

AGENDA FOR

PLANNING CONTROL COMMITTEE

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

To: All Members of Planning Control Committee

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

Date:	Tuesday, 19 February 2019
Place:	Peel Room, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted. The Head of Development Management will brief the Committee on any changes to be made to the Planning Applications since the issue of the Agenda. This information will be circulated to Members and made available to the public on the Council's website on the day of the meeting.
Notes:	Food will be available from 5.00 pm (Lancaster Room). Pre-meeting briefing/virtual site visits at 6.00 pm (Lancaster Room). Details of site visits/Member training will be circulated separately to Members and Officers.

The Agenda and Reports for the meeting are attached.

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

Yours sincerely

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 22ND JANUARY, 2018 *(Pages 1 - 4)*

4 PLANNING APPLICATIONS *(Pages 5 - 128)*

a SUPPLEMENTARY INFORMATION *(Pages 129 - 138)*

5 DELEGATED DECISIONS *(Pages 139 - 150)*

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

6 PLANNING APPEALS *(Pages 151 - 158)*

A report from the Head of Development Management on Planning and Enforcement Appeals since the last meeting of the Planning Control Committee.

7 SECTION 106 OBLIGATIONS *(Pages 159 - 188)*

A report from the Development Manager detailing the contributions made by S106 obligations since 1st April, 2017 and summarises agreements that are outstanding.

8 URGENT BUSINESS

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

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Minutes of: PLANNING CONTROL COMMITTEE

Date of Meeting: 22nd January, 2019

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

Public attendance: 2 members of the public in attendance

Apologies for absence: -

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 18th December, 2018 be approved as a correct record and signed by the Chair.

PCC.03 PLANNING APPLICATIONS

A report from the Development Manager was submitted in relation to the applications for planning permission. Supplementary information was also submitted in relation to planning applications 63185 and 63429.

The Committee heard representations from applicants and/or objectors in respect of the applications submitted. This was limited to three minutes for each speaker. Councillor Quinn spoke as a ward representative in respect of planning application 63429.

Prior to the Committee meeting, site visits took place in respect of planning applications 63185.

Delegated decisions:

1. That the Committee be **Minded to Approve** the following applications in accordance with the reasons put forward by the Head of Development Management in the report and

supplementary information submitted and subject to the conditions included:-

63185 Land at Chamber Hall, Magdalene Road, Bury – Bury East – Moorside Ward

Hybrid planning application comprising:

A full planning application for 5 buildings of up to 12,317 square meters to be used within Use Classes B1, B2 and B8 and associated works to include an access road, landscaping, car parking, servicing areas (Phase 1); and site preparation works, access, boundary treatments and associated works including engineering works (Phase 1a); and engineering works comprising site preparation works (Phase 2).

An outline planning application for development within Use Classes B1, B2 and B8 (Phase 1a) including details of access (all other matters reserved); and for development within Use Classes A1, A3, A4, A5, B1, B2, B8, C1 (hotel), D1 (crèche) and D2 (gym), including details of vehicular access (all other matters reserved) (Phase2).

Note: The Head of Development Management provided a verbal update to the Agenda report and Supplementary Agenda in relation to residential amenity and consideration of the development, as follows:-

The nearest dwellings to the site are to the west of the site and include properties on Freestone Close, Branch Close and Orwell Close. The nearest distances to the site are circa 60m and are separated from the site by rear boundary fencing to the residential properties, the river and substantial planting along the riverside walkway along the westerly side of the site development site that is to be largely retained and added to by the proposals.

The residential properties were consulted and raised no objections. However, there are still concerns in relation to residential amenity. However, given the separation distances, features proposed and to be retained between the residential area and the development site, the main impact would potentially arise from service yard noise and potential hours of operation. To this end, the visual screening would be considered to be sufficient to mitigate general views of the site. A planning condition was proposed to require the hours of operation for the respective units in the development to be first approved before first occupation.

Note: The decision to be Minded to Approve the application is subject to the addition of the following condition:-

Condition 45: The hours of operation of the of the respective users within the industrial units comprising phase 1 shall be submitted to

and approved in writing by the Local Planning Authority prior to first occupation. This submission shall include hours of operation and servicing. The user(s) shall operate within the approved hours only.

Reason – To ensure that there are no adverse effect arising from operations and activities of operators within Phase 1 in relation to noise and disturbance to residential properties to the west of the site pursuant to UDP Policies EC 6/1 – Assessing New Business, Industrial and Commercial Development and EN7/2 - Noise Pollution.

Note: The decision to be Minded to Approve the application is subject to the amendment of Condition 29 to read as follows:-

Condition 29: No development other than tree and vegetation clearance shall take place until a Biodiversity mitigation and enhancement plan has been submitted to and approved in writing by the Local Planning Authority. The contents of the plan shall include:

- Location of the proposed habitat and enhancement and creation
- Biodiversity objectives for the proposed habitat enhancement and creation
- Details of plants and seed mixes to be utilised
- Source of plant and seed mixes
- Mitigation for loss of linear landscape features
- Location and provision of bird and bat boxes and bat and bird bricks

The works shall be carried out strictly in accordance with the approved details and to an agreed timetable.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies 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.

63429 Parkgates, Sedgley Park Road, Prestwich, Manchester – Prestwich – Sedgley Ward

Creation of one additional floor of office space to an existing office building

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.

Planning Control Committee, 22nd January 2019

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 7.37 pm)

Title	Planning Applications
To:	Planning Control Committee
On:	19 February 2019
By:	Development Manager
Status:	For Publication

Executive Summary

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

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

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

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

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

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

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

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

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

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

Development Manager

Background Documents

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

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

- 01 Township Forum - Ward:** Prestwich - St Mary's **App No.** 63374
- Location:** Land at rear of 27 Duckworth Road, Prestwich, Manchester, M25 9GF
Proposal: Erection of 1 no. dwelling
Recommendation: Approve with Conditions **Site Visit:** Y
-
- 02 Township Forum - Ward:** North Manor **App No.** 63388
- Location:** Bleaklow Hall, Bolton Road, Tottington, Bury, BL8 4JF
Proposal: Demolition of existing bungalow and erection of 4 no. dwellings with associated parking and access
Recommendation: Approve with Conditions **Site Visit:** Y
-
- 03 Township Forum - Ward:** Prestwich - St Mary's **App No.** 63466
- Location:** 255 Bury New Road, Prestwich, Manchester, M25 9PB
Proposal: Retention of existing A3 cafe/restaurant use with extended opening hours and new glazed balustrade around existing forecourt area.
Recommendation: Approve with Conditions **Site Visit:** N
-
- 04 Township Forum - Ward:** Bury East **App No.** 63520
- Location:** 14-16 St Marys Place, Bury, BL9 0DZ
Proposal: Change of use from massage institute (Class D1) to 2 no. 7-bed houses of multiple occupation (HMO); External alterations to include replacement windows/doors, bicycle/bin storage at rear and boundary wall/gates at rear
- Recommendation:** Approve with Conditions **Site Visit:** N
-
- 05 Township Forum - Ward:** Bury East **App No.** 63521
- Location:** 14-16 St Marys Place, Bury, BL9 0DZ
Proposal: Listed Building Consent for change of use from massage institute (Class D1) to 2 no. 7-bed houses of multiple occupation (HMO) with internal alterations and external alterations to include replacement windows/doors, bicycle/bin storage at rear and boundary wall/gates at rear.
- Recommendation:** Approve with Conditions **Site Visit:** N
-
- 06 Township Forum - Ward:** Prestwich - St Mary's **App No.** 63534
- Location:** Site of former Park Hotel, Lowther Road, Prestwich, Manchester, M25 9GP
Proposal: Residential development comprising of 7 no. 2 storey houses, 12 no. apartments, 21 parking spaces and associated amenity spaces
Recommendation: Minded to Approve **Site Visit:** Y
-

07 Township Forum - Ward: Bury East

App No. 63589

Location: 8 Bolton Street, Bury, BL9 0LQ

Proposal: Change of use from estate agents (Class A2) to private hire taxi booking office (Sui Generis)

Recommendation: Approve with Conditions

Site Visit: N

Ward: Prestwich - St Mary's

Item 01

Applicant: Ms Zofia Moghimi

Location: Land at rear of 27 Duckworth Road, Prestwich, Manchester, M25 9GF

Proposal: Erection of 1 no. dwelling

Application Ref: 63374/Full

Target Date: 10/12/2018

Recommendation: Approve with Conditions

Description

The application site is located between Nos 24 and 26 Lowther Road. The site contains a detached garage at the rear of the site with an area of hardstanding between the garage and Lowther Road. The garage is constructed from a mix of brick and breezeblock and there are 2 metre high timber fences to the north and south boundaries. There are no trees in the application site, but there are trees in the adjacent residential gardens. There are metal railings and gates along the footpath with Lowther Road. Vehicular access is taken from Lowther Road.

The site is bounded by residential properties. No. 24 is approximately 0.5 metre lower than the application site and No. 26 is approximately 0.5 metre higher than the application site.

The proposed development involves the demolition of the single storey building on site and the erection of a dwelling. The proposed development would be single storey with living space in the roof. The proposed development would be constructed from brick with a slate roof. There would be a pitched roof for the front part of the proposed dwelling and a flat roof at the rear. Access would be taken from Lowther Road.

Relevant Planning History

02176/E - Proposed demolition of an existing disused garage and erection of 1 no dwelling at land to rear of 27 Duckworth Road, Prestwich. Enquiry completed - 17 August 2018.

Adjacent site

33644 - Conservatory extension at the front at 24 Lowther Road, Prestwich. Approved with conditions - 17 December 1997.

41156 - Porch at side at 24 Lowther Road, Prestwich. Approved with conditions - 4 September 2003

Publicity

The neighbouring properties were notified by means of a letter on 23 October 2018 and a press notice was published in the Bury Times on 1 November 2018. Site notices were posted on 6 November 2018.

3 letters have been received from the occupiers of 24 & 26 Lowther Road and 7 Lowther Close, which have raised the following issues:

- The garage has not been used by any car or vehicle in nearly 40 years. There are no tyre treads within the site.
- The road outside this site is only 9ft wide and is on a bend. This part of Lowther Road has always been dangerous.
- The highways have enforced speed bumps on this stretch of Lowther Road to slow vehicles down.
- Planning has been refused before on this site.
- The height and length of the proposed house would project farther than the garage and would take away all the existing light from my property.

- My lounge, hall, bedroom and bathroom would suffer from a loss of light.
- A portion of this land belongs to my property.
- The proposed dwelling will affect my privacy particularly in the bathroom and at the back of the house.
- It would be a safety issue as any cars leaving would be on a blind spot with no pavement for pedestrians.

The neighbouring properties were notified of revised plans on 5 February 2019.

No response has been received to date and any comments will be reported in the Supplementary Report.

Statutory/Non-Statutory Consultations

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

Drainage Section - No response.

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

Conservation Officer - No objections.

Waste Management - No response.

GM Ecology Unit - No objections, subject to the inclusion of an informative relating to nesting birds.

Pre-start Conditions - Agent has not yet agreed with pre-start conditions. Further information will be reported in the Supplementary Report.

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

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

Principle (Residential) - 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.

The site is located within the urban area and is surrounded by residential dwellings to all boundaries. As such, the proposed development would not conflict with the surrounding land uses. The proposed development would be in a sustainable location with regard to services and public transport. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

Design and layout and impact upon conservation area - Whilst the application site is not located within the St Marys Conservation Area, it does face the boundary and as such, the proposal may have an impact upon the setting of the Conservation Area. Therefore, it is necessary to consider the proposal in terms of the Town and Country Planning Listed Building and Conservation Act.

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).

UDP Policies EN2/1, EN2/2 and EN2/3 seek to protect the character of listed buildings and conservation areas and to ensure that proposals preserve or enhance the character of such sensitive buildings and areas. In applying the tests of the policy to proposals, nature of the development, materials, relationships between visual qualities and the surrounding areas et al form part of the assessment process to ensure a high, conservation approach is adopted that is designed to preserve or enhance.

The proposed development would be located towards the rear of the site in a similar position to the existing garage. The proposed dwelling would be single storey with living accommodation in the roofspace and a single storey element at the rear with a flat roof. Whilst a flat roof would not normally be acceptable, the flat roof element of the proposed dwelling would not be visible from the conservation area or the streetscene.

The forms state that the proposed dwelling would be constructed from a buff brick with a slate roof. It is considered that a red brick would be more appropriate in the locality and this would be conditioned. The proposed materials of red brick and slate would be appropriate for a Conservation Area and would match the existing properties in the locality. The

proposed dwelling would include various details such as brick headers, brick detailing beneath the windows to add visual interest to the elevations. The application site is located within a residential area of mixed character and building designs, such as bungalows, dormer bungalows, two storey detached and two storey semi-detached dwellings. The Conservation Officer has no objections and a modest modern development on this site would be acceptable. As such, the proposed dwelling would preserve the surrounding properties and would not be a prominent feature in the streetscene. Therefore, the proposed development would be in accordance with Policies EN1/2, H2/1, H2/2, EN2/1 and EN2/2 of the Bury Unitary Development Plan and the NPPF.

The proposed dwelling would have a rear garden, which would have an acceptable level of private amenity space. There would be space within the rear and side garden for bin storage. Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards between residential properties and as such, would be relevant in this case. The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows, 13 metres between a habitable room window and a two storey blank wall and 6.5 metres between a habitable room window and a single storey blank wall.

The proposed dwelling is single storey with rooms in the roofspace and therefore equates to a 1.5 storey dwelling. Therefore, there should be a minimum of 9.7 metres between a habitable room window and a blank wall.

There are a series of windows in the gable elevation of No. 24 Lowther Road. The windows on the ground floor are secondary windows with the principal windows to these rooms being located on the front and rear elevation. At first floor level, there is a window relating to a bedroom, which would be 7.7 metres from the proposed dwelling. As the habitable room window is at first floor, this would exceed the 6.5 metre aspect standard required.

The proposed dwelling would be 6.1 metres from the window in the gable elevation of No. 26 Lowther Road. As the window would be at first floor level and would be located near the flat roof section of the proposed building, the proposed development would not have a significant adverse impact upon the amenity of the occupiers of the adjacent dwelling.

There would be over 40 metres between the rear of the proposed dwelling and the properties on Duckworth Road. There would be over 30 metres between the front of the proposed development and the properties on Lowther Close.

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

Ecology - GM Ecology Unit have confirmed that there are no significant ecological issues associated with the proposed development. GM Ecology Unit have no objections, subject to the inclusion of an informative relating to nesting birds. Therefore, the proposed development would not have a significant adverse impact upon a protected species and would be in accordance with Policy EN6/3 of the Bury Unitary Development Plan.

Highways issues - The proposed dwelling would be sited in a similar location to the existing garage, which would allow a large area of hardstanding to the front of the property, which would enable a vehicle to enter and leave in a forward gear. The site contains a garage and has an existing vehicular access onto the highway and therefore, the proposed development would not intensify the use of the existing access. The revised plans received on 5 February included details of a parking scheme for the occupiers of NO. 27 Duckworth Road, which are currently being assessed. The Traffic Section has no objections in principle to the proposed development and further comments will be reported in the Supplementary Report.

Parking - SPD11 states that the maximum parking standards for a 2 bed dwelling is 1.5 spaces per property.

The proposed development would provide 2 spaces and would comply with the maximum parking standards. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Response to objectors

- Regardless of whether the site has been used by vehicles, there is a lawful access onto Lowther Road, which must be taken into consideration.
- The planning history is reported above and there have been no previous applications for residential development on this site.
- The issues relating to loss of light and loss of privacy are addressed in the report above.
- The agent has amended the plans to ensure that all of the land is in the ownership of the applicant.

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 AS01, AS00 - plan as existing, AS00 - Sketch parking scheme, AS01, AS02, AS03, AL01, AL02, AX00, AX01, AV00, AV01, AV02, AV03, AV04 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
4. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have

been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;

- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 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. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwelling hereby approved being first occupied.

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

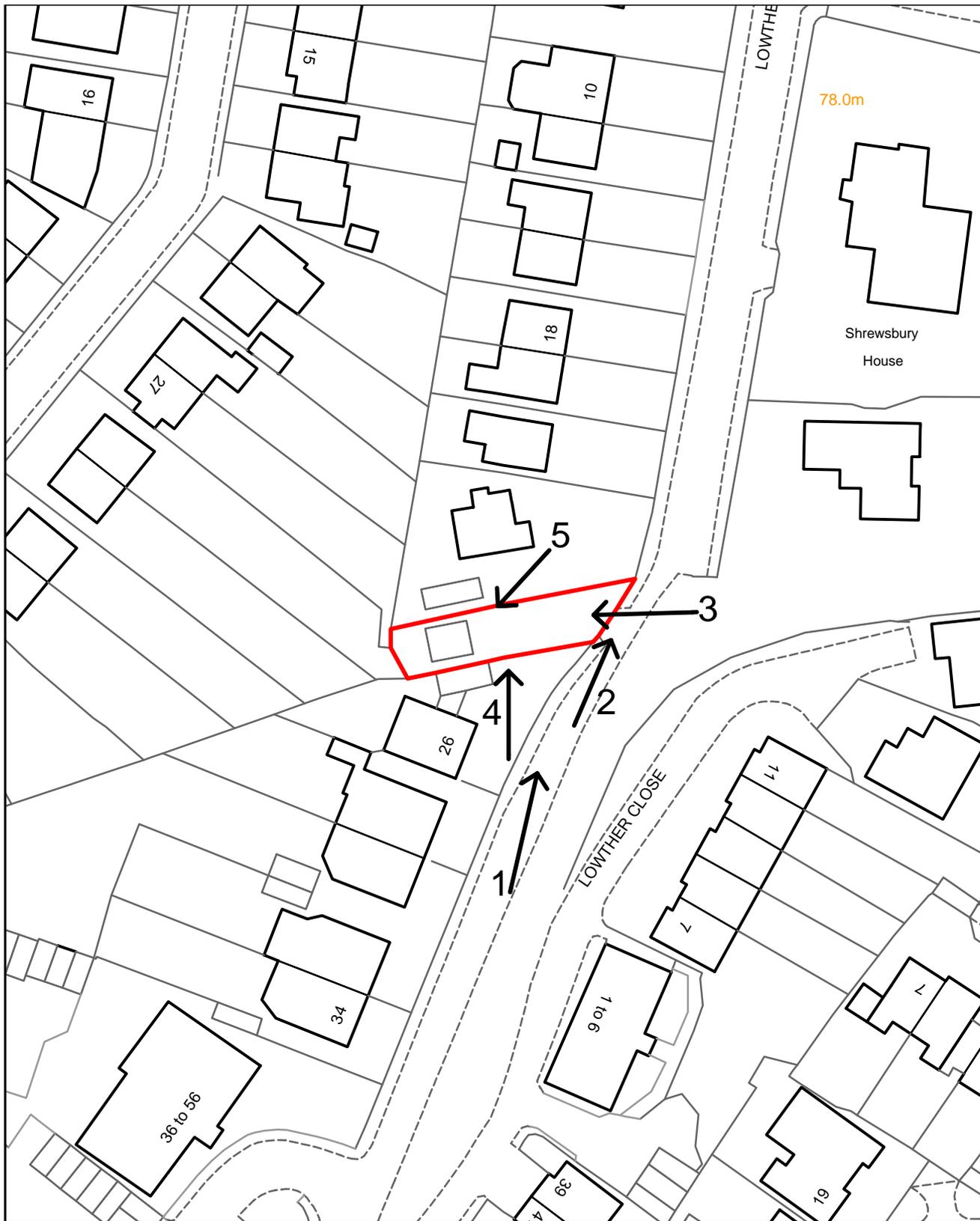
7. The turning facilities indicated on the approved plans shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.

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

- Policy H2/1 - The Form of New Housing Development
- Policy H2/2 - The Layout of New Housing Development
- Policy EN1/2 - Townscape and Built Design

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 63374

**ADDRESS: Land at rear of 27 Duckworth Road
Prestwich**

Planning, Environmental and Regulatory Services

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63374

Photo 1



Photo 2



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Photo 3



Photo 4



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Photo 5

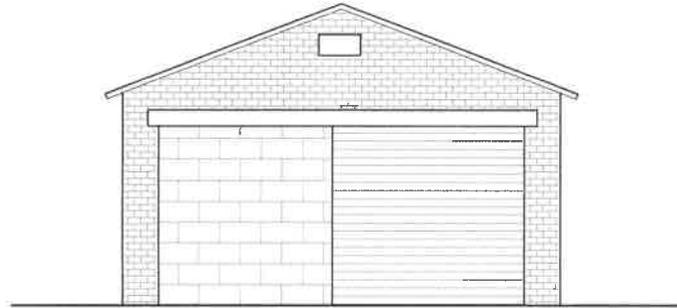


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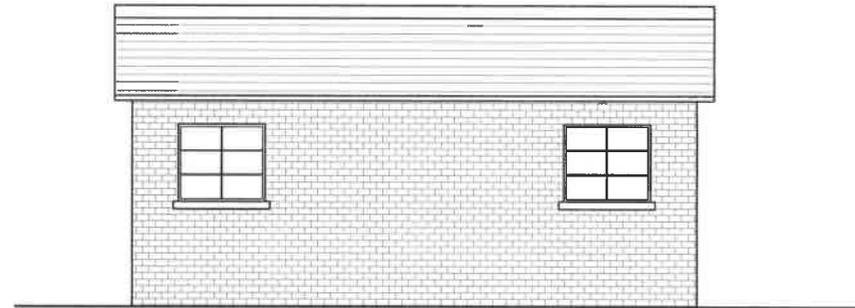
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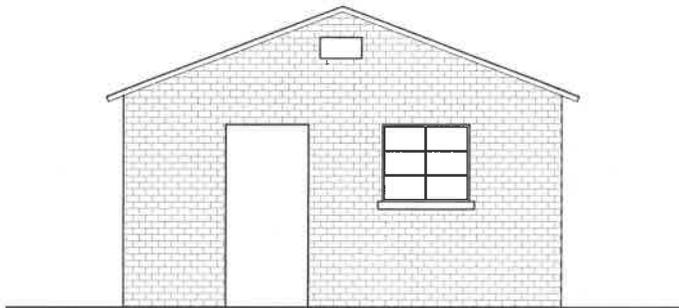
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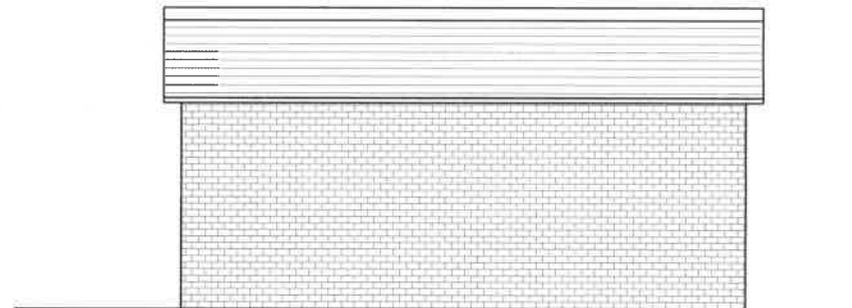
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

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ZOFIA MOGHIMI client

LTRO 27 DUCWORTH RD project

EXISTING GARAGE
ELEVATIONS title

ZM01 job No.

AV00 dwg No.

1:100 @ A3 scale

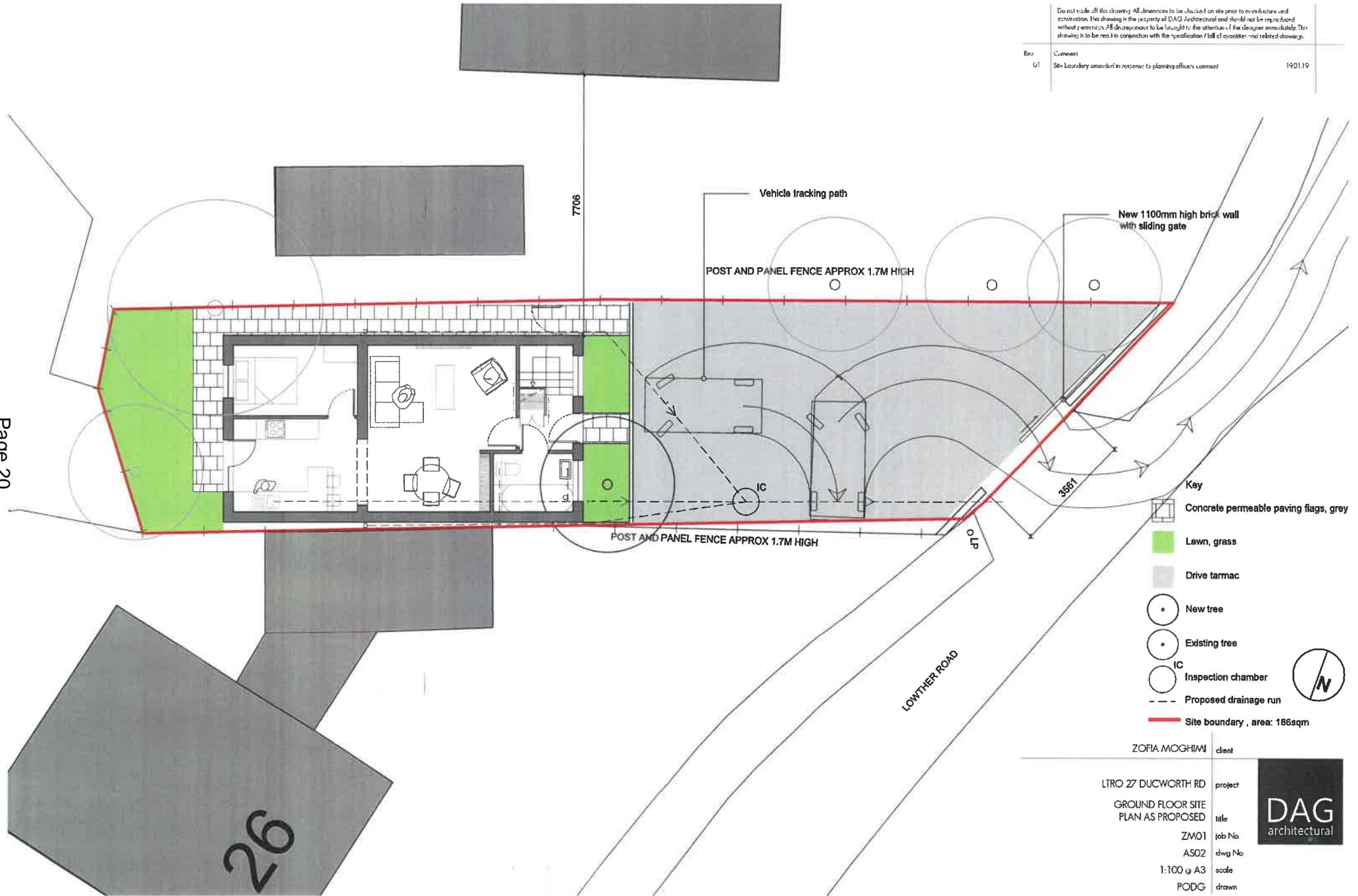
PODG drawn

DAG
architectural

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Rev	Comment	Date
01	Site boundary amended in response to planning officers comment	19/01/19

Page 20



- Key**
- Concrete permeable paving flags, grey
 - Lawn, grass
 - Drive tarmac
 - New tree
 - Existing tree
 - Inspection chamber
 - Proposed drainage run
 - Site boundary, area: 186sqm

ZOFIA MOGHIMI client

LTRO 27 DUCWORTH RD project

GROUND FLOOR SITE
PLAN AS PROPOSED title

ZM01 job No

AS02 dwg No

1:100 @ A3 scale

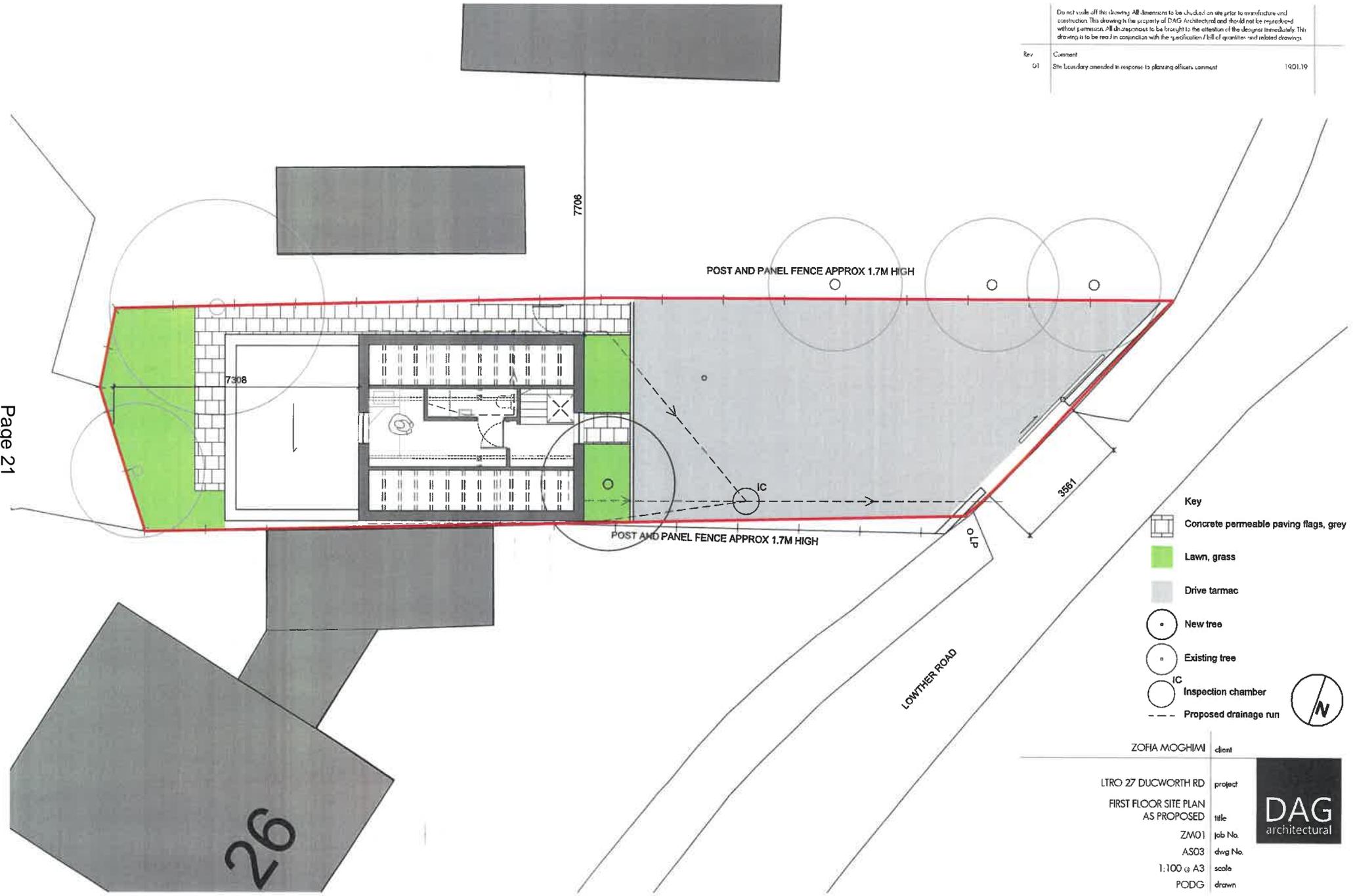
PODG drawn

DAG
architectural

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Rev	Comment	Date
01	Site boundary amended in response to planning officers comment	19/01/19

Page 21



- Key**
- Concrete permeable paving flags, grey
 - Lawn, grass
 - Drive tarmac
 - New tree
 - Existing tree
 - Inspection chamber
 - Proposed drainage run

ZOFIA MOGHIMI client

LTRO 27 DUCWORTH RD project
 FIRST FLOOR SITE PLAN AS PROPOSED title
 ZM01 job No.
 AS03 dwg No.
 1:100 @ A3 scale
 PODG drawn



26

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FIRST ISSUE

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Page 22

RIDGE +05.98

EAVES +02.60

GF FFL +00.00



Key

1. Brown buff brick
2. Blue natural slate
3. Light timber door
4. feature soldier course in matching brick
5. Aluminum framed glazing, light grey
6. RWP light grey to match windows

ZOFIA MOGHIMI client

LTRO 27 DUCWORTH RD project

NORTH ELEVATION AS PROPOSED title

ZMO1 job No.

AV03 dwg No.

1:100 @ A3 scale

PODG drawn

DAG
architectural

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FIRST ISSUE

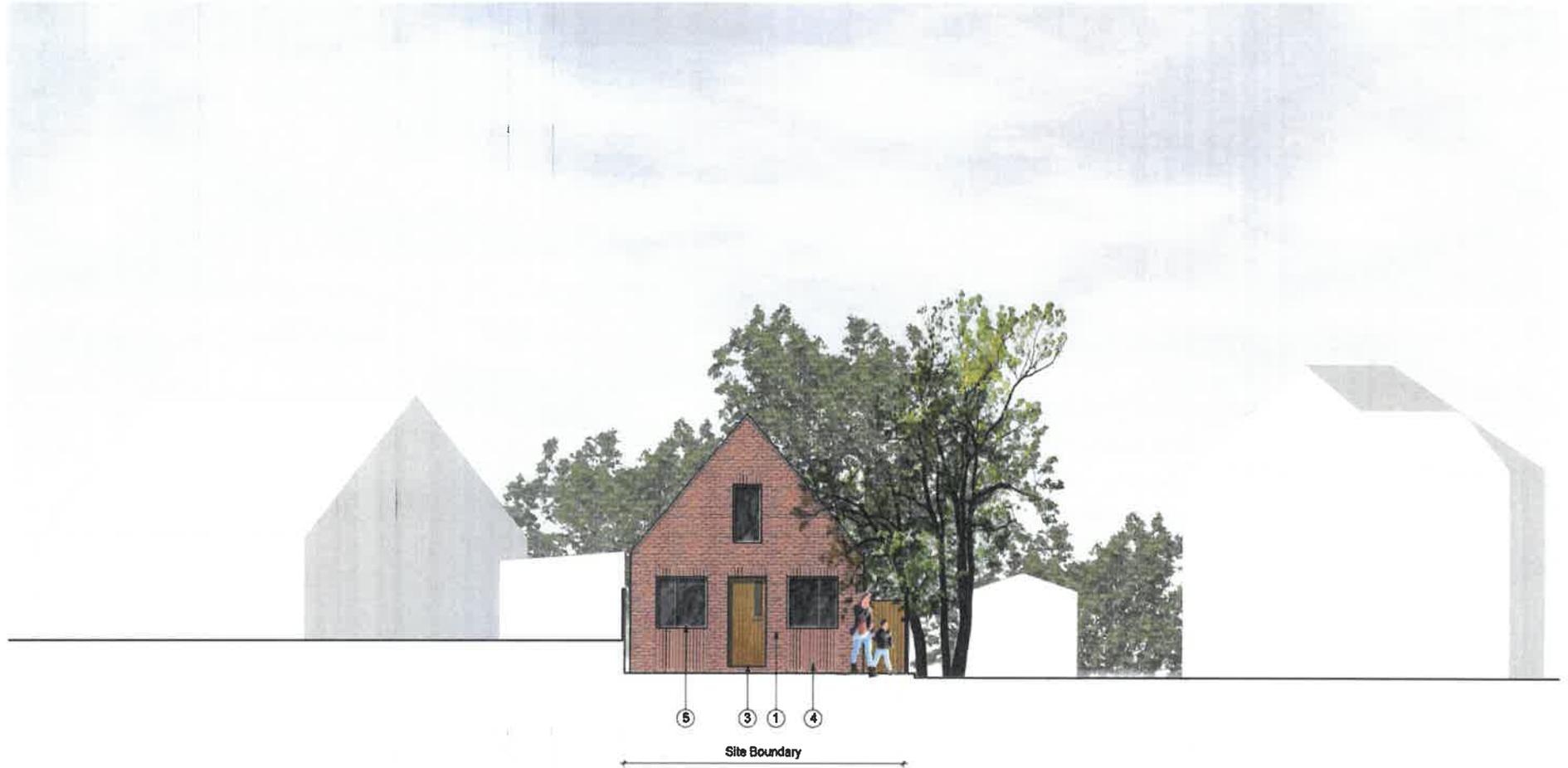
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Page 23

RIDGE +05.86

EAVES +02.80

GF FFL +00.00



Key

1. Brown buff brick
2. Blue natural slate
3. Light timber door
4. feature soldier course in matching brick
5. Aluminum framed glazing, light grey
6. RWP light grey to match windows

ZOFIA MOGHIMI client

L1RO 27 DUCWORTH RD project

EAST ELEVATION AS PROPOSED title

ZM01 job No.

AV01 dwg No.

1:100 @ A3 scale

PODG drawn



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FIRST ISSUE

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Page 24

RIDGE +05.98

EAVES +02.60

GF FFL +00.00



Key

1. Brown buff brick
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6. RWP light grey to match windows

ZOFIA MOGHIMI client

LTRO 27 DUCWORTH RD project

SOUTH ELEVATION AS PROPOSED title

ZM01 job No.

AV04 chwg No.

1:100 @ A3 scale

PODG crown



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FIRST ISSUE

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Page 25



Key

1. Brown buff brick
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5. Aluminum framed glazing, light grey
6. RWP light grey to match windows

ZOFIA MOGHIMI client
 LTRO 27 DUCWORTH RD project
 WEST ELEVATION AS PROPOSED title
 ZM01 job No.
 AV02 dwg No.
 1:100 @ A3 scale
 PODG drawn



Ward: North Manor

Item 02

Applicant: Mr Jeremy Buckley

Location: Bleaklow Hall, Bolton Road, Tottington, Bury, BL8 4JF

Proposal: Demolition of existing bungalow and erection of 4 no. dwellings with associated parking and access

Application Ref: 63388/Full

Target Date: 17/12/2018

Recommendation: Approve with Conditions

Description

The application site (0.82ha) lies on the eastern edge of Hawkshaw Village and is occupied by a large bungalow, built around 1976, and located within a large residential curtilage that historically was the site of Bleaklow Hall. The site slopes up from Bolton Road from the stone boundary wall along the frontage. Behind the boundary wall are a row of mature trees, the majority of which are protected by an area Tree Protection Order (341). The large sycamore tree, set back into the site is also protected by this order. The site is within the Green Belt, West Pennine Moors and a designated Special Landscape Area.

Adjacent to the boundary in the south-east corner, there are a pair of two storey semi-detached cottages (Nos.238 and 236 Bolton Road) whilst on the west side, there is a row of terraced houses. To the south, across Bolton Road, are 25 apartments at Hawkshaw Lodge and there is permission to build another 24 houses on the site of Bleaklow Mill. To the north are open fields and Public Right of Way (4TOT) runs up the eastern boundary of the site where it splits off in north westerly and north easterly directions.

The proposal involves the demolition of the existing bungalow on the site and the erection of four detached houses extending across the site, part way up the slope. Each dwelling would have 5 bedrooms and an attached garage all accessed via a private driveway from Bolton Road at a single access point at the south east corner of the site. The properties would be situated on the hillside and to varying extents cut into the slope. The height of the dwellings, due to their location on the slope and individual design, varies somewhat but generally they measure between 6.6m and 8m. Their respective heights in relation to the slope and the existing bungalow are indicated on the Sections Plan (S02/D).

The footprint and volume calculations of the existing and proposed dwellings are set out below:

Existing bungalow- 271.5 sqm (929cu.m)

Plot 1- 192.0 sqm (1010cu.m)

Plot 2- 244.3 sqm (1117cu.m)

Plot 3- 244.3 sqm (1117cu.m)

Plot 4- 295.2 sqm (1674cu.m)

All existing boundaries, a mix of stone walling and post and wire fences, augmented by new hedges, would remain.

Various supporting documents have been submitted with the application and these include:

- Design and Access Statement
- Planning Statement,
- Landscape and Visual Assessment,

- Landscape Specification
- Arboricultural constraints Assessment
- Contaminated Land Desktop study,
- Ecological Assessment,
- Historic Environment Desk Based Assessment

Relevant Planning History

02021/E - Residential development of no. 5 detached houses - Enquiry completed 22/08/2017

02067/E - Residential development of no. 5 detached houses - Enquiry completed

Publicity

Press notice (Public Right of Way) posted in Bury Times 01/11/18. Site notice posted 25/10/18.

The following neighbours were notified by initial and revised letters dated 24/10/18 and 31/01/19 respectively.

Apartments at Hawkshaw Lodge, 6A, 6 and 8 Sunny Top, 117, 190-198(even), 236, 264-290(even) Bolton Road, 8 Crown Mews, Claremont Bolton Road.

Objections have been received from the occupiers of 51, 144, 192 and 241 Bolton Road, 15 Highfield Avenue, Bank House Bolton Road, and Bramley Fold Farm. Local Ward Councillor James Daly has also objected to the proposal. The objections are summarised below:

- This site should not be classed as in-fill.
- The development is in the Green Belt and the " very special circumstances " test has not been met. The proposals do not comply with the NPPF and UDP policy on protecting the Green Belt and the Special Landscape area of the West Pennine Moors.
- As there is no volumetric guide to infill development in the NPPF or UDP, the Council should err on the side of caution as policy OL1/3 requires limited infill to be in a scale in keeping with the village and not adversely affect its character or appearance. These houses, if permitted would affect the village's character due to their design and size in a sensitive hill side location with inappropriate balconies and large amounts of glazing. The planning authority should exercise restraint especially as the applicants agent accepts at point 5:11 of their own planning statement that "there will be a loss of openness in the Green Belt arising from this scheme."
- To move from one four bedroom bungalow to four five bedroom houses on the site has a greater impact on the Green Belt simply due to the scale of the development and is contrary to UDP Policy EN1/1 Visual Amenity which states that development will not be permitted where proposals would have a detrimental effect on public views...viewed from areas of environmental interest such as the Green Belt or Special Landscape area. Bleaklow was not called the Black Hill in Saxon without good reason. It is highly visible from the surrounding Special Landscape Area including the SSSI of Holcombe Moor and from high ground at Affetside and Quarlton as well as from intermediate views from the west. The development will also be highly visible from the two public footpaths that run north south and east west at the rear of the site with no attempt at shielding the visual impact of these very large properties.
- EN9/1 also states development in the SLA should be strictly controlled and should be sympathetic to the surroundings in terms of visual impact.
- The additional traffic that will be created will cause highway safety issues. There should be traffic calming measures in place.
- The proposed design is out of keeping with the architectural heritage of the area.

- The Council's Tree Preservation Order should be fully respected and implemented as the applicant has already chopped down a number of mature trees.
- The footpath along the boundary should not be hindered in any way during or after any construction.
- The proposed four buildings will be too large and visually intrusive both from the road and the fields and footpaths behind.
- The site is within the geographical area outlined in a manuscript dated 1226 granting rights around Holcombe to Monk Bretton Priory, granted by Roger De Montbegon. Furthermore, recent archaeological finds [2018 and subject to archaeological report to be written] are dramatically changing our understanding of the medieval archaeology of the area, consequently and would like to propose the application be subject to a full archaeological excavation.
- The desktop heritage survey is welcome but suggest if ANY application for the site is approved, a full archaeological dig should take place due to the historic nature of this site. It is rare to have an opportunity to explore Bury's medieval past and the references from the 14th century indicate there was an important building here at this point. Records not fully explored by the applicant refer to oxgang land belonging to Bleaklow which suggest potential Anglo Saxon farming around this farm. (source Clitheroe Court Rolls ed Farrer). Other will evidence from 1658 of William Brooke proved at the consistory court in London describes Bleaklow as a capital messuage, again an indication of a very substantial and important house in the landscape.
- The site also has important historical connections, the Ainsworth family who owned Bleaklow in the 16th and 17th centuries are the ancestors of the noted Lancashire novelist Harrison Ainsworth - the author of the Pendle Witches. The James Wood mentioned in the desktop survey was the Master of St Johns College Cambridge who had risen from poverty in the area to be a noted mathematician.
- As the developer has already felled a large number of trees the development will not be shielded from people using the two public footpaths at the rear, and I suspect to the road. This is a serious impact on the visual amenities of the area.
- The bungalow stands on the site of historic Bleaklow Hall which dates to the Medieval period. An overlay of the tithe map indicates the bungalow may not have damaged around 70% of Bleaklow's foundations. As such a full Archaeological survey is required to investigate and record this important site.

Support has come from the occupiers of 33 properties both in the local area and further away. These are 9 Hawkshaw Lodge, 62 and 86 Bolton Road, Higher Barn Farm, Springside Farm, 8 Greenmount Drive, 40 Cross Lane, The Barns, 1 Brookwater Close, Holcombe Hey Fold, 45 Simms Close, 4 Mitchell Fold Nook, Green Gate, 116 Summerseat Lane, 104 Booth Way, Parks Farm, Captains Cottage, 413 Holcombe Road, Nabb House, Home Meadow Barn, The Croft, Birtch Hey Farm, 520 Bolton Road West, 2 Tor Avenue, 2 Hey House, 34 Heatherside Road, 18 Carrwood Hey, 85 Dovedale Road, 1 Spring Vale Drive, 10 Ada Street, 240 Holcombe Road, 15 Poolfield Close, 100A Watling Street, 24 Sandringham Drive, Harwood Cottage.

