

AGENDA FOR

PLANNING CONTROL COMMITTEE

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To: All Members of Planning Control Committee

Councillors : G McGill (Chair), C Boles, N Boroda,
J Harris, M Hayes, J Lancaster, J Mason, D Quinn,
C Tegolo, K Thomas and D.Vernon

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, 5 October 2021
Place:	Council Chamber, 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.
Notes:	Live streamed meeting https://councilstream.com/burycouncil

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 THE 31ST AUGUST 2021 *(Pages 3 - 4)*

Minutes of the meeting held on Tuesday the 31st August 2021 are attached.

4 PLANNING APPLICATIONS *(Pages 5 - 30)*

Reports attached.

5 DELEGATED DECISIONS *(Pages 31 - 44)*

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

6 PLANNING APPEALS *(Pages 45 - 54)*

A report from the Head of Development Management on all Planning appeal decisions since the last meeting of the Planning Control Committee is attached.

7 URGENT BUSINESS

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

Minutes of: PLANNING CONTROL COMMITTEE

Date of Meeting: 31 August 2021

Present: Councillor G McGill (in the Chair)
Councillors C Boles, N Boroda, J Harris, M Hayes,
J Lancaster, C Tegolo, K Thomas and D.Vernon

Also in attendance: Councillor T Holt

Public Attendance: 2 members of the public were present at the meeting.

PCC.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor D Quinn.

PCC.2 DECLARATIONS OF INTEREST

Councillor McGill declared a personal interest in planning application 66686, 188 Rochdale Old Road, Bury, BL9 7SB as he lived nearby the application and was a close contact in relation to one of the objectors.

Councillor McGill left the meeting during deliberation of the application.

PCC.3 MINUTES OF THE MEETING HELD ON THE 27TH JULY 2021

Delegated decision:

That the Minutes of the meeting held on the 27th July 2021 be approved as a correct record and signed by the Chair.

PCC.4 PLANNING APPLICATIONS

A report from the Head of Development Management was submitted in relation to various applications for planning permission.

There was no supplementary information to add in respect of application numbers 66686 and 67025.

The Committee heard representations from a ward Councillor in respect of application 66686 and this was limited to three minutes.

Delegated decisions:

Councillor Martin Hayes Chaired the meeting for this application only.

1. That the Committee **Approve with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and subject to the conditions included:-

66686 188 Rochdale Old Road, Bury, BL9 7SB

Retrospective application for change of use from retail (Use Class E) to part retail (Use Class E) and hot food takeaway (Sui Generis) with elevational changes and erection of extraction flue

2. That the Committee **Approve with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and subject to the conditions included: -

67025 Land rear of 375 Bury Road, Tottington, Bury, BL8 3DS

Outline application for 1 no. new dwelling (all matters reserved except access)

PCC.5 DELEGATED DECISIONS

A report from the Head of Development Management was submitted listing all recent planning application decisions made by Officers using delegated powers since the last meeting of the Planning Control Committee.

Delegated decision:

That the report and appendices be noted.

PCC.6 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 and appendices be noted.

PCC.7 URGENT BUSINESS

No urgent business was reported.

COUNCILLOR G MCGILL
Chair

(Note: The meeting started at 7.00pm and ended at 7.29pm)

Title	Planning Applications
To:	Planning Control Committee
On:	05 October 2021
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:** Whitefield + Unsworth - Pilkington Park **App No.** 66802

Location: 68 Ringley Road, Whitefield, Manchester, M45 7LN

Proposal: Extension and conversion of existing dwelling to create 5 apartments (4 additional dwellings)

Recommendation: Approve with Conditions

Site Visit: N

Ward: Whitefield + Unsworth - Pilkington Park

Item 01

Applicant: Mr Rose

Location: 68 Ringley Road, Whitefield, Manchester, M45 7LN

Proposal: Extension and conversion of existing dwelling to create 5 apartments (4 additional dwellings)

Application Ref: 66802/Full

Target Date: 03/08/2021

Recommendation: Approve with Conditions

Description

The site relates to a rectangular shaped plot currently occupied by a residential detached dwelling which is located on a main road and an established area of residential development, characterised by a mix of house types. There is open land beyond the rear boundary to the north west which is designated as Green Belt land and to the north there are houses on Stand Close.

At 0.2 hectares plot is sizeable for a single dwelling. The dwelling has an 'L' shaped footprint and due to the sloping gradient of the site has a split level arrangement with the ground floor at the same level as the road and the basement at the lower level which is used for parking and storage. There is a large rear garden which extends circa 28m from the rear elevation of the property and which slopes away from the house. Boundary treatments to the sides and rear comprise of timber fencing or brick wall and there is a dwarf wall which runs along the frontage.

