of security fence and gates.

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**Application No.:** 63283    **App. Type:** FUL    05/11/2018    Approve with Conditions  
**Location:** 4 Chadderton Drive, Bury, BL9 8NL  
**Proposal:** Two storey extension at side/front and single storey extensions at front and rear with render to all elevations and cladding at front

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**Application No.:** 63333    **App. Type:** CON    20/11/2018    Raise No Objection  
**Location:** Birch Industrial Estate, Whittle Lane, Heywood, OL10 2SX  
**Proposal:** Article 18 Consultation from Rochdale MBC (Ref: 18/01048/VRCON) - The imposition of additional planning condition to planning permission reference 16/01455/OUT to allow the site to be developed in 2 phases. Subsequent variation in the wording of conditions 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 13, 14 and 17 and the removal of condition 15 for achievement of very good or excellent BREEAM rating

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**Application No.:** 63348    **App. Type:** FUL    21/11/2018    Approve with Conditions  
**Location:** 18 Fairway Road, Bury, BL9 8DY  
**Proposal:** Single storey extension at rear; Loft conversion with dormers at front and rear; Render to rear elevation

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**Application No.:** 63370    **App. Type:** FUL    09/11/2018    Approve with Conditions  
**Location:** 23 Hillsborough Drive, Bury, BL9 8LE  
**Proposal:** Raise ridge height of roof/roof extension with dormers at front to existing bungalow to form first floor; Single storey extensions at front and rear; Render to external elevations

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**Application No.:** 63428    **App. Type:** GPDE    04/12/2018    Prior Approval Not Required - Extension  
**Location:** 6 Stokesay Close, Bury, BL9 8DB  
**Proposal:** Prior notification of proposed single storey rear extension

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**Total Number of Applications Decided: 91**

<b>REPORT FOR DECISION</b>
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<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>18 December 2018</b>
<b>SUBJECT:</b>	<b>PLANNING APPEALS</b>
<b>REPORT FROM:</b>	<b>HEAD OF DEVELOPMENT MANAGEMENT</b>
<b>CONTACT OFFICER:</b>	<b>DAVID MARNO</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	<p>Planning Appeals:</p> <ul style="list-style-type: none"> <li>- Lodged</li> <li>- Determined</li> </ul> <p>Enforcement Appeals</p> <ul style="list-style-type: none"> <li>- Lodged</li> <li>- Determined</li> </ul>
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	The Committee is recommended to the note the report and appendices
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework?      Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management
<b>Statement by Executive Director of Resources:</b>	N/A
<b>Equality/Diversity implications:</b>	No
<b>Considered by Monitoring Officer:</b>	N/A

<b>Wards Affected:</b>	All listed
<b>Scrutiny Interest:</b>	N/A

**TRACKING/PROCESS**

**DIRECTOR:**

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

**1.0 BACKGROUND**

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

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

**2.0 CONCLUSION**

That the item be noted.

**List of Background Papers:-**

**Contact Details:-**

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

**Tel: 0161 253 5291**

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**Planning Appeals Lodged  
between 05/11/2018 and 09/12/2018**



**Application No.:** 63060/FUL

**Appeal lodged:** 23/11/2018

**Decision level:** DEL

**Appeal Type:** Written Representations

**Recommended Decision:** Refuse

**Applicant:** Mr Ivan Hajdukewycz

**Location:** 323 Turton Road, Tottington, Bury, BL8 3QG

**Proposal:** Alterations to front garden area to form parking area and erection of retaining wall

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**Total Number of Appeals Lodged: 1**

**Planning Appeals Decided  
between 05/11/2018 and 09/12/2018**



**Application No.:** 61827/OUT  
**Decision level:** DEL  
**Recommended Decision:** Refuse  
**Applicant:** Astim Ltd

**Appeal Decision:** Dismissed  
**Date:** 03/12/2018  
**Appeal type:** Written Representations

**Location:** Grant Arms Hotel, 11 Market Place, Ramsbottom, Bury, BL0 9AJ

**Proposal:** Outline application for proposed demolition of part of building and erection of sheltered housing including change of use of public house to sheltered housing

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## Appeal Decision

Site visit made on 23 October 2018

**by A J Mageean BA (Hons) BPI PhD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 3<sup>rd</sup> December 2018**

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**Appeal Ref: APP/T4210/W/18/3199652**