The supporters indicate that the proposal would be a positive addition to the village and is appropriate to the site without harm to the Green Belt.

Both objectors and supporters of the application have been notified of the Planning Control Committee.

Traffic Section - No objection subject to conditions.

Drainage Section - No objection.

Environmental Health - No objection.

Public Rights of Way Officer - No objection.

United Utilities - No objection.

Greater Manchester Ecology Unit - No objection.

G M Archaeological Advisory Service - No objection subject to a condition relating to archaeological surveying.

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

Unitary Development Plan and Policies

OL1/2	New Buildings in the Green Belt
OL7/2	West Pennine Moors
OL1/3	Infilling in Existing Villages in the Green Belt
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN3/1	Impact of Development on Archaeological Sites
EN3/2	Development Affecting Archaeological Sites
EN7	Pollution Control
EN7/5	Waste Water Management
EN8	Woodland and Trees
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN6/3	Features of Ecological Value
HT2/4	Car Parking and New Development
HT2/1	The Strategic Route Network
EN9/1	Special Landscape Areas
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

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

Policies - Green Belt

National Planning Policy Framework, paragraph 143 recommends that when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

Paragraph 145 of the NPPF indicates that construction of new buildings are inappropriate unless they fall into certain exceptions, including;

- limited infilling in villages,
- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would not have a greater impact on the openness of the Green belt than the existing development.

The Unitary Development Plan, adopted in 1997, although outdated in some respects, still

forms the current local development plan.

UDP Policy OL1/2 - New Buildings in the Green Belt. The construction of new buildings inside the Green Belt is inappropriate development, unless it is for one or more of the following purposes:

- a) agriculture and forestry (except where permitted development rights have been withdrawn);
- b) essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of Green Belt and which do not conflict with the purposes of including land in it;
- c) limited extension, alteration or replacement of existing dwellings, provided that this would not result in disproportionate additions over and above the size of the original dwelling, or, in the case of replacement of existing dwellings, the new dwelling is not materially larger than the one it replaces;
- d) limited infilling in existing villages as set out under Policy OL1/3.

OL1/3 - Infilling in Existing Villages in the Green Belt. In all named villages which lie within the Green Belt, limited infill development may be permitted, provided that it is in scale with the village and would not adversely affect its character or surroundings.

There are a number of existing villages within the Borough's Green Belt. Whilst seeking to restrict their expansion this policy recognises the need to accept limited infilling within the villages named below:-

Shuttleworth, Holcombe Village, Hawkshaw, Summerseat, Nangreaves, Affetside, Ainsworth and Simister.

OL7/2 - West Pennine Moors. Throughout the area of the West Pennine Moors, as defined on the Proposals Map, the Council will control development and manage recreational activity and public access, so as to reduce any possible detrimental effects these may have on the important character of the area. In considering proposals for development particular regard will be had to the effect on the following:

- a) agriculture and forestry;
- b) water catchment;
- c) settlements;
- d) landscape character;
- e) ecological and geological features;
- f) archaeological and historic features.

EN1/1 - Visual Amenity. Development will not be permitted where proposals would have a detrimental effect on:

- a) public views of prominent or important buildings, especially those in areas of architectural or historic interest;
- b) the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

EN9/1 - Special Landscape Areas. In those areas identified on the Proposals Map as Special Landscape Areas, any development which is permitted will be strictly controlled and required to be sympathetic to its surroundings in terms of its visual impact. High standards of design, siting and landscaping will be expected. Unduly obtrusive development will not be permitted in such areas.

Principle - Green Belt

The site is situated in the Green Belt and forms part of a ribbon of development extending from the on the eastern edge of Hawkshaw village westwards. The site sits between two established residential rows of dwellings and has a defined and established boundary at the rear.

The site, is a named village under UDP Policy OL1/3 - Infilling in Existing Villages in the Green Belt, and therefore could be considered an infill site given its position within the

village, the scale of the development and the shape and constraints of the site. Bullet point e) of para 145 of the NPPF states that residential development in the Green Belt is not inappropriate development if it relates to limited infilling in a village, and as such considered against this policy.

Limited Infilling - The term 'limited infilling' is not specifically defined within the NPPF but would generally refer to gaps of land that may be capable of development without prejudicing Green Belt objectives. It may include forms of development other than frontage infilling, as long as the development would be in keeping with the village's character and this entails assessing each proposal on its merits and in relation to its surroundings.

The layout plan shows that each dwelling would sit relatively comfortably within its own plot with a sizeable landscaped garden curtilage. Although the volume of each house would be in excess of the existing bungalow, the dwellings have been designed set into the backdrop of the land behind with a relatively low form that utilises the roofspace, and as such would minimise the impact within the landscape.

Given the location of the site within the context of the streetscape and the village and the scale of the plot and the proposed development itself, it is considered that the proposed development would constitute limited infill development in line with the principles of bullet point e) of para 145 of the NPPF and UDP Policy OL1/3.

Visual amenity, character and openness of the Green Belt - Situated between terraced and semi-detached residential properties on the eastern edge of the village, the existing bungalow appears rather incongruous and isolated, sitting as it does in the centre of a large residential curtilage and set back from the road, part way up the hillside. This is not surprising given that historically, Bleaklow Hall stood on the site in the early 19th Century.

Set back from the Bolton Road and due to the need to protect and not impose on the mature protected trees along the frontage, the general layout of the proposed dwellings would follow a central arc running east to west across the site. This pattern attempts to tie the new houses into the general linear pattern of houses along this part of the Bolton Road. This is considered an appropriate and logical layout given the constraints of the site.

The site slopes up from Bolton Road and therefore it is imperative that any new development sits comfortably on the hillside and does not appear incongruous or overly dominant within the streetscape and surrounding landscape. It should maintain a generally open aspect and views through the site.

The proposal, in setting the dwellings into the slope and keeping the roof heights down, is the design solution that attempts to address these critical concerns. In addition to the scale and height issues, there were concerns with the initial layout submitted in that the dwellings appeared to be too close together and did not allow sufficient spacing between them to maintain views through the site. Following discussions, the plans were revised in an attempt to reduce the scale of the dwellings by omitting the pitched roofs over the garage and creating space between the dwellings.

It is important to note that the proposal relates specifically to Paragraph 145(e) of the NPPF and is not attempting to satisfy sub-paragraph (g) which refers specifically to the comparative impact of existing and proposed buildings on the openness of the Green Belt. Whilst it is recognised that there would be some loss of openness to the Green Belt, within the context of infilling in villages as referred to in Paragraph 145(e) of the NPPF, the primary factor is the impact the development would have on the character of the village within the wider Green Belt rather than the loss of openness per se.

In recognising the need for the development to 'fit in' appropriately within the village, the application includes a Landscape and Visual Assessment (Penny Bennett Landscape Architects).

The assessment notes that the character of the site, with the existing bungalow and its siting between houses, does not significantly contribute to the wider character and openness of the Green Belt and from Bolton Road and views across the site are somewhat limited by shrubs and mature tree planting along the frontage. Approaching the village, the proposed development site would be viewed against the backdrop of other buildings on the edge of the village.

The trees are a particularly important mitigating factor in the assessment, both reducing views across the existing site and partly screening the new build from Bolton Road. A further benefit of the proposal is the opportunity for a landscape management plan to be implemented, so securing an appropriate and long term future for the buffer zone along the Bolton Road frontage.

The development would be clearly viewed from the public footpath as it climbs up steadily from Bolton Road and along the eastern boundary of the site before forking off in north westerly and north easterly directions, across the fields. Due to the position and level of the dwellings on the hillside, the longer range views of the development from around the site would be tempered.

In terms of design and appearance, the new dwellings are clearly different from the existing property and the houses on either side. Indeed, given that the existing terraced houses and semi-detached houses sit very close to the Bolton Road frontage, any new development on the site would as a necessity be different within the streetscape, given that the properties would need to be situated further up the slope, but set down so as not to be overly dominant. Therefore a site specific, bespoke design would likely be the better approach in addressing the site constraints and character.

The development therefore proposes a more contemporary design, with a natural pallet of local materials would reference buildings in the local area. The development would also be viewed through the retained tree line which would significantly reduce its visual impact and reinforce the semi rural and village setting. It is noted that a recently approved development with a mix of traditional and more contemporary elements is currently being built out across Bolton Road at the former Bleaklow Mill site.

It is considered reasonable, given the nature of the site, that 'permitted development' rights are withdrawn from the proposed dwellings, thereby controlling any future extensions or alterations.

The proposal is on balance acceptable and complies with the NPPF and UDP Policies OL1/2, OL1/3, OL7/2 and EN1/1, EN9/1 and EN1/3 with regard to the Green Belt, West Pennine Moors, Special Landscape Area and the general streetscape.

Policies - Housing

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.

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;
- e) other policies and proposals of the Plan.

H2/1 - The Form of New Residential Development. All new residential development will be expected to make a positive contribution to the form and quality of the surrounding area.

Factors to be considered when assessing proposals will include:

- a) the height and roof type of adjacent buildings;
- b) the impact of developments on residential amenity;
- c) the density and character of the surrounding area;
- d) the position and proximity of neighbouring properties;
- e) the materials to be used in proposed developments, especially their colour and texture.

H2/2 - The Layout of New Residential Development. New residential development will be required to demonstrate acceptable standards of layout. Factors to be considered when assessing proposals will include:

- a) car parking provision;
- b) access for both vehicles and pedestrians, and provision for public transport;
- c) the possible need for traffic calming measures;
- d) density;
- e) space about and between dwellings;
- f) landscaping and screening;
- g) protection/provision of trees and hedgerows;
- h) open space/children's play areas;
- i) design for safety and security;
- j) access/facilities for the disabled;
- k) the existence of any public rights of way.

Principle - Housing

With the existing bungalow within its extensive curtilage, the established use of the site is residential. The surrounding area is characterised by residential development and Hawkshaw Village which extends beyond the site to the west. There is existing infrastructure in place to serve the development. The proposed development is therefore considered not to conflict with the local environment in terms of character of the area.

The NPPF emphasises the need for Local Planning Authorities to boost the supply of housing to meet local needs and the proposed development would assist in contributing to the shortfall of housing in the Borough to provide family accommodation.

As such, it is considered that the principle of housing would be acceptable and would be in compliance with the NPPF and UDP Policies H1/2, H2/1 and H2/2.

Residential amenity - The immediate neighbour to the east is No 238 Bolton Road, a two storey cottage sitting at the foot of the slope with a blank gable facing the site. The proposed dwelling on plot four would be closest and this sits so there is no direct overlooking towards this property. Although sitting at a higher level to No 238 Bolton Road, the house on plot 4 would be a sufficient distance away across the boundary hedge so as not to seriously impact on the residential amenity of the occupier.

On the western side of the site, the closest property would be No 264 Bolton Road, a two storey end terrace. This property has side windows but would overlook the treed area along

the front of Bolton Road and would not create any amenity issues. The nearest house would be on plot 1 and sit higher up the slope but at a suitable distance into the site and also behind the line of existing trees running along the side boundary and as such would not cause any overlooking or aspect issues.

Given the siting of the houses within the plot, there would be no residential amenity issues arising. As such the proposal is considered acceptable and complies with UDP Policy H2/1 The Form of Residential Development in relation to residential amenity.

Trees and Landscaping - A characteristic of the site is the presence of mature trees comprising a mix of Sycamore, Cherry, Ash and Oak, in the south west corner and extending along the Bolton Road frontage. 10 of the 14 trees along the frontage, and a large sycamore set back into the site, are protected under TPO341. Other trees are present on the boundary in the south west corner with others just outside the eastern boundary. There is also a significant presence of Rhododendron bushes along the frontage.

An Arboricultural Assessment (Peake Active Tree Management, 29/09/17) has been submitted with the application. The assessment groups the trees into two categories. Category B (moderate value) covers 13 trees, including all but 3 of the TPO trees and category C (lower value) includes 6 of the frontage trees and two others. A Cherry tree along the frontage has been identified as dead and to be removed (not requiring consent).

The assessment concludes that the proposed layout, with no-build areas around root zones, would not have a seriously detrimental impact on any of the trees within the site. Despite identifying 3 of the TPO trees as lower quality, all trees, except a dead Cherry, could be retained without seriously impacting on the development.

Whilst a couple of lower grade trees within the site, a cypress in front of proposed plot 2 and a spruce in the south west corner, could be removed in lieu of more suitable replacements, it is considered that all other trees, subject to more detailed surveys, could be retained through an appropriate condition. A long term landscape management plan, including new shrub and tree planting would also be required as a condition of any approval. It is considered that with a suitable landscape scheme, there is an opportunity to improve and diversify the site in terms of the landscape planting. The proposed development, in terms of the impact on trees and landscaping, would be acceptable and comply with the NPPF and UDP Policies EN1/3, EN8, EN8/1 and EN8/2 relating to trees and landscaping.

Ecology - Greater Manchester Ecology Unite (GMEU) have been consulted on the application. No significant ecological issues were identified by the developer's ecological consultant. Issues relating to bats, nesting birds, invasive species and landscaping can be resolved by suitable conditions and informatives.

Bats - The buildings on the site were assessed for bat roosting potential. Both were assessed as having negligible bat roosting potential. Whilst the report is somewhat brief with a lack of photographic evidence to back up the statements in the report, the photographs within the heritage report appear to support these statements. The conclusions of the report are therefore accepted.

Nesting Birds - Whilst the majority of trees and shrubs appear to be retained, the report notes that some bird nesting habitat will be lost. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. A suitable condition would restrict tree cutting/pruning.

Invasive Species - The presence of Rhododendron ponticum is noted in the report. This species is listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended). It is an offence to introduce or cause to grow wild any plant listed under this schedule. Unlike species such as Japanese knotweed however this species is unlikely to be spread as easily, as a result of earthmoving. An informative would be attached to any approval addressing this.

Contributing to and Enhancing the Natural Environment - Section 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment. The development will result in a small loss trees and shrubs, with significantly more trees and a hedgerow proposed that will potentially provide enhancement for these losses, dependent on the wildlife value of the species. It is recognised that, with a sensitive landscaping scheme, the development has the potential to achieve net gain in this respect.

In terms of ecological impact, GMEU have no objection and as such the proposal is considered to be acceptable and complies with the NPPF and UDP Policy .

Archaeology and historic context - An Archaeological Desk Based Assessment (Archaeological Research Services) was submitted with the application. The study provides details of historic mapping, some historical documentary research, and a site walkover description. The GM Historic Environment Record has been used to give an understanding of archaeological finds in the near vicinity. At the end of the report and the executive summary are recommendations for further archaeological mitigation. These relate to recording the visible (although currently overgrown) remains of the 19th century outbuildings and undertaking evaluation through trial trenching to examine the potential for below-ground archaeological remains relating to previous halls on the site (which may go back to the medieval period).

The Greater Manchester Archaeological Advisory Service (GMAAS) have been consulted and consider that the site has some potential for prehistoric remains given its favourable topographic and a number of prehistoric sites and finds from the vicinity.

GMAAS agree with the recommendations for further archaeological mitigation set out in the desk based assessment. If the evaluation uncovers significant remains that will be damaged or destroyed by development ground works then a further stage of archaeological works in the form of targeted more detailed excavation would be required. GMAAS agree with this approach and recommend that a condition is attached to any consent granted requiring that a programme of archaeological work be undertaken. Subject to an appropriate condition, the proposal is considered to be acceptable in terms of archaeological impact and complies with the NPPF and UDP Policies EN3/1 and EN3/2.

Traffic - The net gain of three dwellings on the site would clearly mean increased traffic generation. However Bolton Road is part of a Strategic Route Network and is considered a main corridor of movement within and through the Borough. The proposal is utilising an existing vehicular and pedestrian access onto Bolton Road in the south east corner of the site and with a new driveway linking each dwelling satisfies current Council standards and is considered to be acceptable.

The proposed parking provision of at least 2/3 cars per dwelling would also be considered acceptable for houses of this scale. Subject to conditions, the traffic team have no objections to the proposed development which, in terms of access and parking, would comply with the NPPF and UDP Policies H2/2 The Layout of New Residential Development, HT2/4 Car Parking and New Development and guidance within SPD 11 Parking Standards in Bury.

Servicing - Refuse bins would be brought down from each dwelling to a designated collection point adjacent to the access point onto Bolton Road. This is considered to be acceptable.

Contaminated Land - A Preliminary Risk Assessment (Ian Farmer Associates, December 2017) was submitted with the application. The site has historically been occupied by Bleaklow Hall which was demolished and replaced with a new building between 1964 and 1971. The site has historically been surrounded by agricultural land with Cotton Mills situated to the west and south. The site is not situated within 250m of a registered landfill and is situated above the Brooksbottoms Grit Sandstone Secondary A Aquifer which is overlain by Glacial Till. The nearest surface watercourse is Bleaklow Mill Reservoir which is located 10m to the south of the site.

Potential sources of contamination have been identified and further works have been recommended through an appropriate condition to investigate the presence of any contamination. The works are to include exploratory holes for geotechnical and chemical analysis. Additionally prior to demolition of existing buildings an asbestos report will be required.

Drainage - There are no serious drainage issues on the site and neither the Council's drainage officer or United Utilities have raised any objections to the scheme. A suitable drainage condition, requiring a drainage scheme to be submitted and approved in writing, would be attached to any approval. The proposal is considered acceptable in terms of drainage and, subject to a drainage condition, complies with the NPPF and UDP Policies EN5/1, EN7/3 and EN7/5.

Objections - The planning issues raised by the objectors have been addressed in the above report

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

The 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 10371 01/A, L01/A, E02, E04/A, E05/A, E07, 16, L10, L11, L12, P03/B, P04/A, P05, S01/A, S02/D and the following supporting documents:
 - Design and Access Statement
 - Planning Statement,
 - Landscape and Visual Assessment,
 - Landscape Specification
 - Arboricultural constraints Assessment
 - Contaminated Land Desktop study,
 - Ecological Assessment,
 - Historic Environment Desk Based AssessmentThe 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 of all materials to be used in the external elevations, boundaries, walls, entrance gates and areas of hardstanding 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. 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.
5. 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.
 - an asbestos survey is to be carried out by an appropriately qualified contractor. Any asbestos identified should be disposed of in an appropriate manner.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.
6. Following the provisions of Condition 5 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.
7. If during the works on site, excess or waste soil material is removed from site, details of where and how the soil material was disposed of, including copies of waste transfer documentation, shall be submitted to the Local Planning Authority for approval.
Reason. To secure the satisfactory waste management arrangements in the interests of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
8. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
 - Hours of operation and number of vehicle movements;
 - A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
 - Parking on site of operatives' and demolition/construction vehicles together

with storage on site of demolition/construction materials, including any requisite phasing of the development to accommodate this.

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

Reason. No information was 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 Unitary Development Plan Policy HT2/1 - The Strategic Route Network.

9. The vehicular and pedestrian access arrangements and bin collection area indicated on the approved plans, incorporating the relocation/replacement of the affected road gully, provision of tactile paving, partial removal of the existing guard railing (limits to be agreed on site) and all associated highway remedial works required as a result of the proposed development and statutory undertakers connections to the proposed dwellings, shall be implemented to an agreed scope and specification and to the satisfaction of the Local Planning Authority before the development is first occupied.

Reason. To ensure good highway design, maintain the integrity of the adopted highway and ensure the intervisibility of the users of the site and the adjacent highways in the interests of highway safety pursuant to Unitary Development Plan Policy HT2/1 - The Strategic Route Network.

10. The various turning facilities indicated on the approved plans 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 Unitary Development Plan Policies HT2/1 - The Strategic Route Network and HT2/4 - Car Parking and New Development.

11. The car parking indicated on the approved plans shall be surfaced and made available for use prior to the dwelling hereby approved to which it relates being occupied and thereafter maintained at all times.

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

12. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

13. Prior to commencement of development a revised landscaping scheme, including all retained trees, shall be submitted to, and approved by the Local Planning Authority. The approved scheme shall thereafter be implemented not later than 12

months from the date any of the dwellings are first occupied and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within three years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

Reason. No information was submitted at application stage 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, EN1/3 Landscaping Provision, EN8/2 Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework.

14. A minimum of 5 working days written notice shall be provided to the LPA of intended commencement of the development. The notification of commencement shall include a timetabled schedule of the intended tree protection measures and tree works. Any subsequent variation of the timetable shall be subject to further written notice.

Reason - To ensure that the development is carried out in accordance with the approved plans, to protect trees which are of amenity value on the site and pursuant to Policies EN8/1 – Tree Preservation Orders and EN8/2 Woodland and Tree Planting of the Bury Unitary Development Plan.

15. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

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

16. No trees subject to a Tree Preservation Order shall be felled, lopped or topped before, during or after the construction period without the previous written consent of the Local Planning Authority.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

17. No development shall take place 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) 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:
 - a survey record of visible 19th century and earlier remains
 - a programme of archaeological evaluation trenching
 - informed by the above, 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 dissemination of the results of the investigations.
4. Provision for archive deposition of the report, finds and records of the site investigation.
5. Nomination of a competent person or persons/organisation to undertake the programme set-out within the approved WSIs.

Reason: No information was submitted at application stage to record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible in accordance with National Planning Policy Framework Section 16 - Conserving and enhancing the

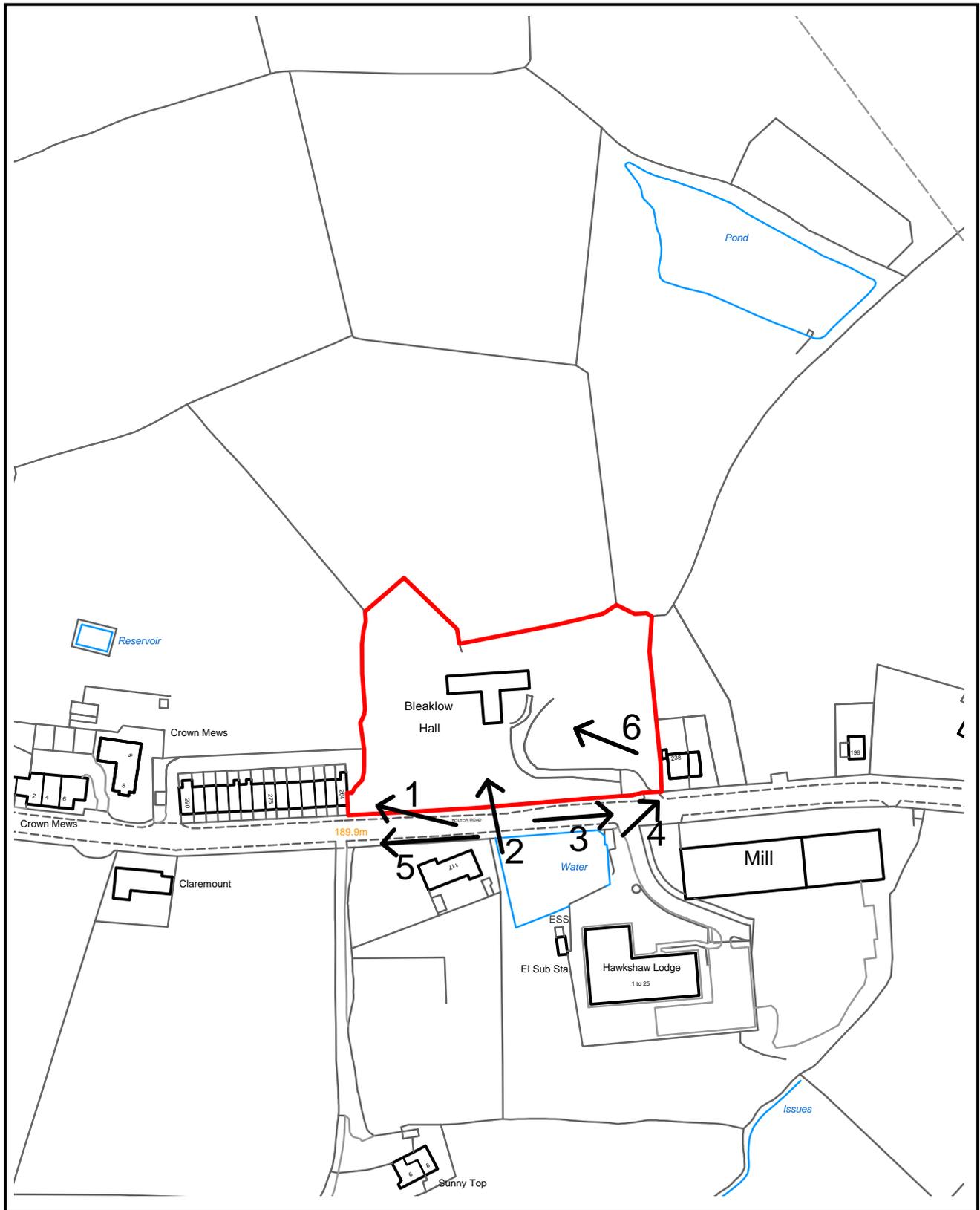
historic environment paragraph 199.

18. 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 National Planning Policy Framework.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 63388

ADDRESS: Bleaklow Hall, Bolton Road
Hawkshaw

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

63388

Photo 1



Photo 2



63388

Photo 3



Photo 4



63388

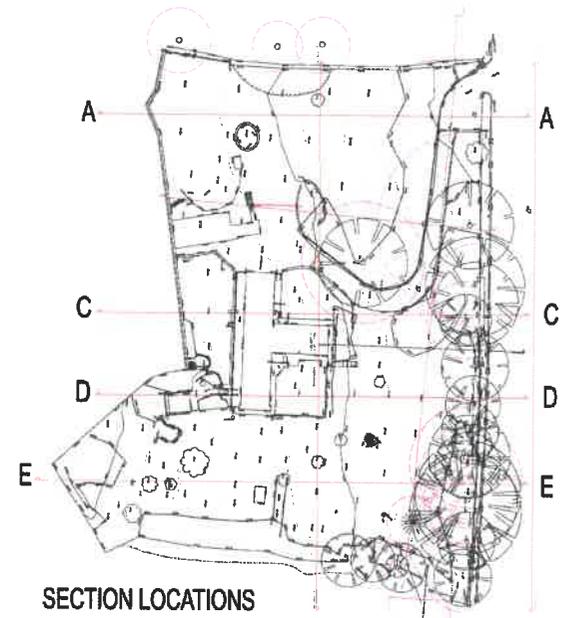
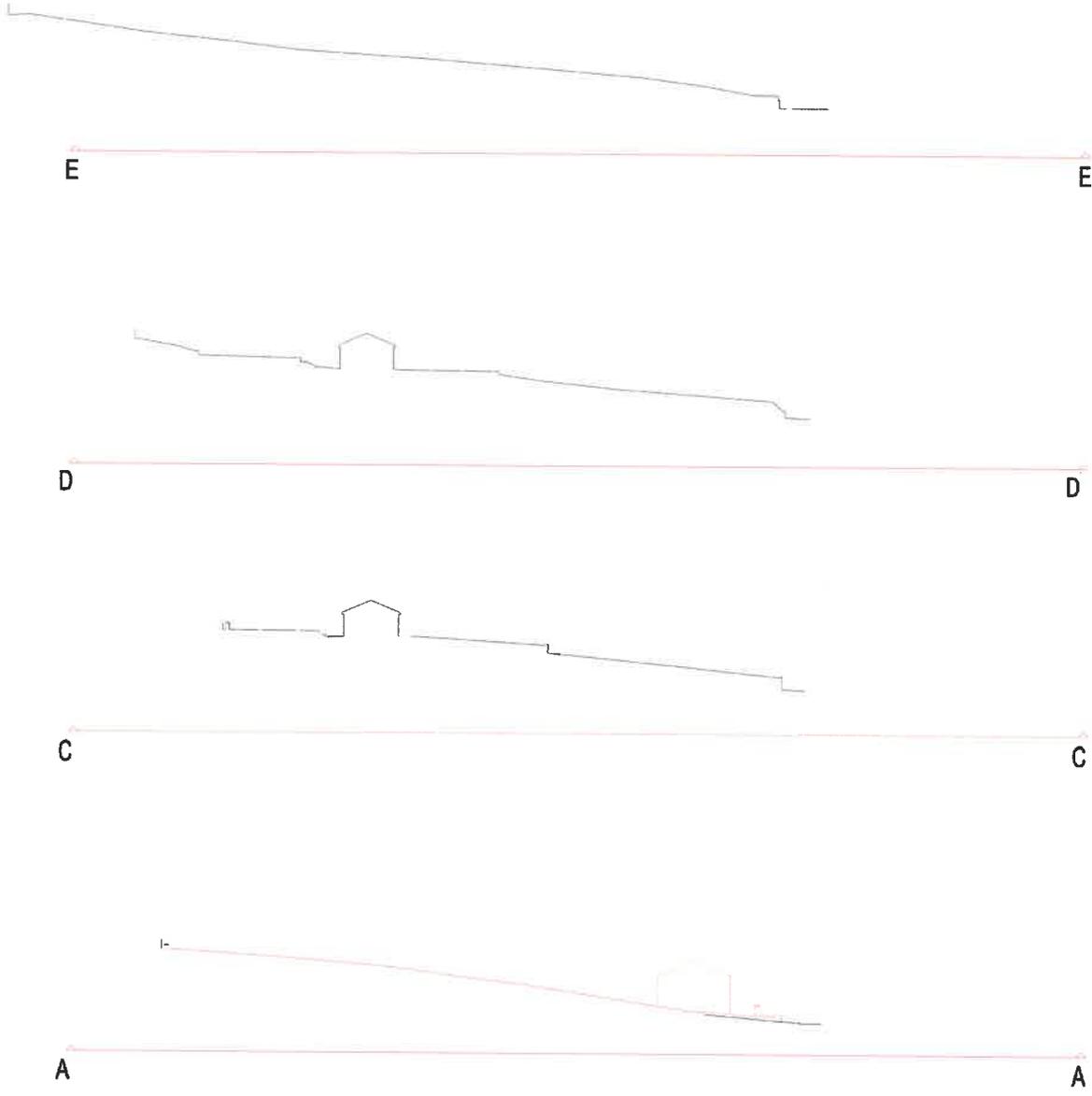
Photo 5



Photo 6



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SECTION LOCATIONS

PROJECT: ARMY SULLIVAN PROPERTIES
 FORMER BUCKLOW HALL
 BOSTON ROAD, HARRISBURG
 BUCKLE, V.I.
 DISTRICT
 SITE SECTIONS

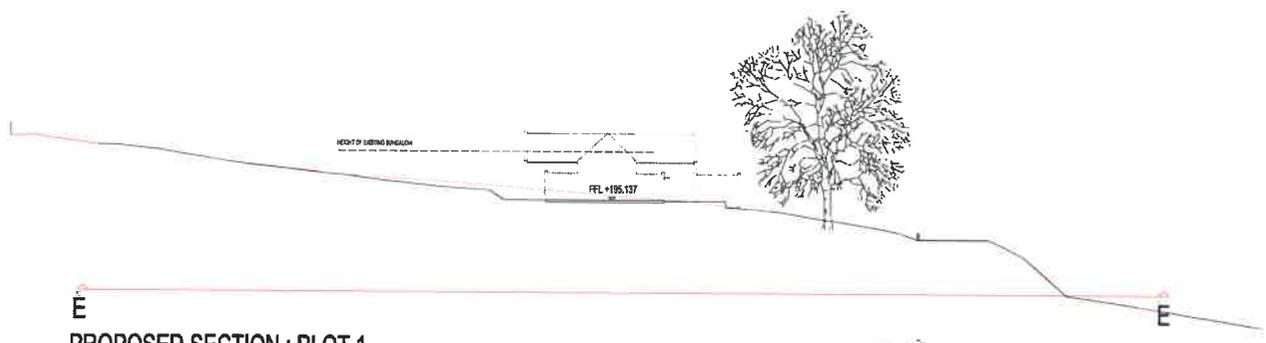
FOR INFORMATION
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100%
 SCALE: 1/8" = 1'-0" | 1/4" = 3'-0" | 1/2" = 6'-0"

THE ARCHITECTS GENERAL CONTRACTOR
 RCB ARCHITECTS
 ARCHITECTS

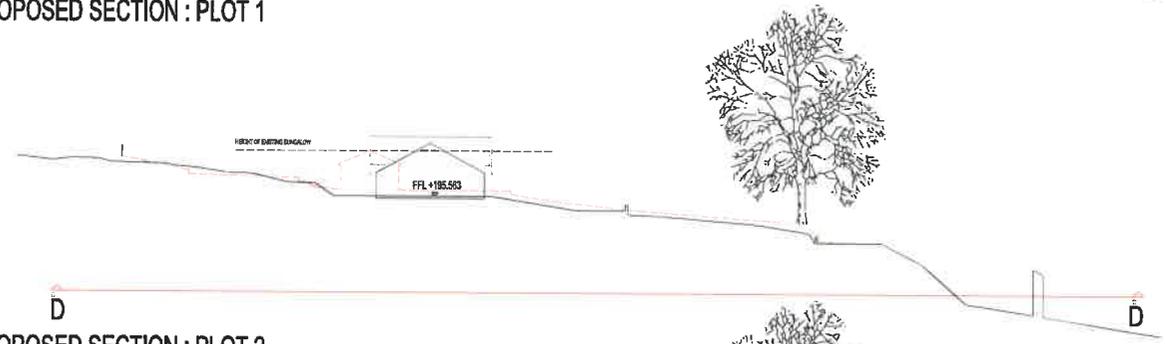


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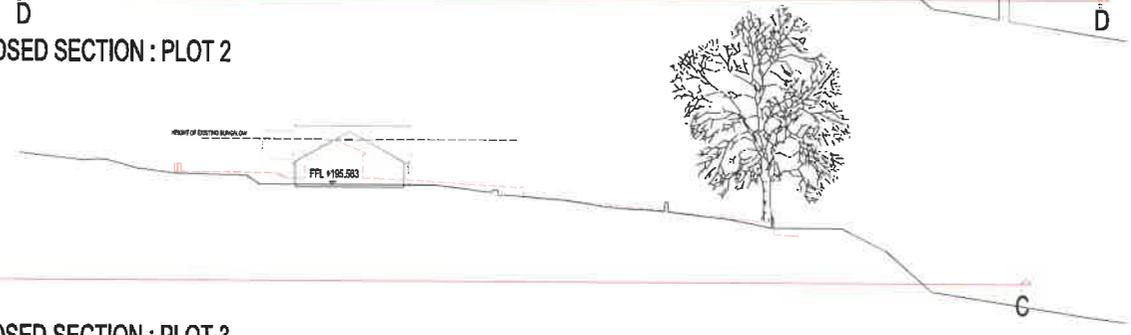
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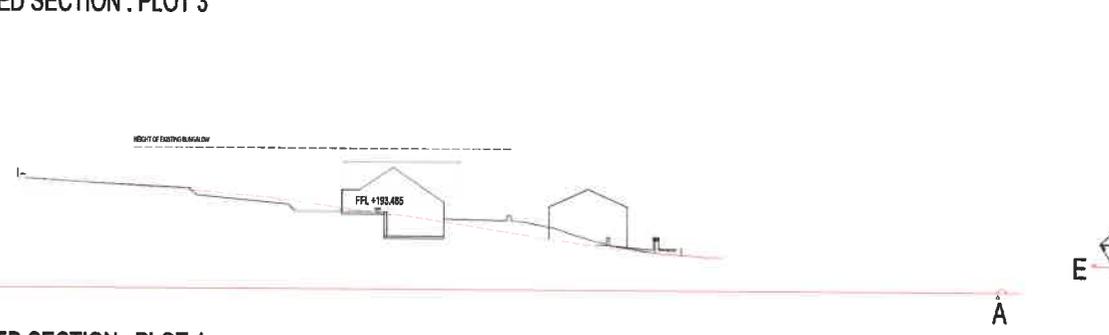
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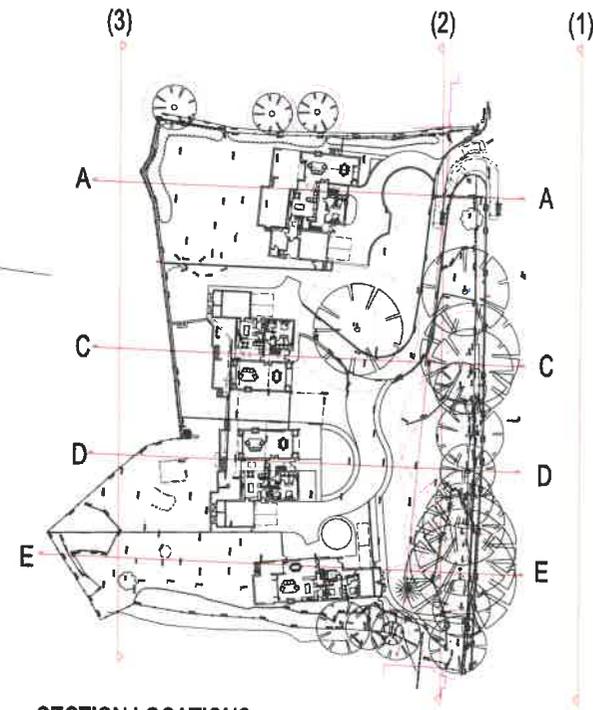


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A
PROPOSED SECTION : PLOT 4



SECTION LOCATIONS

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- PLAN TO BE READ IN CONJUNCTION WITH TREE SURVEY
- NOT PROTECTION ASSES DETERMINED BY PAVE ACTIVE TREE MANAGEMENT
- EXISTING TREES/CLIMBERS TO BE RETAINED AND NEW TOP COAT APPLIED
 - NEW TREES/CLIMBERS WITH PROTECTION OVERHEAD
 - NEW TREES/CLIMBERS
 - SPOT TREATMENT BLOCK WITH PROTECTION OVERHEAD
 - SPOT TREATMENT BLOCK WITH PROTECTION OVERHEAD

ALL BOUNDARY TREATMENTS TO REMAIN AS EXISTING.



PLANNING

DATE: 12/11/2010

PROJECT: FORMER BEMARLOW HALL, BOLTON ROAD, WINDINGHAM

SCALE: 1:500

DATE: 12/11/2010

BY: [Signature]

THE BATCHELORS GROUP PARTNERSHIP

ARCHITECTS

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SITE SPECIFIC HAZARDS

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



FRONT ELEVATION



EAST ELEVATION

- MATERIAL SCHEDULE**
1. Random Coursed Stone
 2. Smooth Stone
 3. Cream-White Render
 4. Vertical Standing Seam Metal Panel
 5. Slate Roof
 6. Glazed Sliding Doors
 7. Glazing
 8. Timber Door
 9. Smooth Stone Header/Cill

Page 51



REAR ELEVATION



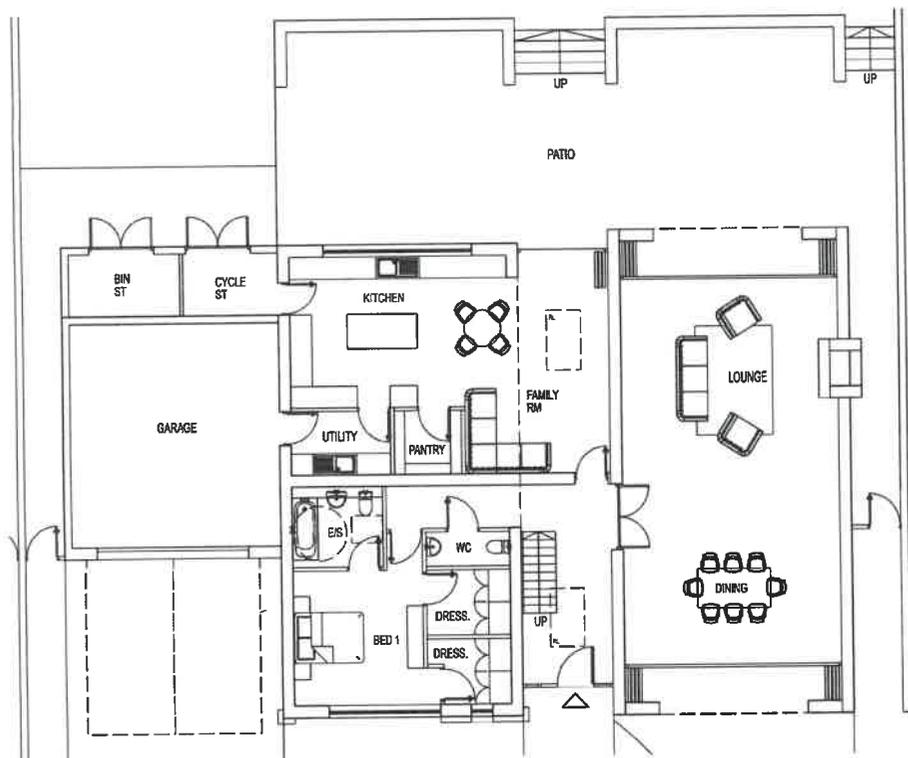
WEST ELEVATION

REV.	DATE	NOTES	INT.
CLIENT / PROJECT			
JEREMY BUCKLEY PROPERTIES FORMER BLEAKLOW HALL BOLTON ROAD, HAWKSHAW			
DRAWING TITLE			
PROPOSED ELEVATIONS PLOT 1			
STATUS			
PLANNING			
DATE	DRAWN	SCALE @ A2	
JAN 2019	AAS	1:100	
PROJECT NUMBER	UNIT / BLOCK	CI / STS. CODE	TYPE & NUMBER
			REVISION LETTER
DRAWING NO.			
10371			
E05			
EA London Plans	L	QA Plans	P
Sections	S	Details	D
		Public Order	C
MANCHESTER			
103 MANCHESTER ROAD 10371 LANCASHIRE BL10 1PT T. 0161 797 6996 E. manchester@rjp.co.uk www.rjp.co.uk			
LONDON			
14 BELSHAM ROAD LONDON WC1R 4ED T. 020 7600 9999 E. london@rjp.co.uk			
			RJP architects

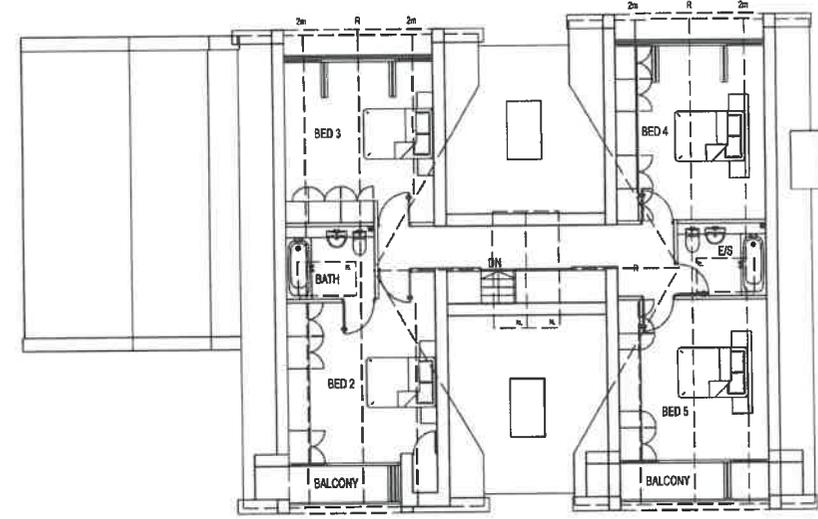
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SITE SPECIFIC HAZARDS
 IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2015, THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN IDENTIFIED AS PART OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING.

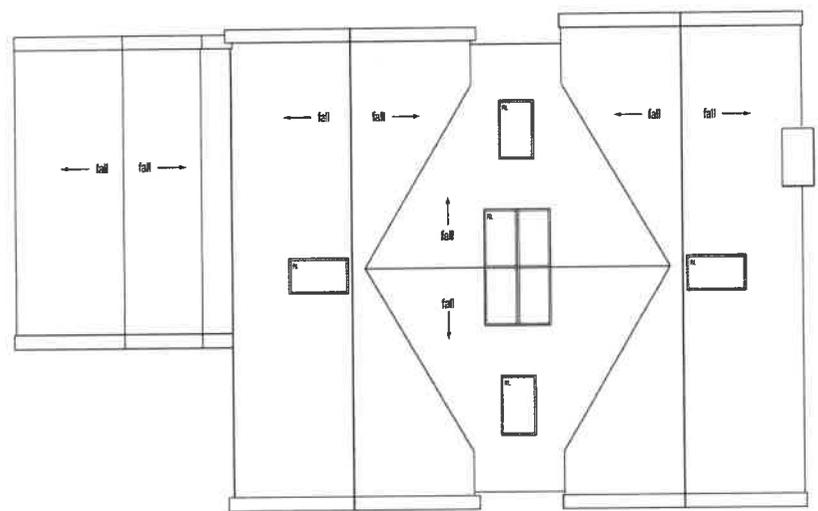
KEY:
 2m Headroom
 R Ridgeline
 RL Rooflight



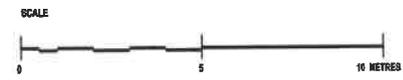
GROUND FLOOR



FIRST FLOOR



ROOF PLAN



REV. NO.	DATE	NOTES	SPL. REV.