There is a single access located to the right handside of the plot which leads to a driveway at the side and parking within the lower basement of the dwelling. There is also a hardstanding area to the front of the dwelling which is also be used for parking.

The site appears to be vacant and has become overgrown and unkempt and the dwelling requiring upgrade and modernisation.

The application seeks to convert and extend the property to create 5 apartments, with associated access, parking, amenity space and landscaping.

The proposed extensions would comprise a rear extension and 2 additional floors of accommodation, to provide 2 apartments at the ground floor (2 x 2 bed), 2 apartments at first floor level (1 x 2 bed, 1 x 3 bed) and a 3 bed penthouse at 2nd floor. The 2nd floor would have a smaller footprint area as it would be set in from the rest of the build. At the rear, outdoor balconies would serve each apartment. The basement would be utilised to provide storage and 2 parking spaces for the penthouse. There would be an internal lift to serve all floor levels.

Externally, a total of 9 parking spaces would be provided. There would be 7 parking spaces (including one disabled space) and an enclosed bin store along the frontage and 2 spaces allocated for visitors adjacent to the boundary with No 66 Ringley Road. Cycle parking would be located to the eastern side of the access.

The access to the site would remain as existing but with works to form a wider opening.

The existing garden area would be re-landscaped to provide patio areas, a 'canal' water feature and mix of planting and trees along the boundaries of the site surrounding the central garden area.

The development proposes a contemporary and modern approach to the design, 'cube - like' in form with emphasis on horizontal elevations, simple building lines and a flat roof. A full height glazed feature would form the main entrance on the front with relatively symmetrically positioned windows along the rest of the facade, the remainder of the build comprising a limestone rainscreen cladding, with a dark grey matt cladded canopy at ground floor and cedar timber cladding at the 2nd floor.

At the rear, the same design and form would be replicated with larger expanses of glazing formed in the rear elevation.

Relevant Planning History

01918/E - Pre - app enquiry for proposed demolition of existing dwelling and erection of 13 no. apartments with associated parking and landscaping. - Enquiry completed 11/04/2017
18/0167 - Untidy land and derelict property - 03/07/2018
20/0153 - Untidy land and property - 01/10/2020

Publicity

Letters sent on 20/9/21 to adjacent properties on Ringley Road, Stand Close and Stand Golf Club.

8 letters of objection received from Nos 66, 85, 87, 89, 93, 74, 72 Ringley Road, 7 Stand Close which raise the following issues:

- We would like to draw your attention to DA 16117 Design and Access Statement 3.2.1. In particular this paragraph - The penthouse apartment on the top floor will be set in from front, sides and rear of building, to reduce impact to the surrounding properties. It would appear that after looking at the plans, this is not the case on the left hand side.
- As our garden is significantly lower than the planned site, this would look like a high rise block from our garden level. This is not acceptable.
- We have concerns a. Will the build follow plans. b. Will it be completed in line with the proposed plan. c. Are these apartments for sale or let. We were promised amazing things for the existing property, as you can see from your site visits, it is now worse than Radcliffe tip!
- Ringley Road is already a dangerous road, having the bad corner and Old Hall Road joining within 200 yds. When cars are parked, visibility is greatly reduced, resulting in many near misses. We have previously suggested the need for double yellow lines, from the bad bend to beyond the building site.
- It is not clear to us from the proposed plan that the windows on the left side of the property, are intended to be clear or opaque. We would strongly object to windows over looking our property.
- Proposed parking arrangements look like a commercial parking lot - an eyesore for residents nearby
- Boundary wall should be a re-construction of the original - not a wooden fence
- Increase in traffic at the busy intersection
- Congestion
- Appearance totally out of character
- Balconies would overlook several homes and neighbours
- No visitor parking and therefore cause problems on the highway
- Electric gates cause problems with tradesman entering the site and cause traffic build up
- Concerned about the management of the apartments
- Not in keeping with Victorian and post war dwellings within the immediate surrounding area on Ringley Road
- No use of eco-friendly materials
- Supporting sewerage system required
- Height of build would impact on light
- No provision for construction vehicles on site
- Safety risk of pedestrians and road users during construction

- Contamination of the highway from build materials
- Cladding materials - fire safety concerns
- More than doubles the height and is grisly overpowering
- Block sunlight
- Object to large trees on the adjoining walls
- the current owner has let the property fall into a state of disrepair by allowing the garden to become overgrown, removing all the trees and leaving the bins to overflow and attract rats, a proposal such as this is unacceptable.