**The Grant Arms Hotel, Market Place, Ramsbottom BL0 9AJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr Derek Barnes against the decision of Bury Metropolitan Borough Council.
  - The application Ref 61827, dated 11 December 2017, was refused by notice dated 8 March 2018.
  - The development proposed is outline application for proposed demolition(s) of part of building and erection of sheltered housing including change of use of public house to sheltered housing.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The application was submitted in outline with approval sought for access, appearance, layout and scale. Landscaping is reserved for consideration at a later stage.
3. The Grant Arms Hotel is a Grade II Listed Building. The development proposed includes the demolition of a large part of the rear of the building, alterations to the car park area, change of use and internal works. As such, in accordance with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, both planning permission and listed building consent are required to authorise the alterations proposed. As I am dealing with a Section 78 appeal against refusal of planning permission only, in determining this appeal I have considered the elements which require planning permission. That is the change of use and the proposed building operations, and their effect on both the listed building and the wider conservation area.
4. Should this appeal be successful, it would also be necessary to obtain listed building consent for other aspects of the scheme, including the demolition of the rear portion of the building and the internal works, for this scheme to be fully consented.
5. Whilst the description of the development refers to the proposal being for sheltered housing, elsewhere in the supporting documentation reference is made to the scheme being for a retirement home. For the purposes of this appeal I have assumed that the proposal is for a sheltered housing scheme.

## **Main Issues**

6. The main issues are:

- Whether the proposal would preserve this Grade II listed building or its setting or any features of special architectural or historic interest it possesses;
- Whether the proposal would preserve or enhance the character or appearance of the Ramsbottom Conservation Area; and,
- The effect of the proposed alterations to car parking provision on highway safety in the vicinity of the appeal site.

## **Reasons**

### *Listed building*

7. The appeal building has an interesting history and was originally constructed as a dwelling known as Top o' th' Brow. This now forms its rear wing. This part of the building originates from around 1780, though it is suggested that parts may be older. It is mostly two storeys and rendered with a slate roof and timber framed sash windows. It later became Grant Lodge, the home of the Grant family. I understand that the Grant brothers were hardworking industrialists who were closely associated with Ramsbottom's development as a factory town in the 19<sup>th</sup> Century. It is claimed that the brothers inspired Charles Dicken's Cheeryble brothers in *Nicolas Nickleby*.
8. The building became a hotel/public house with the addition of the T-shaped southern portion in around 1828. Today the front south facing elevation of what is now known as the Grant Arms Hotel is the most visually impressive feature of the building overall. Its three storey classically proportioned and symmetrical front elevation includes stonework with typical period detailing, including sill bands, quoins and Tuscan half columns to the doorway. This forms a prominent feature of the adjacent Market Place. As the rear element is set down at roof level and steps behind the southern portion on the most visible eastern side, it has a subservient relationship to the southern frontage.
9. Overall it appears that the building's special interest and heritage significance derive from both the historical associations of the building as a whole, as well as the distinctive appearance of its southern elevation. However, in seeking to understand the nature and evolution of built form on the site, particularly the rear element, the details set out in the Heritage Assessment are sketchy. As such the application is fundamentally flawed in that it does not address the requirement set out in the National Planning Policy Framework (the Framework) paragraph 189 that applicants should describe the significance of any heritage asset affected, including any contribution made by their setting. Furthermore, paragraph 199 states that local planning authorities should require developers to record and advance understanding of heritage assets to be lost (wholly or in part) in a manner proportionate to their significance and the impact of their loss. These requirements have not been met.
10. Be that as it may, the proposal would involve the demolition of much of the original rear portion of the building and its replacement with an extension. The contemporary addition would be in roughly the same position, though extending further to the west, and be of similar mass and scale to the

demolished original. However, whilst this structure would be rendered with a slate roof and there would be some modelling of the east and western elevations, the numerous windows would be standard black power coated aluminium. Whilst it may be that design cues have been sought from the adjacent Civic Hall, overall the extension would have a regularised appearance which would contrast with the more varied and evolved appearance of the current building.