CLIENT / PROJECT
JEREMY BUCKLEY PROPERTIES
FORMER BLEAKLOW HALL
BOLTON ROAD, HAWKSHAW
 DRAWING TITLE
PLOT 2
PROPOSED FLOOR PLANS

STATUS				PLANNING		
DATE	DRAWN	RM	SCALE @ A3	PROJECT NUMBER	LOT / BLOCK	TYPE & NUMBER
JUL 18	RM		1:100	10371		P02 A

THE RATCLIFFE GROVES PARTNERSHIP
 MANCHESTER
 105 MANCHESTER ROAD
 BURY LANCASHIRE BL10 0TD
 T: 01454 797 000 E: manchester@rqp.co.uk
 www.rqp.co.uk
 LONDON
 75 BELFORD ROW
 LONDON WC1R 4ER
 T: 7527 0000 E: london@rqp.co.uk



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SITE SPECIFIC HAZARDS

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

MATERIAL SCHEDULE

- 1. Random Coursed Stone
- 2. Smooth Stone
- 3. Cream-White Render
- 4. Vertical Standing Seam Metal Panel
- 5. Slate Roof
- 6. Glazed Sliding Doors
- 7. Glazing
- 8. Timber Door
- 9. Smooth Stone Header/Cill



FRONT ELEVATION



EAST ELEVATION



REAR ELEVATION



WEST ELEVATION

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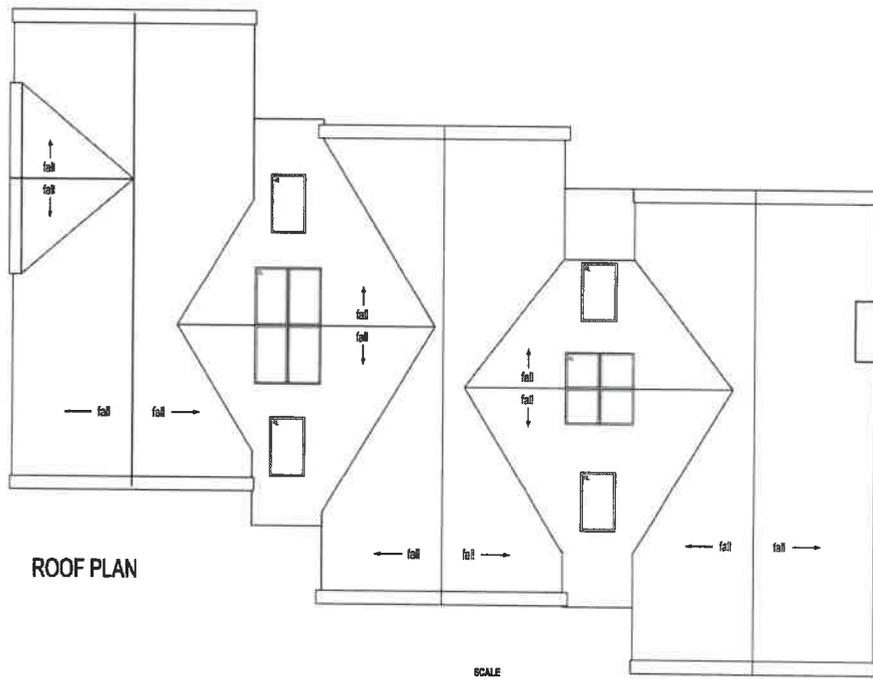
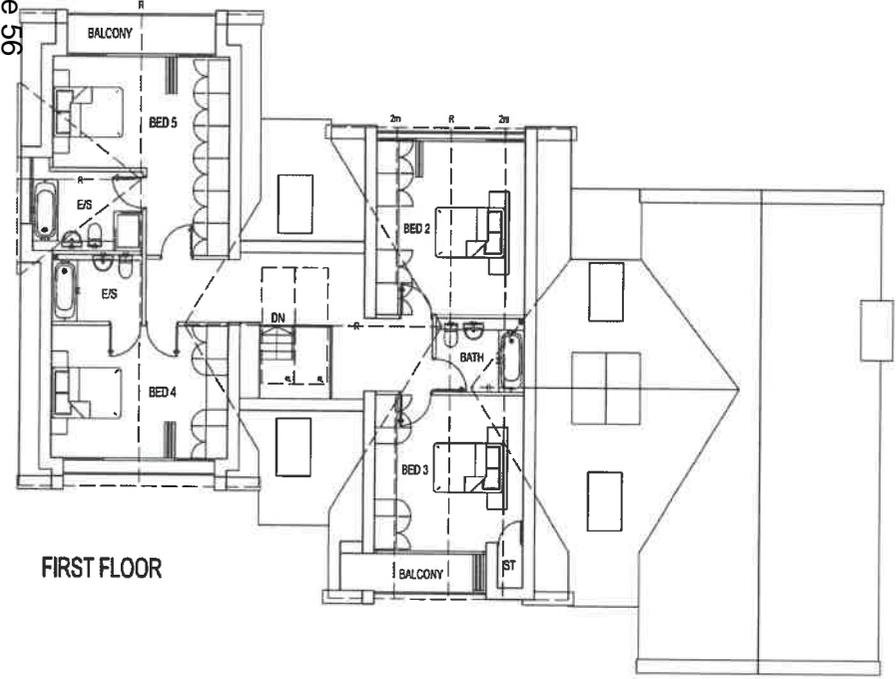
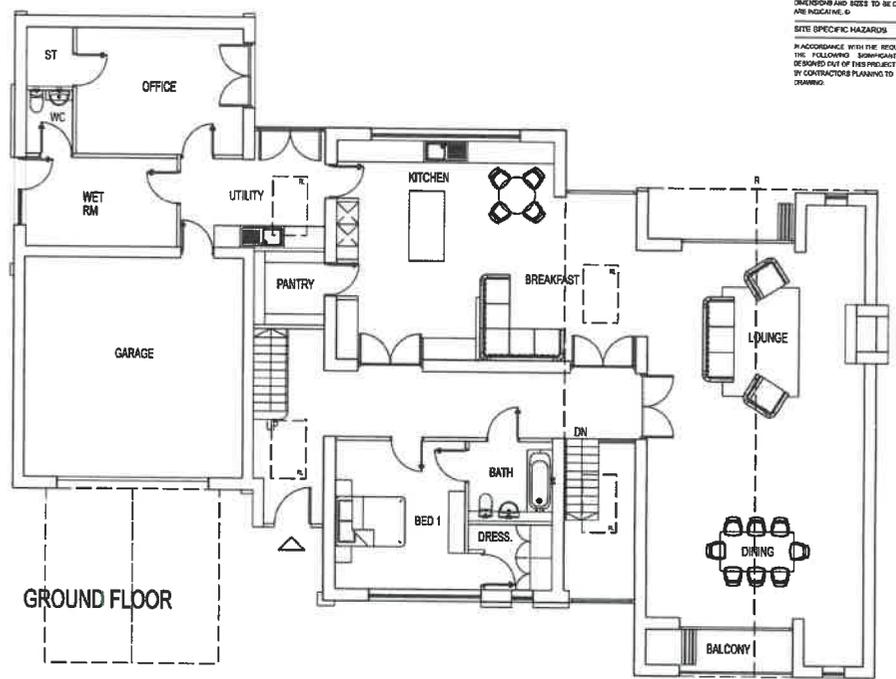
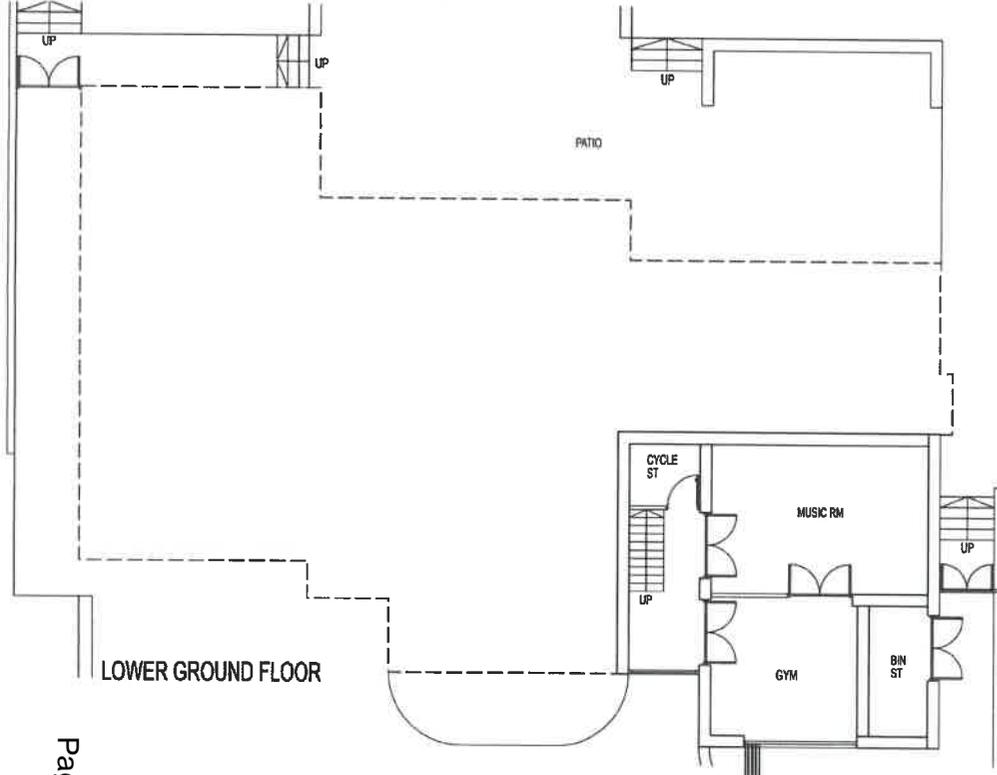
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CLIENT / PROJECT			
JEREMY BUCKLEY PROPERTIES			
FORMER BLEAKLOW HALL			
BOLTON ROAD, HAWKSHAW			
DRAWING TITLE			
PROPOSED ELEVATIONS			
PLOT 3			
STATUS			
PLANNING			
DATE	DRAWN	SCALE @ A2	
JAN 2019	AAS	1:100	
PROJECT NUMBER	UNIT / BLOCK	CD / SPD CODE	TYPE / A NUMBER
			REVISION LETTER
DRAWING NO.			
10371		E07	
Site Location	L	GA Plans	P
Sections	B	Details	D
		Profile Colour	C
THE RATCLIFFE GROVES PARTNERSHIP			
MANCHESTER			
105 MANCHESTER ROAD			
BURY LANGSHIRE BL9 9TD			
T. 01457 751400 E. manchester@rjgpa.co.uk			
www.rjgpa.co.uk			
LONDON			
19 REDFIN ROAD			
LONDON WC1E 4EP			
T. 020 7600 4454 E. london@rjgpa.co.uk			



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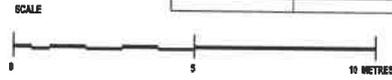
IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONSTRUCTION (DESIGN) ACT 1991, THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING.

KEY:
 2m Headroom
 R Ridge
 RL Rooflight



Page 56

REV. 01	18	PLANNING ISSUE	DATE	INT.
REV. DATE	NOTES			
CLIENT / PROJECT				
JEREMY BUCKLOW PROPERTIES				
FORMER BLEAKLOW HALL				
BOLTON ROAD, HAWKSHAW				
DRAWING TITLE				
PLOT 4				
PROPOSED FLOOR PLANS				
STATUS				
PLANNING				
DATE	DRAWN	SCALE @ A2		
JUL 18	RM	1:100		
PROJECT NUMBER	UNIT / FLOOR	CI / BRG CODE	TYPE & NUMBER	REVISION LETTER
DRAWING NO:				
10371				
Rev Location	Plan	Scale	Revision	Drawn
THE RATCLIFFE GROVES PARTNERSHIP				
MANCHESTER				
90 MANCHESTER ROAD				
BURY LAKECHURCH BL2 0TD				
T: 01457 797 000 E: manchester@rpg.co.uk				
www.rpg.co.uk				
LONDON				
74 BELFORD ROAD				
LONDON WC1E 7FR				
T: 020 7600 6600 E: london@rpg.co.uk				
www.rpg.co.uk				



Ward: Prestwich - St Mary's

Item 03

Applicant: Mrs Martha Winder

Location: 255 Bury New Road, Prestwich, Manchester, M25 9PB

Proposal: Retention of existing A3 cafe/restaurant use with extended opening hours and new glazed balustrade around existing forecourt area.

Application Ref: 63466/Full

Target Date: 15/01/2019

Recommendation: Approve with Conditions

Description

The application relates to a vacant cafe/restaurant (50sqm) in the middle of a row of four commercial properties which forms the Neighbourhood Centre comprising two A1 shops and an A3 cafe. The site is also within Prestwich St. Marys Conservation Area. The property has been opened as a restaurant in 2016 under the Government's 'Prior Approval' scheme which allowed the change of use of a Class A1 shop to a cafe/restaurant (Class A3) under Part 3 Class C(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015. The subsequent planning application to regularise the use was approved in April 2018.

The site fronts Bury New Road with St. Marys Park opposite. There is a residential property at the end of the row on the corner of Bury New Road/St.Anns Road and to the rear there are residential properties on St. Ann's Road.

The current application proposes to maintain the A3 cafe/restaurant use but extend opening hours from the originally approved 22.00hrs to 23.00hrs Sunday to Thursday and 23.30hrs on Friday and Saturday and erect a glass balustrade around the existing external decked area on the frontage.

Prestwich town centre shopping facilities and St. Ann's Road/Shelley Road Neighbourhood Centre are both located approximately 600m from the application site.

Relevant Planning History

54677 - A - Retrospective application for Change of use from retail (Class A1) to cafe (Class A3).

B - Retrospective application for existing decking and balustrades at front. - Split Decision 23/02/2012

60001 - Prior approval for proposed change of use from shop (A1) to cafe/restaurant (A3) - Prior Approval Granted 03/06/2016

62397 - Change of use from hairdressers (Class A1) to restaurant (Class A3) - Approved 06/04/2018

Publicity

Press notice in Bury Times 29/11/18 and site notice posted 11/11/2018. The following neighbours were notified by letters dated 2/11/18 (Initial) and 31/01/2019 (revised).

Objections received from 2 and 4 St Anns Road, 253 and 259 Bury New Road and 1 Kenyon Lane are summarised:

- It would be inappropriate to allow later opening hours due to increased noise and disturbance.
- In the past with bins not being emptied and problems for delivery drivers at the rear as this is a communal lane for residents too.

- Concerns about pest control.
- Increase in rubbish and smoking outside my salon.
- Customers would be put off from coming to the salon if people are gathered outside the property smoking.

Further comments on revised plan from 4 St Anns Road.

- The new changes it does not make it clear what the extended opening hours are.
- The application has just changed the label from 'bar' to 'cafe/restaurant' but my MAIN concerns were about the opening hours.
- The responses from the owners about some of the objections I find absolutely ridiculous. For example, 'we will only play background music, not amplified music'. This is irrelevant as any sound travels and if you extend the opening hours then all of my issues with my son's bedroom and his sleep just get worse. The idea that they want to attract a more mature clientele is also irrelevant, more people travelling later to a venue will create more disturbance in a residential area. The idea these 'mature people' will all walk to the venue is again speculation. They will not they will drive or get taxis there is no parking and so we will get an increase in illegal and nuisance parking of vehicles on St Anns road.
- The fact I bought a property in a conservation and residential area should allow my family to expect 'peace and quiet'. I feel it is unfair for the premises to gain extended hours as it is totally not in keeping with the area. We live away from Prestwich village for a reason to avoid this kind of nuisance.

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

Statutory/Non-Statutory Consultations

Traffic Management - No objection.

Environmental Health - No objection.

Conservation - No objection.

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

Unitary Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
S1/5	Neighbourhood Centres and Local Shops
S2/6	Food and Drink
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.

Economic Growth and Impact on Shopping Centre. Before the initial change of use to cafe/restaurant, the shop had been vacant for over 12 months. The change of use to restaurant allowed the unit to be brought back into active use and maintained the vitality and viability of the small Local Neighbourhood Centre. However, the restaurant operated for approximately 2 years before closing, reflecting the difficulties currently experienced by businesses, particularly in local centres. Currently the vacant premises does not contribute positively to the viability or vitality of the Neighbourhood centre.

The applicant has revised the initial proposal to maintain a A3 cafe use, rather than extend it to A4 use, but in order to improve the viability of the business, the scheme involves improvements to the premises at the front and extending the opening hours. It is noted that the premises has been granted an alcohol licence. It is recognised that in many cases the lines between a cafe and a bar are blurred somewhat and much depends on the balance between food and drink and the individual nature of the proposal. The applicant however has stated that the premises would be in use as a daytime cafe and continuing to serve food into the evening with more alcoholic beverages. In general, the opening of a new cafe/bar in this area is a welcome development that would provide a local service in line with the NPPF core economic objective of sustainable development and the UDP policies relating to shopping centres and small businesses.

Residential Amenity. The application site has commercial premises either side and a flat above that would be associated with the ground floor use, being occupied by the premises manager. There is also a flat below the salon next door with access out to the rear.

The immediate neighbours raise reasonable concerns relating to noise and disturbance from the use and proposed extended hours.

The applicant, who is the owner, has recognised that the previous tenant operating the restaurant may have caused some problems and not run it as well as it could have been. It is now the intention for a new, experienced tenant to manage the cafe and with different working practices, would significantly reduce the impact on neighbouring amenity.

To mitigate the impact of the extended hours, increased controls can be imposed on the premises through conditions. These would include the control of amplified sound/music, limitations on the use of the forecourt and requirements to implement a waste management strategy to reduce littering, noise, vermin and access problems from wheelie bins in the rear yard. Delivery hours could also be imposed to prevent lorries loading/unloading at unsociable hours.

If the previous negative impacts of the restaurant are mitigated through conditions, the impact of the extended trading hours would not be so serious on surrounding residential amenity as to warrant refusing the application. The proposed use would comply with UDP Policy S2/6 Food and Drink

Visual Amenity and Character of Conservation Area. The application site is located on the eastern edge of St. Marys Conservation Area. The premises does not have any architectural merit and does not contribute to the character of the conservation area. There are no major external changes apart from the new balustrade around the existing decked forecourt and this would improve its appearance within the streetscape. The continued use of the property as an A3 cafe would have a positive impact on the vitality and appearance of the small shopping centre and wider conservation area.

The re-use of the building as a cafe on a modest scale would protect and enhance the character and appearance of the conservation area and would serve to enhance the viability of the St Marys Conservation Area. As such the use would comply with UDP Conservation Policies EN2/1 and EN2/2 and general policy EN1/2 Townscape and Built Design.

Parking and Access. When the initial change of use was proposed, there were concerns from the Traffic Section that there was no on-site parking associated with the premises. However over the last couple of years there have not been any serious issues with regard to parking recorded.

Although some dedicated parking would normally be required, the Council's guidance states that parking should be assessed on an individual basis, depending on the nature of the site. The cafe is on a main bus route with some on-street parking along St Ann's Road, however the applicant states that a significant proportion of customers would be local and walk. It is

noted that St Marys Park is directly across the road and a proportion of customers would be visiting the park and using its car park. Existing guidance in SPD 11 encourages the use of more environmentally friendly and sustainable modes of transport as well as being a development catering for local needs.

Double yellow line along the frontage should restrict parking along this part of Bury New Road and it is also noted that there are no objections to the proposal from immediate residents, including those on St Ann's Road.

Given the nature of the changes, scale of the premises and the specific location, the Traffic Team have no serious objection to the proposal which would comply with UDP Policy HT2/4 and Supplementary Guidance Note 11 relating to parking.

Bin Storage and Servicing. The existing rear yard area serves as the bin store and the business would be serviced as the other properties on the row. In the light of neighbour objections with regard to bins storage, collection and deliveries, it is considered appropriate to attach conditions that require the applicant to submit a waste management plan, so clarifying bin storage facilities and collection arrangements and restrict delivery times. With an appropriate plan in place and restricted delivery times, it is considered that the proposal would comply with the requirements of UDP policy HT2/4 with regard to refuse and servicing.

Objections - The concerns raised by the objectors have been addressed in the above report.

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

The 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 the location plan and drawings numbered 255BNR-04-100 and 06-100 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The use hereby permitted shall not be open to customers outside the following times:
09.00 to 23.00hrs Sunday to Thursday
09.00 to 23.30hrs Friday and Saturday.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S1/5 Neighbourhood Centres and Local Shops S2/6 Food and Drink of the Bury Unitary Development Plan.
4. The use of the external areas shall not be used by customers outside the following

times:

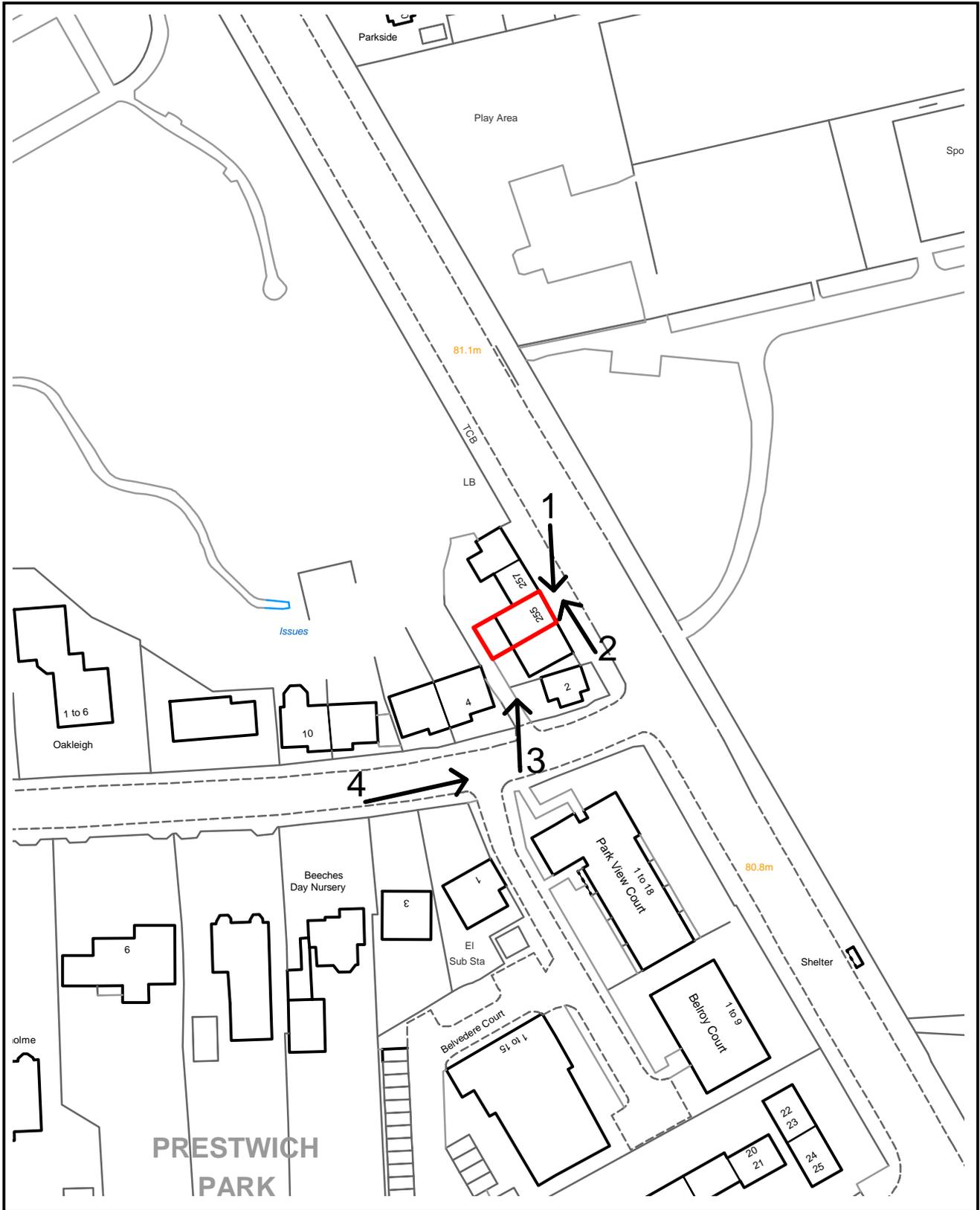
09.00 to 22.30hrs daily.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policies S2/6 Food and Drink and EN7/2 Noise Pollution.

5. The shall be no deliveries to or from the site outside the hours of 09.00 to 18.00hrs Mondays to Saturdays.
Reason. In the interests of residential amenity pursuant to UDP Policies EN7/2 Noise Pollution, S2/6 Hot Food and Drink.
6. The development shall not be brought into use until details of refuse storage facilities and refuse storage plan for the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of the facilities and arrangements for the bins to be collected. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter the refuse storage facilities and refuse storage plan shall operate in accordance with approved details.
Reason. In order to secure satisfactory bin storage in the interests of health and safety and residential amenity pursuant to the NPPF and UDP Policy S2/4 Food and Drink.
7. No live or amplified music, beyond normal background levels, shall be played on the premises at any time.
Reason. In the interests of residential amenity, pursuant to UDP Policies EN7/2 Noise Pollution and S2/6 Food and Drink.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 63466

**ADDRESS: 255 Bury New Road
Prestwich**



Planning, Environmental and Regulatory Services

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63466

Photo 1



Photo 2



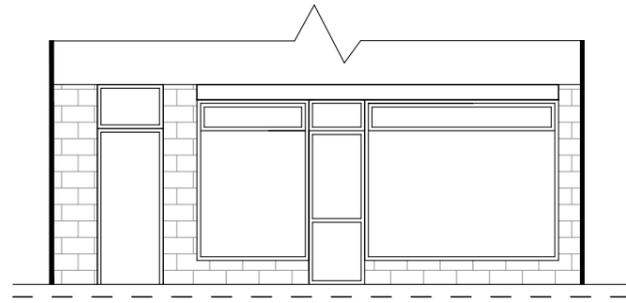
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Photo 3

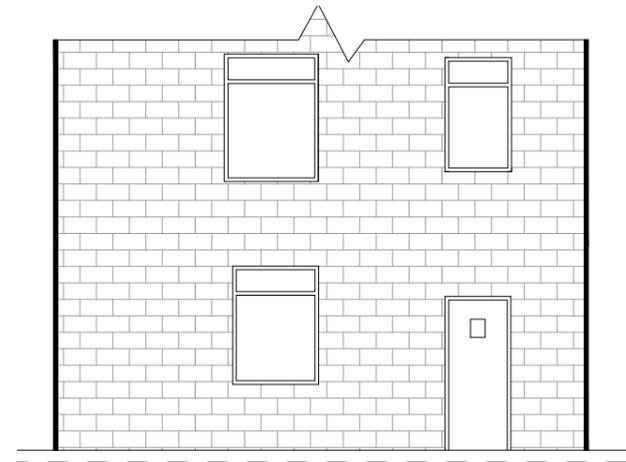


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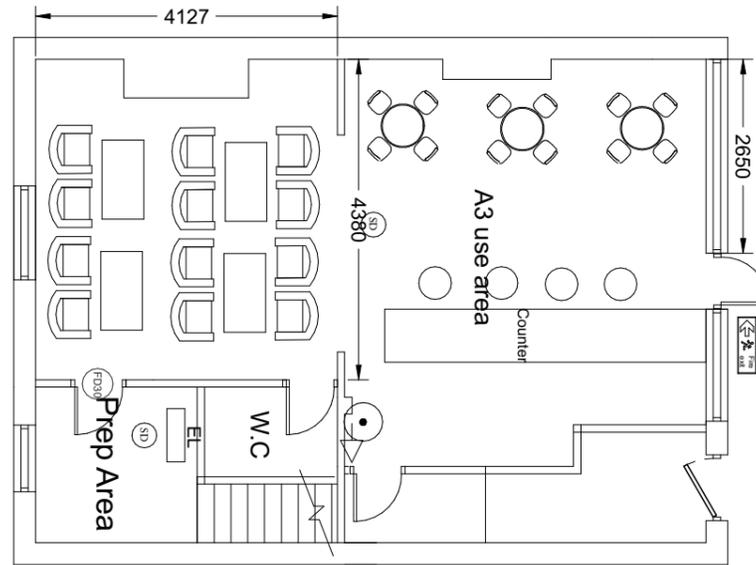




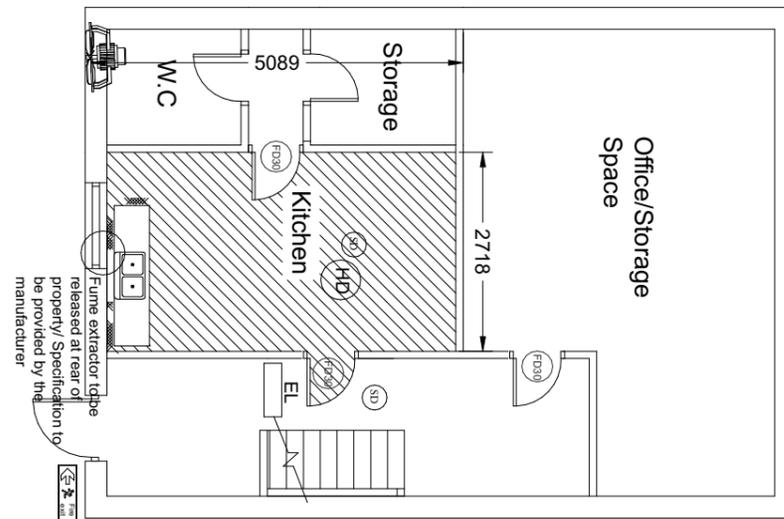
East Elevation
Facing onto Bury New Road



West Elevation
Facing rear yard



Ground Floor



Lower Ground Floor

General Notes

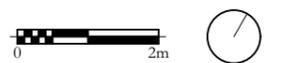
- To be read in conjunction with architectural drawings/documents issued in this package and coordination with other design packages.
- Package is to level of detail relevant to work stage only and is subject to further design development in coordination with M&E, structural/civil and landscape design packages.
- This is a design intent drawing for information only and is not to be used for construction unless expressly permitted.
- In the event of discrepancies, refer to the most detailed drawing.
- Do not scale drawing when printing.
- Contractor should verify all conditions on site and notify Contract Administrator of any variations from dimensions before construction.

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Client
First Draught

Project Name
255 Bury New Road

Drawing Name
Existing Plans and Elevations

Drawing No.
255BNR-04-100

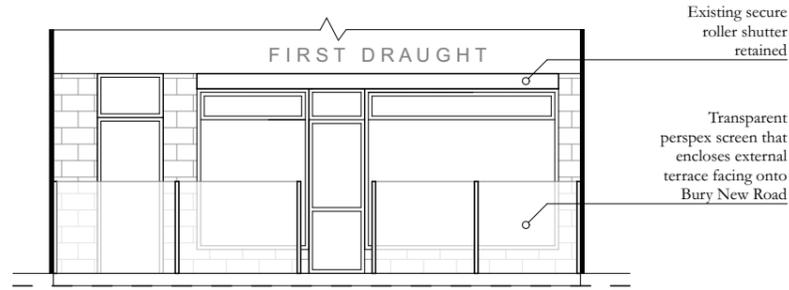
Revision
-

Scale
1:100 @ A3

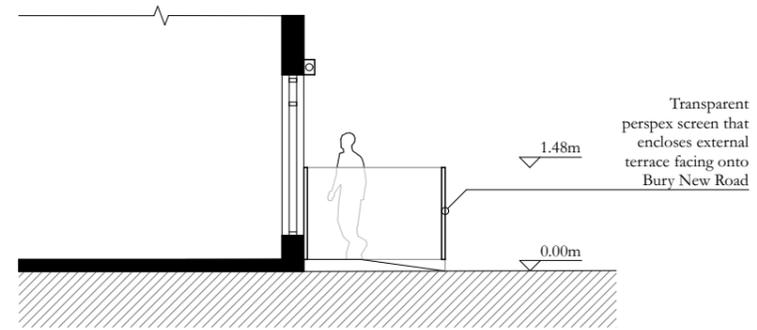
Date
31.01.2019

Drawn By
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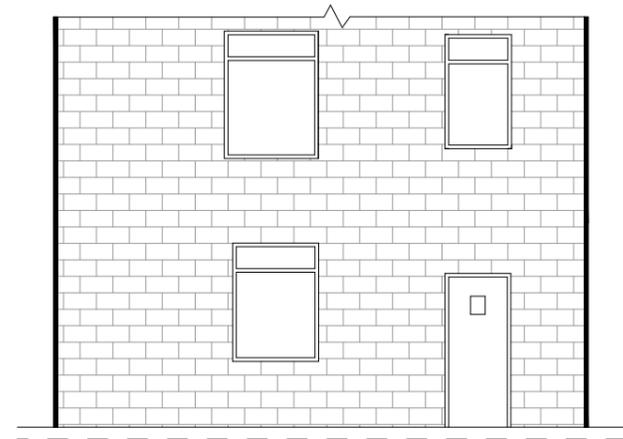
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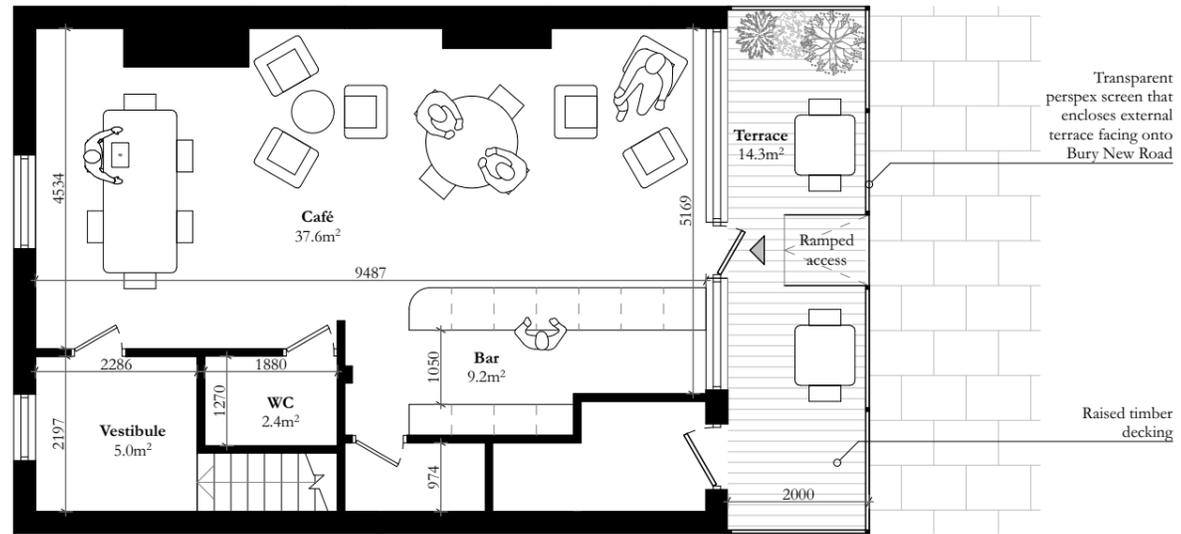
East Elevation
Facing onto Bury New Road



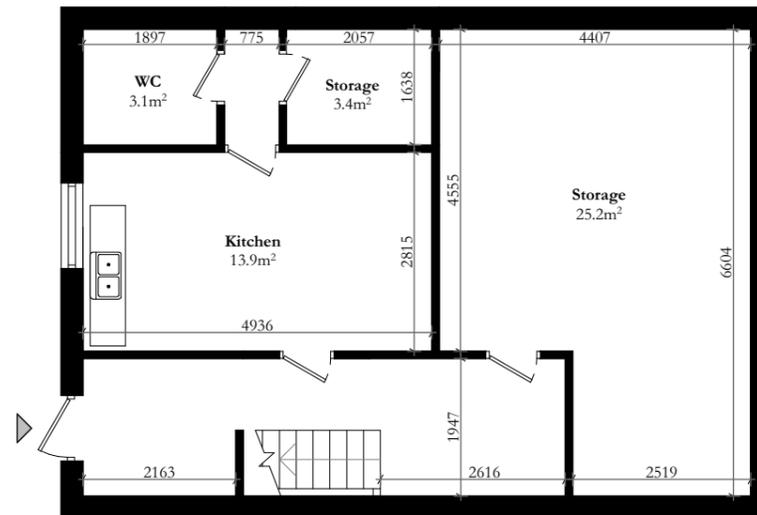
Section
Facing onto Bury New Road



West Elevation
Facing rear yard



Ground Floor



Lower Ground Floor



No. 253 No. 255 No. 257 No. 259

Street Elevation
Bury New Road (2018)

General Notes

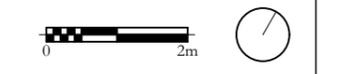
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Drawing Notes

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Client
First Draught

Project Name
255 Bury New Road

Drawing Name
Proposed Plans and Elevations

Drawing No.	Revision
255BNR-06-100	-

Scale	Date
1:100 @ A3	31.01.2019

Drawn By	Checked By
FY	FY

Ward: Bury East

Item 04

Applicant: The Heaton Group

Location: 14-16 St Marys Place, Bury, BL9 0DZ

Proposal: Change of use from massage institute (Class D1) to 2 no. 7-bed houses of multiple occupation (HMO); External alterations to include replacement windows/doors, bicycle/bin storage at rear and boundary wall/gates at rear

Application Ref: 63520/Full

Target Date: 30/01/2019

Recommendation: Approve with Conditions

Description

The application relates to two adjoining mid-terraced properties (circa 1845) within the grade II listed row comprising 2-20 St Marys Place which also lies within Bury Town Centre Conservation Area. St Marys Place is in within the historic business district and fronts onto an open square now used for parking.

The terrace, built in the late Georgian style, is mainly two-storey but with cellars and a usable roof space. Each property within the terrace is of two bays with three windows and a door in the front elevation and both single and two storey outshots and a mix of windows at the rear, including some 20th century dormers in the roof. All roofs are pitched and covered in natural blue slate. The properties were built as dwellings in the expanding residential part of the town centre that prospered in the early to middle of the 19th century. The original rear gardens are now completely taken over by private car parking/ open hardstanding.

The properties subject to the application have been knocked through to form one unit and significantly altered internally. They were last used as offices and training rooms for a massage organisation (The Northern Institute of Massage) which falls into a D1 (Non-Residential Institution) use class.

The red brick property has a slate roof and has had some unfortunate external alterations over the years, predominantly at the rear, including a flat roof dormer, brick infill and replacement Upvc windows.

The property has been vacant for almost 2 years and has been actively marketed by the current estate agents, Nolan Redshaw since February 2018.

It is proposed to change the use of the property from the current D1 (Non-Residential Institution) use to two separate houses in multiple occupation (HMOs), each with 7 bedrooms. There would be 3 units on each of the ground and first floors within each HMO with a seventh unit within each roof space. Each HMO would also have a communal diner/kitchen area within the basement with natural light coming in from the reinstated original grill openings on the St Marys pavement frontage.

Externally, all the windows would be replaced with traditional timber framed, sliding sash and case style windows to match the original design. Doors would be composite and in a style to match the original design. At the rear a new boundary wall (900mm) with railings (600mm) above would enclose yard areas which would comprise a cycle store, bin store and a small communal area. The main pedestrian access would be from St Marys Place with a secondary rear access from the back road.

Internally there would be various alterations, some involving restoration of original features such as doorway arches, cornices, stair spindles the opening up of original doorways and removal of stud walls. However some alterations involve the loss, or covering over of, some Georgian details by adding stud walling in other places. A Heritage Statement (14/11/18, Mountaineer Ltd) was submitted with the application and sets out the impact the proposal would have on the significance of the listed buildings. The impact of the works is discussed in greater detail in the Listed Building application ref:63521, which was submitted with this application and is presented at this Planning Control Committee meeting.

Relevant Planning History

02195/E - Residential development comprising 2 HMO's - Enquiry completed 16/10/2018
63521 - Listed Building Consent for change of use from massage institute (Class D1) to 2 no. 7 bed houses of multiple occupation (HMO) (Sui Generis) with internal alterations and external alterations to include replacement windows/doors, bicycle/bin storage at rear and boundary wall/gates at rear - Undecided.

Publicity

Press notice in Bury Times 13/12/18 and site notice posted 05/12/19. The following neighbours were notified by letter dated 05/12/18. 1-21 St Marys Place, 1, 5 Bank Street, 2 Manchester Road, Bury Employment Service Silver Street.

Four objections received from the following properties: Nos10-12, 15-17, 18, 21 St Marys Place. The objections are summarised below:

- The area is characterised by professional and business services and should remain so.
- The area is part of the 'business district' of Bury and introducing residential would lessen its appeal.
- It would have a detrimental impact on the listed building and character of the conservation area.
- Parking, which is already bad, would be made worse as residents would have cars.
- Flats would be more suited to outside of town.
- If the proposal is approved, businesses would move away.
- Issue of noise in this location next to the train station and taxis in St Marys Place at night.

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

Environmental Health - No objection.

HMO Officer - No objection.

Conservation - No objection subject to conditions.

Waste Management - No objection.

Greater Manchester Police - No objection.

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

Unitary Development Plan and Policies

Area	Manchester Road/Knowsley Street
BY4	
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN7	Pollution Control
HT2/4	Car Parking and New Development
H1/2	Further Housing Development
H2/4	Conversions
SPD11	Parking Standards in Bury

SPD13	Conversion of Buildings to Houses in Multiple Occupation
SPD15	Residential Conversions
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.

Policies - Sections 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA) requires Local Planning Authorities to consider the desirability for the preservation and enhancement of conservation areas and listed buildings including their setting.

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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.

UDP Policy EN1/1 Visual Amenity states that development will not be permitted where proposals would have a detrimental effect on:

- a) public views of prominent or important buildings, especially those in areas of architectural or historic interest;
- b) the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

Policy EN2/1 Character of Conservation Areas

The Council will take action as appropriate to preserve or enhance the character or appearance of the Borough's Conservation Areas.

The Council will be especially concerned with encouraging and, where appropriate, implementing measures to:

- a) retain, replace and restore features of historical and architectural interest;
- b) retain and enhance existing landscape features including trees, parks and gardens;
- c) initiate and promote environmental improvement/enhancement schemes such as landscaping, refurbishment of street furniture, traffic management and pedestrian schemes;
- d) remove dereliction and bring unused land or buildings back into beneficial use;
- e) prepare and promote design guidelines to ensure sympathetic development.

Policy EN2/3 - Listed Buildings aims at safeguarding 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.

In considering applications for Listed Building Consent, the Council will have regard to the following criteria:

- a) the impact of the proposal on the historic fabric of the building;
- b) the relationship of any extension to the Listed Building in terms of its height, size, design, and roofscape;
- c) the need to protect the setting of the Listed Building;
- d) the impact of associated ancillary facilities and infrastructure works.

In assessing these proposals in terms of the grade II listed building, there are three main elements to consider -

- the alterations to the building,
- impact of the access road and parking on the trees and
- the impact of the scheme on the setting of the listed buildings.

Economy/ Marketing - The property has been vacant for almost two years and has been actively marketed by the current estate agents, Nolan Redshaw, since February 2018. A

supporting statement by Nolan Redshaw has been submitted with the application, setting out how the property has been marketed over this period. The marketing included:

- Erection of a sales board at the premises
- Details of the premises on the agents website and other search engines (Realla, Proplist, Showcase)
- Targeted emails/mailing to commercial agents and applicants on database.

The report states that from last February, there was only limited interest with three parties viewing with a residential scheme in mind. There was no interest in terms of office or educational use. The report summarises the possible reasons for the lack of interest:

- Dated premises
- Traditional layout and design not suited to more modern open plan arrangement.
- Low demand for town centre offices, preferring edge of town site for easier access to motorway.
- General maintenance is time consuming and expensive.

Principle/Use - The site is located within an area that is characterised by commercial uses, mainly small scale offices. Whilst similar commercial/office uses would be appropriate, within a town centre site, outside the prime shopping areas, a variety of uses may also be considered appropriate, particularly where it would result in bringing a vacant property back into active use and, in the case of a listed building, facilitating renovation and improvement of that building.

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 is serviceable but its condition is continuing to deteriorate and decline.

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 investment, and this 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.

Alterations to building - In terms of the alterations to the building, the proposed programme of renovation works, externally, is not extensive. The most significant external changes relate to replacement windows as they have degraded over time and have been inappropriately replaced in many cases. The timber sliding sash and case replacements are considered appropriate in terms of design and historical accuracy.

The existing Upvc rainwater goods on the main building would be removed and replaced with traditional style cast aluminium. On the St Marys frontage the original 'infilled' lightwell on the right hand side would be reinstated and covered with a metal grill in similar style to the existing lightwell on the left hand side of the property.

At the rear, the yard would be enclosed with a brick boundary wall with decorative metal railings and would include a small amenity space, a cycle store and a bin store.

Internally there are significant alterations, including new walls, the removal of other stud walls and the impact of both external and internal alterations on the listed building has been assessed by the Conservation officer below. The building works would undoubtedly preserve and enhance the site's heritage value as well as improving its economic viability. The Conservation Officer considers that the alterations to the buildings are appropriate and in line with guidance within the NPPF and UDP Policy. As such the proposals, as they relates to the building, are considered to be appropriate and would preserve the special character of the building.