Revisions received to amend the proposed site layout and changes to the design and materials of the proposed apartment building.

Amended letters sent to neighbours on 20th September 2021.

Objection received from No 64, 72 Ringley Road:

- Your original proposal regarding scale, paragraph 3.2.1 states penthouse will be set in from front, sides and rear of building, to reduce impact on surrounding buildings.
- We object to the revised aesthetics on left hand side facing our property, as this leaves us with a solid grey mass, which we find unacceptable.
- We still have issues with lack of visitor parking.
- Do not need more apartments, need houses and ideally affordable houses for families.
- There is space to put houses on the land available.
- The flats would tower above our houses and take away the only blue sky we have
- Had problems with rats and during construction we would no doubt have more problems with vermin disrupted by the construction site noise, dust and additional traffic problems.

Revised plans received to dedicate two surface parking spaces for visitors.

Those who have objected have been informed of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions

Environmental Health - Contaminated Land - No objection subject to conditions

Waste Management - No objection

Greater Manchester Ecology Unit - No objection subject to conditions and informatives

Coal Authority - No objection.

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

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN5/1	New Development and Flood Risk
EN6/3	Features of Ecological Value
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant

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

Policies

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

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

UDP Policy H2/4 - Conversions has consideration with regards to effect on neighbouring properties, general character of the area, amenity of occupiers, effect on the streetscene and car parking and servicing requirements.

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

Principle - As an existing residential plot, the site has an established residential use within an area characterised by a mix of housing types including examples of other apartment development. The site is located within a sustainable urban area and there is existing infrastructure in place to facilitate the development.

The development would therefore not conflict with the local environment in terms of character and surrounding land uses. The proposed development would also contribute to the provision of additional housing stock in the Borough.

As such, the proposed development is therefore considered to be acceptable in principle and comply with the principles of the NPPF and UDP Policies H1/2, H2/1, H2/2 and H2/4.

Layout - It is proposed to utilise the existing footprint of the dwelling and add a rear extension to infill and 'square' off the 'L' shaped rear to form a true rectangular footprint.

In front of the building would be a surfaced driveway and parking for 7 cars in a linear format behind a wall and railing boundary. Adjacent to the parking and site access would be an enclosed bin store. The existing access into the site would be widened and improved to facilitate 2 cars to exit/enter at one time. Two parking spaces allocated for visitors and a cycle store would be provided along the boundary with No 66 and the driveway would extend along the eastern side of the site which leads to the lower basement level and parking spaces for 2 cars for the penthouse.

At the rear, the 28m long garden would be re-designed and landscaped to form the communal garden area, which would feature soft and hard landscaping, patio areas and a water feature. Plants and trees would be formed around the lawn and help screen parts of the site from views to create a private amenity space for occupiers.

In terms of the building and accommodation itself, 2 apartments would be located at the ground and first floor with the penthouse at the second level.

Access into the building would be from the front glazed entrance which would lead to the ground floor and the stairs and lift to the upper levels. Balconies to the rear of the first and second floor would provide a degree of private amenity space separate to the communal garden area.

The existing dwelling sits within a generous sized plot and the increase to the footprint of the existing building would be relatively minimal in comparison, enabling the built development to sit comfortably within the site to provide generous amounts of amenity space, circulation and associated requirements of car and cycle parking without resulting in the over development of the site.

It is therefore considered that the proposed layout would provide a sustainable and viable residential accommodation whilst ensuring that associated parking and amenities could be readily and generously accommodated without compromise to both future occupiers or existing residents living nearby.

As such, it is considered that the proposed development would comply with UDP Policies H2/1, H2/2 and H2/4.

Scale, design and appearance - The existing dwelling, whilst 2 storey, has a split level arrangement and from the street where presently the dwelling appears as a bungalow house type. The area and Ringley Road itself is characterised by 2 and 3 storey dwellings and buildings and the existing dwelling is somewhat uncommon to the area.

It is proposed to add 2 additional floors to the existing dwelling and extend at the rear to create a regular rectangular footprint.

In terms of its relationship within the streetscene, the proposed building would be circa 2m lower than No 72 Ringley Road to the west and circa 1m higher than No 66 to the east. Given that these properties reflect the general form in the area, the proposal would generally reflect the heights, rhythm and pattern of development and as such the proposed form and scale would not appear dominant within the streetscene. The building also sits centrally within the plot and there is ample circulation and 'breathing space' around the building which would allow for the existing dwelling to be extended, as proposed, without resulting in an oppressive and overbearing form.