11. Furthermore, as the rear addition would adjoin the southern portion at the same ridge height, this would alter the current clearly subservient relationship between the front southern portion and the rear. As a result the new extension would have a more substantial and solid appearance than that which it would replace, altering that balance of built form on the site.
12. It is also apparent that there are a series of design discrepancies in the proposals, in particular the references to Juliette balconies and modern entrance canopy which do not appear on the plans. As appearance is not a reserved matter, the inadequacy of such information adds to the concerns about the effect of the proposal.
13. It has not therefore been demonstrated that this proposal would preserve this Grade II listed building or its setting or any features of special architectural or historic interest it possesses. In this regard it would conflict with saved Policies EN1/1 and EN2/3 of the Bury Unitary Development Plan 1997 (UDP) which together seek to protect historic buildings.
14. Saved Policy EN2/3 of the UDP 1997 states that proposals for demolition of listed buildings will be opposed and will only be considered where it is demonstrated conclusively that the building(s) cannot be retained. Furthermore, paragraph 191 of the Framework sets out that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.
15. The building has been empty and unused since July 2017. It was apparent at my site visit that it is in a neglected state and has been the subject of vandalism. As a consequence the repair costs presented by the appellant are considerable, with the viability/structural survey information submitted by the appellant noting that the building has suffered a significant lack of maintenance. Whilst it is suggested that the market for public houses is limited and that it has not been possible to find a tenant, there is no evidence of this opportunity having been actively marketed. As a result there is insufficient evidence of efforts to secure a viable use for the building in its current form. As the proposal would result in the loss of a large portion of this listed building the justification required by saved Policy EN2/3 has not therefore been presented.
16. Based on the limited evidence before me, it is likely that the proposal would lead to substantial harm to this designated heritage asset. The Framework at paragraph 195 sets out that in order to justify such harm there must be substantial public benefits that outweigh the harm or loss, or where a number of specific criteria relating to securing a viable future use apply. I have already established that insufficient evidence relating to the viable use of the building has been presented. Whilst it is suggested that the building would be well placed to provide sheltered housing, with evidence of some local support, there

is no evidence of need in this regard. This cannot therefore be regarded as a substantial public benefit, and it would not outweigh the harm identified.

### *Conservation Area*

17. The appeal buildings southern elevation faces onto and dominates the north side of the Market Place, at the heart of Ramsbottom, within the northern section of the conservation area. A number of adjacent stone buildings of complementary form and stature arc around and frame this important space. The rear portion of the building lies on the rising land to the north, adjacent to the access road and car parking area, with a disused bowling green to the north east. The rear of the building is therefore less apparent in the context of the Market Place, though visible to car park users and in views from Ramsbottom Lane to the south east.
18. I have already raised concerns about the altered relationship between the front of the building and the rear area as a result of this proposal, in particular the erosion of the subservience between the two elements of the building, as well as a number of design discrepancies. As such it is likely that the proposal would impart some harm by virtue of its greater form and solidity in views in and around the Market Place, and its more contemporary appearance. Whilst my view is that the degree of harm caused to the wider conservation area would be less than that to the listed building itself, the design discrepancies identified mean that it is difficult to draw a definitive conclusion.
19. I therefore conclude that the proposal would not preserve or enhance the character or appearance of the Ramsbottom Conservation Area. In this regard there would be conflict with the UDP saved Policy EN2/1 which seeks to preserve or enhance the character or appearance of conservation areas. Even if I were to conclude that the harm to the conservation area would be less than substantial, with reference to the Framework paragraph 196, there are no public benefits to outweigh this harm, and it has not been demonstrated that the proposal would secure the optimum viable use of the building.

### *Highway Safety*

20. The car parking area adjoining the rear of the property, which is currently in public use, would be modified to allow for the enlarged building and the creation of an amenity area to the west. Overall the reduced number of spaces would meet the maximum requirements for parking provision relating to sheltered housing as set out in the adopted 'Development Control Policy Guidance Note 11: Parking Standards in Bury'. This is the case whether either the 12 units indicated on plan or 28 units suggested in the Design and Access Statement were to be introduced.
21. However, the modified layout proposed would create some tight spaces, resulting in issues around access to the westernmost spaces and general manoeuvrability within the site. Resulting concerns around the safe access to these spaces, exacerbated by the challenging local road gradients, uneven cobbled surfaces and busy nature of this location would lead to concerns about the safe movement of pedestrians and vehicles in this area.
22. The proposal would result in the loss of an area of public car parking in an area where the availability of off-street parking locally is a concern. Whilst information on this point is limited, it is possible that there could be some

additional pressure for on street parking in adjacent roads, leading to further highway safety concerns.

23. I therefore conclude that the proposed alterations to car parking provision would have a harmful effect on highway safety in the vicinity of the appeal site. In this regard there would be conflict with saved Policies H2/2, HT2/4 and HT6/2 which together seek to ensure that proposals make adequate provision for car parking and servicing, reducing the potential for pedestrian/vehicular conflict.

### **Conclusion**

24. The proposal would fail to preserve the listed building or preserve or enhance the conservation area, contrary to the clear expectations of the Act, and the development plan. There would also be some harm to highway safety. Moreover, there are no public benefits or other considerations which would outweigh the harm identified.
25. For these reasons the appeal is dismissed.

*AJ Mageean*

INSPECTOR

**Details of New Enforcement Appeals Lodged**  
between 05/11/2018 and 09/12/2018



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**Case Ref:** 17/0415

**Date of Appeal:** 09/11/2018

**Appeal Type:** REP

**Location:** Land at Lower Kirklees Street, Tottington, Bury, BL8 3NY

**Issue:** Creation of a hard-standing access track

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**Total Number of Appeal Cases: 01**

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