Impact on Listed Building and character of Conservation Area - The original terraced row was constructed with clear emphasis on the front elevation. This has a finely coursed brick elevation in largely Flemish bond with stone banding, stone heads and sills to openings and a hidden stone gutter with cornice, and a stone plinth. Window frames were originally 8 over 8 and 6 over 6 timber sliding sashes with glazing bars. Doorways had ornate fanlights, dentilled lintels, rubbed brick arched heads, and ionic pilasters within the reveal with ornate capitals and bases. Stone steps were set forward of each doorway. Some brick chimney stacks remain. Many original elements remain though most window frames have been altered to have top opening lights, though still with the original glazing bar pattern. Two windows in the terrace have been enlarged. The setting at the front is formed by 1 to 21 St Mary's Place which is a pastiche Georgian/Victorian 1970s/80s group in brick and slate forming a square on the site of the former swimming baths. It is also partly formed by the side and rear of the Georgian terrace fronting Manchester Road.

There has been significant change at the rear with a mix of rebuilt walling, rendered and painted walls, altered and blocked off windows and doors and the introduction of private car parking. The setting at the rear is formed by the late 20th century employment exchange and the rear of the Unitarian Church, The Exchange office, highway and parking. The rear of all these buildings does not provide a high quality setting within the conservation area.

The application properties, 14 and 16, have been previously altered internally by the removal and adding of walls and the formation of the loft space, all of which has led to loss of fabric and heritage significance. The important features that remain are the lower staircases, some window and door architraves, fireplaces, and cornices and corbel ornamentation.

Overall, the heritage significance of the building and its contribution to the conservation area is held in its important front elevation, with internal features and rear elevation and site being of less importance.

It is proposed that numbers 14 and 16 are converted to HMOs with an internal re-arrangement that involves removing many of the later stud walls and reverting to many elements of the original layout. Other internal changes involve covering some original but plain fireplaces, additional stud walling to external walls that will in some cases cover original features, and re-ordering of the stairway between the first and second floors. The latter involves both restoration and loss of the Georgian details. Externally, the front windows are to be replaced with copies of the original sliding sash timber frames, with slimline double glazing units. A similar alteration has previously been allowed at numbers 18 and 20. The non-original front doors are to be replaced with panelled composite doors to a design consistent with the building's original patterns. Some doors and windows, and a few original window frames, are to be altered but with the design of window frames consistent with the original patterns. At the rear, the site is to be enclosed by a boundary comprising a 900mm wall with 600mm railings above. Access to the yard area would be through metal gates to match the railings. There is a heritage statement, submitted with the application, which addresses all relevant issues and the necessary detailed scheme/drawings have been provided to understand the proposals.

The proposals involve both the restoration of, and the loss of, heritage fabric. The new window frames and doors will restore important elements of the front elevation. The internal layout will be partly restored, but some elements such as fireplaces, some cornicing and architraves, and parts of the Georgian stair, will be temporarily hidden or lost. It could be said that the enclosure of what was the rear garden goes back to what was originally on site, though this will be in contrast with the openness of the car parking around. The changes to the rear elevations are quite limited.

The front elevation is the most significant part of the building and to its conservation area setting. This will be restored. The limited loss of internal features and change to the site at the rear are seen to have minimal impact as these are not seen to be key to the significance

of the listed building and the conservation area. There will therefore be no harm caused to the significance of these designated heritage assets. Subject to appropriate conditions, the local planning/heritage policies and the NPPF 2018 requirements will be met.

Residential amenity - The immediate vicinity of the site is characterised by offices and as such there are no existing residential properties affected.

The impact on future residents within the HMOs however needs to be assessed. Given that the immediate neighbours are offices that operate during normal daytime hours, there are no serious noise and disturbance issues arising.

There are no serious residential amenity concerns with regard to the proposed HMO use and as such the proposal is acceptable and complies with the NPPF and UDP Policy H2/4 Conversions and SPD13 relating to HMOs.

Highway and Parking - There is no on site parking although a cycle store (12 spaces) is proposed in the rear yard. The site is within the town centre and therefore is highly sustainable in terms of transport links. Given its central location and the potential traffic generated by the current D1 institutional use, the proposed HMOs are considered acceptable in terms of the impact on traffic. The Traffic Team have no objection to the proposed change of use which is considered to comply with the NPPF and UDP Policies HT2/4 Car Parking and New Development and H2/4 Conversions.

Disabled Access - As the properties are accessed from the street by steps, with no lifts or ramps, the accessibility for mobility impaired is currently limited. Given the nature of the site and surroundings and its listed status, it would be extremely difficult to make the buildings fully accessible without significantly and detrimentally affecting the character of the building. It is therefore considered that in this case, there are exceptional circumstances that would allow the scheme not to be fully accessible in terms of Building Regulations Approved Document M.

Objections - The concerns of the objectors have been addressed in the above report. Although the proposed use is different to the surrounding commercial/office uses, residential use is not unusual within a town centre and is indeed being increasingly encouraged as a more sustainable form of living for certain people.

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 S18-1040 (Topo), P001 - P19, P020/A, P021/A, P022/A, P023/A, P024/B, P025/A, P026B, AL_21_021(window detail) and the following documents:
Supporting Statement, Design and Access Statement, Heritage Statement/Photographs and Crime Impact Statement.
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 materials to be used in the external elevations, boundary wall/railings and areas of hardstanding, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
4. No development shall commence until full details/samples of the replacement sliding sash and case windows and doors and associated fittings/doorbells/letterboxes have been submitted to the Local Planning Authority for written approval. The approved details shall be implemented in full.
Reason. Samples/further details have not 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.
5. Development shall not commence until a detailed schedule of proposed internal works, including restoration and replacement of specified original architectural features, is submitted to the Local Planning Authority for written approval. The approved schedule of works shall be carried out in complete accordance with those details.
Reason. In order to preserve features of special architectural or historical interest and as provided for under Section 17(1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
6. The proposed bin store shall be completed and made available for use prior to the first occupation of the premises and shall be maintained in situ thereafter.
Reason. In order to secure appropriate refuse collection arrangements pursuant to UDP Policy H2/4 Conversions.

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

63520

Photo 1



Photo 2



63520

Photo 3

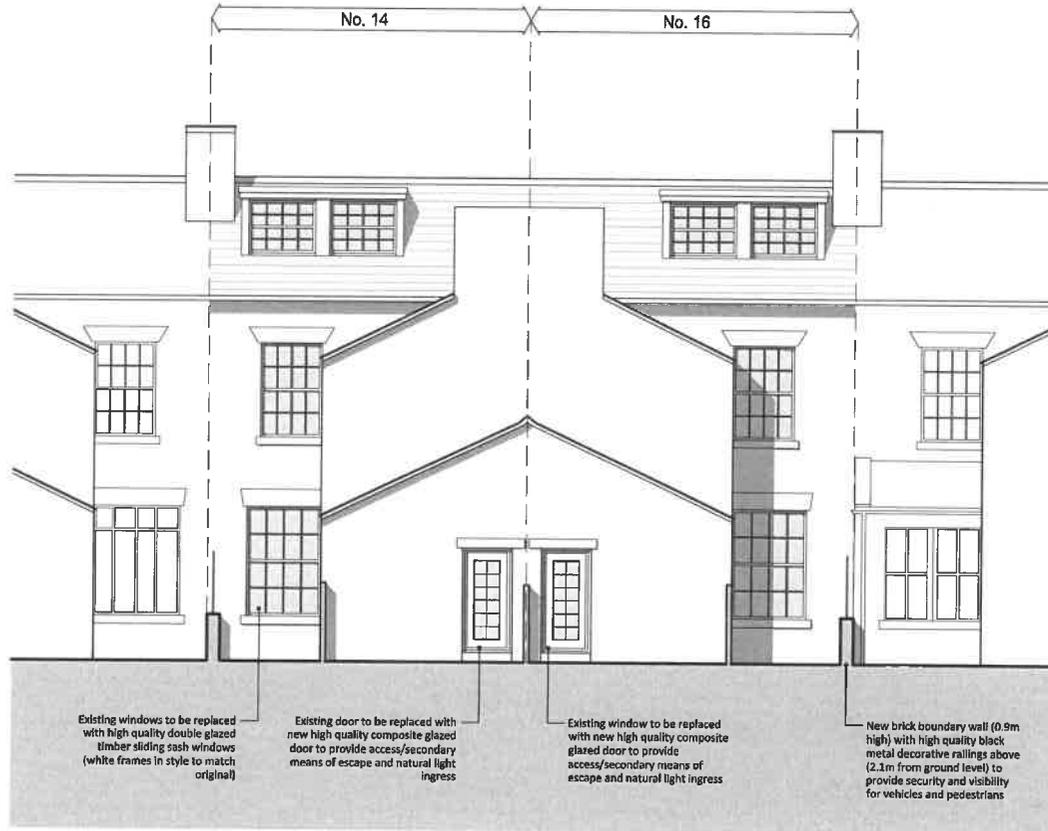


Photo 4



Materials:

- Windows:**
- Double glazed timber sliding sash windows, white in style to match existing (or similar to Local Authority approval).
- Doors:**
- Composite door and frame to front and rear entrances. Doors and frames painted black (or similar to Local Authority approval).
- Boundary Treatment:**
- New red facing brick boundary wall (0.9m high, colour/texture to match existing building) with high quality black metal decorative railings above (2.1m from ground level) (or similar to Local Authority approval).



Note:

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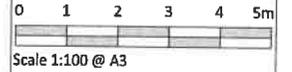
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Initial Issue			



Project Title

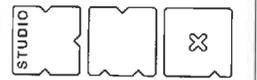
Bury
St. Mary's Place

Drawing Title

Proposed Elevations (North)

Project No. T777	Drawing No. P022
Date 05.12.2018	Scale 1:100 @ A3
Stage Stage 3	Revision A
Drawn By CTW	Auth By AT

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Valley Mills Millgate
Delph Oldham OL3 5DG
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Materials:

Windows:

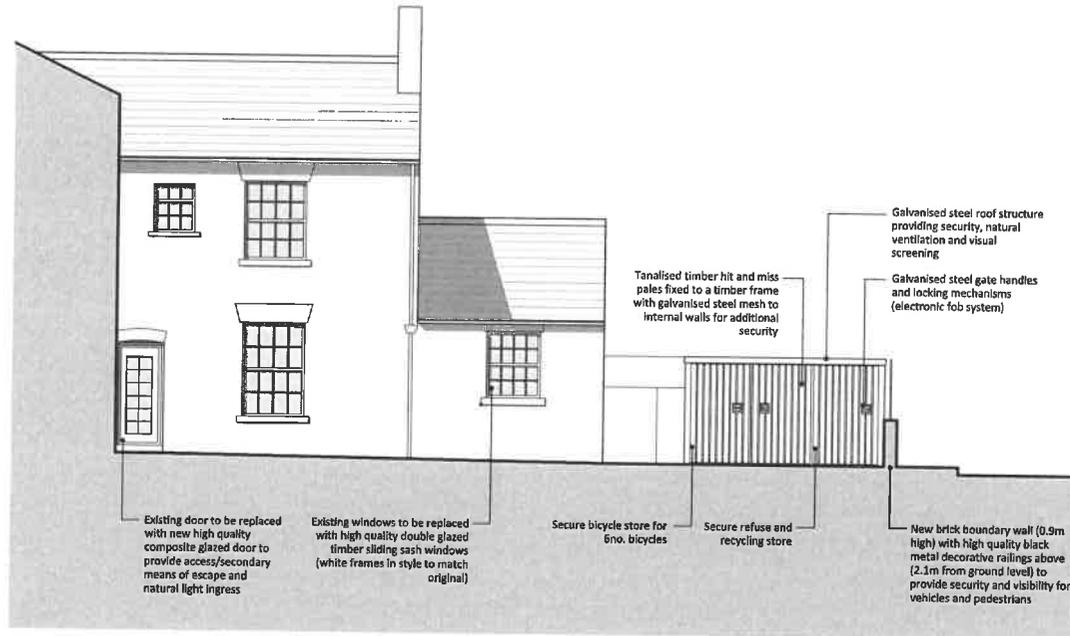
- Double glazed timber sliding sash windows, white in style to match existing (or similar to Local Authority approval).

Doors:

- Composite door and frame to front and rear entrances. Doors and frames painted black (or similar to Local Authority approval).

Boundary Treatment:

- New red facing brick boundary wall (0.9m high, colour/texture to match existing building) with high quality black metal decorative railings above (2.1m from ground level) (or similar to Local Authority approval).



Note:

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Amendments as per LPA request			
-	07/1/18	CTW	AT
Initial Issue			

0 1 2 3 4 5m

Scale 1:100 @ A3

Project Title

**Bury
St. Mary's Place**

Drawing Title

**Proposed
Elevations (East)**

Project No. T777	Drawing No. P021
Date 05.12.2018	Scale 1:100 @ A3
Stage Stage 3	Revision A
Drawn By CTW	Auth By AT

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Valley Mills Milligate
Delph Oldham OL3 5DG
www.studiokma.co.uk



Materials:

Windows:
- Double glazed timber sliding sash windows, white in style to match existing (or similar to Local Authority approval).

Doors:
- Composite door and frame to front and rear entrances. Doors and frames painted black (or similar to Local Authority approval).

Lightwell:
- New decorative black metal grille, (design to match existing adjacent), with new artstone slab surround detail (or similar to Local Authority approval).



Notes:

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-	07/11/19	CTW	AT
Final Issue			

0 1 2 3 4 5m

Scale 1:100 @ A3

Project Title

**Bury
St. Mary's Place**

Drawing Title

**Proposed
Elevations (South)**

Project No.
T777

Drawing No.
P020

Date
05.12.2018

Scale
1:100 @ A3

Stage
Stage 3

Revision
A

Drawn By
CTW

Auth By
AT

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Materials:

Windows:

- Double glazed timber sliding sash windows, white in style to match existing (or similar to Local Authority approval).

Doors:

- Composite door and frame to front and rear entrances. Doors and frames painted black (or similar to Local Authority approval).

Boundary Treatment:

- New red facing brick boundary wall (0.9m high, colour/texture to match existing building) with high quality black metal decorative railings above (2.1m from ground level) (or similar to Local Authority approval).

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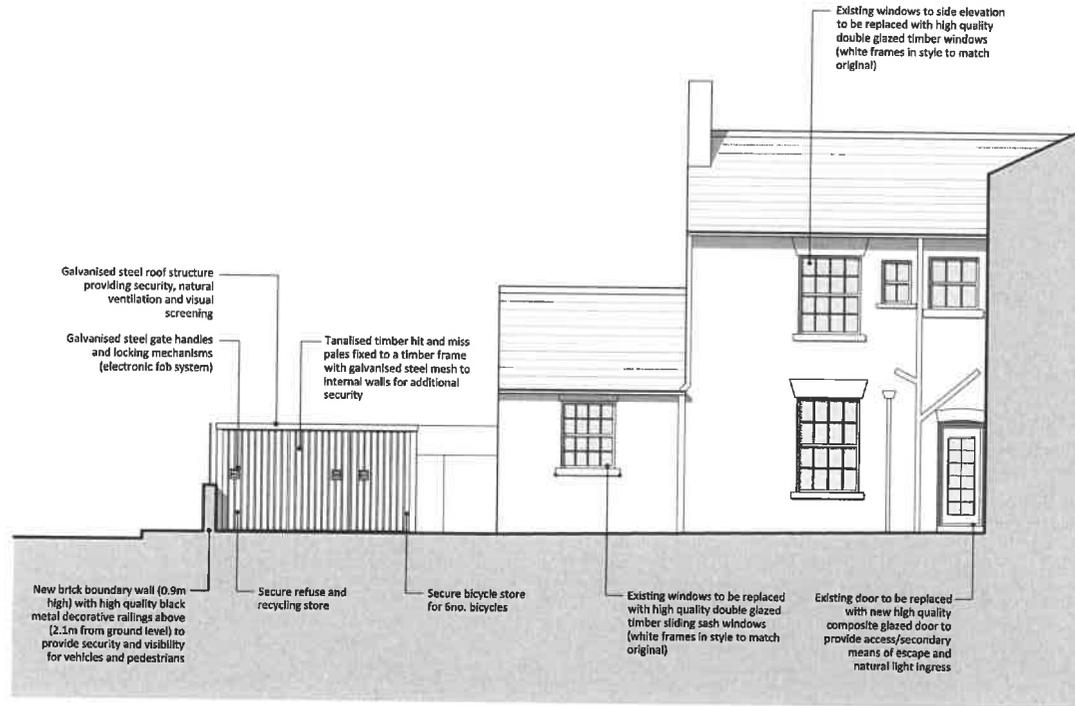
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Amendments as per LPA request			
-	07/1/18	CTW	AT
Initial Issue			

0 1 2 3 4 5m

Scale 1:100 @ A3



Project Title

**Bury
St. Mary's Place**

Drawing Title

**Proposed
Elevations (West)**

Project No.
1777

Drawing No.
P023

Date
05.12.2018

Scale
1:100 @ A3

Stage
Stage 3

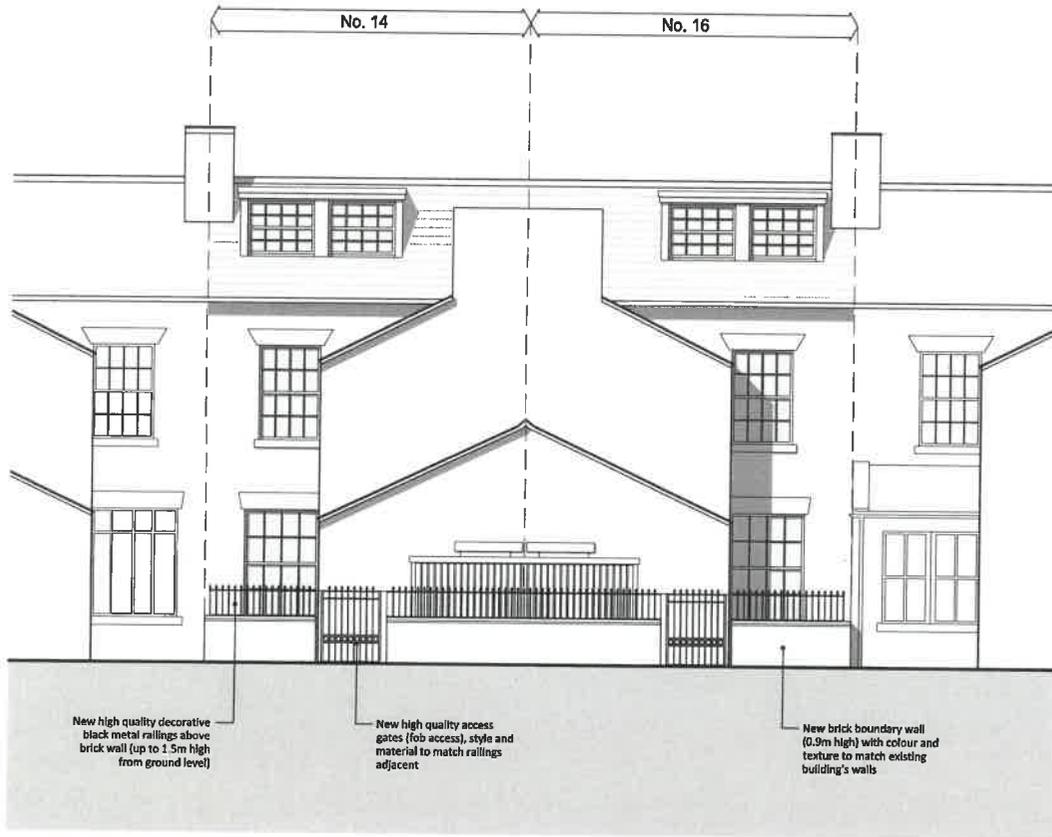
Revision
A

Drawn By
CTW

Auth. By
AT

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Existing railings at the end of St. Mary's Place.



Example of brick wall and ornamental metal railing boundary treatment (for illustrative purposes only).



Example of brick wall and ornamental metal railing boundary treatment (for illustrative purposes only).

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Amendments as per LPA request			
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Amendments as per LPA request			
-	07/1/18	CTW	AT
Initial Issue			

0 1 2 3 4 5m



Scale 1:100 @ A3

Project Title

**Bury
St. Mary's Place**

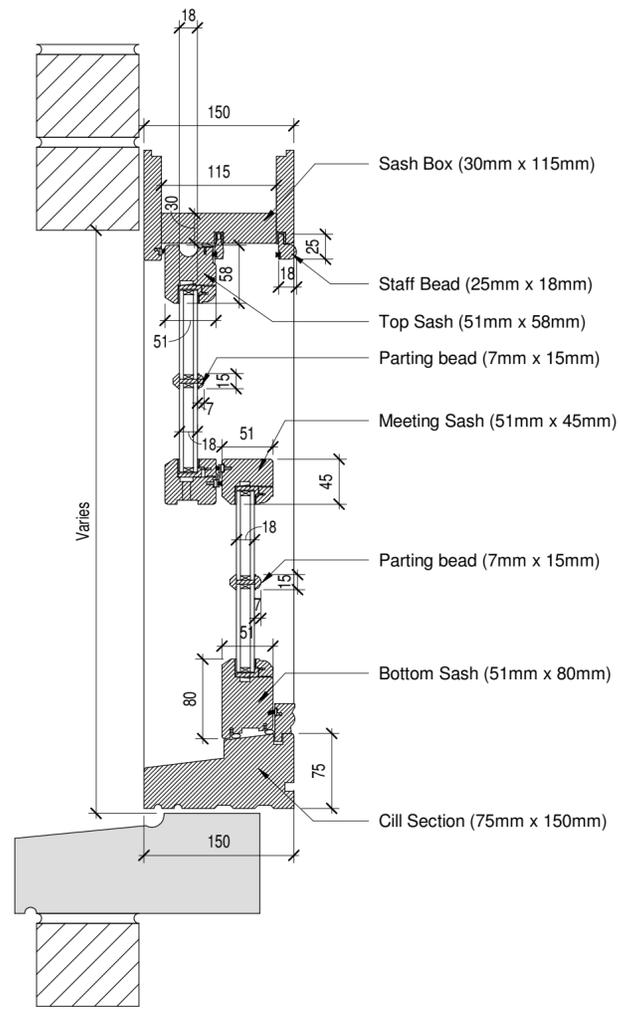
Drawing Title

**Proposed Elevations
(Boundary Detail)**

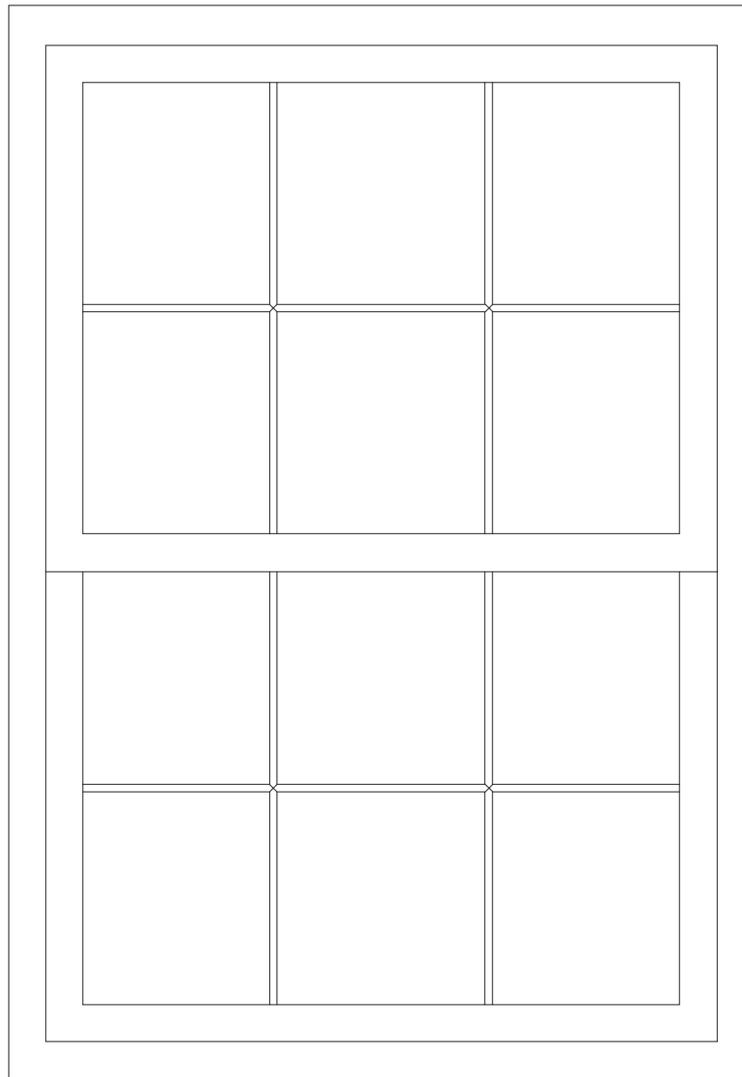
Project No. T777	Drawing No. P024
Date 16.01.2019	Scale 1:100 @ A3
Stage Stage 3	Revision B
Drawn By CTW	Auth'd By AT

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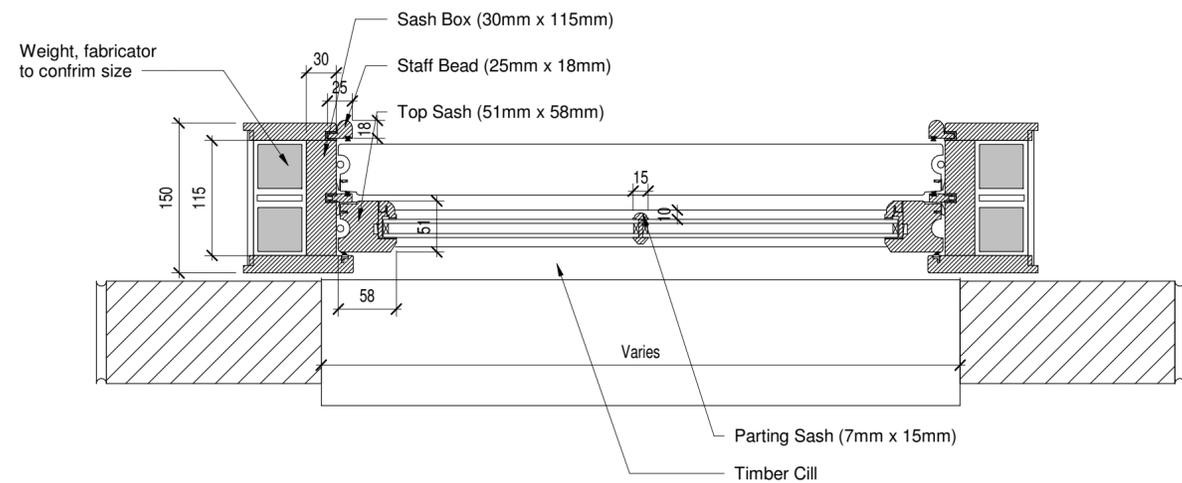


Typical Sash Window with Parting Bead



1 Typical Timber Sash Window Section 01
1 : 5

3 Typical Timber Sash Window Elevations
1 : 10



2 Timber Sash Window with Parting Bead Detail Section 02
1 : 5

Rev	Description	Date	Dr by	App by
original by		date created		approved by
RP		10/08/17		MC



2-4 Wigan Road, Hindley, Wigan, Greater Manchester, WN2 9BE, United Kingdom.
Tel: 01942 251949
Email: info@heatongroup.co.uk

client name			
The Heaton Group			
project			
14-16 St Marys Place, Bury BL9 0DZ			
drawing			
Material - Timber Sash Windows & Timber Entrance Door			
computer file	plot date		
D:\Sheet\Revised\01 Upper Decagon Street, New Build\05-07 Upper Decagon Street, New Build\0002.rvt			
project number	scale		
2019	As indicated		@A2
drawing number	rev	issue status	
AL_21_021		Information	

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Initial Issue			



0 2 4 6 8 10m



Scale 1:200 @ A3

EXISTING

Page 85



PROPOSED

Project Title

**Bury
St. Mary's Place**

Drawing Title

Streetscene (South)

Project No.
T777

Drawing No.
P025

Date
05.12.2018

Scale
1:200 @ A3

Stage
Stage 3

Revision
A

Drawn By
CTW

Auth By
AT

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Amendments as per LPA request			
-	07/11/18	CTW	AT
Initial Issue			

0 2 4 6 8 10m



Scale 1:200 @ A3

Project Title

**Bury
St. Mary's Place**

Drawing Title

Streetscene (North)

Project No.
T777

Drawing No.
P026

Date
16.01.2019

Scale
1:200 @ A3

Stage
Stage 3

Revision
B

Drawn By
CTW

Auth By
AT

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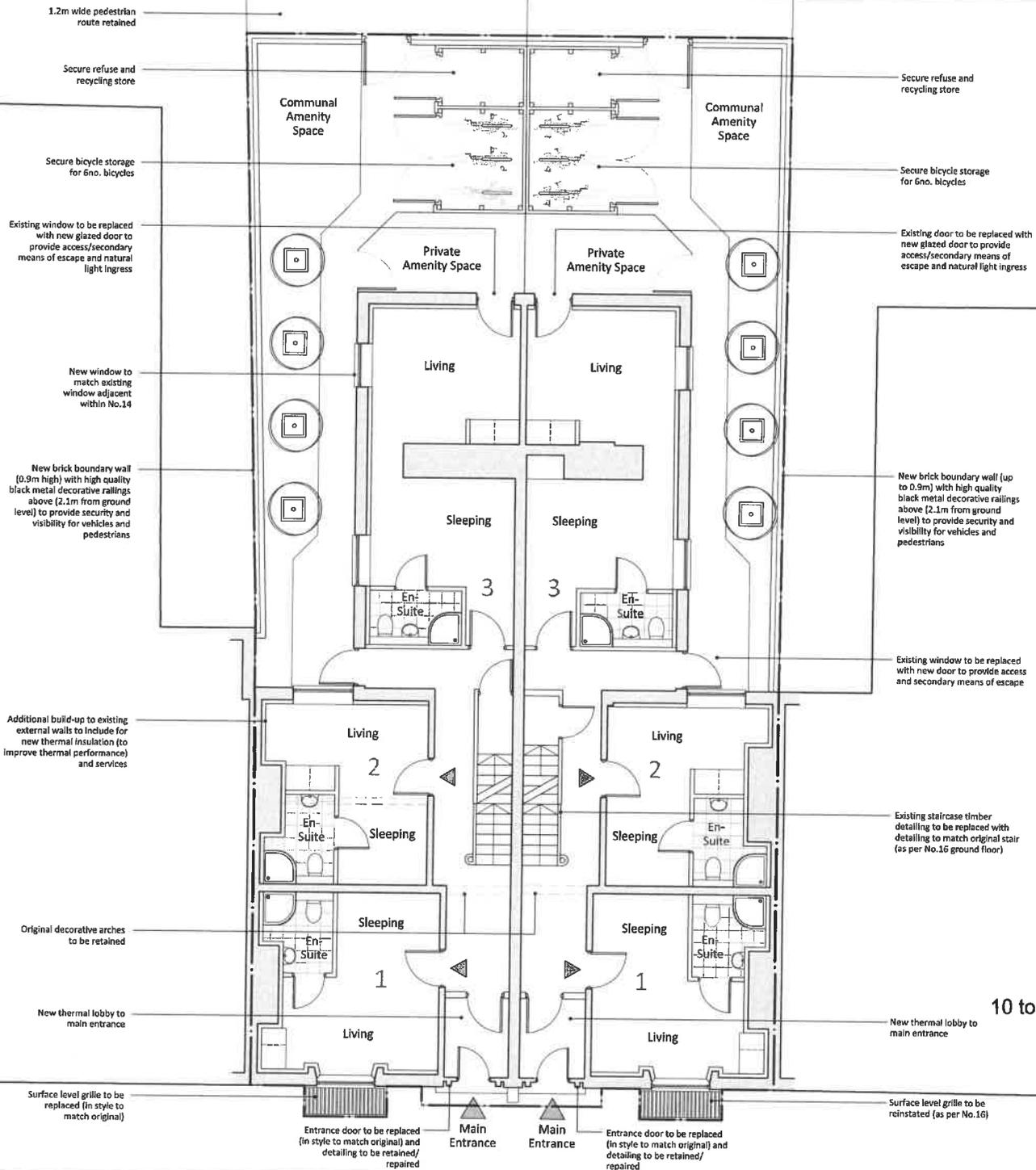


EXISTING

Page 86



PROPOSED



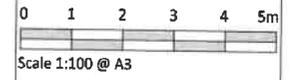
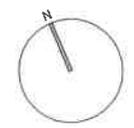
18 to 20

10 to 12

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-	07/11/18	CTW	AT
Initial Issue			



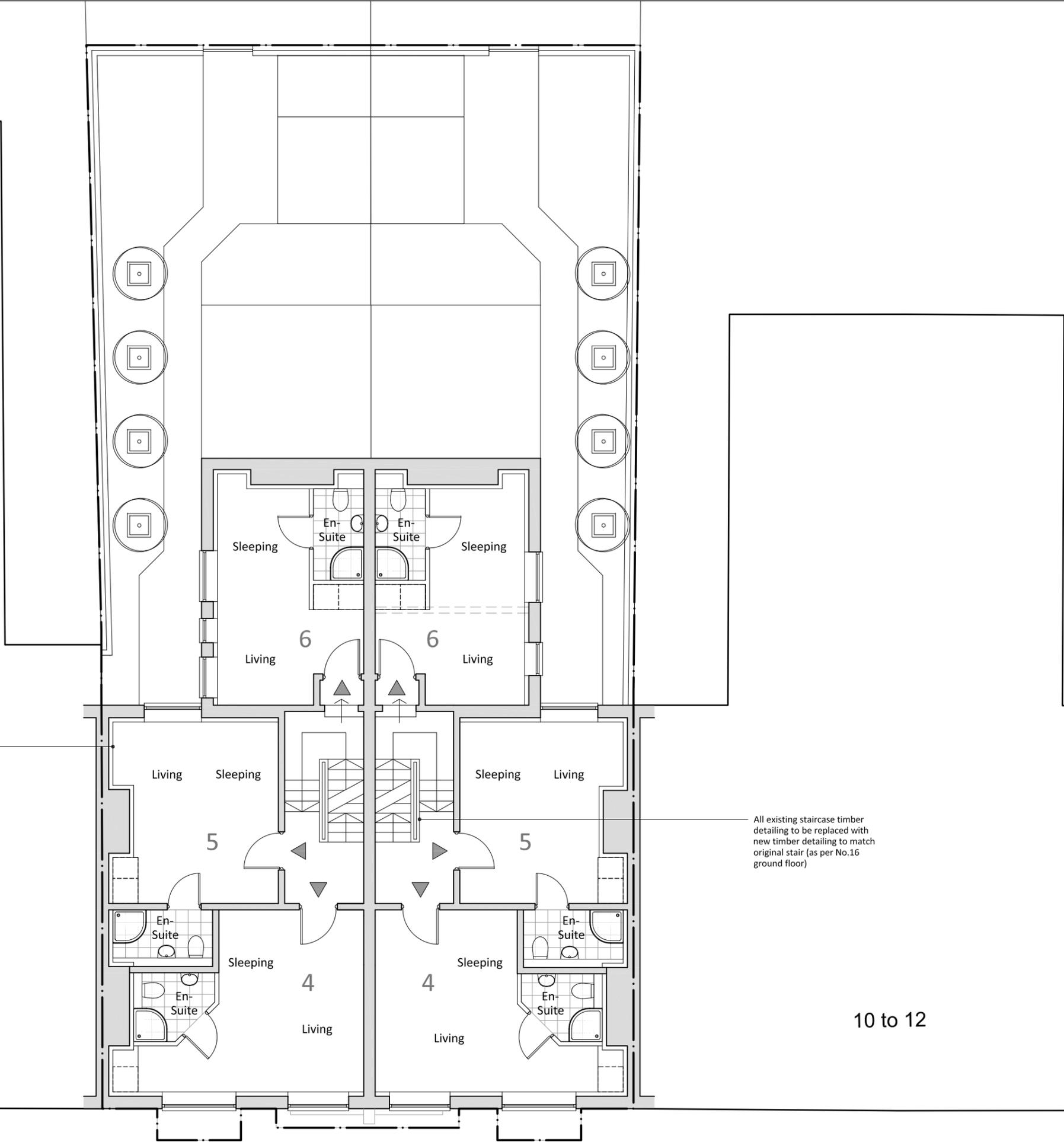
Project Title
Bury
St. Mary's Place

Drawing Title
Proposed
Ground Floor Plan

Project No. T777	Drawing No. P009
Date 07.11.2018	Scale 1:100 @ A3
Stage Stage 3	Revision -
Drawn By CTW	Auth By AT

Studio KMA Limited
 The Design Studio
 Valley Mills Millgate
 Delph Oldham OL3 5DG
 www.studiokma.co.uk





Additional build-up to existing external walls to include for new thermal insulation (to improve thermal performance) and services

All existing staircase timber detailing to be replaced with new timber detailing to match original stair (as per No.16 ground floor)

18 to 20

10 to 12

Note:

This drawing should not be scaled unless for planning application purposes. Work to figured dimensions only.

All dimensions and levels to be checked on site.

Land registry title and ownership boundaries are produced by Studio KMA using all reasonable endeavours. We cannot be held responsible for scale discrepancy of plans supplied to us.

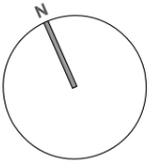
Any discrepancies should be reported to Studio KMA at the address below.

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Drawing Amendment:

rev	date	drawn	checked
-	07/11/18	CTW	AT

Initial Issue



Scale 1:100 @ A3

Project Title

**Bury
St. Mary's Place**

Drawing Title

**Proposed
First Floor Plan**

Project No.
T777

Drawing No.
P010

Date
07.11.2018

Scale
1:100 @ A3

Stage
Stage 3

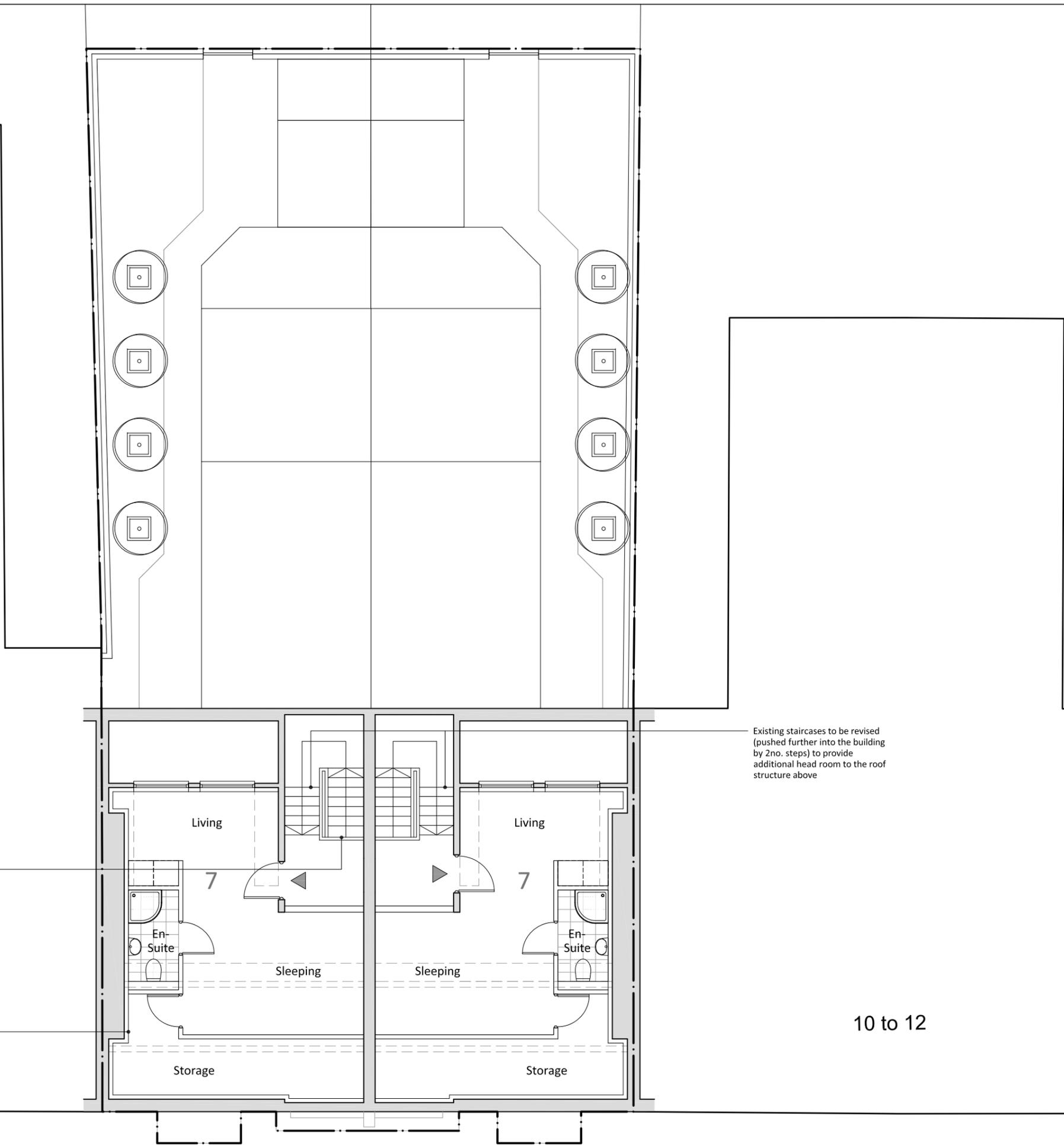
Revision
-

Drawn By
CTW

Auth By
AT

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Delph Oldham OL3 5DG
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All existing staircase timber detailing to be replaced with detailing to match original stair (as per No.16 ground floor)

18 to 20
Additional build-up to existing external walls to include for new thermal insulation (to improve thermal performance) and services

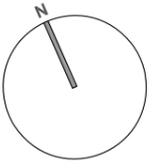
Existing staircases to be revised (pushed further into the building by 2no. steps) to provide additional head room to the roof structure above

Note:
This drawing should not be scaled unless for planning application purposes. Work to figured dimensions only.
All dimensions and levels to be checked on site.
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Drawing Amendment:

rev	date	drawn	checked
-	07/11/18	CTW	AT

Initial Issue



Scale 1:100 @ A3

Project Title
Bury
St. Mary's Place

Drawing Title
Proposed
Second Floor Plan

Project No. T777	Drawing No. P011
Date 07.11.2018	Scale 1:100 @ A3
Stage Stage 3	Revision -
Drawn By CTW	Auth By AT

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Delph Oldham OL3 5DG
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Ward: Bury East

Item 05

Applicant: The Heaton Group

Location: 14-16 St Marys Place, Bury, BL9 0DZ

Proposal: Listed Building Consent for change of use from massage institute (Class D1) to 2 no. 7-bed houses of multiple occupation (HMO) with internal alterations and external alterations to include replacement windows/doors, bicycle/bin storage at rear and boundary wall/gates at rear.

Application Ref: 63521/Listed Building Consent

Target Date: 30/01/2019

Recommendation: Approve with Conditions

Description

The application relates to two adjoining mid-terraced properties (circa 1845) within the grade II listed row comprising 2-20 St Mary's Place which also lies within Bury Town Centre Conservation Area. St Mary's Place is in within the historic business district and fronts onto an open square now used for parking.

The terrace, built in the late Georgian style, is mainly two-storey but with cellars and a usable roof space. Each property within the terrace is of two bays with three windows and a door in the front elevation and both single and two storey outriggers and a mix of windows at the rear, including some 20th century dormers in the roof. All roofs are pitched and covered in natural blue slate. The properties were built as dwellings in the expanding residential part of the town centre that prospered in the early to middle of the 19th century. The original rear gardens are now completely taken over by private car parking.

The properties subject to the application have been knocked through to form one unit and was last used as offices and training rooms for a massage organisation (The Northern Institute of Massage) which fall into a D1 (Non-Residential Institution) use class.

The red brick property has a slate roof and has had some unfortunate alterations over the years, predominantly at the rear, including a flat roof dormer, brick infill and replacement Upvc windows.

It is proposed to change the use of the property from the current D1 (Non-Residential Institution) use to two separate houses in multiple occupation (HMOs), each with 7 bedrooms. There would be 3 units on each of the ground and first floors within each HMO with a seventh unit within each roof space. Each HMO would also have a communal diner/kitchen area within the basement with natural light coming in from the reinstated original grill openings on the St Marys pavement frontage. Within the rear yard, there would be a small amenity space with an enclosed bin storage area and secure bike store.

The property has been vacant for almost 2 years and has been actively marketed by the current estate agents, Nolan Redshaw since February 2018.

Relevant Planning History

02195/E - Residential development comprising 2 HMO's - Enquiry completed 16/10/2018
63520 - Change of use from massage institute (Class D1) to 2 no. 7-bed houses of multiple occupation (HMO); External alterations to include replacement windows/doors, bicycle/bin storage at rear and boundary wall/gates at rear - undecided.

Publicity

Press notice in Bury Times 13/12/18 and site notice posted 05/12/19. The following neighbours were notified by letter dated 05/12/18. 1-21 St Mary's Place, 1, 5 Bank Street, 2 Manchester Road, Bury Employment Service Silver Street.

Four objections received from the following properties: Nos10-12, 15-17, 18, 21 St Mary's Place. The objections are summarised below:

- The area is characterised by professional and business services and should remain so.
- The area is part of the 'business district' of Bury and introducing residential would lessen its appeal.
- It would have a detrimental impact on the listed building and character of the conservation area.
- Parking, which is already bad, would be made worse as residents would have cars.
- Flats would be more suited to outside of town.
- If the proposal is approved, businesses would move away.
- Issue of noise in this location next to the train station and taxis in St Mary's Place at night.