Adopting a modern and contemporary design approach, defined by clean sharp lines in a 'cubic' form, there would be a penthouse on the upper floor would be set in from the front and sides and therefore appearing as a subservient addition which would provide some relief to the massing.

Fenestration patterns would be fairly simplistic and symmetrical proposing a regular formation of window openings and a full height glazing to mark the front entrance.

Aside from the glazing, the palette of materials has been simplified from the original scheme and thus would be uncomplicated with the remaining elevation comprising a natural limestone cladding with a contrasting dark grey cladding to the ground floor canopy. The penthouse would have a contrasting material of timber cladding to add an element of interest.

At the rear, the same design and pattern would be continued, albeit there would be more glazed openings with the addition of the balconies enclosed by a balustrade to benefit from the views over the garden

The surrounding area is characterised by a mix of house types and design, from traditional red brick builds to the more modern housing stock including the recently built contemporary dwellings, including one at No 81.

The NPPF makes it clear that creating high quality buildings and places is fundamental and that good design is a key aspect of sustainable development, creating better places in which to work. This is supported by the National Design Guide which states that well designed development is influenced by an appreciation and understanding of the vernacular, including existing built form and local architectural precedents.

It is considered the proposed design would offer an appropriate quality residential scheme which in terms of the height, scale and massing would not be at odds with the character of the immediate area. Whilst a more 'unique' approach to new build, there are similar examples in the area of modern development and it is considered that on this particular plot and location, the proposed development would be acceptable.

As such, the proposal would comply with H2/1, H2/2, H2/4 and EN1/2 and the principles of the NPPF.

Impact on the surrounding area -

Whilst there is no specific guidance on aspect standards for new residential development, the Council's SPD 6 contains supplementary guidance for assessing relationships to adjacent properties. It is generally advised that minimum distances of 13m should be maintained between a principal window to a ground floor habitable room and a two storey blank wall; 6.5m between a habitable room and single storey blank wall; and a minimum distance of 7m between first floor habitable windows and a directly facing boundary with a neighbouring property. Where there is a difference in levels or additional storeys, additional separation of generally 3m would be sought.

To No 66 Ringley Road, there would be a distance of approximately 8m from the side elevation of the new development. There are no windows on the side of No 66 which would be overlooked and the 2 windows in the side elevation of the new building would either be to a non habitable room or secondary windows of slimline slotted design. As such aspect standards would be acceptable.

No 66 is set to the east of the site and there would be some overshadowing to the garden of this property in the early and mid afternoon. However, as the build would only be 1m higher than No 66 and as the 2nd floor would be set in from the side wall of the main build and approximately 11m away from the shared boundary, it is considered that loss of sunlight would not be significant or result in an overbearing relationship to No 66.

To No 72 Ringley Road, there would be a distance of 19.2m between the side elevations of the properties. Similarly, windows proposed in the side elevation of the new apartments would either be non habitable or secondary slimline types, the main and principal windows being located to the front and rear. As such, aspect standards would be acceptable. No 72 is located to the west of the site and there would be some overshadowing of the garden. However, this would only be at the early part of the day and for a relatively short period of time. The proposed build would also be 2m lower than No 72 and it is therefore considered not to over-dominate the neighbour.

At the rear, No 7 Stand Close is located next to the north east boundary. The front of No 7 has an oblique relationship to the site and views from the rear elevation of the new apartment block would not be direct ones or directly overlook habitable room windows or private amenity space of No 7. As such, aspect standards and the relationship to this property are considered to be acceptable.

A garden length of 28m would be retained and as such the distance to the rear boundary would satisfy and exceed policy guidance.

Turning to the height and scale of the proposed building, the development proposes to add 2 additional floors. The proposed build would be approximately 2m lower than No 72 and 1m higher than No 66 and with separation between the built form and these 2 properties, it is considered that in terms of scale and massing, there would not be an overbearing

relationship to the neighbours.

The development proposes to create balcony space for the 1st floor and penthouse apartments which would extend the full length of the rear elevation of the building. These would be enclosed by a solid 1.8m high side wall which would restrict views out from the balcony and also contain noise and activity from the balcony.

In terms of the site layout, the existing access would be utilised but widened and improved to facilitate 2 car movements in and out of the site and as such visibility from cars leaving the site would be acceptable and not affect access to No 66.

It is therefore considered that the proposed development would not cause a significant or detrimental harm to the amenity of the adjacent occupiers and as such would be in compliance with H2/1, H2/2 and H2/4 and SPD6.