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

Statutory/Non-Statutory Consultations

Conservation - No objection subject to conditions.

Listed buildings (National Amenity Societies) - No objection received.

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

Unitary Development Plan and Policies

Area Manchester Road/Knowsley Street

BY4

EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control

EN2/3 Listed Buildings

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 - Sections 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA) requires Local Planning Authorities to consider the desirability for the preservation and enhancement of conservation areas and listed buildings including their setting.

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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.

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.

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.

UDP Policy EN1/1 Visual Amenity states that development will not be permitted where proposals would have a detrimental effect on:

- a) public views of prominent or important buildings, especially those in areas of architectural or historic interest;
- b) the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

Policy EN2/1 Character of Conservation Areas

The Council will take action as appropriate to preserve or enhance the character or appearance of the Borough's Conservation Areas.

The Council will be especially concerned with encouraging and, where appropriate, implementing measures to:

- a) retain, replace and restore features of historical and architectural interest;
- b) retain and enhance existing landscape features including trees, parks and gardens;
- c) initiate and promote environmental improvement/enhancement schemes such as landscaping, refurbishment of street furniture, traffic management and pedestrian schemes;
- d) remove dereliction and bring unused land or buildings back into beneficial use;
- e) prepare and promote design guidelines to ensure sympathetic development.

Policy EN2/3 - Listed Buildings aims at safeguarding 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.

In considering applications for Listed Building Consent, the Council will have regard to the following criteria:

- a) the impact of the proposal on the historic fabric of the building;
- b) the relationship of any extension to the Listed Building in terms of its height, size, design, and roofscape;
- c) the need to protect the setting of the Listed Building;
- d) the impact of associated ancillary facilities and infrastructure works.

In assessing these proposals in terms of the grade II listed building, there are three main elements to consider -

- the alterations to the building,
- impact of the access road and parking on the trees and the impact of the scheme on the setting of the listed buildings.

Principle - Proposed Change of Use - 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 building and its setting.

Over recent years, the building has suffered decline and deterioration from lack of investment and this is apparent from the internal state of the building and the works identified in the heritage statement that investment is required to bring the building back into a usable state. Unless a certain amount of restoration/repair were to happen, the building 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 is.

This application presents an opportunity to secure the future of the building 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 dereliction 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 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 residential 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 and indeed returns it back to its original use. 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 Conservation Area, and would be in accordance with the principles of the NPPF and UDP Policies.

A Heritage Statement (14/11/18, Mountaineer Ltd) was submitted with the application and sets out the impact the proposal would have on the significance of the buildings. The impact of the works is discussed in detail below.

Alterations to the Building

The original terraced row was constructed with clear emphasis on the front elevation. This has a finely coursed brick elevation in largely Flemish bond with stone banding, stone heads and sills to openings and a hidden stone gutter with cornice, and a stone plinth. Window frames were originally 8 over 8 and 6 over 6 timber sliding sashes with glazing bars. Doorways had ornate fanlights, dentilled lintels, rubbed brick arched heads, and ionic pilasters within the reveal with ornate capitals and bases. Stone steps were set forward of each doorway. Some brick chimney stacks remain. Many original elements remain though most window frames have been altered to have top opening lights, though still with the original glazing bar pattern. Two windows in the terrace have been enlarged. The setting at the front is formed by 1 to 21 St Mary's Place which is a pastiche Georgian/Victorian 1970s/80s group in brick and slate forming a square on the site of the former swimming baths. It is also partly formed by the side and rear of the Georgian terrace fronting Manchester Road.

External - In terms of the external alterations to the building, the proposed programme of renovation works, externally, is not extensive. The most significant external changes relate to replacement windows and doors as they have degraded over time and have been inappropriately replaced in some cases. The timber sash and casement replacements and using slimline glazing units (similar to numbers 18 and 20) are proposed and will result in the replacement of poor replacements being removed and new ones inserted where degradation has taken place. Their appearance and framing dimensions are considered appropriate in terms of design and historical accuracy. Those windows not replaced would be refurbished to historical accuracy.

The non-original front doors are to be replaced with panelled composite doors to a design consistent with the building's original patterns, which would improve the outward face of the building within this row.

The existing Upvc rainwater goods on the main building, would be removed and replaced with traditional style cast aluminium and colour coded. On the St Mary's frontage the original 'infilled' lightwell on the right hand side would be reinstated and covered with a metal grill in similar style to the existing historical lightwell on the left hand side of the property.

There has been significant change at the rear with a mix of rebuilt walling, rendered and painted walls, altered and blocked off windows and doors and the introduction of private car parking. The setting at the rear is formed by the late 20th century employment exchange and the rear of the Unitarian Church, The Exchange office, highway and parking. The rear of all these buildings does not provide a high quality setting within the conservation area nor to the listed building.

At the rear, the yard would be enclosed with a brick boundary wall 0.9m high with metal railings above 600mm high and would include a small amenity space, a cycle store and a bin store. The delineation of the plot at the rear would contrast with the rest of the row as boundary walls at the rear areas have been removed over time but this was historically accurate and the proposals would reinstate this. The external fabric of the building would not be affected by this proposal. In elevational terms, the Conservation Area would be enhanced by the proposals as they would bring a historic sense of order to this area and thus enhance the area.

Summary to External works - 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 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.

Internal Works - The application properties, 14 and 16, have been previously altered internally by the removal and adding of walls and the formation of the loft space, all of which has led to loss of fabric and heritage significance as confirmed within the statement of heritage significance. The important features that remain are the lower staircases, some window and door architraves, fireplaces, and cornices and corbel ornamentation.

Creating two separate HMO units within the premises would facilitate the re-establishment of the central party wall so reforming two separate units as was originally intended. The original doorway to No.14 would be reformed internally and other welcome internal changes involve removing many of the later additional stud walls and reverting to many elements of the original layout, opening up the spindles on the staircase, reopening a previously infilled window and these alterations would be a positive intervention.

Other internal changes involve covering (but not removing) some original but plain fireplaces and encasing them. This would at least allow them to be opening up and possibly reused in the future. New stud walling that would in some cases cover original features, and would involve the re-ordering of the stairway between the first and second floors. The latter involves both restoration and loss of the Georgian details.

The Balance - The proposals represent both removal of some features and the reinstatement of others. The historical external face of the building would be brought back into a good state of repair and appearance and would permit the building to be occupied following investment.

The proposals involve both loss of heritage fabric and its restoration. The internal layout will be partly restored, but some elements such as fireplaces, some corncing and architraves, and parts of the Georgian stair, will be temporarily hidden or lost. The degree of loss is not significant nor are so extraordinary to require the proposals to be revised or refused. The re-occupation of the building would be welcomed and would breathe life into the building and permit it to go forward with investment and occupation. The restoration of detailing would be in the most prominent and public areas of the building whilst the covering up of features, not loss of and removal of some of the cornices and architraves would be in the private areas. There are not many features to lose internally and there is a clear effort made to retain and keep those that are there. The degree of loss is as such the proposals bring multiple benefits and are considered to outweigh their preservation.

Objections - The concerns of the objectors with regard to specific heritage issues have been addressed in the this and the associated application 63520, being considered at this Planning Control Committee meeting

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 S18-1040 (Topo), P001 - P19, P020/A, P021/A, P022/A, P023/A, P024/B, P025/A, P026B, AL_21_021(window detail) and the following documents:
Supporting Statement, Design and Access Statement, Heritage Statement/Photographs and Crime Impact Statement.
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 materials to be used in the external elevations, sliding sash and case windows including glazing details, rainwater goods, doors and associated fittings/doorbells/letterboxes, boundary wall/railings and areas of hardstanding, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials 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. Development shall not commence until a detailed schedule of proposed internal works, including restoration and replacement of specified original architectural features, is submitted to the Local Planning Authority for written approval. The approved schedule of works shall be carried out in complete accordance with those details.
Reason. In order to preserve features of special architectural or historical interest and as provided for under Section 17(1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Ward: Prestwich - St Mary's

Item 06

Applicant: Irwell Valley Homes

Location: Site of former Park Hotel, Lowther Road, Prestwich, Manchester, M25 9GP

Proposal: Residential development comprising of 7 no. 2 storey houses, 12 no. apartments, 21 parking spaces and associated amenity spaces

Application Ref: 63534/Full

Target Date: 27/02/2019

Recommendation: Minded to Approve

It is recommended that this application is Minded to Approve subject to the signing and completion of a s106 Agreement for Affordable Housing in accordance with UDP Policy H4/1 and a commuted sum of £9,000 for off-site Recreation Provision in accordance with UDP Policy RT2/2. Should the agreement not be signed and completed within a reasonable period, it is requested that the application be determined by the development Manager.

Description

The application relates the cleared L-shaped site (0.3ha) of the former public house, the Park Hotel, situated at the junction of Lowther Road and Gale Road. The surrounding area is residential in character, comprising a mix of 1930's semi-detached and detached 2 storey houses. there is some flatted development along Lowther Road, to the east.

The site has a large area of hardstanding and is overgrown in parts with a number of mature trees on the site, seven of which are subject to a Tree Preservation Order. The site is fenced off and is relatively flat with levels dropping down from the rear boundary with the gardens of properties fronting Carr Avenue. There is an electricity sub-station in the south west corner.

Planning permission was granted in July 2008 for the erection of a 3 storey block of 30 apartments set in an L shaped configuration and set back from the highways frontages with a parking forecourt on the east side. In 2011, an extension of the planning permission was granted for a further 3 years.

The current application proposes:

- Seven two storey houses (6 x 3-bed and 1 x 4-bed) fronting Lowther Road. Six would be semi-detached with one detached. The design and layout would be conventional with red brick facades and hipped grey tiled roofs, reflect the existing properties along Lowther Road.
- A four storey block of twelve 2-bed apartments would be situated on the south side of the site, with main frontages facing Gale Road and the forecourt at the rear. The building would have a rectangular footprint with a flat roof. The red brick elevations would reference the proposed houses and surrounding streetscape with recessed areas and two types of brick finish allowing articulation and interest.

The main vehicular access into the main parking area with 15 spaces would be centrally located on the Lowther Road frontage. In addition, two houses would have individual driveways and there would be a three parking spaces formed in a small courtyard accessed from Lowther Road. This would give a total of 21 parking spaces. Pedestrian access to both the houses and the apartments would be from Lowther Road. Each of the houses would

have bin storage within their rear gardens and the apartment block be served from a bin store in the parking forecourt.

A full Arboricultural Impact Assessment was submitted with the application and identifies 30 or so individual trees, seven of which are under a Tree Preservation Order and a small number of groups of small, low quality species around the site. Five of the TPO trees form a central spine cutting through the site north to south with other two in the north east corner and the south west corner, near the sub-station. Although several minor unprotected trees would be removed all the TPO trees would be retained and it is proposed to plant new trees in lieu of those lost.

The applicant is a housing association, offering 100% affordable housing and a Section 106 legal agreement would secure this. Recreation provision would normally be required for this number of units. However, the applicant has submitted a viability appraisal where a case has been presented that the full commuted sum would render the scheme unviable. In the light of the viability assessment, the applicant has agreed with the Local Planning Authority to contribute a reduced sum of £9,000 for off-site recreation provision.

Relevant Planning History

02158/E - Development of 20 no. affordable houses and an apartment block - Enquiry completed 29/08/2018

49718 - Three storey block of thirty apartments with car parking and associated works - Approved 29/07/2008

53800 - Extend the time limit for implementation for planning application 49718 for three years for the erection of three storey block of 30 apartments with car parking and associated works - Approved 04/08/2011

Publicity

Press notice in Bury Times 06/12/18. Site notice posted 03/12/18 and the following 46 neighbouring properties were notified by letter dated 30/11/18.

63, 65, 67, 85 and 87, 94-124 Lowther Road, 2-12(even) Gale Road, 14-30 Carr Avenue, 2-14(even) Carlford Grove, 46, 48 and 50 Scott Road.

Seven objections have been received from the occupiers of 20, 22 and 24 Carr Avenue and 6-12(even) Gale Road. Objections are summarised below:

- The number of parking spaces which have been proposed is far below the logical number which will be required for the number of occupants and visitors. per dwelling. This will mean more cars on surrounding streets which is already slowly becoming an issue.
- The proposal doesn't clarify how extensive the pruning of the trees on the site will be. The pruning would need to be minimal in both the density and height as this is the only thing which will hide the building and lower the impact of overshadowing on the properties on Gale Road.
- Several of the trees currently on the site will be lost, some of which had TPO's on them.
- The 3 storey block of apartments would result in the overshadowing and loss of light for properties on Gale Rd.
- The block of apartments would result in the loss of privacy for properties on Gale Rd due to being overlooked from the apartments.
- The design of the proposed 3 storey block of apartments is not in keeping with the surrounding and adjacent 2 storey dwellings.
- Nature Conservation, the site is inhabited by roosting bats and many species of birds including owls.

The objectors have been notified of the Planning Control Committee.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - No objection subject to condition.

Environmental Health - No objection.

Greater Manchester Police - No objection.

United Utilities - No objection.

Greater Manchester Ecology Unit - No objection.

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

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury

Issues and Analysis

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

Principle - The 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

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

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

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

The development proposes to provide 100% Affordable Housing by a Registered Social Provider, which would contribute to the shortfall of housing in the Borough and in particular, delivering Affordable Housing.

The development would be located on a piece of brownfield land which is bound by two highways and surrounded by established residential development. The development would not conflict with the local environment in terms of character and surrounding uses.

As such, the principle of the proposed development is considered to be acceptable and would be in compliance with the NPPF and UDP Policies H1/2, H2/1, H2/2 and H4/1.

Layout - The layout of the houses with the front gardens fronting Lowther Road, would reflect the predominant street pattern along the road. The three storey block of apartments towards the rear of the site would be accessed from the internal courtyard and allow a higher density (63 per ha) development than purely houses would offer and introduce a suitable mix of properties to reflect demand. This mix of styles is considered to be a significant improvement on the previously approved scheme for a single apartment block of 30 apartments.

The existing TPO trees on the site, forming a central spine, help soften the development and give a degree of maturity within the streetscape. The access, running adjacent to these trees, would further help protect them and improve their setting.

The development has sought to maximise the area of land available without compromise to the amenity of future occupiers or those living nearby and it is considered the proposed layout would successfully achieve this. The layout of the dwellings would also provide natural surveillance of the development and a safe community environment.

As such, it is considered that the proposed layout would deliver a high quality and acceptable development which would comply with UDP policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development and EN1/5 - Crime Prevention.

Scale, Design and Appearance - The proposed houses would be 2 storey in height, with mostly hipped roofs to reflect the scale of the streetscape along Lowther Road. The design of the houses, whilst being more contemporary, would reflect the style of existing 1930's houses along Lowther Road. The elevations of the houses would be finished primarily in a red brick to match the existing houses with secondary, darker tone brick panels, which, along with recessed windows and doors, give appropriate contrast and interest. The roofs would be grey tile to match the surrounding properties.

The apartment block is different in design and scale to the two storey houses in the immediate vicinity. However the three storey block would reflect the surrounding finishing materials with similar brick panelling as the houses. The contrasting panelling and recessed areas would help break up the perceived mass of the building and the flat roof would reduce its overall height. As such the apartment block would not appear so incongruous on the streetscape. The existing and proposed planting scheme around the site would also help soften and break up the building.

In terms of the communal areas and boundary treatment, a landscape strategy and plan has been submitted with the application and outlines the general approach taken. The plan proposes a mix of native and ornamental species to provide both ecological and aesthetic benefits. The Lowther Road boundary to the front of the houses would comprise a mix of low brick wall and railings with hedge planting behind. Along Gale Road, the existing brick retaining wall would be retained with shrub planting behind. Along the rear boundary, shared with properties on Carr Avenue, the existing boundary wall would be retained with planting behind. Within the site there would be a mix of walls and fencing separating the units.

It is considered that, with a quality landscape plan including the management of protected mature trees, the scheme would allow the redevelopment of the long time derelict site and integrate positively within the area. It would comply with the NPPF and UDP Policies and supporting guidance in relation to visual amenity.

Impact on residential amenity - SPD6 contains supplementary guidance on separation distances between new and existing buildings and is used to assess new development. A separation distance of 20m between habitable room windows and a separation of 13m between a ground floor habitable room window and 2 storey blank wall is generally an acceptable minimum distance, with an increase of 2.5m for every additional storey.

At the front, given the distances across Lowther Road, the houses satisfy aspect standards and would not present any issues with regard to residential amenity. With regard to the rear of the houses, there is a separation distance of 13m between the rear elevation of house plots 3 and 4 units. Whilst there is no overlooking as side windows in the apartment block are obscure glazed/non-opening, one would expect to see a separation distance of around 16m between the block and the ground floor habitable room windows. However given the relationship is between new build properties within the site and the height of the three storey building is mitigated by the flat roof, this distance is considered to be acceptable.

On the eastern side of the site, the houses satisfy distances to the rear boundary and in relation to No.18 Carr Avenue and planting along this boundary would further mitigate overlooking.

With regard to the block of apartments, the separation distances with regard to privacy and outlook in relation to houses on Gale Road are around 28m and this is considered to be acceptable and compliant with standards set out in SPD6.

With regard to the impact on 22 and 24 Carr Avenue, directly to the south of the apartment block, there is no direct overlooking as the first and second floor windows in the side elevation are obscured and non-opening. The ground floor windows would not cause any privacy issues as there is a 2m boundary fence, augmented by hedge planting along the adjacent boundary. Distances from the side of the apartment block and the rear elevations of the houses are between 24.6m and 26.5m and are considered satisfactory. Further, a revised planting plan has been submitted which proposes hedge planting along this part of the rear boundary. This would replace the existing planting lost on this boundary and help screen the lower part of the apartment block from these properties.

Given the separation distances between the proposed development and surrounding properties and the requirement for obscure glazing, it is considered there would not be an impact on the amenity of occupiers adjacent to or near the site and the proposals would comply with UDP Policy H2/1 and SPD6.

Permitted Development - It is considered reasonable and necessary, given the nature of the site, that permitted development rights are withdrawn by a condition attached to any approval. This would allow the Local Planning Authority to control any future alterations and extensions to the dwellings on the site.

Vehicular Access and Parking - The primary vehicular access is centrally positioned on the Lowther Road frontage and leads to the main parking court providing 15 spaces for both the residents of the houses or the flats. Where possible driveways have been provided to the front of the houses. Plots 4 and 5 have dedicated frontage parking and there is a small 3 space car park in front of plot 6 that would be shared with plot 7 due to the bus stop in front of plot 7 remaining in place. There are a total of 21 parking spaces, which for 19 units equates to 110%. The applicant argues that, based on all the units being affordable, and the lower than average car ownership figures that this entails, this is an appropriate level of parking in this location. It is also noted that there is a bus stop situated directly outside the site, on Lowther Road, providing links to Manchester, Bolton and Salford and in terms of local accessibility, there is a local shopping centre on the corner of Sandy Lane and Butterstile Lane, about 270m away.

Pedestrian access - All the proposed houses and the ground floor of the apartment block would have effective level access from Lowther Road and would therefore comply with UDP Policy HT5/1.

Servicing - The 7 houses would have their waste bins within their own curtilage. A communal bin store would be provided for the apartment block within the parking courtyard. Bins for all the units would be collected from Lowther Road. The location, size and design of the bin store and arrangements for collection are considered acceptable to the waste management team.

Ecology - Apart from existing trees, the site does not have particularly high ecological value. A bat assessment was submitted with the application and concludes that the majority of the trees on site have negligible suitability for roosting bats. Notwithstanding this any tree felling should use 'reasonable avoidance measures' prescribed by an ecologist and a suitable condition would ensure this is carried out. The proposal is acceptable in terms of ecology and complies with the NPPF and UDP Policy EN6/3 Features of Ecological Value.

Planning Obligations

Affordable housing - The development would be for 100% Affordable Housing would be managed by a registered social landlord. The applicant would be required to enter into a legal agreement to secure the scheme's provisions would deliver 100% affordable accommodation.

Recreation provision - The scheme as proposed would normally include a commuted sum contribution of £38,595.30 for recreation as required by SPD1. However, the applicant has submitted a viability appraisal where a case has been presented that payment of the full commuted sum would render the scheme unviable. The viability appraisal has been assessed and it is recommended that the commuted sum be reduced on this occasion to £9,000, which has been demonstrated to be the maximum recreation contribution that the development could viably support whilst still delivering 100% much needed affordable housing which is a clear benefit of the proposal. It should be noted that this does not set a precedent as all applications are assessed on their own merits. The project that this recreation contribution will be used for will be confirmed and identified in the supplementary report.

Objections - The planning issues with regard to visual and residential amenity, parking and ecology raised by the objectors have been addressed in the above report.

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 L0001, L0002, L0100, L0200, L0201, L0202, L0203, L0205, L1001, L1006, L1100, L1101, L1102, L1104, L1502, L1503, L1600, L1601, 1401-SK016, Revised drawings UG_11882_LAN_DRW_FF_L03/2, GA_L01/3, SL_L04/2, HL_L02/3

Supporting documents:

Viability Statement (Dec 2018)

Design and Access Statement (Nov 2018)

Planning Statement (Dec 2018)

Transport Statement (Nov 2018)

Arboricultural Impact Statement (Nov 2018)

Bat Risk Assessment (June 2018)

Landscape Strategy (Jan 2019)

Crime Impact Statement (No 2018)

Flood Risk and Drainage Report (Nov 2018)

Desktop Contaminated Land Report (May 2018)

and the development shall not be carried out except in accordance with the drawings hereby approved.

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

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

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

5. Following the provisions of Condition 3 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

6. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. The scheme should include a replacement planting for the loss of the tree identified in the Arboricultural Implications Assessment dated 19 July 2017 Ref; TRE/TEAR. and planting along the eastern boundary of the site. It shall be implemented not later than 12 months from the date of first occupation of the development hereby approved; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

7. The development hereby approved shall be carried out in accordance with the recommendation in Chapter 5 of the Ecological Appraisal Report version 1 dated 17th July 2017 for Habitat Enhancement in the form of bat access panels/boxes and bird boxes.

Reason. To enhance and conserve the natural environment pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

8. Details/Samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design and H2/1 - The Form of New Residential Development.

9. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment and surface water drainage strategy (Project Ref No. 6962, Revision S3). Surface water must drain to the combined public sewer at a maximum pass forward flow rate of 5 l/s. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding pursuant to the NPPF and UDP Policies EN5/1 New Development and Flood Risk and EN7/5 Waste Water Management.

10. Before the first occupation of the apartments hereby approved, all the windows on the north elevation of the apartment block shall be fitted with obscured and non-opening windows (min obscurity level 3). The windows on the first and second floors of the south elevation of the apartment block shall be fitted with obscured and non-opening windows (min obscurity level 3). All of the above windows shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/1 The Form of New Residential development.

11. No trees subject to a Tree Preservation Order shall be felled, lopped or topped before, during or after the construction period without the previous written consent of the Local Planning Authority.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 Townscape and Built Design and EN8/2 Woodland and Tree Planting of the Bury Unitary Development Plan.
12. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
- 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. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT4 - New Development.
13. The private access road and turning facilities indicated on the approved plans 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 Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Access.
14. The communal and in-curtilage car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
15. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways to the Local Planning Authority:
- An Approval In Principle for the proposed abandonment of the existing retaining structure abutting the Lowther Road site boundary and replacement wall with foundations that do not encroach under the adopted highway, incorporating the reconstruction of the affected footways, measures to ensure vehicle containment as part of the wall design, full structural, construction and

drainage details, calculations and a detailed construction method statement, including details of pedestrian protection measures, site hoardings located clear of the sightlines from the adjacent junction and traffic management proposals on Lowther Road and Gale Road;

- In connection with the above works, alteration of the junction of Gale Road with Lowther Road to a scope to be agreed incorporating the provision of dropped crossing facilities for pedestrians and appropriate tactile paving, extension of the limits of the adopted highway, formation of the proposed site access onto Lowther Road incorporating the provision of adequate arrangements at the interface with the adopted highway to form a 5.0m minimum level plateau measured from the back of the footway and formation of the proposed footway crossings onto Lowther Road, all to an agreed specification and incorporating all necessary modifications to, and improvement of, any affected street lighting, road markings and highway drainage;
- Provision of a street lighting assessment of the intensified junction of the proposed private access road with Lowther Road and, if required, subsequent scheme of improvements to existing street lighting on the adopted highway. The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway pursuant to the NPPF and UDP H2/2 and HT4 New Development.

16. The visibility splays indicated on approved plan reference 2346-03 shall be implemented to the written satisfaction of the Local Planning Authority before the new site access is brought into use and subsequently maintained free of obstruction above the height of 0.6m.

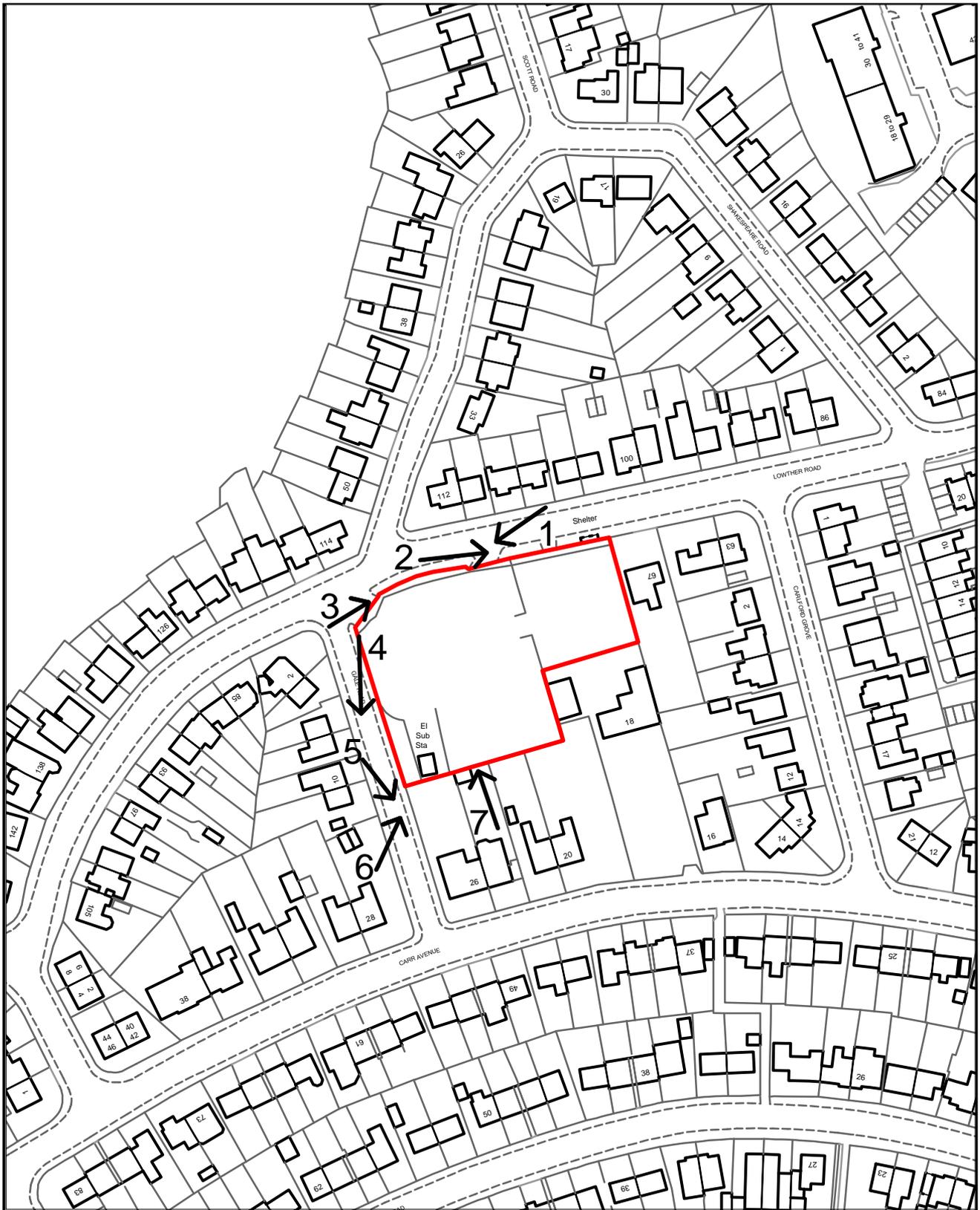
Reason. In the interests of highway safety pursuant to the NPPF and UDP Policies H2/2 and HT4.

17. 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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 63534

**ADDRESS: Site of former Park Hotel
Lowther Road**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

63534

Photo 1



Photo 2



63534

Photo 3



Photo 4



63534

Photo 5



Photo 6



63534

Photo 7



REVISION	DATE	DISCUSSION
01	10.05.18	Initial Issue
02	16.11.18	Planning



KEY PLAN

— SITE OWNERSHIP BOUNDARY
(EXTENT OF PROPOSED DEVELOPMENT)

FOR FURTHER INFO ON EXISTING TREES REFER TO URBAN GREEN SUPPORTING INFORMATION.

EXISTING SITE PLAN

OMI ARCHITECTS

31, Blackfriars Road, Salford, Manchester M3 7AG
 t 44(0)161 832 3242
 f 44(0)161 832 3623
 e info@omiarchitects.com
 w www.omiarchitects.com

PROJECT	LOWTHER ROAD, PRESTWICH				
DRAWING	EXISTING SITE PLAN				
DATE	21.02.18	DRAWN BY	SJC	SCALE	1:250 @A1
JOB NO.	1401	DWG. NO.	L 0100		



DEVIATION KEY

- 1 BUS STOP REMAINED IN EXISTING FOOTPATH
- 2 EXISTING BRICK WALL RETAINED
- 3 NEW FENCING ON TOP BEHIND BUS STOP
- 4 SITE BOUNDARIES - 1.5M FROM FOOTPATH
- 5 DRIVEWAY TO ADJACENT HOUSE
- 6 EXISTING WALLS RETAINED
- 7 ADJACENT PROPERTY
- 8 EXISTING BACKGROUNDS WITH DACHED - FUTURE ENTRANCE LEVELS MADE UP TO EXISTING ADJACENT FOOTPATH LEVELS
- 9 NEW FENCING TO FOLLOW FOOTPATH OF LOW LEVEL WALL WITH FENCING ON TOP, SIGNETS SET BEHIND A KERB LINE OR LOW LEVEL WALL - WITH PLANTING BEHIND
- 10 CLOUT BOUNDARY TO BE LUNDARY WITH SEAT, BENCHES

KEY PLAN

REVISION	DATE	DESCRIPTION
01	16.11.18	Planning

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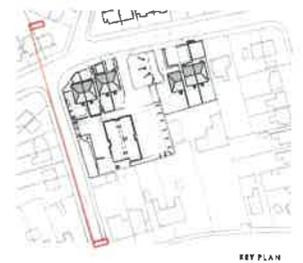


LOWTHER ROAD PROPOSED ELEVATION

OMI ARCHITECTS
 31, Woodman Road, Solihull, Birmingham B37 4Q
 T: 0121 714 2200
 F: 0121 714 2203
 E: info@omiarcs.com
 W: www.omiarcs.com

PROJECT: LOWTHER ROAD, PRESTWICH
 DRAWING: PROPOSED LOWTHER ROAD ELEVATION
 DATE: 24.07.18 DRAWN BY: KT SCALE: 1:125 @A1
 JOB NO.: 1401 DWG NO.: L1400

REVISION	DATE	DESCRIPTION
01	16.11.18	Planning Issue



- FINISH SCHEDULE**
- 1 EXISTING ASPHALT PAVEMENT REPAVED AND FLANKED
 - 2 EXISTING BRICK WALLS REPAVED AND REPAVED WHERE NECESSARY
 - 3 NEW EXHIBITS INSTALLED BETWEEN REELS
 - 4 EXISTING REELS PAINTED WITH COLOURED STYCO TO MATCH FINISHING BETWEEN TOP 2 TO MATCH EXISTING FINISH
 - 5 ALL EXISTING ASPHALT FINISHES TO BE REPAVED AND REPAVED WHERE NECESSARY
 - 6 EXISTING SUBSTRATE
 - 7 FINISH LEVEL INDICATED BY DASHED LINE LEVEL OF ADJACENT PLOTS
 - 8 REFER TO FINISH SCHEDULE OF 1419 AVENUE
 - 9 LEVEL OF REEL TRACKS INDICATED
 - 10 EXISTING EXTERIOR WALL LEVELS HAVE TO BE FLANKED TO MATCH LEVEL OF PAVEMENT

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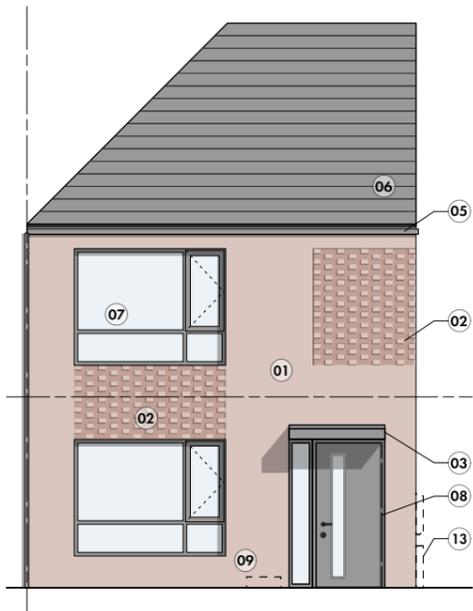
31, Broad Street, Solihull, Birmingham B37 7YQ
 4480181 833 3200
 4420181 833 3623
 3621-3623 ARCHITECTS
 www.omiarchitects.com

PROJECT	LOWTHER ROAD, PRESTWICH				
DRAWING	PROPOSED GALE ROAD ELEVATION				
DATE	26.07.18	DRAWN BY	KT	SCALE	1:125 @A1
JOB NO.	1401	DRAWN BY	1401		

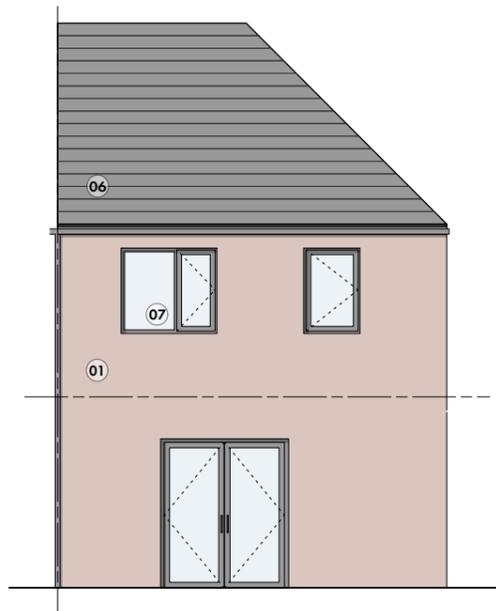
REVISION	DATE	DESCRIPTION
01	23.07.18	Initial Issue for Information
02	01.08.18	Pre-App Follow-up Meeting
03	05.10.18	General Updates
04	23.10.18	Canopy and General Updates
05	16.11.18	Planning



PROPOSED GABLE ELEVATION



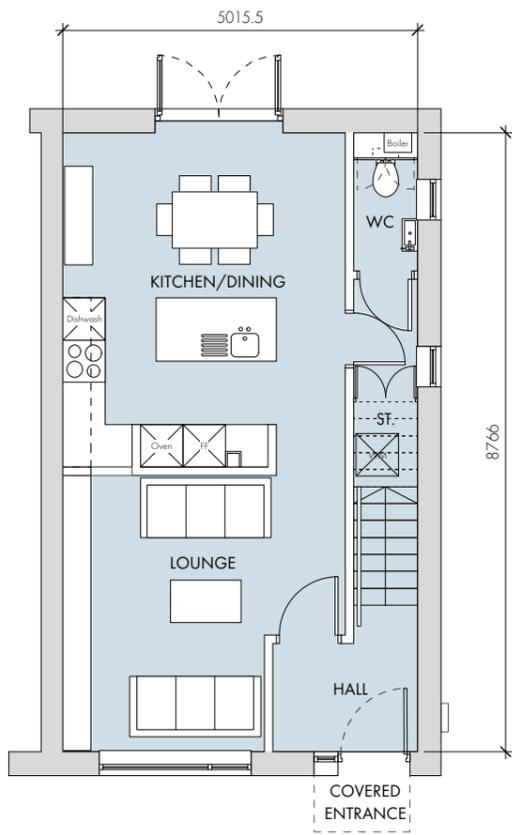
PROPOSED FRONT ELEVATION



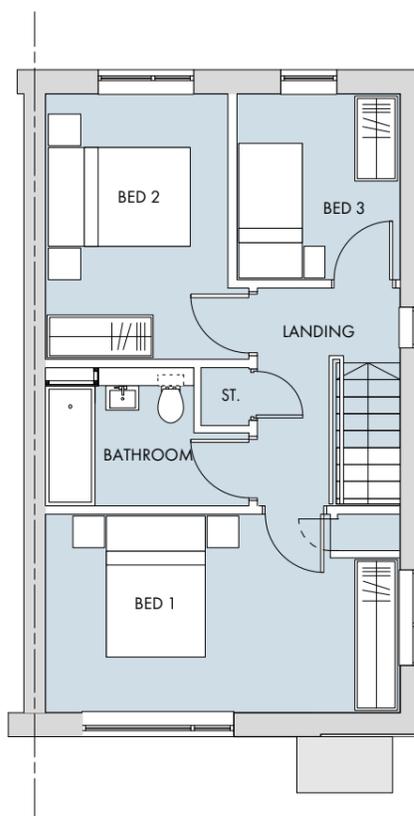
PROPOSED REAR ELEVATION

KEY

- 01 Facing brickwork (to match existing context - to local authority approval)
- 02 Feature brick detail panel
- 03 Proprietary 'one-piece' GRP door canopy - coloured as windows
- 04 ---
- 05 UPVC Rainwater goods - Anthracite Grey
- 06 Thin profile interlocking concrete slate tiles
- 07 Anthracite coloured UPVC double glazed windows and doors
- 08 Proprietary composit GRP door, coloured to match windows
- 09 Low level part concealed gas meter box, any wall mounted meter boxes located to side of house
- 10 Proprietary continuous linear dry verge trim, coloured to match rainwater goods
- 11 Lockable gate to side access
- 12 Side access to rear of property (shared in one instance)
- 13 High level meter boxes (electricity and water) located to side of house



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

TYPE B
3b5p END SEMI-DETACHED HOUSE
 87 sq.m / 936 sq.ft

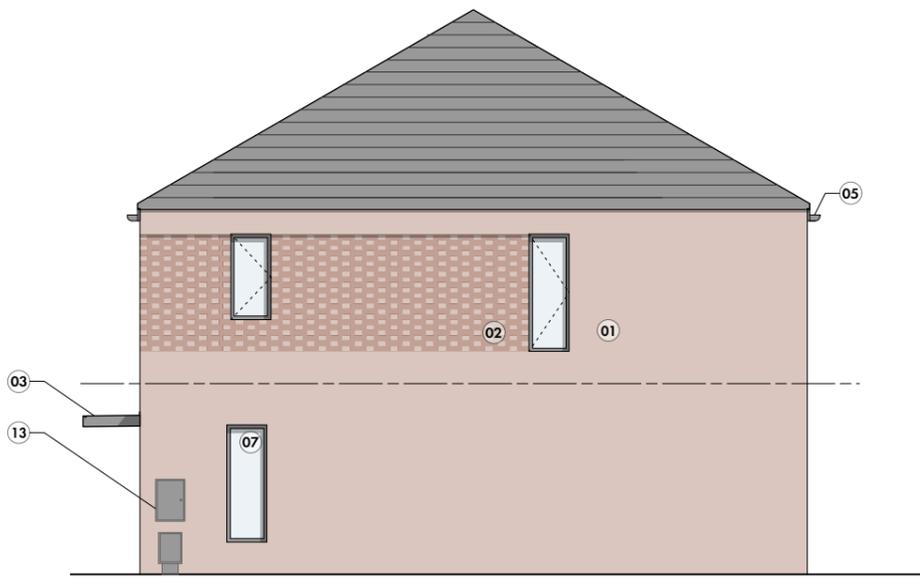
OMI ARCHITECTS

31, Blackfriars Road, Salford, Manchester M3 7AQ

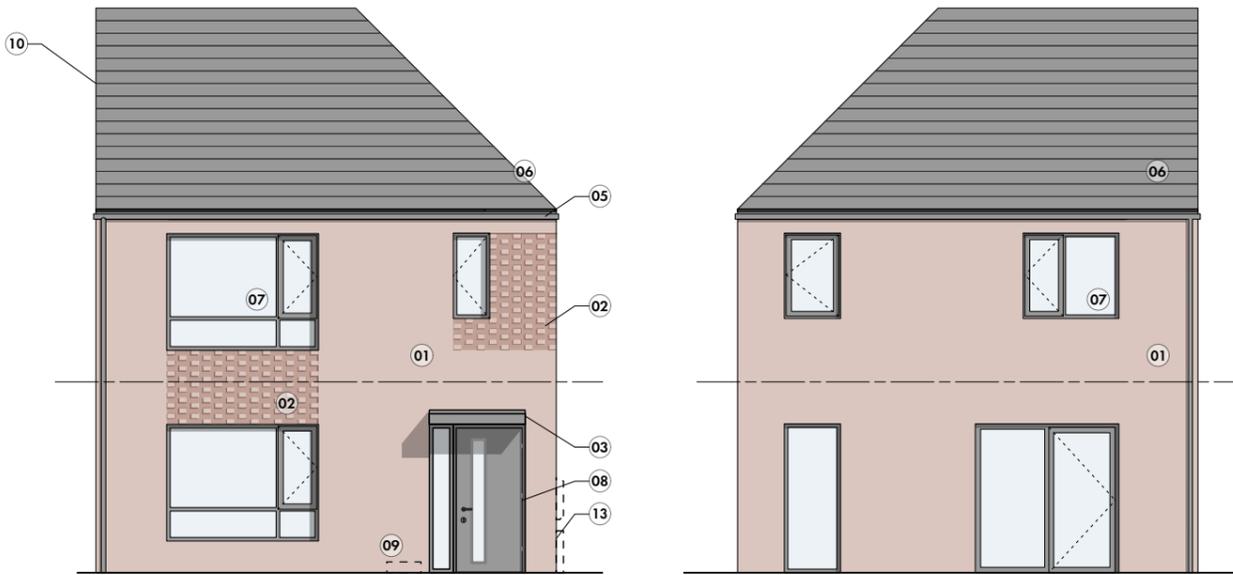
t 44(0)161 832 3242
 f 44(0)161 832 3623
 e info@omiarchitects.com
 w www.omiarchitects.com

PROJECT	LOWER ROAD, PRESTWICH				
DRAWING	HOUSE TYPE: 3B END SEMI				
DATE	02.07.18	DRAWN BY	SJC	SCALE	1:100 @ A3
JOB NO.	1401	DWG. NO.	L 1101		

REVISION	DATE	DESCRIPTION
01	23.07.18	Initial Issue for Information
02	01.08.18	Pre-App Follow-up Meeting
03	05.10.18	Drawing Omitted
04	24.10.18	Drawing Updated & Reinstated
05	16.11.18	Planning



PROPOSED GABLE ELEVATION



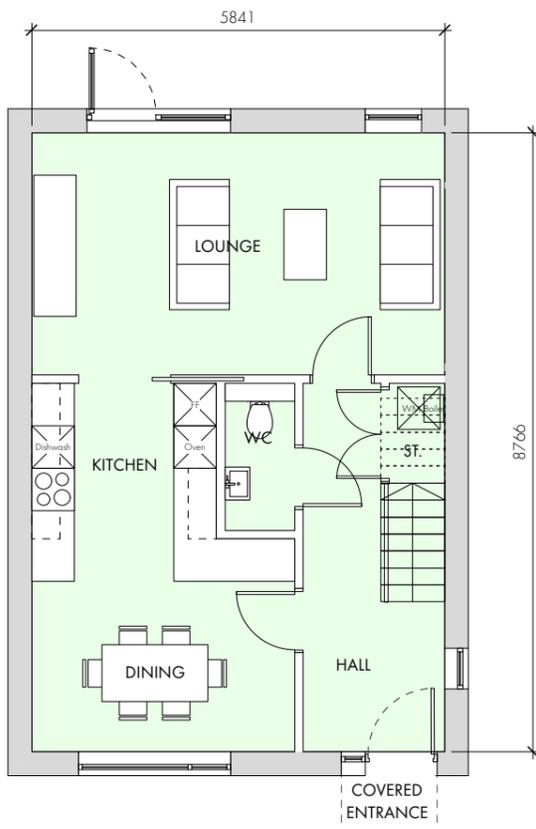
PROPOSED FRONT ELEVATION

PROPOSED REAR ELEVATION

KEY

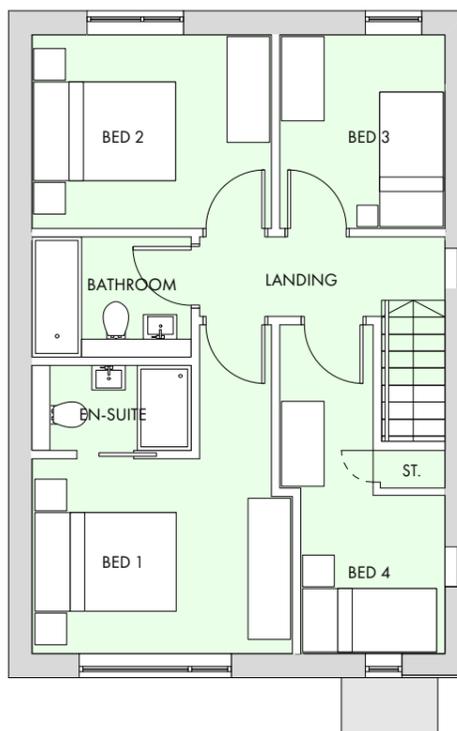
- 01 Facing brickwork (to match existing context - to local authority approval)
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- 10 Proprietary continuous linear dry verge trim, coloured to match rainwater goods
- 11 Lockable gate to side access
- 12 Side access to rear of property (shared in one instance)
- 13 High level meter boxes (electricity and water) located to side of house

For typical external treatment refer House Type A



PROPOSED GROUND FLOOR PLAN

For typical external treatment refer House Type A



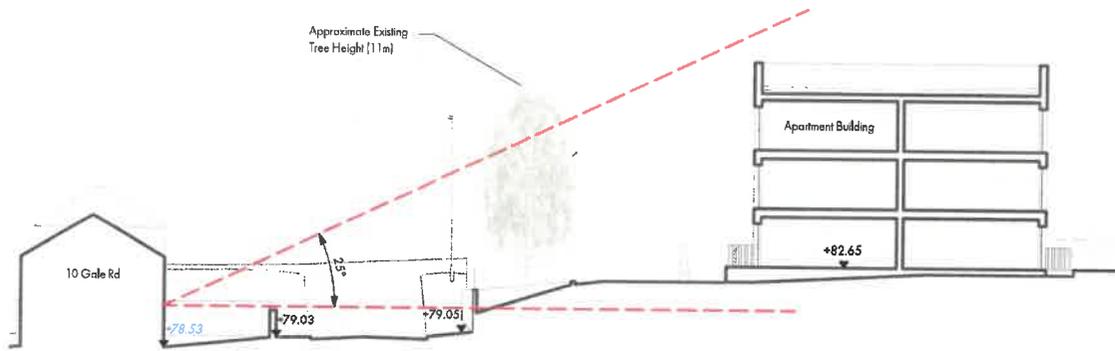
PROPOSED FIRST FLOOR PLAN

TYPE C
4b6p DETACHED HOUSE
 100 sq.m / 1076 sq.ft

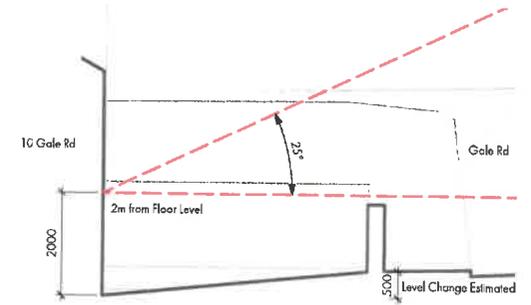
OMI ARCHITECTS

31, Blackfriars Road, Salford, Manchester M3 7AQ
 t 44(0)161 832 3242
 f 44(0)161 832 3623
 e info@omiarchitects.com
 w www.omiarchitects.com

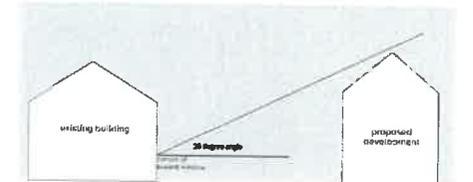
PROJECT	LOWER ROAD, PRESTWICH		
DRAWING	HOUSE TYPE C: 4B DETACHED		
DATE	02.07.18	DRAWN BY	SJC SCALE 1:100 @ A3
JOB NO.	1401	DWG.NO.	L 1102



Section - BRE Daylighting Test
1:250



Blow up Section
1:100



Daylighting Test Diagram: Site layout planning for daylight and sunlight: a guide to good practice (BR209)
NTS

Notes:

All tree heights given are existing - to be read in conjunction with Urban Green Arboricultural Impact Assessment (AIA)

Key:

- Section Line
- Level taken from Topographic Survey
- +55.55 No survey data available - level estimated
- Building Separation Distance



Part Site Plan
1:250



IRWELL VALLEY HOUSING
LOWTHER ROAD, PRESTWICH
1401 SK 016_02
GALE ROAD DAYLIGHTING TEST

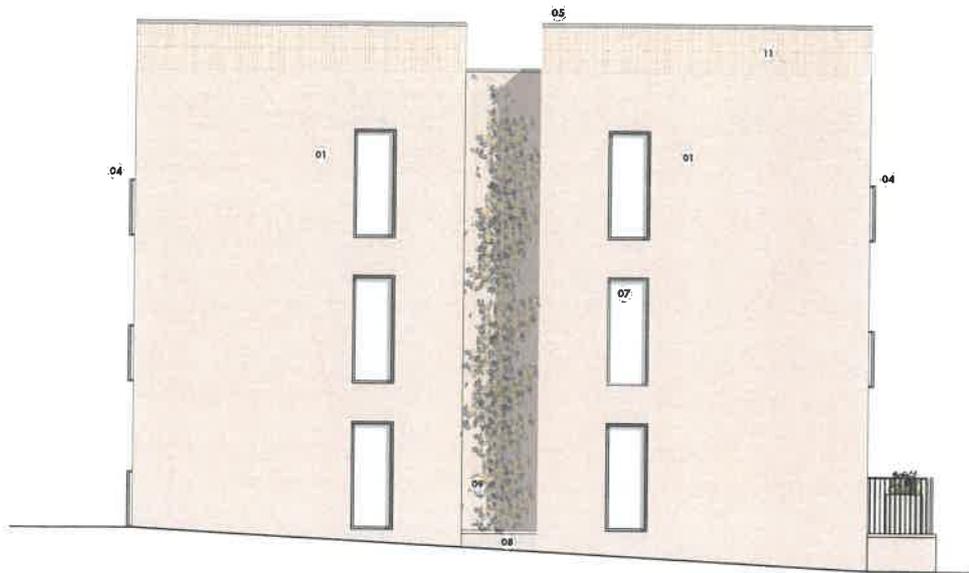
SCALE: Various @ A3
23.01 '19

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31, Blackfriars Road, Salford, Manchester M3 7AQ

T 44(0)161 832 3242
F 44(0)161 832 3423
E info@omitech.com
W www.omitech.com

REVISION	DATE	DESCRIPTION
01	23.07.18	Initial Issue for Information
02	01.08.18	Pre-App Follow-up Meeting
03	05.10.18	General Updates
04	16.11.18	Planning



GABLE ELVATION

KEY

- 01 Facing brickwork (to match existing context - to local authority approval)
- 02 Feature brick detail panel (contrast stretcher bond brick with 20mm projecting headers in facing brick, type TBC)
- 03 Feature brick panel (20mm recessed contrasting brick, type TBC)
- 04 Juliette Balconies - galvanised steel painted to match windows
- 05 Continuous metal coping coloured to match metal work - Anthracite
- 06 —
- 07 Anthracite coloured UPVC double glazed windows and sliding doors
- 08 Integrated brick planter in recess
- 09 Anchor points and steel wire attached to brick face for climbing plants
- 10 Glazed front door with post boxes integrated into side panel, coloured to match steelwork
- 11 Stacked soldier courses cap parapet in facing brick type
- 12 Balustrading to ground floor terraces beyond - galvanised steel painted to match windows



GALE ROAD ELVATION

TYPE D
2b3p APARTMENT
 55 sq.m / 592 sq.ft

OMI ARCHITECTS

31, Blackthorn Road, Salford, Manchester M3 7AQ
 t 44(0)161 832 2242
 f 44(0)161 832 2222
 e info@omichitects.com
 w www.omichitects.com

PROJECT	LOWER ROAD, PRESTWICH		
DRAWING	HOUSE TYPE D: APARTMENT BLOCK ELEVATIONS		
DATE	02.07.18	DRAWN BY	SJC SCALE 1:100 @ A3
JOB NO.	1401	CHKD BY	L1104

Ward: Bury East

Item 07

Applicant: Mr Sohail Afsar

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 Ref: 63589/Full

Target Date: 08/02/2019

Recommendation: Approve with Conditions

Description

The application relates to a former estate agent's office (Use Class A2) on the north side of Bolton Street, close to the junction with Silver Street and Market Place. The premises are located within a row of shops and businesses in a mix of uses, situated within a Secondary Shopping Area and Frontage of Bury Town Centre as defined in UDP Policy S2/3. The site is within the Town Centre Conservation Area. On either side of the premises is an estate agent's office and The White Lion Public House and across Bolton Street is a row of shops.

There are parking restrictions in the form of double yellow lines along Bolton Street in front of the site with metered parking bays directly opposite and in surrounding streets, and a public car park 70m away to the west.

The application is a resubmission of planning reference 63294 and seeks a change of use of the ground floor of the estate agents to a private hire radio operated taxi booking office. The first floor would remain as ancillary and used as storage or associated office space.

The proposed floor plan shows that the front of the ground floor would be accommodated by those staffing the booking office with the rear area for staff facilities. The plan states that there would be no public waiting area and the supporting information states that there would be no public access to the premises for customers. The premises would be used as a radio only operated business, whereby customers would ring for a taxi to be picked up at their given location. The business would operate 24 hours with 3 full time staff.

The previous application was refused on highway safety and servicing/parking arrangements as it related to a taxi booking office open to customers for pick up from the premises.

Relevant Planning History

63294 - Change of use from estate agents (Class A2) to private hire taxi booking office (Sui Generis) - Refused 20/11/2018

63295 - 1 no. externally illuminated fascia sign and 1 no. externally illuminated projecting sign - Refused 20/11/2018

63590 - 1 No. externally illuminated fascia sign and 1 no. externally illuminated projecting sign - current application

Publicity

Letters sent to 26 properties on Bolton Street, Silver Street, Market Place, Brandlesholme Road, Hilton Street, Chesham Road, The Rock on 19/12/2019.

Press advert in the Bury Times on 3/1/2019

Site notice posted 6/1/2019.

Letters of objection received from:

8 Castlecroft Mews, Elton Bullitt taxi cars

- There are already enough taxi offices on Bolton Street and is in a bad location with double yellow lines outside;
- Opposite Silver Street where the buses have to turn;
- Will create noise for people living nearby from drunks, those waiting for taxis, slamming car doors;
- Increase in litter;
- If it is granted they would ignore any conditions;
- The previous application was refused due to lack of parking facilities so these factors cannot change as there is still no place to pick up or drop off or parking facilities.

Petition with 19 signatures from Bolton Road Traders:

- Existing businesses need more traders who will attract footfall to the street in trading hours.
- There is already plenty of access to taxi companies in this part of Bury.
- We have one of the most successful tourist attractions in the North West on our street and this is best serviced by retail shops, cafes or restaurants open during trading hours.

Our concern is not only for our own existing businesses, but also for the good of Bolton Street as a thriving, vibrant district of Bury town centre. It would be wrong for this characterful and historic street to become a forgotten backwater. A taxi office does not need to be on the ground level unless it is going to be used as a taxi rank. From experience, we have seen that taxis gather and park outside their offices.

Those who have expressed an interest have been informed of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions

Licensing Department - No comments received.

Environmental Health - Commercial Section - No response received.

Greater Manchester Police - designforsecurity - Recommend implementation of security measures. To be added as an informative

Environmental Health Pollution Control - No comments to make

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
Area	Bolton Street/Market Place
BY3	
S1/1	Shopping in Bury Town Centre
S2/3	Secondary Shopping Areas and Frontages
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
HT6/2	Pedestrian/Vehicular Conflict
HT2/4	Car Parking and New Development
HT2/8	Taxi and Private Hire Businesses
EC4/1	Small Businesses

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.

Policy - Policy HT2/8 Taxi and Private Hire Businesses. Proposals for taxi or private hire businesses will be looked upon favourably, providing that the following criteria are satisfied:

- a) adequate car parking facilities are provided for the needs of employees and vehicles used in connection with the business;
- b) it will not have an unacceptable adverse effect on the amenities of neighbouring residents or occupiers;
- c) it will not have an unacceptable adverse effect on the local highway network, in terms of road safety and traffic circulation in particular.

UDP Policy S2/3 - Secondary Shopping Areas and Frontages. Within secondary shopping areas identified in the Borough's town centres, and in the main shopping areas of district centres, the Council will seek to maintain retailing (Class A1) as the predominant land use at ground floor level. Proposals for change of use or redevelopment within these areas will be assessed on their merits and by taking into account the following factors:

- a) the design and appearance of the proposed frontage;
- b) the maintenance or provision of a display window at ground floor level, where appropriate;
- c) access for the mobility impaired, where appropriate and through negotiation with the developer;
- d) whether the proposals will give rise to disturbance or nuisance;

In addition, where a proposal would lead to more than 40% of any identified secondary shopping frontage being in non-retail (Class A1) use, the Council will also take into account the following factors:

- e) the location and prominence of the proposal within the secondary shopping frontage;
- f) the number, distribution, and proximity of other premises in non-retail (Class A1) use or with planning permission for such uses;
- g) the particular nature and character of the use proposed, including the level of activity associated with it.

EN2/1 - Character of Conservation Areas. The Council will take action as appropriate to preserve or enhance the character or appearance of the Borough's Conservation Areas. The Council will be especially concerned with encouraging and, where appropriate, implementing measures to:

- a) retain, replace and restore features of historical and architectural interest;
- b) retain and enhance existing landscape features including trees, parks and gardens;
- c) initiate and promote environmental improvement/enhancement schemes such as landscaping, refurbishment of street furniture, traffic management and pedestrian schemes;
- d) remove dereliction and bring unused land or buildings back into beneficial use;
- e) prepare and promote design guidelines to ensure sympathetic development.

EN2/2 - Conservation Area Control. Development within a Conservation Area will only be acceptable if it preserves or enhances the special character or appearance of the area. In considering proposals for development in Conservation Areas, regard will be had to the following criteria:

- a) the nature of the development in terms of its bulk, height, materials, colour, design and detailing;
- b) the relationship between the proposed development and the architectural and visual qualities of the surrounding area;
- c) where demolition is proposed, the contribution of any proposed new building to the character or appearance of the area as compared to the building to be demolished;
- d) in the case of the re-use of buildings or the introduction of new uses, the impact of the proposal on the character or appearance of the area and the fabric of the existing building.

The main planning issues relate to the impact of the proposed change of use upon the vitality and viability of Bury Town Centre, the character of the conservation area, highway safety and residential amenity.

Impact on the Shopping Centre - The site is within a vibrant part of Bury town centre, close to the historic quarter and contains a variety of retail and non-retail uses such as shops, offices, pubs, cafes and beauty salons. The application premises have been recently vacated by the previous occupier, an estate agents, which did not add anything positive the streetscape.

As a radio operated business, bookings would be taken by phone. Although there would be no customer footfall to the premises, an active and open frontage would be maintained within the shopping area and a condition that no vinyl or laminate screening be applied to the shop front would be recommended. In addition, an active frontage, albeit a booking office would be preferable to a vacant unit.

It is therefore considered that the proposal would not have a harmful effect upon the vitality and viability of Bury Town Centre and there would be no conflict with UDP Policy S2/3 which whiles seeking to maintain retailing as the predominant land use, recognises that changes of use to non-retail will be assessed on their individual merits, which includes provision of an active shop front. There would also be no alterations to the physical structure or features and design of the frontage, apart from the signage (covered in a separate application ref 63590), and as such the design and appearance of the proposed frontage would comply with part a) of UDP Policy S2/3.

The proposal is therefore considered acceptable and, in terms of shopping policy, complies with the NPPF and UDP Policies S1/1, S2/3.

Character of the Conservation Area - Conservation Policies seek to preserve or enhance the character and appearance of an area to ensure any new development would accord with the special architectural and visual qualities.

There would be no significant external alterations other than replacement signage and lighting (which is subject to a separate advert consent ref 63590), and it is therefore considered that impact on the visual amenity of the area would be negligible.

The use itself would maintain an open shop frontage and as such considered to preserve the character of the Conservation Area in compliance with UDP Policies EN2/1 and EN2/2.

Highways Issues - The premises are located on a main road which have double yellow lines along the length and directly in front of this row of shops. On the opposite side of the road are loading bays and some meter controlled parking bays.

The application is for a radio operated taxi business only and the applicant has indicated on the proposed plans and in their supporting statement that there would be no facilities for customer visiting and pick up. It would be wrong therefore to assume that customers would visit the premises as there would be no access allowed and no facilities provided for customers. Bookings would be taken by telephone only.

The proposed use would therefore not likely generate vehicular movement or parking on the highway in the immediate vicinity of the premises by private hire vehicles and therefore not lead to the carrying out of manoeuvres which would conflict with general traffic and cause highway safety issues.

In terms of parking, this is restricted in front of the premises and along the row. There are parking bays opposite and down nearby side streets, with a public car park located to the west on Bolton Street. Should drivers need to visit the premises for any purpose, they would have to find a suitable place to park and walk to the office. Conditions would be attached to an approval prohibiting taxis from visiting the premises for the purpose of waiting, taking orders or collecting customers and would restrict the use of the office to telephone and radio controlled bookings only. A condition would also be recommended that there be no facilities at the premises for customers in relation to pick ups or

refreshment.

It would also be wrong to assume that taxi drivers would park illegally and any more than normal drivers. It is noted that the parking bays only have restrictions in place for the main daytime period and that on street parking would be available in the evening and at night for parking opposite and in the nearby streets.

Any issue with regard to private hire vehicles waiting on the parking bays or restricted areas would be a matter for the Council's Parking Enforcement or the police.

The Highways Section have raised no objection to the proposed change of use subject to the conditions described above and as such, the proposed development is considered acceptable and would comply with Policy HT2/8 - Taxi and Private Hire Businesses. Proposals.

Residential amenity - The taxi booking office would be located within a row of shops and in a busy town centre location and fronting a main road. A number of the businesses and shops in the vicinity are open and operate at various times of the day, including evenings and night.

As a contained office, with no regular footfall apart from the occasional delivery or driver, there would not be any significant activity associated with the proposed use and the location of the of the booking office is considered to comply with HT2/8 - Taxi and Private Hire Businesses and EN1/2 - Townscape and Built Design.

Design for Security - No objection with the recommendation that security measures be implemented, which will be included as an informative to the applicant.

Response to objectors

- It cannot be assumed that there would be a breach of the recommended conditions. The conditions are reasonable to make the development acceptable and enforceable if breached.
- Whilst there are other taxi booking offices in this area of the town centre, there is not an intense proliferation in a concentrated area and as such considered to be an acceptable location.
- The issues of parking, traffic, residential amenity and character have been assessed in the above report.

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

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

Recommendation: Approve with Conditions

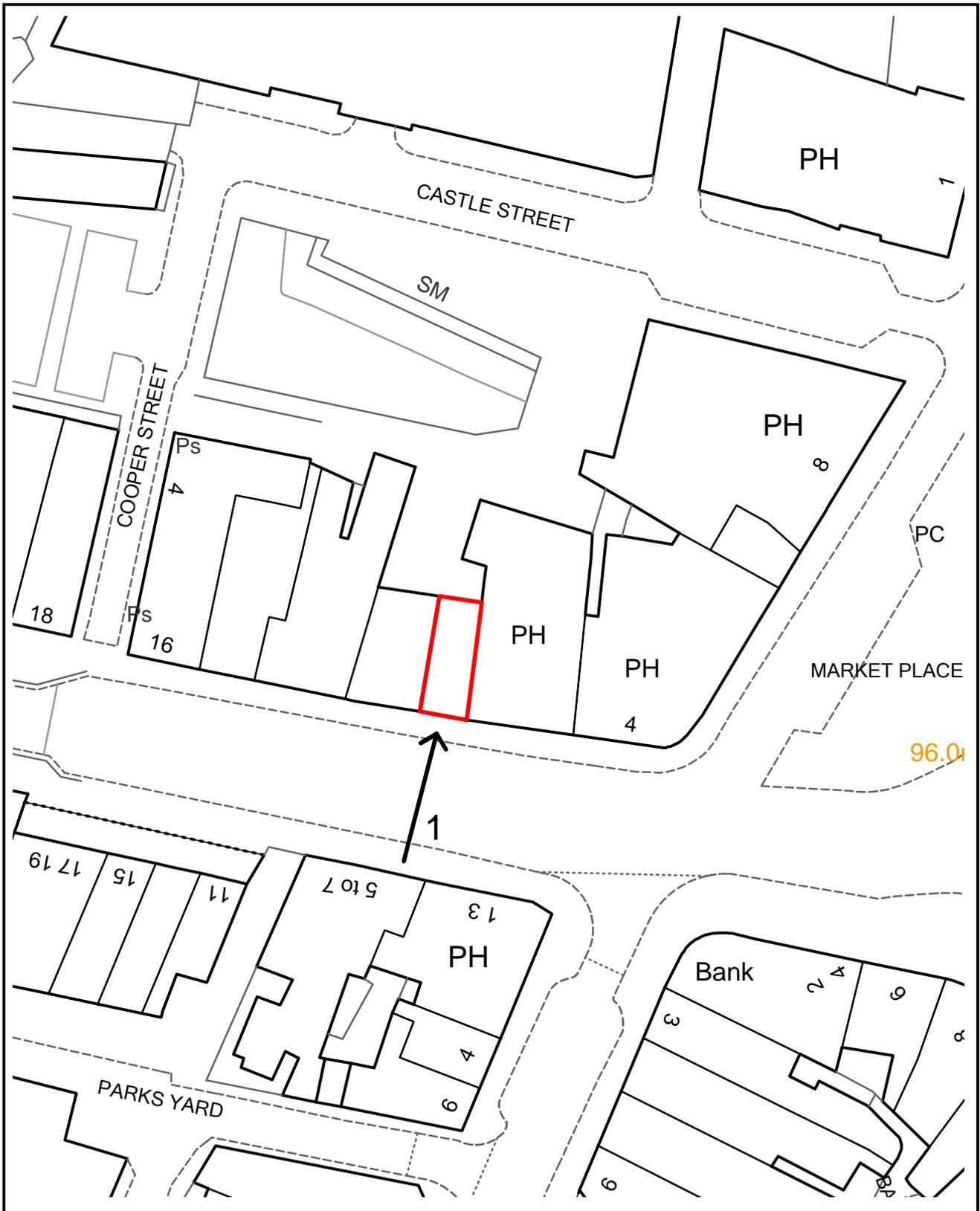
Conditions/ Reasons

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 - Proposed layout and elevation plans dwg 2/2 Revision C dated 7/2/19, supporting statement version 2 dated 6/2/19 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. No private hire vehicles belonging to the applicant or those belonging to freelance drivers operating through the radio control at the premises, shall visit the office hereby permitted for the purposes of waiting or taking orders and instruction and collecting clients.
Reason. In the interests of residential amenity and highway safety pursuant to UDP Policy HT2/8 Taxi and Private Hire Businesses and EN1/2 - Townscape and Built Design. .
4. The use hereby approved shall be limited solely to telephone and radio controlled bookings. There shall be no facilities at the premises for customers or members of the public in relation to customer pick up, rest and refreshment.
Reason. In the interests of residential amenity and highway safety pursuant to UDP Policy HT2/8 Taxi and Private Hire Businesses and EN1/2 - Townscape and Built Design.
5. There shall be no intercom system at the premises for use by customers or drivers.
Reason. In the interests of residential amenity and highway safety pursuant to UDP Policy HT2/8 Taxi and Private Hire Businesses and EN1/2 - Townscape and Built Design. .
6. The glazing on the shop front shall remain free from any laminate or vinyl screening.
Reason. In the interests of visual amenity and to preserve the character of the Conservation Area pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN/1 - Character of Conservation Areas and EN/2 - Conservation Area Control.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 63589

**ADDRESS: 8 Bolton Street
Bury**

Planning, Environmental and Regulatory Services

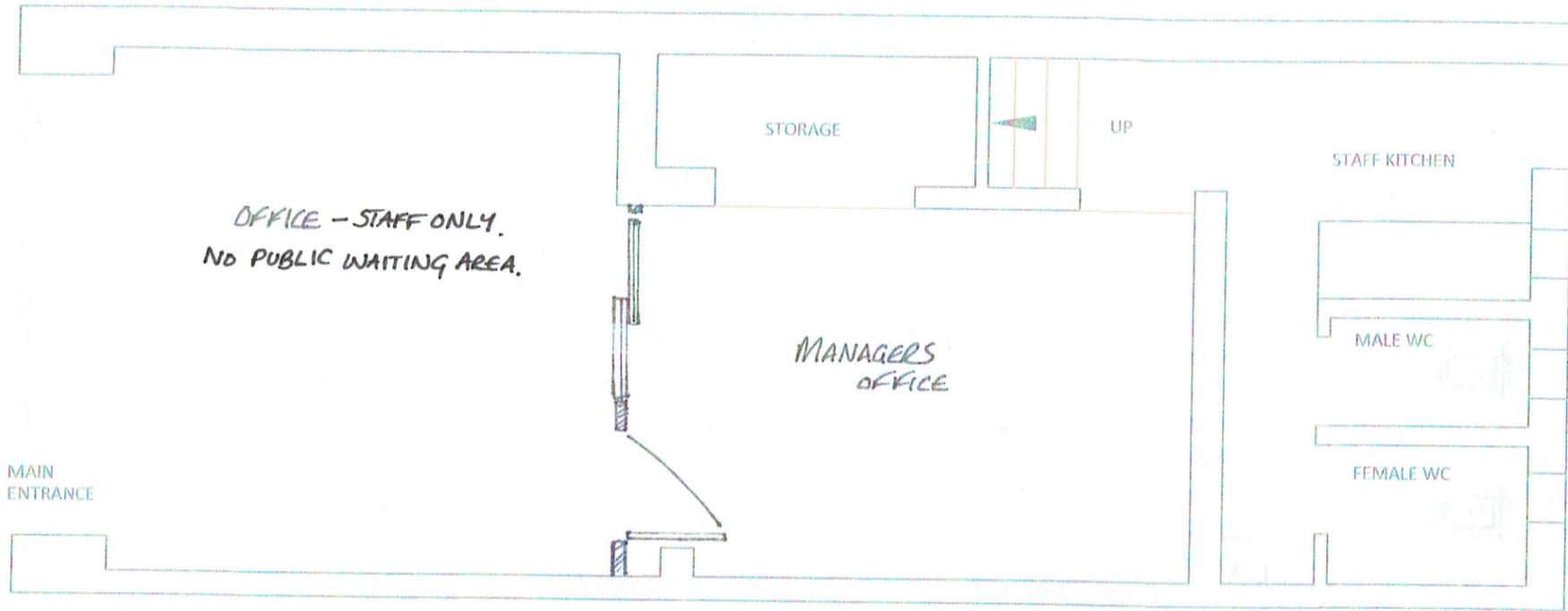
(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.



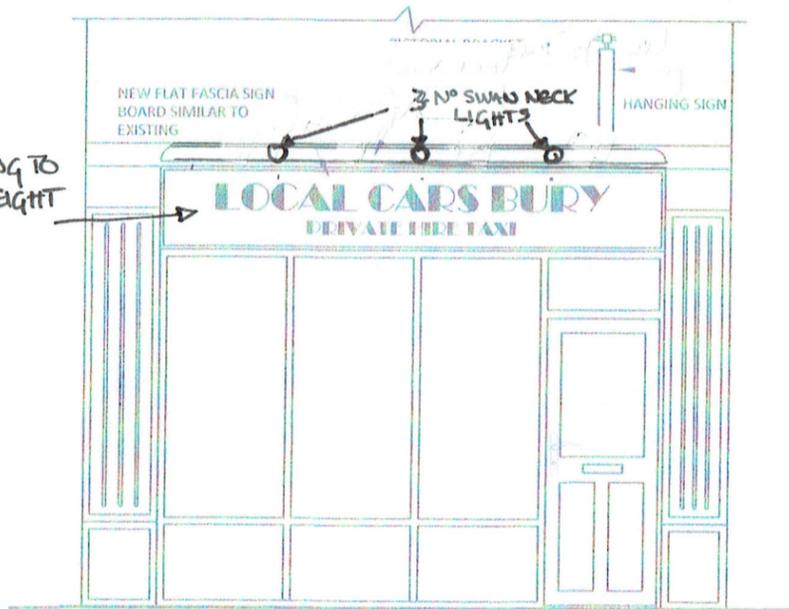
63589

Photo 1

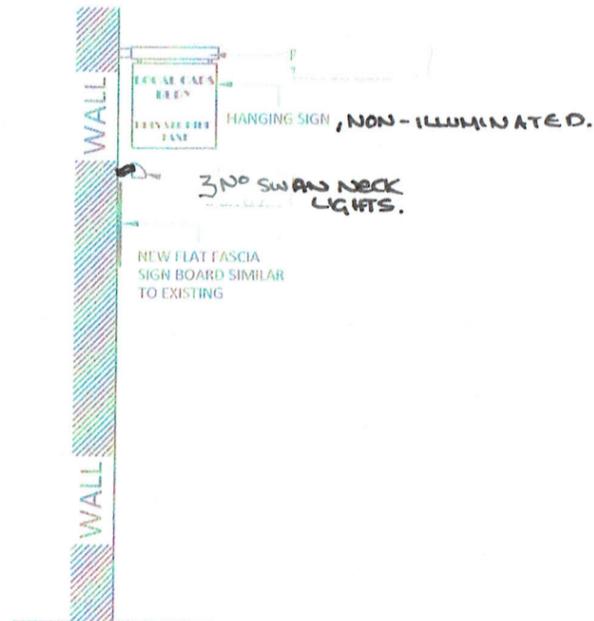




PROPOSED GROUND FLOOR PLAN



PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION

REV	DATE	AMENDMENTS
A.	28/1/19	ANNOTATION.
B.	01/2/19	LIGHTING REDUCTION
C.	07/2/19	LETTERING SIZE

CLIENT	MR SOHAIL AFSAR
DRAWN BY	
DATE	13 SEPTEMBER 2018
SCALE	1:50 @ A3
PROJECT REF	00146
DRAWING No	2/2
TITLE:	PROPOSED CHANGE OF USE FROM (A2) ESTATE AGENT TO (SUI-GENERIS) PRIVATE HIRE TAXI BOOKING OFFICE AT: 8 BOLTON STREET BURY BU9 0LQ

BURY COUNCIL
DEPARTMENT FOR RESOURCES AND REGULATION
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

19 February 2019

SUPPLEMENTARY INFORMATION

Item:01 Land at rear of 27 Duckworth Road, Prestwich, Manchester, M25 9GF
Application No. 63374

Erection of 1 no. dwelling

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to car parking, turning facilities, a construction traffic management plan, visibility splays and vehicular access.

Publicity

1 letter has been received from a planning consultant on behalf of neighbouring properties and has raised the following issues:

- I am unable to access the committee report, but I have read the pre-app report, which is thorough and covers the key planning considerations.
- I have carefully considered the revised plans and visited the site.
- The footprint of the proposed dwelling sits very uncomfortably in the site. It literally abuts the southern boundary where the neighbours garage and is so close that it will prohibit any maintenance work to either property. In my opinion, it will infringe on the amenity of the neighbour by virtue of proximity as it is only 3.2 m from the main house at number 26 and appears to have been 'shoe horned' into the site. This suggests a general over development of the site.
- There remains an overshadowing issue which negatively effects the amenity of the neighbours at 24 Lowther Rd. The plans show a 1.5 storey proposal but include a very steeply raked roof which takes the overall height of the proposal to something similar to the neighboring properties. This gable cannot be ignored when assessing the shadow cast by the proposal and will severely reduce light into the living room of number 24. This falls significantly short of the expectations set out in SPD 6.
- Access to the site is compromised by the fact that Lowther Rd is only a single carriageway at this point. Even the applicants tracking diagram shows that a small car accessing or egressing the site must touch the retaining wall on the opposite side of the road and will still track the rear wheels beyond the existing dropped kerb. This is an adopted footway meaning that without a design amendment that the Council would be liable to repair any damage that occurs as a result.
- Egress from the site is also severely affected by the fact that there is quite literally no visibility splay to the north. Vision is completely obstructed by the neighbours existing boundary wall and this is still further compounded by the topography of the road, which falls away steeply, meaning that oncoming vehicles cannot be clearly seen.
- Any visitor parking should ideally be contained within the site. This is not possible with the proposed layout due to the need to enter and leave the site in a forward gear.
- Points 3, 4 and 5 also suggest that access during the proposed construction phase is also very compromised and larger vehicles such as concrete mixers etc will not be able to access the site to drop their loads.
- The proposed flat roof element to the rear of the proposed dwelling has a raised parapet which could possibly be used as additional outside space. Whilst this is not accessed at the moment, there is concern that a simple amendment to the adjacent window could allow this to occur. If the committee are minded to approve, we would like a condition put in place which precludes this activity.
- There remains a significant boundary dispute which arises from the adverse possession of a strip of land and a mature tree to the northern boundary. Given that the proposal includes for the felling of this tree and the provision of a

footpath, it would be impossible to implement the proposal until this dispute is legally resolved.

- Each of the above points alone would be sufficient reason to refuse to award permission but cumulatively they amount to a strong case. I urge you to recommend refusal. Failing that, I would like to request the application is deferred and members visit the site to help inform their ultimate decision.

The objector has been notified of the Planning Control Committee meeting

Responses to objectors

- The committee report and associated plans and photos are available on the Councillors, meetings and decisions section of the Council's website (www.bury.gov.uk).
- The proposed dwelling is sited on land in the applicant's control. Any maintenance issues would be a private matter and would not be material to this application.
- The proposed dwelling would be 3.2 metres from the single storey extension which connects the garage (at No. 26) and the main dwelling at No. 26. The single storey extension at No. 26 is currently overshadowed by the attached garage. Given the path of the sun, the existing dwelling at No. 26 would overshadow the proposed dwelling.
- The windows at ground floor of No. 24 Lowther Road are secondary windows with the principle window to the lounge being located on the rear (western) elevation. As such, the proposed dwelling would not have a significant adverse impact upon the principle window to the lounge and would comply with the aspect standards in SPD6.
- Whilst Lowther Road narrows to a single track access, it must be noted that the site currently contains a garage with an existing access. The garage is in the ownership of the occupiers of 27 Duckworth Road, which is a 3 bedroom dwelling. As such, the existing access onto the road can be brought into use immediately without the need for planning consent. The proposed dwelling would be 2 bedrooms and would utilise the existing access. As such, the proposed development would lessen the use of this access.
- A condition relating to a construction traffic management plan has been added.
- A condition removing permitted development rights for the proposed dwelling has been added.
- The boundary dispute between neighbours is not a material planning consideration.
- Committee members will be undertaking a site visit to the application site on the afternoon of 19 February.

Highways issues - No. 27 Duckworth Road is in an elevated position in relation to Duckworth Road. The proposed parking scheme for the occupiers of No. 27 Duckworth Road involved the construction of a retaining wall to facilitate a parking space level with the road. There would not be sufficient depth in front of the house to create a parking area, which would be able to accommodate a vehicle off the adopted highway. As such, it is considered that in this instance, on-street parking would be acceptable. The Traffic Section has no objections, subject to the inclusion of conditions relating to car parking, turning facilities, a construction traffic management plan, visibility splays and vehicular access. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Conditions

Condition 2 and 3 has been amended to remove the plan relating to the parking

scheme and to ensure red bricks are used. Conditions 6 and 7 have been amended following the recommendation from the Traffic Section. Conditions 8, 9, 10 and 11 are added in relation to restricting permitted development rights, a construction traffic management plan, visibility splays and vehicular access:

2. This decision relates to drawings numbered AS01, AS00 - plan as existing, AS01, AS02, AS03, AL01, AL02, AX00, AX01, AV00, AV01, AV02, AV03, AV04 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. Notwithstanding the details submitted, details/samples of a red brick and roof tile to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.

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

6. The car parking indicated on approved plan reference AS02 shall be surfaced and made available for use prior to the dwelling hereby approved being occupied and thereafter maintained at all

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

7. The turning facilities indicated on approved plan reference AS02 shall be provided before the dwelling is first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

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

Policy H2/1 - The Form of New Housing Development

Policy H2/2 - The Layout of New Housing Development

Policy EN1/2 - Townscape and Built Design

8. 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, nor shall the flat roof be used as a balcony 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 H2/3 Extensions and Alterations, H2/1 - The form of New Residential Development and H2/2 - The Layout of New Residential Development.

9. 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.

10. Notwithstanding the details indicated on approved plan reference AS02, no development shall commence unless and until full details of the provision of 2.4m x 33m visibility splays at the junction of the vehicular access with Lowther Road, on land within the applicant's control and clear of the proposed 1.1m high brick wall and sliding gate, have been submitted to and approved in writing by the Local Planning Authority. The splays subsequently approved shall be implemented prior to the dwelling hereby approved being occupied and subsequently maintained free of obstruction above the height of 0.6m.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/1 - The Form of New Housing Development
 Policy H2/2 - The Layout of New Housing Development
 Policy EN1/2 - Townscape and Built Design.

11. Subject to the amendments required as part of Condition 2, the vehicular and pedestrian access arrangements indicated on approved plan reference AS02, incorporating the provision of a sliding gate, boundary wall foundations that do not encroach under the adjacent adopted highway and all associated highway remedial works, shall be implemented before the development is first occupied.

Reason. To ensure good highway design in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/1 - The Form of New Housing Development
 Policy H2/2 - The Layout of New Housing Development
 Policy EN1/2 - Townscape and Built Design.

Item:02 Bleaklow Hall, Bolton Road, Tottington, Bury, BL8 4JF Application No. 63388

Demolition of existing bungalow and erection of 4 no. dwellings with associated parking and access

Amended Condition 2 - To clarify plan numbers

This decision relates to drawings numbered 10371 01/A, L01/A, E04/A, E05, E06,

E07, E08, 16, L10, L11, L12, P02/B, P03/B, P04/A, P05, S01/A, S02/D and the following supporting documents:

- Design and Access Statement
- Planning Statement,
- Landscape and Visual Assessment,
- Landscape Specification
- Arboricultural constraints Assessment
- Contaminated Land Desktop study,
- Ecological Assessment,
- Historic Environment Desk Based Assessment

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.

Further objections -

Cllr Daly (Ward Councillor) has raised objections on the following grounds.

- This development sits in the green belt and there are no 'very special' circumstances. The Council policy is clearly to protect the green belt and this would set a dangerous precedent.
- Huge volumetric increase in development on the site, surely this is in breach of council policy?
- This is overdevelopment of the site and in direct contravention to the provisions of the NPPF.
- The proposal is contrary to the Council's policy on protecting the special landscape of the West Pennine Moor area.
- The development leads to a loss of openness of the green belt.
- We should also not be setting a precedent to allow a free for all in respect of applications within the green belt that fall within a rather vague definition of in-fill.

The points above are considered in the report.

Item:03 255 Bury New Road, Prestwich, Manchester, M25 9PB Application No. 63466

Retention of existing A3 cafe/restaurant use with extended opening hours and new glazed balustrade around existing forecourt area.

Amendment to conditions

Delete Condition 7 relating to live and amplified music, is not considered necessary as this is a condition of the premises licence and as such is controlled by the Council's Licensing section.

Further Representations

Supporting representations have been received from residents in the following properties: 17 Wiseman Terrace, 38 Stanley Street, 22 Brookfield, 102 Heywood Road, 14 Egerton Street, 34 Downham Crescent.

Further comments from agent's and response to objections.

There is no material change of use in planning terms; just a change in character and management

The application has been materially revised since it was first proposed. The proposed change of use to a drinking establishment (Use Class A4) has been withdrawn. The proposed café-bar can operate under the existing Use Class A3 which provides for the sale of food and drink. There is, therefore, no material change in planning terms.

It is the character and quality of management which would change fundamentally for the better following a grant of planning permission. The pivotal question is whether it is better to carry on with the manifestly objectionable existing restaurant or place faith in the character and references of the applicants to run a significantly better café-bar in the same premises.

The public consultation evidences the merits of both application and applicant

The fresh public consultation has galvanised latent local supporters to voice the proposals' obvious merits. It cannot be overlooked that statements of support (overall) now outnumber objections by 10-7. In the fresh consultation following material revisions to the proposals, supportive comments outnumber objections by 10-2.

A summary of the proposals' merits highlighted by the statements of support are:

- the expanded food and drink offering of the café-bar (in line with Objective 2 of the saved UDP, Chapter 9: Shopping which seeks to ensure that the range and distribution of shops provide shoppers with a balanced level of provision and choice).
- the appropriate geographical location of the café-bar opposite St Mary's Park.
- the quiet, family-friendly character of the café-bar which will naturally not rely on loud music to create the intended atmosphere which is inherently uncondusive to loutish behaviour. The comment 'good beer = good people' sums up the applicant's business model well.
- the long industry experience and professionalism of the applicant which will undoubtedly improve the amenity of the neighbouring properties which understandably suffered under the previous incompetent management and may possibly continue to suffer if the lease to the A3 premises is assigned to other tenants without the applicant's striking character references.
- the potential for the café-bar to act as an inclusive haunt for the local community, fostering better community spirit at a time when traditional pubs (which served this purpose) are being eradicated at rapid pace.
- the economic benefit to Prestwich (in line with the core economic objective of sustainable development outlined in para. 7 of the National Planning Policy Framework).

Further testament to the applicant's willingness to listen and to proactively resolve problems and develop good neighbourly relations is the meet-and-greet event it hosted at the premises on 13 February. All objectors to the planning application were invited. The applicant's general manager also provided contact details for less confrontational communication. Sadly, there was no attendance or follow-up contact by any of the objectors.

The extended hours sought will go unnoticed

The extended hours sought will increase the premises' commercial viability and support the applicant's higher quality business model. Higher revenue will, in turn, lead to investment in higher quality staff, avoid corner-cutting and, therefore, to better, positive symbiosis with the residential and commercial neighbours.

A grant of planning permission bestows a further material benefit to local amenity in adding planning controls to the premises where currently there are none. The trade-off to extended trading hours are controls on the hours of deliveries, waste management and the playing of live or amplified music beyond normal background levels.

Following consultation with the Greater Manchester Police, the Council has already granted a premises licence to 255 Bury New Road for the extended hours sought in the planning application. Judicious consideration of that application and scrutiny of the applicant's background to act as a 'responsible person' under the Licensing Act 2003 did not determine any increased potential for anti-social behaviour or negative

impact on neighbouring amenity.

Going a step further, the applicant has proactively made the promise to its neighbours that bottle bins will not be emptied late at night but only before opening each day, and that the loud shutters on the back door will be replaced with an iron gate to provide the same level of security without the noise nuisance. A waste contract with timed collections has already been agreed in principle to prevent noise at unsociable hours and bins left blocking neighbours' driveways. Further detail will be provided in discharging Condition 5.

The sum result is that whilst the premises might trade for extended hours, they will be a quieter, more considerate and agreeable neighbour throughout the entire day.

Planning permission can only improve the status quo

I hope the Planning Control Committee sees, as we do, the win-win outcome in granting planning permission. In one stroke, they will install good commercial neighbours with existing community links to undertake a sustainable and positive occupation of the application site whilst also imposing additional planning controls to safeguard local amenity for the long-term, no matter who the tenant is.

Refusing planning permission can only result in no change to the awful situation which has caused so much aggravation and upset to the application site's neighbours.

Item:04 14-16 St Marys Place, Bury, BL9 0DZ Application No. 63520

Change of use from massage institute (Class D1) to 2 no. 7-bed houses of multiple occupation (HMO); External alterations to include replacement windows/doors, bicycle/bin storage at rear and boundary wall/gates at rear

Additional information - Recreation provision

National Planning Practice Guidance which specifies that contributions for tariff-style obligations such as off-site recreation provision, should not be sought from developments of 10 units or less and which have a maximum combined floorspace of no more than 1,000 square metres.

Additional Traffic conditions

No development shall commence unless and until full details of proposals to reinstate the former cellar light and replace the surface level grilles have been submitted to the Local Planning Authority. The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.
Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to the NPPF and UDP Policies listed.

The cycle parking indicated on the approved plans shall be 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 cycle parking provision pursuant to the NPPF and UDP Policies listed.

Item:05 14-16 St Marys Place, Bury, BL9 0DZ Application No. 63521

Listed Building Consent for change of use from massage institute (Class D1) to 2 no. 7-bed houses of multiple occupation (HMO) with internal alterations and external

alterations to include replacement windows/doors, bicycle/bin storage at rear and boundary wall/gates at rear.

Nothing further to report.

**Item:06 Site of former Park Hotel, Lowther Road, Prestwich, Manchester, M25
9GP Application No. 63534**

Residential development comprising of 7 no. 2 storey houses, 12 no. apartments, 21 parking spaces and associated amenity spaces

Error - Second bullet point on page 97 describes the apartment block as four stories, it is in fact three stories.

Third paragraph on page 101 refers to "an increase of **2.5m** for every additional storey". This should read **3m** for every additional storey. The proposal still compliant.

Off-site recreation works funded by the £9,000 contribution.

Completion of fencing originally sourced from Lawn Tennis Association funding to improve and upgrade tennis court facilities at St Mary's Park.

Amendments to conditions to refer to 'above ground works' instead of 'development. This would allow for site preparation works to commence.

6. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of above ground works. The scheme should include a replacement planting for the loss of trees identified in the Arboricultural Impact Assessment (Nov 2018) and planting around the boundary of the site. It shall be implemented not later than 12 months from the date of first occupation of the development hereby approved; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

8. Details/Samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved by the Local Planning Authority before above ground works are commenced. Only the approved materials shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design and H2/1 - The Form of New Residential Development.

15. Notwithstanding the details indicated on the approved plans, no above ground works shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways to the Local Planning Authority:

- An Approval In Principle for the proposed abandonment of the existing retaining structure abutting the Lowther Road site boundary and replacement wall with foundations that do not encroach under the adopted highway, incorporating the reconstruction of the affected footways, measures to ensure vehicle containment as part of the wall design, full structural,

construction and drainage details, calculations and a detailed construction method statement, including details of pedestrian protection measures, site hoardings located clear of the sight lines from the adjacent junction and traffic management proposals on Lowther Road and Gale Road;

- In connection with the above works, alteration of the junction of Gale Road with Lowther Road to a scope to be agreed incorporating the provision of dropped crossing facilities for pedestrians and appropriate tactile paving, extension of the limits of the adopted highway, formation of the proposed site access onto Lowther Road incorporating the provision of adequate arrangements at the interface with the adopted highway to form a 5.0m minimum level plateau measured from the back of the footway and formation of the proposed footway crossings onto Lowther Road, all to an agreed specification and incorporating all necessary modifications to, and improvement of, any affected street lighting, road markings and highway drainage;
- Provision of a street lighting assessment of the intensified junction of the proposed private access road with Lowther Road and, if required, subsequent scheme of improvements to existing street lighting on the adopted highway. The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway pursuant to the NPPF and UDP H2/2 and HT4 New Development.

Amendment to Condition 11 to allow works to trees as set out in arboricultural report.

11. No works to TPO trees, other than those referred to in the Arboricultural Impact Assessment (Nov 2018), shall be carried out before, during or after the construction period without previous written consent of the Local Planning Authority.

Item:07 8 Bolton Street, Bury, BL9 0LQ Application No. 63589

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

Nothing further to report

REPORT FOR NOTING

Agenda Item

5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	19 February 2019
SUBJECT:	DELEGATED DECISIONS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	The report lists: Recent delegated planning decisions since the last PCC
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A
Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS**DIRECTOR:**

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

1.0 BACKGROUND

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

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-None

Contact Details:-

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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

Planning applications decided using Delegated Powers
Between 14/01/2019 and 10/02/2019



Ward: Bury East

Application No.: 63328 **App. Type:** FUL 17/01/2019 Approve with Conditions
Location: Flying Shuttle, Clerke Street, Bury, BL9 0PN
Proposal: Demolition of public house and landscaping of the site including perimeter bollards following demolition

Application No.: 63468 **App. Type:** FUL 24/01/2019 Approve with Conditions
Location: Library Gardens, Silver Street, Bury, BL9 0XX
Proposal: Removal of redundant fountain and installation of a 2m high bronze statue on a stone plinth and within a re-paved area of approximately 54 sq metres.

Application No.: 63485 **App. Type:** FUL 31/01/2019 Approve with Conditions
Location: Huntley Brook Post Office, 214 Bell Lane, Bury, BL9 6HS
Proposal: Single storey rear extension and altered access to flat

Application No.: 63508 **App. Type:** FUL 04/02/2019 Refused
Location: 27 Knowsley Street, Bury, BL9 0ST
Proposal: Change of use to children's day nursery (Class D1)

Application No.: 63541 **App. Type:** ADV 14/01/2019 Approve with Conditions
Location: 11 Rock Place, Bury, BL9 0JX
Proposal: 3 no. internally illuminated fascia signs

Application No.: 63554 **App. Type:** ADV 28/01/2019 Approve with Conditions
Location: 6-10 Princess Parade, Bury, BL9 0QL
Proposal: 1 No. non-illuminated projecting sign

Application No.: 63569 **App. Type:** FUL 05/02/2019 Approve with Conditions
Location: 307 Rochdale Old Road, Bury, BL9 7RZ
Proposal: Basement conversion with fire escape ladder/lightwell at front

Application No.: 63571 **App. Type:** FUL 04/02/2019 Approve
Location: 40 Market Street, Bury, BL9 0AJ
Proposal: Replacement shop fronts with internally housed roller shutters to Market Street and Broad Street elevations

Ward: Bury East - Moorside

Application No.: 63490 **App. Type:** FUL 22/01/2019 Approve with Conditions
Location: J F Business Centre, Fernhill Mill, Hornby Street, Bury, BL9 5BL
Proposal: Sub-division of Unit 10 into 3 no. separate units and installation of roller shutter to Units 9 and 16

Application No.: 63504 **App. Type:** FUL 14/01/2019 Approve with Conditions
Location: 58 Arley Avenue, Bury, BL9 5HG
Proposal: Single storey front extension

Application No.: 63510 **App. Type:** FUL 24/01/2019 Approve with Conditions
Location: 61-65 Bell Lane, Bury, BL9 6BB
Proposal: Change of use of existing vehicle hire office to bathroom showroom (Class A1); Attached single storey storage building at rear

Ward: **Bury East - Redvales**

Application No.: 63493 **App. Type:** ADV 28/01/2019 Refused
Location: BP Garage, Manchester Road, Bury, BL9 9ST
Proposal: 3 No. non-illuminated free standing advertisement signs

Application No.: 63550 **App. Type:** FUL 25/01/2019 Refused
Location: 626 Manchester Road, Bury, BL9 9SU
Proposal: Variation of conditions 2 & 3 (opening hours) of planning permission 62777: Amend opening hours for restaurant & bar to 0700 - 0000 hours Monday to Sunday and opening hours for salon to 0900 - 2000 hours Wednesday to Thursday and 0900 -1900 hours Friday to Tuesday

Application No.: 63557 **App. Type:** FUL 06/02/2019 Approve with Conditions
Location: 51 Tarn Drive, Bury, BL9 9QB
Proposal: Two storey extension at side/rear and single storey extension at rear

Application No.: 63645 **App. Type:** GPDE 24/01/2019 Prior Approval Not Required - Extension
Location: 141 Cornwall Drive, Bury, BL9 9EX
Proposal: Prior notification for proposed single storey rear extension

Ward: **Bury West - Church**

Application No.: 63531 **App. Type:** FUL 15/01/2019 Approve with Conditions
Location: 15 Longridge Drive, Bury, BL8 2JQ
Proposal: Single storey extension at sides, single storey extension at rear and front porch; Render to external elevations

Application No.: 63538 **App. Type:** FUL 08/02/2019 Approve with Conditions
Location: 23 Wadebridge Drive, Bury, BL8 2NN
Proposal: Two storey/single storey front extension; widening of existing driveway and erection of 1.8 metres high fencing

Application No.: 63546 **App. Type:** FUL 22/01/2019 Approve with Conditions
Location: 479 Bolton Road, Bury, BL8 2DJ
Proposal: Two storey extension at side/rear and single storey extension at side/rear

Application No.: 63619 **App. Type:** FUL 31/01/2019 Approve with Conditions
Location: 4 Abbey Drive, Bury, BL8 2HP
Proposal: Single storey extension at rear; Conversion of garage to bedroom and increase in height of roof to garage (to match main roof)

Application No.: 63646 **App. Type:** GPDE 24/01/2019 Prior Approval Not Required - Extension
Location: 16 Kingston Close, Bury, BL8 2EN
Proposal: Prior notification for proposed single storey rear extension

Ward: Bury West - Elton

Application No.: 63548 **App. Type:** FUL 28/01/2019 Approve with Conditions
Location: 41 Trimmingham Drive, Bury, BL8 1JW
Proposal: First floor extensions at front/side and rear

Ward: North Manor

Application No.: 63479 **App. Type:** FUL 18/01/2019 Approve with Conditions
Location: 11 Hillstone Close, Tottington, Bury, BL8 4EZ
Proposal: Two storey and single storey extension at rear; First floor extension at front; New dormer at front; Porch to front and rooflight at rear

Application No.: 63512 **App. Type:** FUL 17/01/2019 Approve with Conditions
Location: 10 Brooklands Road, Ramsbottom, Bury, BLO 9SW
Proposal: Single storey extension at rear; Alterations to windows/doors including new first floor windows at front

Application No.: 63524 **App. Type:** FUL 17/01/2019 Approve with Conditions
Location: 40 Newcombe Road, Ramsbottom, Bury, BLO 9UT
Proposal: Single storey extension at front, two storey extension at side and single storey extension at side/rear; Render to external elevations

Application No.: 63545 **App. Type:** FUL 22/01/2019 Approve with Conditions
Location: 24 Sandringham Drive, Tottington, Bury, BL8 4DJ
Proposal: Loft conversion with dormers at front and rear; External alterations

Application No.: 63572 **App. Type:** FUL 28/01/2019 Approve with Conditions
Location: 8 Stratford Avenue, Bury, BL9 5LB
Proposal: Single storey side extension and widening of existing driveway

Application No.: 63574 **App. Type:** FUL 22/01/2019 Approve with Conditions
Location: 324 Holcombe Road, Tottington, Bury, BL8 4BD
Proposal: Single storey extension at rear

Application No.: 63575 **App. Type:** FUL 06/02/2019 Approve with Conditions
Location: 44 Byron Road, Tottington, Bury, BL8 4EN
Proposal: Single storey extension at rear; first floor extension at side

Ward: Prestwich - Holyrood

Application No.: 63437 **App. Type:** FUL 31/01/2019 Approve with Conditions
Location: 6 Poppythorn Lane, Prestwich, Manchester, M25 3BS
Proposal: New shop front and amended shop layout, single storey extension at rear of garage and creation of flat above shop

Application No.: 63517 **App. Type:** FUL 28/01/2019 Refused
Location: Nutt Lane Stables, Land to the east of Nutt Lane, Simister, Prestwich, Manchester, M25 2SJ
Proposal: Change of use of stable block to 1 no. dwelling

Application No.: 63522 **App. Type:** FUL 18/01/2019 Approve with Conditions
Location: 55 Poppythorn Lane, Prestwich, Manchester, M25 3BX
Proposal: New front entrance, single storey side extension, single storey rear/side extension and increased width of driveway access

Application No.: 63583 **App. Type:** LDGP 05/02/2019 Lawful Development
Location: 22 Ferndene Road, Prestwich, Manchester, M25 2RB
Proposal: Lawful development certificate for proposed loft extension including rear dormer and hip to gable conversion

Application No.: 63621 **App. Type:** FUL 07/02/2019 Approve with Conditions
Location: 6 Holyrood Close, Prestwich, Manchester, M25 1QD
Proposal: Two/single storey extension at rear

Ward: Prestwich - Sedgley

Application No.: 63415 **App. Type:** FUL 28/01/2019 Approve with Conditions
Location: 37 Craigwell Road, Prestwich, Manchester, M25 0FE
Proposal: Raised decking at rear

Application No.: 63519 **App. Type:** FUL 14/01/2019 Approve with Conditions
Location: 4 Northurst Drive, Prestwich, Manchester, M8 4LS
Proposal: Single storey extension at rear; Single storey extension at side; Front porch

Application No.: 63527 **App. Type:** FUL 14/01/2019 Approve with Conditions
Location: 20 Meade Hill Road, Prestwich, Manchester, M25 0DJ
Proposal: Single storey extension at side and first floor extension at front

Application No.: 63542 **App. Type:** FUL 14/01/2019 Approve with Conditions
Location: 6 Meade Hill Road, Prestwich, Manchester, M25 0DJ
Proposal: Two storey extension at side/rear and first floor extension at rear

Application No.: 63576 **App. Type:** FUL 04/02/2019 Approve with Conditions
Location: 37 Tewkesbury Drive, Prestwich, Manchester, M25 0HR
Proposal: Loft conversion with dormers at front and rear and gable roof extension at side

Application No.: 63582 **App. Type:** FUL 22/01/2019 Approve with Conditions
Location: 16 Bishops Road, Prestwich, Manchester, M25 0HS
Proposal: Two storey bay window extension and single storey extension at front; Two/single storey extension at rear

Application No.: 63594 **App. Type:** FUL 28/01/2019 Approve with Conditions
Location: 2 Links Crescent, Prestwich, Manchester, M25 0GG
Proposal: Front porch

Application No.: 63618 **App. Type:** FUL 07/02/2019 Approve with Conditions
Location: 14 Sheepfoot Lane, Prestwich, Manchester, M25 0BN
Proposal: Removal of bays to front elevation; Two storey extension at front; Single and two storey extension at rear and formation of balcony in roofspace at rear

Application No.: 63738 **App. Type:** GPDE 06/02/2019 Prior Approval Required Refused - Ext
Location: 11 Dorchester Avenue, Prestwich, Manchester, M25 0LH
Proposal: Prior notification for proposed single storey rear extension

Ward: Prestwich - St Mary's

Application No.: 63412 **App. Type:** FUL 22/01/2019 Approve with Conditions
Location: 92 Butterstile Lane, Prestwich, Manchester, M25 9PP
Proposal: Variation of condition no. 2 (approved plans) of planning permission 63172 to amend ground floor rear fenestration and change ground floor window to bi-fold door

Application No.: 63414 **App. Type:** FUL 18/01/2019 Approve with Conditions
Location: 6 Gale Road, Prestwich, Manchester, M25 9YP
Proposal: Two storey extension at side and single storey extension at side/rear

Application No.: 63587 **App. Type:** FUL 31/01/2019 Approve with Conditions
Location: 6 Buckley Lane, Prestwich, Manchester, M45 7JZ
Proposal: Demolition of existing garage/extension/conservatory; Two/single storey side extension and two storey rear extension with first floor balcony at side; Replacement roof to form accommodation in roof space with side dormer

Ward: **Radcliffe - East**

Application No.: 63064 **App. Type:** DEM 24/01/2019 Prior Approval Required and Granted
Location: Former Cocklestorm yard (East Lancs Paper Mill site), Bury Street, Radcliffe, Manchester, M26 2RX
Proposal: Prior notification of proposed demolition of 3 no. single storey buildings

Application No.: 63607 **App. Type:** FUL 07/02/2019 Approve with Conditions
Location: 80 Higher Ainsworth Road, Radcliffe, Manchester, M26 4JF
Proposal: Two storey extension at side and rear

Ward: **Radcliffe - North**

Application No.: 63539 **App. Type:** FUL 22/01/2019 Approve with Conditions
Location: 243 Lever Street, Radcliffe, Manchester, M26 4PG
Proposal: Single storey extension at rear

Application No.: 63553 **App. Type:** FUL 22/01/2019 Approve with Conditions
Location: 20A Well Street, Ainsworth, Bolton, BL2 5SQ
Proposal: Single storey extension at side/rear

Ward: **Radcliffe - West**

Application No.: 63484 **App. Type:** CON 24/01/2019 Raise No Objection
Location: Land at Brackley Golf Club, Bullows Road, Little Hulton, M38 9TR
Proposal: Article 18 consultation from Urban Vision (ref. 18/72605/OUT) - Demolition of existing buildings and outline planning application with all matters reserved except for the principal means of access from Manchester Road West (A6) for the erection of a residential development with associated landscaping, open space, ecological corridor, acoustic bund and mitigation and infrastructure.

Application No.: 63561 **App. Type:** FUL 28/01/2019 Approve with Conditions
Location: 34 Hutchinson Way, Radcliffe, Manchester, M26 3AB
Proposal: Two storey extension at side and rear

Application No.: 63603 **App. Type:** FUL 28/01/2019 Approve with Conditions
Location: 38 Rossall Avenue, Radcliffe, Manchester, M26 1JD
Proposal: First floor extension at side and rear; Single storey extension at rear

Application No.: 63644 **App. Type:** GPDE 24/01/2019 Prior Approval Not Required - Extension
Location: 106 Outwood Road, Radcliffe, Manchester, M26 1AG
Proposal: Prior notification for proposed single storey rear extension

Ward: **Ramsbottom + Tottington - Tottington**

Application No.: 63460 **App. Type:** FUL 14/01/2019 Approve with Conditions
Location: 15 Kirklees Street, Tottington, Bury, BL8 3NE
Proposal: Two storey extension at side/front

Application No.: 63528 **App. Type:** FUL 14/01/2019 Approve with Conditions
Location: 10 Victoria Street, Tottington, Bury, BL8 4AG
Proposal: Single storey extension at rear

Application No.: 63547 **App. Type:** ADV 25/01/2019 Approve with Conditions
Location: 80 Market Street, Tottington, Bury, BL8 3LJ
Proposal: 1 No. non-illuminated free standing sign

Application No.: 63610 **App. Type:** FUL 07/02/2019 Approve with Conditions
Location: 16 Croft Drive, Tottington, Bury, BL8 3HT
Proposal: Loft conversion with dormers at front and rear

Ward: Ramsbottom and Tottington - Ramsbottom

Application No.: 63344 **App. Type:** FUL 28/01/2019 Refused
Location: Land off Ripon Hall Avenue, Ramsbottom, Bury
Proposal: Construction of new country club comprising a 23 bedroom hotel, including 2 bridal suites, leisure facilities, restaurant with public bar, 3 function rooms, associated car parking, children's play area and access to the nature trails

Application No.: 63452 **App. Type:** FUL 17/01/2019 Approve with Conditions
Location: 34 Heapworth Avenue, Ramsbottom, Bury, BLO 9EH
Proposal: Roof extension & first floor extension to existing bungalow to form two storey dwelling; alterations to entrance at side; oriel window at rear; bay window at side and alterations to other windows

Application No.: 63506 **App. Type:** FUL 14/01/2019 Refused
Location: 18 Lilburn Close, Ramsbottom, Bury, BLO 9LY
Proposal: Two storey extension at side

Application No.: 63530 **App. Type:** FUL 05/02/2019 Approve with Conditions
Location: First & second floors, 58 Bridge Street, Ramsbottom, Bury, BLO 9AQ
Proposal: Change of use from flat (Class C3) to pilates and yoga studio (Class D2)

Application No.: 63532 **App. Type:** FUL 18/01/2019 Approve with Conditions
Location: 11 Park Avenue, Ramsbottom, Bury, BLO ODA
Proposal: Single storey extension at side/rear and front porch

Application No.: 63579 **App. Type:** LBC 05/02/2019 Approve with Conditions
Location: First & second floors, 58 Bridge Street, Ramsbottom, Bury, BLO 9AQ
Proposal: Listed building consent for change of use from flat (Class C3) to pilates and yoga studio (Class D2) and removal of stud wall to second floor

Application No.: 63586 **App. Type:** FUL 24/01/2019 Approve with Conditions
Location: 232 Whittingham Drive, Ramsbottom, Bury, BLO 9NY
Proposal: First floor extension at side/rear and two/single storey extension at rear

Application No.: 63604 **App. Type:** GPDE 24/01/2019 Prior Approval Not Required - Extension
Location: 321 Whalley Road, Shuttleworth, Ramsbottom, Bury, BLO 0ER
Proposal: Prior notification for proposed single storey rear extension

Application No.: 63637 **App. Type:** ADV 07/02/2019 Approve with Conditions
Location: 15 Bridge Street, Ramsbottom, Bury, BLO 9WN
Proposal: 1 No. externally illuminated fascia sign

Application No.: 63673 **App. Type:** GPDE 07/02/2019 Prior Approval Not Required - Extension
Location: 1 Smithills Hall Close, Ramsbottom, Bury, BLO 9FF
Proposal: Prior notification for proposed single storey rear extension

Ward: Whitefield + Unsworth - Besses

Application No.: 63397 **App. Type:** FUL 18/01/2019 Approve with Conditions
Location: 126 Bury New Road, Whitefield, Manchester, M45 6AD
Proposal: Change of use from retail (Class A2) to cafe (Class A3); Single storey rear extension with installation of extraction flue and new shop front

Application No.: 63491 **App. Type:** FUL 08/02/2019 Approve with Conditions
Location: 57 Cunningham Drive, Bury, BL9 8PD
Proposal: Single storey extension at front, side and rear

Application No.: 63544 **App. Type:** FUL 14/01/2019 Approve with Conditions
Location: 80 Pole Lane, Bury, BL9 8PX
Proposal: Erection of 1 no. replacement bungalow (following demolition of existing dwelling)

Application No.: 63566 **App. Type:** FUL 28/01/2019 Approve with Conditions
Location: 24 Mountbatten Close, Bury, BL9 8PU
Proposal: Alterations to roof at front and single storey extension at rear

Application No.: 63568 **App. Type:** PIP 06/02/2019 Approve with Conditions
Location: Land adjacent to 1 Lancaster Avenue, Whitefield, M45 6DX
Proposal: Application for permission in principle for the construction of 1 no. two storey dwelling with off street parking

Application No.: 63580 **App. Type:** FUL 31/01/2019 Approve with Conditions
Location: 34 Swinton Crescent, Bury, BL9 8PB
Proposal: Two storey side extension

Ward: Whitefield + Unsworth - Pilkington Park

Application No.: 63449 **App. Type:** FUL 07/02/2019 Approve with Conditions
Location: 4 Stand Avenue, Whitefield, Manchester, M45 7NW
Proposal: Single/two storey extension at side and rear, reconstruction of bay windows

Application No.: 63450 **App. Type:** FUL 07/02/2019 Approve with Conditions
Location: 6 Stand Avenue, Whitefield, Manchester, M45 7NW
Proposal: Single/two storey extension at side and rear, reconstruction of bay windows

Application No.: 63498 **App. Type:** FUL 22/01/2019 Approve with Conditions
Location: 20 Sergeants Lane, Whitefield, Manchester, M45 7TS
Proposal: Single storey extension at rear; first floor extension at front with conversion of study to garage; Front porch and render to elevations with timber cladding to front elevation

Application No.: 63509 **App. Type:** FUL 15/01/2019 Approve with Conditions
Location: 8 Marle Croft, Whitefield, Manchester, M45 7NB
Proposal: Two storey extension at side/rear; Raise ridge height of roof and loft conversion with front dormers; Single storey extension at rear; Alterations to existing front porch

Application No.: 63560 **App. Type:** FUL 31/01/2019 Approve with Conditions
Location: 9 Carlton Avenue, Radcliffe, Manchester, M45 7RX
Proposal: Loft conversion with rear dormer

Application No.: 63565 **App. Type:** FUL 24/01/2019 Approve with Conditions
Location: 125 Higher Lane, Whitefield, Manchester, M45 7WH
Proposal: Single storey extension to front of existing garage; two storey extension at front with Juliet balcony and canopy; single storey extension at front and first floor extension at side

Application No.: 63585 **App. Type:** FUL 07/02/2019 Approve with Conditions
Location: 29 Ringley Drive, Whitefield, Manchester, M45 7LX
Proposal: Decking to garden area at rear

Ward: Whitefield + Unsworth - Unsworth

Application No.: 63378 **App. Type:** FUL 15/01/2019 Approve with Conditions
Location: Castlebrook High School, Parr Lane, Bury, BL9 8LP
Proposal: Variation of condition of planning permission 61515 for erection of new main school building: Revised site layout plan to show amendments to the habitat zone and parking layout

Application No.: 63556 **App. Type:** FUL 22/01/2019 Approve with Conditions
Location: 3 Bowlee Close, Bury, BL9 8NQ
Proposal: First floor side extension

Application No.: 63633 **App. Type:** ADV 07/02/2019 Approve with Conditions
Location: Park 66, Pilsworth Road, Bury, BL9 8RS
Proposal: 1 No. non-illuminated double sided freestanding totem sign and 2 no. non-illuminated directional signs (attached to a pair of poles)

Total Number of Applications Decided: **83**

REPORT FOR DECISION

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	19 February 2019
SUBJECT:	PLANNING APPEALS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>Planning Appeals:</p> <ul style="list-style-type: none"> - Lodged - Determined <p>Enforcement Appeals</p> <ul style="list-style-type: none"> - Lodged - Determined
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

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

1.0 BACKGROUND

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

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

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-

Contact Details:-

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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

**Planning Appeals Lodged
between 14/01/2019 and 10/02/2019**



Application No.: 63517/FUL

Appeal lodged: 01/02/2019

Decision level: DEL

Appeal Type:

Recommended Decision: Refuse

Applicant: Mr S Morris

Location Nutt Lane Stables, Land to the east of Nutt Lane, Simister, Prestwich,
Manchester, M25 2SJ

Proposal Change of use of stable block to 1 no. dwelling

Total Number of Appeals Lodged: 1

**Planning Appeals Decided
between 14/01/2019 and 10/02/2019**



Application No.: 62459/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr & Mrs Declan Reilly

Location: Heather Cottage, 22-24 Cross Lane, Ramsbottom, Bury, BL8 4LY

Proposal: Erection of electric gates at front

Appeal Decision: Dismissed

Date: 24/01/2019

Appeal type: Written Representations



Appeal Decision

Site visit made on 2 October 2018

by W Johnson BA (Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 January 2019

Appeal Ref: APP/T4210/W/18/3202497

Heather Cottage, 22-24 Cross Lane, Holcombe, Bury BL8 4LY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Declan Reilly against the decision of Bury Metropolitan Borough Council.
 - The application Ref 62459, dated 8 February 2018, was refused by notice dated 5 April 2018.
 - The development is the erection of an electric iron gate to the front of the property.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Revised National Planning Policy Framework (the Framework) was published in July 2018, after the appeal was lodged. I have had regard to the Revised Framework in reaching my decision.
3. At the time of my site visit, I saw that the development of the electric front metal gate (the gate) was complete. I also had the benefit of seeing the scheme in place. I have dealt with the appeal on that basis.
4. The site is within the Green Belt. The Council do not raise any issues in this respect, and I agree that the proposal would not be inappropriate development in the Green Belt, as it would meet the exception set out in paragraphs 145 c) for an extension or alteration of a building provided that it does not result in a disproportionate addition over and above the size of the original building.

Main Issues

5. Accordingly, the main issue in this case is the effect of the gate on the character and appearance of the host property, which is a non-designated heritage asset; and, whether it would preserve or enhance the character or appearance of the Holcombe Conservation Area (HCA).

Reasons

6. The appeal site is located within the HCA and is subject to an Article 4 Direction, which removes certain permitted development rights, including amongst other things, the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure. The host dwelling is a detached stone cottage with slate roof, dating from the 17th/18th Century, which is set back from Cross Lane behind an attractive stone wall, which in turn has a cobbled path sited in front of it.

7. The gate is sited to the left side of the host dwelling when viewing the property from the front, which provides the access to the property. The stone boundary wall then extends across the front boundary forming its enclosure. The gate consists of iron railings with basket decoration and spear heads, with an approximate height of 1.75 metres. The gate is sited slightly in front of the stone wall and slides on rails across the front of the stone wall when it is opened. I observed the gate being opened and closed during my visit.
8. The development plan is the Bury Unitary Development Plan 1997 (UDP), which had various policies 'saved' in 2007. Policy EN2/1 requires the Council to take action as appropriate to preserve or enhance the character or appearance of the borough's conservation areas. Policy EN2/2 requires development within a conservation area to preserve or enhances the special character or appearance of the area. A Conservation Area Appraisal was undertaken for HCA, Ramsbottom and Bury in 2010 (CAA). This document forms a material consideration in the determination of this appeal. Heather Cottage is identified in the CAA as an unlisted building of local and historic importance suitable for the inclusion on the draft local list. As such, it may be considered as a non-designated heritage asset of significance to the area's heritage, derived from its age and architectural merit.
9. As set out in the CAA, the character of the village is mainly derived from its agricultural origins, which can be identified from built in tightly knit small hamlets amidst fields of pasture and small woodlands, along old packhorse and turnpike routes, dating from the 17th century and earlier. The CAA identifies the homogeneity and visual harmony of the buildings resulting from the use of local materials (millstone grit, stone tiles); traditional building techniques (weather struck masonry, stone corbels supporting rainwater goods, coal holes in the walls) and the unity of height and scale. Additionally, the CAA recognises that traditional stone walls along the roads with upstanding stones, several stone troughs, the large number of traditional stone gateposts and the widespread use of stone sets, utilising local materials.
10. I note that the CAA considers boundary treatments vary and in some cases new walls and fences are intrusive because of the use of inappropriate materials or are of a suburban style out of character with the HCA's rural identity. The gate presents a marked contrast with the surrounding boundary treatments in the surrounding rural/semi-rural area, where timber is identified as a more suitable material. I recognise that the Council are attempting to control further development of this nature occurring in the locality through the imposition of the Article 4 Direction, which removes various permitted development rights. In the CAA with regard to 'Boundary Walls' it particularly advises that wrought iron proposals may be too suburban in character. I consider in this instance that the gate amounts to a suburban feature, especially when it is read in conjunction with the host dwelling and the immediate area, which are distinctly rural in character and appearance. Whilst the stone wall forms the majority of the front boundary, the gate is readily visible in the streetscene. I therefore find that the metal gate forms an incongruous feature within the street scene, which is harmful to the host dwelling and the surrounding area.
11. At the statutory level, as the site is in a conservation area I am required to pay special attention to the desirability of preserving or enhancing its character or appearance in accordance with Section 72(1) of the Town and Country Planning

(Listed Buildings and Conservation Areas) Act 1990. Paragraph 192 of the Framework requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, including conservation areas, and the desirability of development making a positive contribution to local character and distinctiveness. Paragraph 193 of the Framework adds 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).

12. The statutory duty in Section 72 of the Act is a matter of considerable importance and weight. The proposal would have a negative effect on the significance of a designated heritage asset and would result in "less than substantial" harm in the words of paragraph 196 of the Framework. Nevertheless, that harm still requires clear and convincing justification. However, I find that there are little public benefits associated with the proposal to outweigh the harm to the significance of the HCA. Paragraph 197 requires the significance of a non-designated heritage asset to also be taken into account, requiring a balanced judgement to be made having regard to the scale of harm or loss and the significance of the asset.
13. I conclude on the main issue that the gate is harmful to the character and appearance of the host property, and adversely affects the significance of this non-designated heritage asset. It also fails to preserve or enhance the character and appearance of the HCA, and would adversely affect the significance of this designated heritage asset. This is contrary to Policies EN2/1 and EN2/2 of the UDP. The proposal also conflicts with the Framework's core planning principles of preserving the significance of designated heritage assets, and securing high quality design.

Other Matters

14. I note that the Council have not objected to the principle of the proposal, and there is local support for the development. However, whilst I have taken into account the local support for the proposal, this does not, in itself, provide sufficient justification for a development that would cause harm.
15. Furthermore, I note the improvements that the appellants have undertaken to the property, which is to their credit. Additionally, I note that no comments have been received from other statutory consultees, including the Local Highway Authority. However, I have considered the development on its own merits and concluded there would be harm to the host dwelling and to the character and appearance of the HCA. In any event, a lack of harm associated with highways is a neutral factor that weighs neither for nor against the development.
16. My attention has been drawn to other developments elsewhere within the locality. However, whilst recognising that there appear to be some similarities with the appeal scheme, I do not have the full details of those developments or their specific planning backgrounds. Moreover, on the limited details available to me, I am not satisfied that these developments are directly comparable to that of the scheme before me, as I find the host dwelling subject of this appeal more rural in character. Consequently, I have considered this appeal proposal on its own particular merits and concluded that it would cause harm for the reasons set out above.

Conclusion

17. For the reasons given above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

W Johnson

INSPECTOR

REPORT FOR DECISION

Agenda Item	7
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DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	19 FEBRUARY 2019
SUBJECT:	SECTION 106 OBLIGATIONS
REPORT FROM:	DEVELOPMENT MANAGER
CONTACT OFFICER:	FRAN SMITH
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	The report outlines the contributions made by S106 obligations since 1 April 2017 and summarises agreements that are outstanding.
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to note the report.
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? N/A
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management N/A
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	N/A
Considered by Monitoring Officer:	N/A
Wards Affected:	ALL
Scrutiny Interest:	N/A

TRACKING/PROCESS**DIRECTOR:**

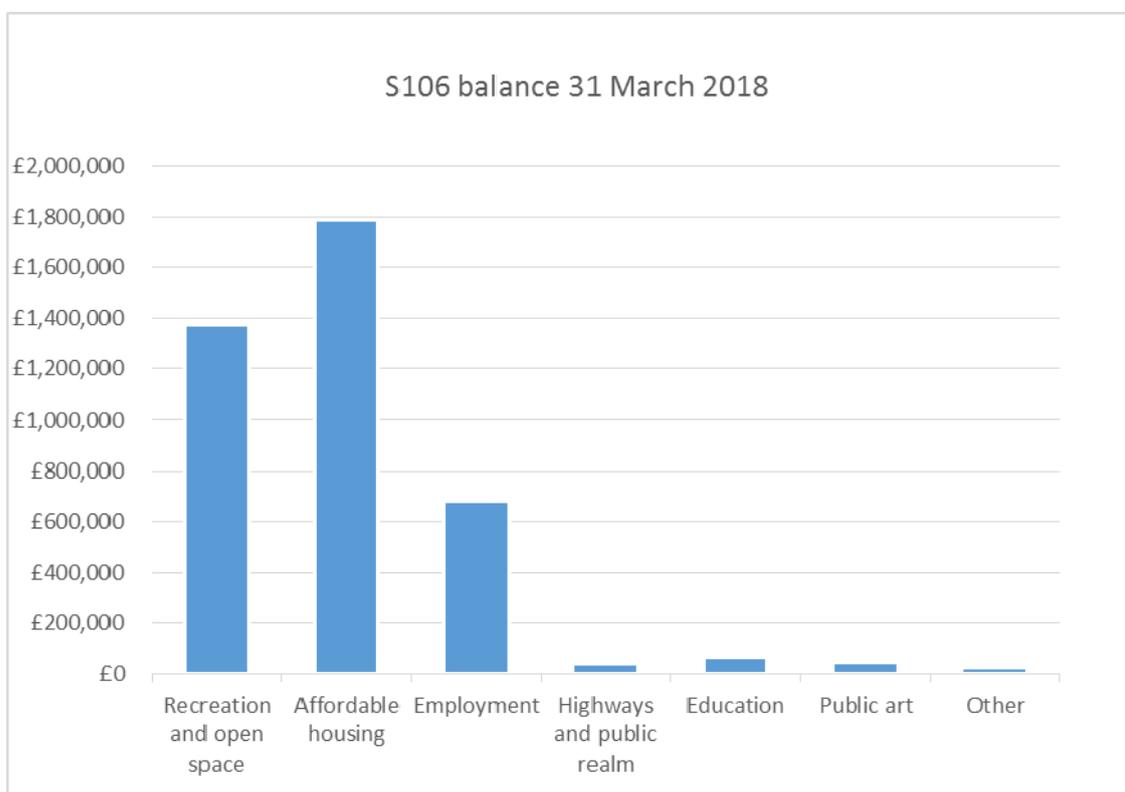
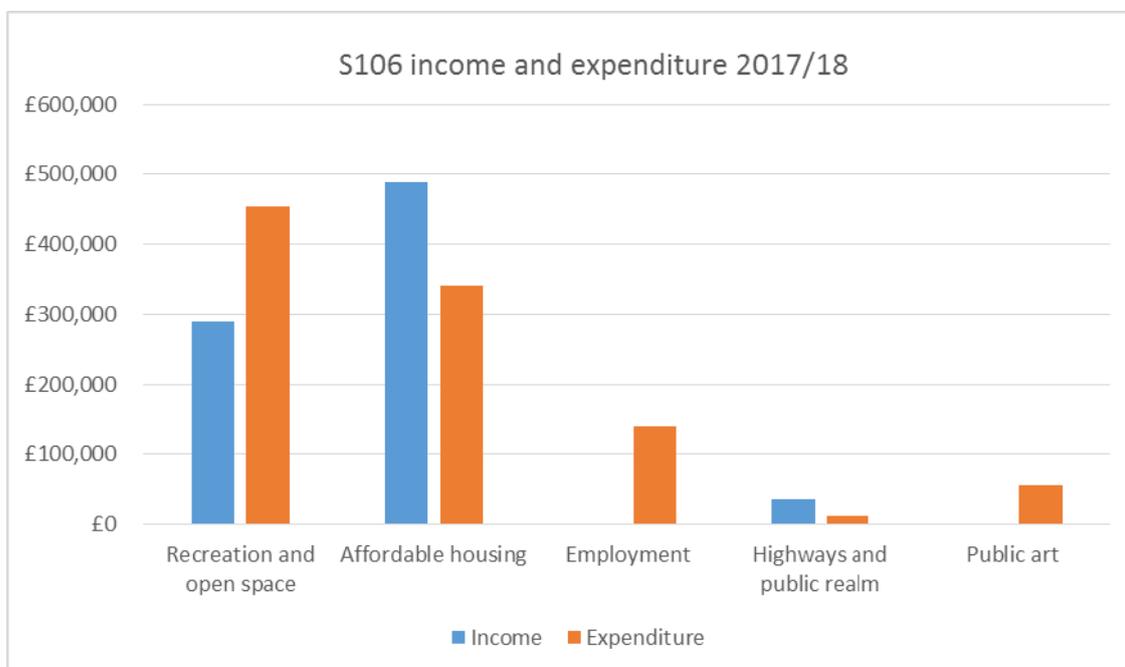
Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 Background

- 1.1 Section 106 (s106) Agreements are legal contracts between the Local Planning Authority and the developer / landowner which include obligations that are essential to allow the granting of planning permission in certain circumstances. These obligations are then secured as a land charge on any successive land owner of the application site, should the site be sold on and developed by someone other than the applicant.
- 1.2 The details of the obligations are controlled by statute and must pass the following three tests if they are to be considered when determining an application for planning permission:
 - a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 1.3 Obligations often involve the payment of financial contributions, for example recreation contributions, compensation for the loss of employment land and contributions towards ecological enhancements. On receipt by the Council, these contributions are effectively held on trust, to be spent in accordance with the terms of the s106 Agreement. S106 Agreements signed after 6 April 2015 also have to identify which specific infrastructure project the contribution will be spent on and the Council can only enter into a maximum of five obligations for each individual infrastructure project.
- 1.4 Section 106 Agreements may also include non-financial obligations such as provision of on-site affordable housing, access paths or the transfer of land.
- 1.5 This report outlines the contributions provided by S106 obligations in the 12 months from 1 April 2017 to 31 March 2018 and identifies those Agreements where obligations are outstanding and those where triggers have not yet been reached.

2.0 2017/18 summary

- 2.1 Over the twelve month period from 1 April 2017 to 31 March 2018, Section 106 Agreements have resulted in over £1million of investment in the Borough, provision of 24 on-site affordable homes and over £800,000 of income to the Council. As of 31 March 2018 the Council had around £4million of unspent S106 contributions, much of which has been allocated to specific projects but may take time to deliver and for expenditure to be drawn down.
- 2.2 It is important to note that a time lag between receipt and expenditure of contributions is to be expected, as funds have to be allocated to specific schemes (for contributions from S106 Agreements signed prior to 6 April 2015), and in some cases contributions are for the long term maintenance of land that has been or is awaiting transfer to the Council.



2.3 Table 1 below summarises income and expenditure in the twelve months from 1 April 2017 to 31 March 2018, and unspent contributions as at 31 March 2018. This is broken down into more detail in Appendix C.

Table 1: S106 income, expenditure and balance

Expenditure type	Contributions received 1 April 2017 to 31 March 2018	Total amount spent 1 April 2017 to 31 March 2018	Total value of unspent contributions as at 31 March 2018
Recreation, local nature reserves and open space	£288,807.39	£453,367.49	£1,376,342.77
Affordable housing	£489,500.00	£339,975.02	£1,789,489.38
Employment		£139,756.80	£680,066.72
Highways and public realm	Page 161 £35,000	£12,377.72	£42,622.28

Expenditure type	Contributions received 1 April 2017 to 31 March 2018	Total amount spent 1 April 2017 to 31 March 2018	Total value of unspent contributions as at 31 March 2018
Education			£67,594.00
Public art		£55,387.66	£46,802.59
Other			£26,641.18
TOTAL	£813,307.39	£1,000,864.69	£4,029,558.92

Please note that the figures in the table above represent a snap shot in time and may not be entirely consistent with previous reports as expenditure from S106 contributions is confirmed at financial year end and interest is added to the balance. Income figures are based on the twelve month period from 1 April 2017 and 31 March 2018, and total balances are as at 31 March 2018.

3.0 Schemes Provided and Obligations Complied With

3.1 This section of the report summarises Section 106 Agreements by type of obligation. A detailed list of schemes provided as a result of financial contributions is attached to this report at Appendix A, together with a list of contributions received and obligations complied with between 1 April 2017 and 31 March 2018 at Appendix B.

Recreation

3.2 In the twelve months from 1 April 2017 to 31 March 2018 **£435,006.86** of recreation contributions has been spent. This has gone towards improvements at a number of sites including:

- Play areas at Ramsbottom Baths, Hartley Gardens, Sycamore Road, Peel Brow, Booth Street, Hoyles, New Kershaw Centre, Bright Street, Dow Lane, Brandlesholme, Sunnybank, Hunters Hill, Thatch Leach Lane and Boz Park;
- St Mary's flower park improvements;
- Whitefield bowling pavilion;
- Clarence Park community room;
- Ramsbottom Civic Hall garden;
- Peel Tower improvements;
- Ballzones at Goshen, Hoyles, Woodhill Road, Whitehead Park and Thatch Leach Lane;
- Burrs infrastructure strategy;
- King George V pavilion;
- Whitehead Park croquet club;
- Whitehead Park outdoor gym;
- Radcliffe skate park fencing;
- Dow Lane open space;
- St Mary's Park improvements;
- Nuttall Park picnic area and paths;
- Improvements at Thatch Leach Lane, Close Park, Burrs Country Park, Whitehead Park and Starmount Reservoir and Blackshaw Brook.

3.3 A further £7,218.32 upfront contribution has been refunded because the development did not proceed and permission expired.

3.4 In terms of future spending, funding has also been allocated to a number of projects across the Borough, including works to play areas, ball zones, tennis courts, outdoor gyms, bowling greens and park improvements. The priority is to ensure that S106 recreation contributions are allocated within the area where the development took place.

- 3.5 Following the introduction of the S106 pooling restrictions it is now necessary to identify projects up front when the S106 Agreement is signed. For contributions paid from S106 Agreements signed prior to 6 April 2015, the recreation project can be identified after the contribution is received. Potential project ideas are identified based on Green Space Strategy, the Play Strategy, local priorities, opportunities for maximising the money by attracting external funding, etc. Ward Councillors are consulted by email, and feedback from them informs the final list of schemes. Some of the contributions received are related to S106 Agreements where the projects are identified up front, so there is no scope to reallocate these contributions to alternative projects.
- 3.6 All unspent recreation contributions received up to 31 March 2018 have been committed to specific projects, with the exception of contributions paid upfront that can't be committed until commencement of development.

Local Nature Reserves

- 3.7 From 1 April 2017 to 31 March 2018, **£11,142.31** of S106 contributions from developments at Radcliffe Paper Mill and Olives Paper Mill has been used, as specified in the agreements, to improve the adjacent natural environment. This funding has supported the development of Local Nature Reserves, including physical works and the time charges of a Project Officer. The LNR officer is currently undertaking projects in the Kirklees Valley LNR and Chapelfield LNR, Radcliffe.
- 3.8 In the Kirklees Valley, £866.00 of s106 contributions have been spent in 2017/18 as match funding in a successful application for £120,519.00 of Woodland Improvement Grant (WIG) from the Forestry Commission (total scheme value £150,648.75, 20% match funded through s106).

Affordable Housing

- 3.9 Section 106 Agreements have also required developers to make provision on site for affordable housing. In 2017/18 24 affordable properties were completed as a result of planning policy requirements. In addition, some of the previously completed properties have been subsequently re-sold, re-let or are under offer, again to households on the Affordable Housing Scheme.
- 3.10 The planning agreements allow the affordable housing units to be sold on the open market in certain circumstances, subject to 25% of the sale proceeds being given to the Council to spend on affordable housing elsewhere. Between 1 April 2017 and 31 March 2018, two properties were sold in this way, with contributions totalling £43,500.00 received by the Council.
- 3.11 In addition, the eight affordable properties at Prestfield Road, Bury, were sold at market value, in breach of the S106 Agreement. £100,000 has been paid to date in lieu of on site provision, £163,413.72 remains outstanding and legal action is ongoing to seek to recover the outstanding sum.
- 3.12 £346,000 has been received for the former Holcombe Brook Tennis Club, Longsight Road in lieu of on site affordable housing provision. A further index linked contribution currently remains outstanding.
- 3.13 In total up to 31 March 2018 £2,160,287.28 in commuted sum payments has been received for affordable housing. These contributions will be spent in accordance with Bury's Affordable Housing Strategy 2011-2016, which identifies a range of initiatives for expenditure. Spending of Affordable Housing contributions will be agreed by an officer group comprising of representatives from Planning and Housing Strategy, taking into account views of Portfolio

Holders, and must be in accordance with the terms of each Section 106 Agreement.

- 3.14 In August 2012 Cabinet agreed to spend £617,000 of the monies received on bringing empty properties back into use as affordable housing in the Radcliffe area, as a pilot exercise working with Registered Providers. However, funding for the Radcliffe pilot was secured from the HCA, who have also committed to further funding to increase the number of empty properties to be brought back into use in Radcliffe. As a result, in September 2014 Cabinet agreed to approve the use of the £617,000 of commuted sums in other townships across the Borough, providing the reallocation of resources does not detrimentally affect the outcomes of the Radcliffe pilot. This work will help reduce the number of long term empty properties and provide additional affordable housing. £328,987 has been spent up to 31 March 2018, bringing eight empty properties back in to use as affordable housing.
- 3.15 In July 2017 Cabinet approval was given to commit £250,000 of S106 affordable housing commuted sums to support the residential development of the site of the former Radcliffe Times building for affordable housing. £10,988.02 has been spent up to 31 March 2018. Work is ongoing to commit the remaining commuted sums to bring forward affordable housing in the Borough.

Employment Land Development Fund

- 3.16 A total of £419,416.46 of expenditure from the Employment Land Development Fund has been agreed by the Executive Director in consultation with the Resources and Regulation Portfolio Holder, following recommendations from the Strategic Sites Officers Group. As of 1 April 2018, £322,675.70 of the allocated funds has been spent, £96,740.76 is allocated but unspent and £583,325.96 is, as yet, unallocated. Work is on-going to identify specific opportunities for investing unallocated funds against a number of previously approved projects. £139,756.80 was spent in 2017/18.
- 3.17 The following allocations have been approved from the ELDF:

Project	Details	Amount allocated	Total spent at 1 April 2018 (expenditure for past 12 months in brackets)
Chamberhall	Site marketing, the removal of Japanese Knotweed, tree thinning to assist with the formation of development plots and topographical survey work	£49,185.88	£40,695.06 (£0)
Townside	Marketing and site investigation work	£12,000.00	£2,485.85 (£0)
Bradley Fold	Contribution to demolition of existing dilapidated buildings and site preparation to create development opportunities and for site investigations / feasibility work	£127,182.00	£122,218.59 (£0)

Project	Details	Amount allocated	Total spent at 1 April 2018 (expenditure for past 12 months in brackets)
Invest in Bury website	Website to highlight the availability of development opportunities for employment and sets out a range of initiatives that promote Bury as a location for business investment	£20,000.00	£9,680.00 (£0)
Master planning	Masterplanning work for the Northern Gateway site.	£207,839.40	£147,596.20 (£139,756.80)
TOTAL		£419,416.46	£322,675.70 (£139,675.70)

Highways and public realm

- 3.18 £25,000 has been received for the provision of a traffic calming scheme and 20mph zone at Lowes Road. A formal consultation with residents has been undertaken and there was strong support for the scheme to progress. No further progress has been made with the construction of the traffic calming measures as the developer is still working on the site, and traffic calming is usually the last thing that is implemented.
- 3.19 £10,000 has been received for works to Bridleway 37. An improvement scheme will be drawn up and works organised during spring / summer 2019.
- 3.20 The £10,000 public realm contribution for improvements to the linkages between Aldi and Prestwich town centre has been spent as part of the wider Prestwich highways improvements.
- 3.21 Work is also ongoing to use the £10,000 Fletcher Bank contribution for the installation of vehicle activated signs on the A56 Manchester Road / Whalley Road. The first of two signs has been installed in the vicinity of Marshalls Quarry Entrance and the second sign has been ordered and construction is imminent, but the full costs have not yet been drawn down from the S106 account. There are currently no uncommitted highways and public realm S106 contributions.

Public Art

- 3.22 Following the publication of Government guidance which advised that planning obligations should not be sought if they are not considered necessary to make a development acceptable in planning terms, financial contributions for public art are not currently being sought for new planning applications.
- 3.23 In relation to provision of public art projects, £55,387.66 has been spent between 1 April 2017 and 31 March 2018. This is from historical funds collected in previous years. During the period under consideration, S106 percent for art spend has been directed at five projects:

- Recommissioning Ramsbottom Vase. Technical difficulties with the water supply and pumping have meant that the vase's pouring water feature were

turned off some years ago. The Ramsbottom Business Forum have become increasingly keen to have the sculpture operating properly to animate/support visitor activity and so investigatory works followed by full repair have been completed and it is now fully operational. (It is turned off seasonally from October to Easter to avoid freezing or blockage with autumn leaves). It is proposed to allocate £2500 p.a. from S106 over the next couple of years to facilitate the re-establishment of full operation.

- Auke de Vries: Internationally renowned Dutch sculptor Vries installed a landmark sculpture at Burrs Country Park as part of the Irwell Sculpture Trail and the ongoing commitment to contribute to visitor amenity at the County Park. The S106 spend was matched by £18k from the Dutch Government to support a major exhibition in the Sculpture Centre, parallel to the installation at the Park.
- Transition Festival: minor support for the Transition Festival, aiming to pilot reinvention of Bury Light Night.
- Sound Art Residency: Sound Artist & Sculptor Helmut Lemke completed a 12 month residency (based in the Fusilier Museum basement workspace) creating a range of sound art works which were showcased in various locations. Also a full range of community activities including exhibitions, performances, public talks, and a series of podcast interviews with visiting international artists. The residency will also result in an exhibition at the Sculpture Centre in 2019.
- Victoria Wood Memorial Sculpture: The model of the portrait statue of Victoria Wood by the artist Graham Ibbeson is currently on display in Bury Art Museum. The actual sculpture is completed and in store at the Foundry. The work will be sited in Library Gardens facing Moss St, and has now secured planning permission. The primary funding for the project has come from the Wood Family and a Crowd-Funding campaign, however, the commitment from S106 has been directed to project management, site preparation and foundations. It is anticipated that the work will be installed early in 2019 with a launch in the Spring supported by a year of celebratory activity.

4.0 Outstanding Obligations

- 4.1 A list of all outstanding obligations is attached to this report at Appendix D. These are divided into those where triggers have been reached (Appendix D – Part 1), identifying the actions that are being taken to recover overdue contributions and non-financial obligations; and those where triggers have not yet been reached, for example because development has not started or insufficient dwellings have been completed (Appendix C – Part 2).

Outstanding S106 obligations where triggers have been reached

- 4.2 In summary, 12 developments have been identified as having outstanding obligations that are now due and are being pursued by the Council. Of these, eight require financial contributions, totalling **£218,536.10** plus an index linked contribution for which further details must be provided before it can be calculated, and a potential affordable housing overage contribution. These contributions can be broken down as shown in the table below:

Requirement	Total amount negotiated
Recreation	£25,534.06
Wildlife link maintenance contribution (due when the land is transferred)	£29,588.32
Affordable housing	£163,413.72
TOTAL	£218,536.10

- 4.3 Transfer of land is outstanding from four schemes, and landscaping works and provision of paths are also due. The outstanding contributions and on-site provisions are being pursued initially by contacting the parties involved and, if necessary, debt recovery proceedings or court injunctions will be considered. Dealing with transfers of land required through a s106 can be a lengthy process, as outstanding issues may need to be resolved before the land can be transferred. The provision of affordable housing is also outstanding on one site

Section 106 Agreements not yet triggered

- 4.4 Appendix C Part 3 provides details of development sites where S106 obligations have been negotiated as part of the planning approval process, but the triggers have not yet been reached, for example because development has not yet commenced or insufficient dwellings have been completed. Recently lapsed or superseded permissions are included on the list for information, but these obligations will not be triggered. The terms of each Section 106 obligation will specify how any commuted sums can be spent. It is important to note that these developments may not all proceed as planned and there is, therefore, no guarantee that these funds will ever be received.
- 4.5 We will continue to monitor these developments to ensure that we secure the payments / provisions as and when they are required by the S106 agreement.

5.0 Restrictions on pooling of S106 contributions

- 5.1 The Community Infrastructure Levy Regulations have imposed new restrictions on pooling S106 contributions which came into effect from 6 April 2015. These restrictions prevent the pooling of more than five S106 contributions for a specific project or type of infrastructure. The current system of collecting generic 'recreation' or 'employment' contributions is no longer permitted.
- 5.2 In order to continue to require S106 recreation or employment contributions, the Council now has to identify within the S106 agreement exactly what project the contribution will be spent on, and can then enter into up to five obligations for each individual project. These restrictions do not apply to contributions that are secured via Agreements signed prior to 6 April 2015.
- 5.3 Non-financial S106 obligations, such as on site provision of paths and transfers of land will be unaffected, and maintenance contributions are tied to specific areas of land so are unlikely to reach the pooling limits. The restrictions do not apply to affordable housing contributions.

6.0 Conclusion

- 6.1 Section 106 obligations have led to significant investment and improvement across the Borough, and the role of Planning in securing financial contributions and non-financial achievements should be noted.
- 6.2 The proactive approach to ensuring S106 obligations are complied with has resulted in success in recovering outstanding contributions, and enabled

prompt identification when triggers have been reached on new developments. This approach will continue, and should ensure that developers deliver their obligations. Where necessary and appropriate, legal action will be taken to ensure compliance with S106 obligations.

List of Background Papers:-

Appendix A – Schemes provided via Section 106 commuted sums

Appendix B – Obligations complied with 1 April 2017 – 31 March 2018

Appendix C – Outstanding obligations

Contact Details:-

Fran Smith
Senior Planning Officer
Strategic Planning and Economic Development
Department of Resources and Regulation
3 Knowsley Place
Duke Street
Bury
BL9 0EJ

Tel: 0161 253 7391

Email: f.smith@bury.gov.uk

APPENDIX A – SCHEMES PROVIDED VIA S106 COMMUTED SUMS

Type of contribution	Scheme provided / location	Money spent 1 April 2017 – 31 March 2018
Recreation	Thatch Leach Lane Play Area & Ballzone Improvements	£390.00
Recreation	Cycle Infrastructure Improvement, Philips Park	£3,107.80
Recreation	Bolton Road West Play Area partial refurbishment	£20,000.00
Recreation	Bolton Road West Ballzone Improvements	£5,000.00
Recreation	Nuttal Park Picnic and Paths	£16,250.00
Recreation	St Marys Tennis Improvements	£13,385.00
Recreation	Improvements to Infrastructure at Close Park Green Flag Park Phase 1	£36,983.50
Recreation	Improvements to Bolton Road Park infrastructure Phase 1	£15,750.00
Recreation	Improvements to infrastructure at Burrs Country Park Phase 1	£45,744.29
Recreation	Improvements to infrastructure at Starmount Reservoir and Blackshaw Brook Phase 1	£2,264.88
Recreation	Improvements to infrastructure at Whitehead Green Flag Park Phase 1	£21,340.00
Recreation	Bolton Road Park Infrastructure Phase 1	£32,102.00
Recreation	Refurbishment of Brandlesholme Ballzone & Play Area	£19,255.00
Recreation	O/S Close Park Bowling Pavillion	£2,269.09
Recreation	O/S Radcliffe Paper Mill - POS Maintenance	£4,340.00
Recreation	Gardener Mount Improvements	£560.00
Recreation	O/S Bolton Road West Play Area partial refurb	£7,427.00
Recreation	O/S Town Meadow Bowkling Pavillion improvement	£4,837.00
Recreation	O/S Kirkless Valley Maintenance	£1,317.72
Recreation	O/S Bolton Road Park Improvements	£1,880.00
Recreation	O/S Close Park Improvements and infrastructure	£14,566.73
Recreation	O/S Greenmount Nailors Green Play Area Refurbishment	£35,000.00
Recreation	O/S Whitehead Park Play Area Improvement	£1,350.00
Recreation	O/S Whitehead Park Green Flag Infrastructure	£495.00
Recreation	O/S Coronation Park Infrastructure Improvements	£15,000.00
Recreation	O/S Hollins Play Area	£30,000.00
Recreation	O/S St Marys Park Improvements	£59,530.00
Recreation	O/S Bright Street Play Area Improvements (includes capital element) cont from s106 to capital scheme	£5,000.00
Recreation	Springwater Park & Sailors Brow access Improvements - phase 1	£2,243.85
Recreation	FORCH Garden Improvements	£2,000.00
Recreation	Abden Street play area	£15,618.00
Recreation	REFUND 46-48 Bury Old Road	£7,218.32
Local Nature Reserves	Local Nature Reserves Officer	£10,276.31
Local Nature Reserves	Kirklees Valley	£866.00
Affordable Housing	Empty properties scheme	£328,987.00
Affordable Housing	Radcliffe Times building	£10,988.02
Employment	Masterplanning	£139,756.80
Highways	Vehicle activated signs at Fletcher Bank Quarry	£2,377.72
Public realm	Improvements to linkages between Aldi and Prestwich Town Centre	£10,000.00
Public art	Re-commission Ramsbottom urn water feature	£250.00
Public art	Irwell Sculpture Trail web hosting	£250.00
Public art	Transition Festival	£1,058.00
Public art	Enlighten Festival - Helmut Lemke	£2,500.00

Type of contribution	Scheme provided / location	Money spent 1 April 2017 – 31 March 2018
Public art	Burrs Sculpture – Auke de Vries	£37779.66
Public art	Victoria Wood sculpture	£6,050.00
Public art	Sound Art - Helmut Lemke residency	£7,500.00
TOTAL		£1,000,864.69

**APPENDIX B – OBLIGATIONS COMPLIED WITH
1 APRIL 2017 – 31 MARCH 2018**

Application	Site	Description	Obligation complied with
53231 57085 60201	Holcombe Brook Tennis Club, Longsight Road, Ramsbottom, Bury, BL0 9TD	Erection of 55 category 11 sheltered flats for the elderly, communal facilities, landscaping and car parking.	£346,000.00 affordable housing contribution received 12/04/2017. Final index linked payment DUE
58587 59650	Land off Lowes Road, Bury, BL9 6QS (The Brickworks)	Residential development for 24 no. dwellings, memorial/community forest and wider public open space with associated infrastructure (resubmission)	£25,000.00 highways contribution and £10,000.00 bridleway contribution received 25/05/2017
61103	Site of the Brandlesholme Road, Bury, BL8 1HP	Erection of 10 no. dwellings with associated car parking, landscaping and revised vehicular access.	£29,255.40 recreation contribution received 16/06/2017
49667 54802	Olives Paper Mill, Tottington Road, Bury	Development of 90 residential units including landscaping	Brook Link bridge – constructed May 2017
55858	Shrewsbury House, Lowther Road, Prestwich, M25 9QG	Refurbishment and extensions of Shrewsbury House and construction of 4 no. Detached dwellings with access and associated works	Phased/linked development of refurbishment of Shrewsbury House with the new build units has been completed.
55374	Former Red Bank Health Centre, Unsworth Street, Radcliffe	Demolition of existing health centre and erection of 1 2-storey residential houses.	£32,397.14 recreation contribution due in three instalments (upon commencement, occupation of the 5 th dwelling, occupation of the 8 th dwelling). £11,000 received 30/06/2017 (commencement) £11,000 received 06/03/2018 (occupation of 5 th dwelling)
57379	Land between Kenyon Lane and Henry Street, Prestwich, Manchester, M25 1HY	Erection of 6 no. dwellings.	£17,965.70 recreation contribution due in two instalments (upon commencement, prior to 1 st occupation). £17,965.70 received 04/07/2017
54514	Woodhill Mill, Bury Boot and Shoe Co. Brandlesholme Road, Bury, BL1 1BG	Conversion of former industrial warehouse to 46 residential units and 8 workspaces	£21,280.36 recreation contribution due upon first occupation of a residential unit. £18,940.96 paid 14/02/2012 £2,399.40 paid 08/09/2017
59869	JLT House, Brook Street, Radcliffe, M26 2PQ	Residential development comprising 22 no. Dwellings	£67,186.88 recreation contribution due in two instalments (upon commencement and prior to or upon construction of the 12 th dwelling). £32,311.44 received 12/5/2017 £34,875.44 received 03/11/2017

Application	Site	Description	Obligation complied with
58810	Land at Spen Moor, Bury and Bolton Road, Radcliffe, Manchester, M26 4JY	Reserved Matters for appearance, landscaping, layout and scale following grant of Outline planning permission 55003 for residential development of 191 dwellings, creation of ecological enhancement ponds and access off Bury and Bolton Road	£475,070.93 recreation contribution due in three instalments (upon commencement, prior to commencement of the 66 th dwelling and prior to commencement of the 132 nd dwelling. £165,000 recreation contribution received 20/7/2016 £160,000 recreation contribution received 22/12/2017
53205 54764	46-48 Bury Old Road, Prestwich, M25 OER	Demolition of 2 no. detached dwellings; Construction of new apartment building comprising of 14 no. apartments with associated underground parking and amenity space.	£7,218.32 REFUNDED as the contribution was paid up front however the permission was not implemented and expired.

Contributions received after 1 April 2018 are not included in the total values received or unspent in Table 1 of the main report, to simplify the collation of data from the Council's financial systems.

Contributions received after 1 April 2018

Application	Site	Description	Obligation complied with
55374	Former Red Bank Health Centre, Unsworth Street, Radcliffe	Demolition of existing health centre and erection of 11 two storey residential houses.	£32, 397.14 received in three instalments: £11,000 received 30/06/2017 £11,000 received 06/03/2018 £10,397.14 received 18/06/2018. Obligation fully complied with.
60998 62243	Park 66, Pilsworth Road, Bury, BL9 8RS	Mixed use development comprising 6,046sq.m of B1,B2&B8, 1340sqm foodstore, 2843sq.m of other retail, 2,179sq.m D2, two A3/A5 units of 413sq.m with drive thru facilities, associated parking spaces, alterations to site access and associated works.	£229,413.37 highways contribution received 13/9/18 for provision of an additional lane at the slip road to junction 3 of the M66.
56973	Manor House, Fletcher Fold, Bury, BL9 9RT	Erection of 3 no. dwellings and garages (retrospective); Erection of 2 no. dwellings and garages	1 st instalment of recreation contribution of £10,264 received 08/10/2014. 2 nd instalment of recreation contribution of £6,842.67 received 27/9/18. Interest for late payment - £717.64 received 16/10/2018

Application	Site	Description	Obligation complied with
59005	Land off Factory Street, Ramsbottom, BL0 9BT	Demolition of buildings and redevelopment for use class C2 residential accommodation with care comprising 57 apartments for persons aged 65 and over.	£50,000 employment contribution received 21/12/2018.
43101	Former Parkside Hostel, Stanley Road, Whitefield, M25 6QX (Parkside Mews)	22 dwellings and three storey block of 18 no. apartments.	Affordable housing commuted sum of £30,500 received for 24 Parkside Mews, 21/12/18.
57255	Land off Radcliffe Road/Inglewhite Close, Bury, BL9 9JT	Erection of 34 no. Dwellings (re-submission)	8 affordable dwellings on site, 25% discount. £55,000 recreation contribution paid 21/07/2016. 5 of the affordable housing units sold as discounted, commuted sum of £100,417.26 paid for 3 affordable units, 11/4/18.

APPENDIX C: S106 INCOME, EXPENDITURE AND UNSPENT BALANCE

Expenditure type	Contributions received 1 April 2017 to 31 March 2018	Total amount spent 1 April 2017 to 31 March 2018	Total value of unspent contributions as at 31 March 2018	Comments
Recreation enhancement	£288,807.39	£442,225.18 (includes £7,218.32 upfront contribution refunded because the development did not proceed and permission expired)	£931,745.51	All allocated with the exception of contributions paid upfront that can't be allocated until commencement of development. The balance includes £3,475.15 interest accrued in 2017/18 and £1,560 overpayment of monitoring fees which is to be refunded.
Recreation maintenance	-	-	£152,337.87	All allocated to maintenance of transferred land. The balance includes interest earned, £479.09 in 2017/18.
Recreation – Strategic Planning projects	-	-	£95,000.00	£70,000 contribution towards Moss Shaw section of the Bolton Bury railway path and £25,000 Olives Brook Link contribution.
Local Nature Reserves	-	£11,142.31	£66,436.39	All allocated.
Roch Valley Greenway maintenance fund & repair and maintenance of goyt	-	-	£130,823.00	Transfer of land completed 15/6/16.
Affordable Housing	£489,500.00	£339,975.02	£1,789,489.38	£617,000 allocated to bring empty properties back into use as affordable housing across the Borough (of which £328,987 has been spent), £250,000 allocated to Radcliffe Times building (of which £10,988.02 has been spent), remainder ring fenced for AH.
Employment Land Development Fund	-	£139,756.80	£680,066.72	£96,740.76 allocated, remainder ring fenced.

Expenditure type	Contributions received 1 April 2017 to 31 March 2018	Total amount spent 1 April 2017 to 31 March 2018	Total value of unspent contributions as at 31 March 2018	Comments
Highways	£35,000	£2,377.72	£42,622.28	Plans are progressing to spend contributions received for vehicle activated signs at Fletcher Bank, traffic calming and 20mph zone at Lowes Road (£25,000 received 2017/18) and improvements to Bridleway 37 (£10,000 received 2017/18).
Public Realm	-	£10,000.00	£0.00	Contribution for public realm improvements to improve the linkages between Aldi and Prestwich town centre. This contribution has now been spent as part of the wider Prestwich highways improvements.
Education	-	-	£67,594.00	Committed sum from Spen Moor. The funds will be used to contribute to an extension at St Stephen's CE Primary School, anticipated to commence early in 2019.
Public art	-	£55,387.66	£46,802.59	In 2017/18 £37,779.66 was spent on the installation of a piece of contemporary art in Burrs Country Park by international artist Auke de Vries. Other projects include the Helmut Lemke Sound Art residency, Transition festival and contributions to the Victoria Wood Sculpture. Balance includes £205.82 interest earned 2017/18.
Clerke Street study	-	-	£3,374.10	Contribution to a study to identify a reuse or redevelopment scheme for land at Clerke Street. Survey work has been completed and an area study has been prepared for the area.
Heat Pipeline feasibility study	-	-	£23,267.08	Committed sum from Pilsworth quarry to establish the feasibility of establishing a local heat network.
TOTAL	£813,307.39	£1,000,864.69	£4,029,558.92	

Please note that the figures in the table above represent a snap shot in time and may not be entirely consistent with previous reports as expenditure from S106 contributions is confirmed at financial year end and interest is added to the balance. Income figures are based on the twelve month period from 1 April 2017 and 31 March 2018, and total balances are as at 31 March 2018.

APPENDIX D – OUTSTANDING OBLIGATIONS

Part 1: S106 obligations where triggers have been reached

Application	Site	Description	Outstanding Obligations	Action
38312, 39060, 49447, 53180, 53263	Land east of Brandlesholme Road and west of Woodhill Road, Bury	38312: 2 dwellings 39060: 5 detached houses 49447: 3 detached houses 53180: 2 detached dwellings 53263: Change of use from public open space to domestic garden.	The S106 requires the provision of recreational path / cycleway link, landscaping, transfer of wildlife corridor following completion of landscaping works, maintenance and ongoing access rights. The recreational path has been surfaced but some of the landscaping works have not been completed.	Transfer of land and provision of cycleway. Ongoing dialogue with the developer and a reminder has been issued.
49310, 52922 Page 176	Former railway track off Ainsworth Road, Radcliffe	Erection of 13 dwellings (Phase 1)	£16,688.90 wildlife link maintenance contribution, formation of wildlife link and transfer of land, construction of a cycleway. Due prior to occupation of 11 dwellings.	Development completed. Recreation contribution has been paid and the cycleway has been provided, negotiations are underway regarding transfer of land, subject to satisfactory completion of landscaping works.
50315, 52764	Former railway track, Ainsworth Road, Radcliffe	Erection of 10 no. dwellings (Phase 2)	£12,899.42 wildlife link maintenance contribution and transfer of land within 6 months of completion, construction of a cycleway, public access along road in absence of adoption.	Development completed. Recreation contribution has been paid and the cycleway has been provided, negotiations are underway regarding transfer of land, subject to satisfactory completion of landscaping works.
49667 54802	Olives Paper Mill, Tottington Road, Bury	Development of 90 residential units including landscaping	Transfer of recreation land due prior to occupation of the 45 th dwelling. On site affordable housing – 18 units (financial contributions received in respect of 7 of these units)	The Council are continuing to work with Persimmon to secure the transfer of the recreation land. The boundary of the land was incorrect on the transfer plan provided by Persimmon, so a replacement plan is required.

Application	Site	Description	Outstanding Obligations	Action
52821, 55235	Land adjacent to 103 Walmersley Road, Bury	Erection of 11 no. flats in 3/4 storey block together with parking	£5,017.32 recreation payment due upon commencement.	Under construction - contribution now due. Non-compliance letter sent 4/9/14, developer requested additional time to pay. Non-compliance letter sent 03/08/2016 Non-compliance letter sent 21/06/2017 Non-compliance letter sent 14/11/2018 We will seek to take further legal action.
56781	Land at 1 Woodhill Drive, Prestwich, Manchester M25 0BD	Erection of 1 detached dwelling.	£3,421.33 recreation contribution due on commencement.	Under construction - contribution now due. Non material amendment application approved (59840). Non-compliance letter sent 21/06/17 Non-compliance letter sent 14/11/18 We will seek to take further legal action.
53231, 57085 Page 17	Holcombe Brook Tennis Club, Longsight Road, Ramsbottom, Bury, BLO 9TD	Erection of 55 sheltered flats for the elderly.	£346,000 affordable housing contribution paid 12/04/2017. Additional index linked contribution outstanding.	Development completed and fully occupied. Additional index linked payment now due. Non-compliance letter sent 15/02/17 Non-compliance letter sent 21/06/17 Non-compliance letter sent 14/11/17 We will seek to take further legal action.
57317	Land adjacent to Hardman Fold Farm, Hardman Street, Radcliffe, Manchester, M26 4GY	Erection of 1 no. detached dwelling	£3,421.33 recreation contribution due prior to or upon commencement	Under construction – contribution now due. Non-compliance letter sent 15/02/17 Non-compliance letter sent 21/06/17 Non-compliance letter sent 14/11/17 We will seek to take further legal action.

Application	Site	Description	Outstanding Obligations	Action
58233	Land off Salisbury Road, Radcliffe, M26 4WG	Residential development for 86 dwellings and associated infrastructure.	£100,000 recreation contribution paid – 27/7/2016. Projects: Provision of the Moss Shaw section of the Bolton Bury railway path and improvements to the Bolton Road Infrastructure phase 1. 17 affordable housing units on site with overage clause. Public access/recreation route prior to occupation of the 68 th dwelling.	Under construction - obligations now due. Recreation contribution (£100,000) received 27/7/2016. Part of the Moss Shaw section of the railway path has been completed. Public access route is in development. 15 affordable homes completed as of April 2018. Assessment required to determine whether an affordable housing overage clause is payable.
50775 54550 58359	Former Thrush Hotel, Thrush Drive, Bury, BL9 6JD	14 no. dwellings with associated car parking and landscaping.	£13,674.08 recreation payment due in 3 phases, upon 1 st occupation of each block.	Completed – contribution now due. Non-compliance letter sent 20/12/2018
58915, 61112 1801 178	Land at Valley Park Road/Clifton Road Prestwich, Manchester, M25 3TG	Erection of 97 no. residential units (Class C3) comprising 67 no. dwellings and 30 no. apartments with associated landscaping, access arrangements and car parking and substation and creation of pond and woodland walk and seating area	On site recreation provision, phasing programme due prior to commencement 24 affordable housing units	Under construction - On site recreation provision phasing programme now due. Non-compliance letter sent 20/12/2018
58918	Land adjacent to 15 Prestfield Road, Whitefield, Manchester, M45 6BD	Erection of 33 no. apartments in 2,3 & 4 storey blocks with associated parking and a detached dwelling.	Recreation contribution £54,469.89 paid upfront 26/2/16. Projects: The Thatch Leach Lane Play Area and Ball Zone Improvements, Boz Park Play Area Improvements, Cycle Infrastructure Improvement in Philips Park 8 affordable housing units on site.	Development completed. Affordable housing obligation not complied with. £50,000 paid 3/10/17; £50,000 paid 20/11/17; £163,413.72 remains outstanding. Legal action is on-going to seek to recover the outstanding financial contribution in lieu of on-site affordable housing provision.

Part 2: Ongoing obligations

Application	Site	Description	Requirements	Current Status
39700, 53453	Pilsworth South Quarry (Land at Captains & Hill Top Farms off Pilsworth Road, Bury)	Extraction of sand, restoration to agriculture, woodland and amenity using controlled waste. Demolition of Hill Top and Captain's Farms and outline application for single two storey replacement dwelling.	£32,000 commuted sum to establish the feasibility of establishing a local heat network, paid 1/6/15 Leachate management, aftercare / restoration of tip and reinstatement of public access following restoration.	Infilling has commenced, financial contribution paid. Ongoing long term management and restoration obligation.
44465	Land at Bury Road & Park Street, Radcliffe (Woburn Park / Newbridge Close)	40 apartments in 5 no. blocks.	Ongoing affordable housing obligation	DoV allows intermediate market rent for 5 yrs to 30/11/17. DoV 09/01/18 Extends the temporary period during which the properties may be occupied at intermediate market rent for a further 5 years i.e. until the 30th November 2022.
44581 50779 54514	Woodhill Mill, Bury Boot and Shoe Co, Brandlesholme Road, Bury, BL1 1BG	Conversion of former industrial warehouse to 46 residential units and 5 live work units	Ongoing affordable housing obligation	DoV 25/9/12 gives a period of grace for the AH to be provided at intermediate rent, extended a further 3 years by DoV 2/9/14 and a further 3 years by DoV 8/1/2018. Period of grace expires 25/09/2020.
55003	Land at Spen Moor, Bury and Bolton Road, Radcliffe, M26 0JZ	Outline – Residential development of 191 dwellings, creation of ecological enhancement ponds and access off Bury and Bolton Road	£67,594 education contribution due prior to occupation (paid). Provision of cycle path (completed). Implement ecological management plan.	Under construction. £67,594 education contribution paid 20/7/2016. Cycle path construction Implementation of ecological management plan. On going obligation.

Application	Site	Description	Requirements	Current Status
54717	Land at Elton Vale Road, Bury, BL8 2RZ	Residential development - 4 no. dwellings, 1 no. water bailiffs cottage and 2 no. units for temporary accommodation for fishing lodges	Restricted to 15 parked vehicles, 45 fishing pegs, advise fisheries users that they must not park in Elton Vale Road or Foulds Avenue, keep records of lettings for fishing lodges.	Under construction. Ongoing obligation.
57198	Land at rear of 353-365 and Beechwood Bungalow, Bury Road, Tottington, Bury, BL8 3DS	Residential development - 29 dwellings	£100,529.40 recreation contribution paid 4/9/14. Affordable housing to be provided on site (8 dwellings) alongside completion of the other dwellings.	Ongoing affordable housing obligation.
57097, 58229	Site of former Beech Grove, Danesmoor Drive, Bury, BL9 6HA	Erection of 16 no. independent living apartments for the over 55's and 3 no. bungalows with shared communal space and creation of 11 no. car parking spaces.	All units to be affordable housing.	Ongoing affordable housing obligation.

Part 3: S106 obligations not yet triggered

Application	Site	Description	Requirements	Current Status
45274	Former P J Power Site, Millett Street, Bury, BL9 0JA	Demolition of offices & services yard; erection of 21 apartments in four storey block & new office accommodation within three storey block	£7,548.24 recreation payment due upon 1 st occupation.	Material start made. Site is currently on the market. Application for 12 residential units was refused 31/10/17 due to failure to enter into s106 agreement for recreation provision.
47200	Townside Fields, Bury	Mixed use development	Layout and maintain footpaths and to use best endeavours to provide Metrolink crossing.	Development commenced. Endeavours to provide Metrolink crossing continue.
52882 56869	Church Buildings, Warth Road, Bury, BL9 9NG	57 dwellings	On site affordable housing – 14 units (25% discount). On site recreation.	Not commenced. Permission expired Revised application 60424 under construction.
50948, 50948	Former Albert Inn, Ribble Drive, Whitefield, (Albert Place)	Erection of 6 retail units with 15 flats above; associated access, parking, servicing and landscaping.	£6,176.40 recreation payment due upon the sale of the 3 rd market unit. On site affordable housing – 3 dwellings.	Development completed but none sold individually. Original developer went into receivership. All sold to 1 new owner.
55584	Land at Dumers Lane and Morris Street, Radcliffe	Mixed use development comprising 11 x Class B1 (b), B1 (c) and B8 units totalling 3,368 sqm (GIA) of floorspace and 239 dwellings, riverside park and habitat creation scheme, associated land raising, access and estate roads, sub-station, landscaping and flood mitigation measures.	24 units on-site affordable housing and on-going affordable housing obligation. Affordable housing overage clause.	Development completed. No overage contribution payable in respect of Site A (Bellway). Details required to assess whether any overage contribution is payable for Site B (Persimmon).
54148, 57016, 57019, 57024	Land at James Street / Johnson Street, Radcliffe	Residential development – 90 dwellings.	5 affordable units on site, with potential for an overage payment dependent upon actual Gross Development Value.	Development completed. Ongoing affordable housing requirement. Details required to assess whether on overage contribution is payable.

Application	Site	Description	Requirements	Current Status
53353	Whitefield House, Pinfold Lane, Whitefield	60-bed care home within ancillary clinic / rehab facilities, car parking and landscaping.	£50,000 recreation contribution due upon commencement.	Not commenced.
58810	Land at Spen Moor, Bury and Bolton Road, Radcliffe, Manchester, M26 4JY	Reserved Matters for appearance, landscaping, layout and scale following grant of Outline planning permission 55003 for residential development of 191 dwellings, creation of ecological enhancement ponds and access off Bury and Bolton Road	<p>£475,070.93 recreation contribution payable in instalments – 1st instalment of £165,000 paid (10 projects specified in S106), 2nd instalment of £160,000 due on commencement of 66th dwelling; 3rd instalment of £150,070.93 due on commencement of 132nd dwelling.</p> <p>On site public open space. 48 affordable housing units. Permission for the Council to construct a public access track, with the Owner to ensure that public access is maintained.</p>	<p>£165, 000 1st instalment of recreation contribution paid 20/7/2016 (10 projects specified in S106).</p> <p>£160, 000 2st instalment of recreation contribution paid 22/12/2017 (10 projects specified in S106).</p> <p>3rd instalment (£150,070.93) due prior to or upon commencement of 132nd dwelling.</p> <p>Completion of the on-site Phase 1 recreational land is required prior to occupation of the 120th dwelling and completion of Phase 2 prior to occupation of the 180th dwelling.</p>
55815	Woolpack Hotel, 5 Stand Lane, Radcliffe, Manchester, M26 1NW	Conversion, alteration & extension of existing public house and hotel to form 14 no. 1 & 2 bedroom apartments and associated works	£11,969.04 recreation contribution due on 1st occupation – paid 22/2/16. Overage clause to require an additional contribution up to £11,969.04 depending on overall GDV (based on 14 apartments). Application 58448 allowed c/u of 2 apartments to 2 retail units and subdivision of 1 apartment, reducing the total to 13 apartments.	Some units occupied. Overage clause cannot be calculated until all units have been sold.

Application	Site	Description	Requirements	Current Status
55741	Thurston Fold Farm, Castle Road, Bury, BL9 8QS	Change of use and extension of existing barn building to 5 no. self contained dwellings together with removal of existing double-height garage and reinstatement of windows and erection of new porch to existing farmhouse (resubmission)	£14,431.44 recreation contribution due on commencement.	Not commenced. Permission expired.
57508	Spenside, Bury and Bolton Road, Radcliffe, Manchester, M26 4LA	Erection of 4 no. detached dwellings.	£13,685.33 recreation contribution due on commencement.	Not commenced. Permission expired.
58521	Former Red Bridge Inn, Bury Old Road, Ainsworth, Bolton, BL2 5PJ	Refurbishment and conversion/change of use of vacant public house to form 2 no. cottages and 8 no. apartments and erection of block of 10 no. apartments	£15,060.03 1 st instalment recreation contribution paid 12/4/16. 2 nd instalment of £15,060.03 payable on occupation of the 10 th unit.	Under construction. 2 nd instalment not yet triggered.
56704 Page 183	Land at Bury Road/York Street, Radcliffe, Manchester, M26 2WH	Hybrid full planning application for the erection of 153 no. dwellings together with associated works inc laying out public open space, remediate, raise levels, emergency access, development platform for future commercial devt. Outline for B1/B2 B8 7435m2	On site recreation provision. 15 affordable housing units on site plus overage clause. Employment development or ELDF contribution.	Not commenced.
57224	Land adjacent to 41 Station Close, Radcliffe, Manchester, M26 4GW	Erection of 11 no. detached dwellings with access road and demolition of existing bridge structure (resubmission)	£37,634.66 recreation contribution payable in 2 instalments prior to commencement and occupation of the 5 th unit. Projects: Improvements to Snape Street play area (phase 1) and Improvements to Young Street play area (phase 1). Cycleway provision.	Not commenced. Permission expired.
58413	Land to the West of 149 Brandlesholme Road, Bury, BL8 1BA	Reserved Matters application following Outline planning approval 54738 for construction of 39 houses and 18 flats, junction improvements, new access road and associated landscaping	On site recreation provision, 13 affordable housing units	Not commenced.

Application	Site	Description	Requirements	Current Status
58324	Land adjacent to Eton Business Park, Bury Road, Radcliffe, Manchester, M26 2XF	Residential development of 18 no. dwellings	£37,342.00 recreation contribution on commencement, plus recreation overage clause. Project: Improvements to the footpaths, play area and ballzone at Close Park.	Not commenced.
58985	Site of Hartshead Works, Deal Street, Bury, BL9 7PU	Demolition of existing buildings and residential development comprising 39 no. dwellings (15 no. houses and 24 no. apartments), new access from Deal Street, carparking and landscaping	39 affordable units	Not commenced.
59809/ 60750/ 62599 Page 184	Paradise Mill, John Street, Bury, BL9 0NH	Demolition of existing buildings and formation of public pay and display car park including resurfacing works and boundary treatments (temporary period of 3 years).	Potential £144,000 employment contribution - given the applicant's longer term ambitions for the site, they have entered into a deferred overage planning obligation. The obligation specifies that if the site was to subsequently come forward for a higher value use, such as residential and/or retail, there would be a requirement to make a one-off financial contribution to off-set the loss of the employment land and premises.	Completed. S106 requirements not triggered.
59715	Redisher Works, Holcombe Old Road	Demolition of existing buildings and erection of 22 no. Dwellings including works to culverted watercourse	£64,261.88 recreation contribution. Amount due in two instalments, half on commencement and half on 1st occupation Projects: Improvements to public right of way and footpath at Redisher Woods (phase 1) (£35,000); Improvements to steps and infrastructure at Pot Green Woodland (phase 1) (£10,000); Improvements to infrastructure at Bolton Road West Playing Fields (phase 1) (19, 261.88)	Not commenced.

Application	Site	Description	Requirements	Current Status
60424	Land adjacent to Warth Road, BL9 9NG	Residential development comprising 65 dwellings with associated infrastructure and incidental open space including a new estate road and vehicular and pedestrian access off Warth Road.	65 affordable units	Under construction
60717, 61714	Land between Geoffrey Street, Taylor Street & Brook Street, Bury, BL9 6DN	Reserved matters application following outline approval 60717 for 18 no. dwellings with details of appearance, landscaping, layout and scale.	9 affordable units; £46, 155.24 recreation contribution, due prior to or upon first occupation. Projects: Improvements to fencing and removal of shrubs/replacement with grass at Taylor Street open space; Improvements to fencing, paths and drainage at Athlone Avenue allotments; Drainage and surfacing of public rights of way at Broad Oak Woods; and Refurbishment of Clarence Park play area (Phase 1)	Not commenced.
60182	Land adjacent to Rico House, George Street, Prestwich, M25 9WS	Erection of synagogue (Class D1) and offices (Class B1) together with associated vehicular access, car parking and landscaping.	£20,000 prior to or upon commencement. This is a financial contribution to be held by the Council to implement a Resident's Parking Scheme if considered necessary. The terms of the obligation are as follows: £20,000 - £7,500 monitoring, £12,500 implementation. Monitoring to include pre-commencement of development and post occupation of development parking surveys at suitable times of the week, to be carried out by TfGM or the Developer. To include a repayment clause for any unspent contributions to be returned within a reasonable timeframe - 5 years.	Not commenced.

Application	Site	Description	Requirements	Current Status
59884	Land at Mountheath Industrial Estate, George Street, Prestwich	Outline planning application for the demolition of all existing structures and redevelopment for a mixed use development comprising up to 160 dwellings and 2,959sq.m of employment floorspace (B1/B8) including all associated infrastructure.	Occupation of more than 10 dwellings will not be permitted until the Phase 1 Employment Units (704sq.m gross internal area) are practically complete and available for occupation.	Not commenced.
60798	Land on the North side of Rochdale Road, Bury, BL9 7AX	Proposed development of 6 no shops (A1) and 24 no. Flats in 3 and 4 storey building	£37,486.80 recreation contribution due prior to or upon commencement. Project: Improvements to infrastructure at Openshaw Park (Phase 1) and improvements to infrastructure at Clarence Park (Phase 1)	Not commenced.
60723	Land adjacent to 19A New Road, Radcliffe, Manchester, M26 1LS	Demolition of existing buildings and redevelopment including erection of 14 detached dwellings and associated works.	£38,032.02 recreation contribution due prior to or upon commencement. Project: Refurbishment of Coronation Park to include tree work, landscaping, paths and play facilities Phase 1); and Landscaping and footpath improvements at St John's Churchyard off New Road, Radcliffe (Phase 1)	Not commenced.
59375	Site of former British Legion Club, Water Street, Radcliffe, M26 4DF	Outline - Demolition of existing building and erection of 1 no. Building containing 19 apartments with associated car parking and amenity space.	£29,677.05 recreation contribution due prior to or upon commencement. Projects: Improvements to Manchester, Bolton and Bury Canal including removal of invasive species and debris and levelling of towpath east of Water Street (Phase 1); Improvements to footpath and accessibility towards the canal bridge at Banana Path, Improvements to drainage paths and raising the height of plots at Osborne Walk Allotments (Phase 1); and Improvements to track surfacing at Cams Lane running track (Phase 1).	Not commenced.

Application	Site	Description	Requirements	Current Status
60762	Victoria Mill, High Street, Walshaw	Proposed extension and conversion of existing mill to provide 13 no. 1 & 2 bedroom residential apartments with 16 car parking spaces and associated works.	£20,305.35 recreation contribution due prior to or upon commencement. Projects: Improvements to the play area at Town Meadow Park, Tottington (Phase 1); Refurbishment of the tennis courts at Town Meadow Park, Tottington (Phase 1); Improvements to the infrastructure at lodges in Kirklees Valley (Phase 1).	Not commenced.
61117	Bleaklow Mill, Bolton Road, Tottington, BL8 4LL	Demolition of the existing vacant industrial building and the erection of 24 dwellings (20 three bed and 4 bed) with public open space, parking and associated access.	£66,373.12 recreation contribution. 50% due prior to or upon occupation of the 10 th unit. Remaining 50% due prior to or upon occupation of the 20 th unit. £20,000 employment contribution. 50% due prior to or upon occupation of the 10 th unit. Remaining 50% due prior to or upon occupation of the 20 th unit.	Under construction.
61115	Car park to the north of 129 Croft Lane, Bury, BL9 8QH	Outline application for the construction of 8 no. dwellings	£1,500 highways contribution due prior to the commencement of the development.	Not commenced.
60045	Texaco Petrol Station, Bury Old Road, Prestwich, M25 0EY	Demolition of existing structure and erection of a retail A1 unit and synagogue with associated car parking, landscaping and access arrangements.	£5000 monitoring contribution and £10,000 parking scheme contribution due prior to or upon commencement.	Not commenced.
59067	Cartime, Bell Lane Car Centre, Bell Lane, Bury, BL9 6DJ	Demolition of existing car showroom and erection of a new car showroom with car valet.	Restriction on deliveries to Site A (edged in red) being made using 'prohibited vehicles' as defined in the Agreement.	Not commenced.
62081	Woodhill Farm, Spring Street, Ramsbottom, Bury, BLO 0DS	Demolition of existing farm buildings and erection of 16 no. dwellings and associated new infrastructure, including construction of new access road.	£46,808.64 recreation contribution due prior to occupation of the 8 th dwelling.	Not commenced.

Application	Site	Description	Requirements	Current Status
62129	Former car park of Masons Arms, Walmersley Old Road, Bury, BL9 6RU	Erection of 1 no. dwelling.	The obligation requires that the ground floor of the Masons Arms public house be converted into 2 flats (pursuant to planning permission 61787) before any development can take place on the car park site.	Not commenced.
62220	The Elizabethan, Ribble Drive, Whitefield	Demolition of public house and erection of 15 no. dwellings	100% affordable housing.	Not commenced.
62237	Prestwich Golf Club, Hilton Lane, Prestwich, Manchester, M25 9XB	Residential development of part of golf course comprising 17 no. dwellings with new access from Kersal Road; Extension and reconfiguration of golf course to provide replacement facility.	£49,107.30 recreation contribution due prior to commencement of the residential development	Not commenced.
62765 Page 188	The Plough, 51 Rainsough Brow, Prestwich, M25 6XW	Demolition of existing public house and erection of 15 no. apartments with basement parking and rear amenity area.	£23,429.25 recreation contribution due prior to or on commencement of the development. Projects: <ul style="list-style-type: none"> • Improvements to access, sight lines and safety of users at Drinkwater Park through removal of shrubs and trees: • Improvements to paths, access and landscaping to raise the quality standard at Barnfield Park (Phase 1) 1 affordable housing unit.	Not commenced.