Highways issues

Access - The existing access located to the right hand side of the frontage would be utilised and widened to improve visibility and sightlines on egress and as such this would be a betterment compared to the existing arrangements. The bin store would be located next to the entrance adjacent to the parking spaces and its location for collection purposes would be the same arrangement as the other properties on this road.

Parking - In terms of parking, the development proposes to provide a total of 11 spaces. There would be 9 spaces provided at the surface level, including 1 disabled space and 2 visitor spaces and 2 spaces be located in the basement dedicated to the penthouse occupiers.

The Highway Section have confirmed acceptability of this level of parking for an apartment development within a high access area and the proposed parking arrangements would be workable and allow for manoeuvrability within the site to enable exit in a forward gear with conflict with pedestrian access to the apartments or safety impacts on the highway.

As Bury has been defined as an area required to significantly improve air quality and in line with good practice, a condition would be included that provision for one EV chargepoint be provided for each residential unit.

In terms of traffic generation, like most residencies, trips would be staggered and given the relatively small scale of the development for 5 apartments it is considered traffic generation would not be significant to cause highway safety issues and impact on traffic flows.

The Highway Section have raised no objection to the proposed access arrangements, parking provision or the layout of the site, and as such the proposed development is considered to be acceptable and would comply with policies H2/1, H2/2, H2/4, HT2/4, HT6/2 and SPD11.

Ecology

Summary

There are no significant ecological issues. Issues relating to bats, nesting birds and biodiversity enhancement measures can be resolved via condition and or informative.

Bats

The site was surveyed for bats in 2017 with an update including one emergence survey in 2021 by a consultant known to the Unit. No evidence of any bat roost has been found during either of the two assessments and three emergence surveys carried out. GMEU have no reason to doubt the findings of the report. The development is also now primarily a conversion therefore impacts on potential roost features are reduced. As individual bats can on occasion turn up in unexpected locations, GMEU recommend an informative is applied to any permission to remind the applicant of their responsibilities under the 2019 Regulations.

Nesting Birds

Trees and shrubs will be lost as a result of the development. Potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU recommend a condition to restrict the timing of remove of vegetation.

Contributing to and Enhancing the Natural Environment

Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The habitat and species impacts are low, mitigation through replacement planting to the rear and provision of bird boxes on the retained building can be achieved on site. The details can be conditioned.

Coal

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

A Coal report has been submitted with the application and the Coal Authority have been consulted.

The Coal Authority considers that the content and conclusions of the Phase 1 Site Investigation Report May 2021 are sufficient for the purposes of the planning system and meets the requirements of NPPF in demonstrating (based on the professional opinion of TerraConsult Ltd) that the application site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development. However, further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

Response to objectors

- A Construction Traffic Management Plan would be required by condition
- For a building of this height, fire safety precautions would be a matter for Building Regulations.
- Vermin is an issue which can be investigated by the Environmental Health department.
- Issues relating to scale, massing, impact on residential amenity, design, traffic, parking have been considered above.
- The LPA has to determine applications on the merits of a submitted scheme. In view of the discussion above and in light of planning policies, the proposal for an apartment development on this site is considered acceptable.

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 Site - location and block plan DA16117.6.001; Existing and proposed footprint DA16117.6.406; Proposed GA plans DA16117.6.003 rev 4; Proposed elevations DA16117.6.004 rev 4; Streetscene elevations DA16117.6.403 rev 1; Proposed materials DA16117.6.303 rev 3; Demolition plan DA16117.6.405; Planting and lighting plan Rev D; Proposed masterplan (site plan) Rev I; Proposed access arrangements 1763/01 rev A; Bat Survey report may 2021 by Verity Webster Site Tree Appraisal 23rd April 2021 RTS/23042021 rev 002 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 15 - Conserving and enhancing the natural environment.
5. Prior to occupation the applicant shall provide electric vehicle (EV) charging points for each residential unit. EV chargepoints shall be chosen for the Electric Vehicle Homecharge Scheme approved chargepoint model list.
Reason. In accordance with the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.
6. 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.

7. No development shall commence unless and until a landscaping scheme has been submitted to, and approved by the Local Planning Authority. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season;; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
8. No development shall commence unless and until details and 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. 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, H2/1 - The Form of New Residential Development and H2/4 - Conversions.
9. No development shall commence unless and until details of the bin store enclosure including materials shall be submitted to and approved by the Local Planning Authority. The approved details only shall be used in the development hereby approved and shall be made available for use prior to the first occupation of the development and thereafter maintained.
Reason. In the interests of residential and visual amenity pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design
10. The implementation of the drainage scheme for the development hereby approved 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. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter maintained.
Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
11. Foul and surface water shall be drained on separate systems.
Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
12. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, none of the flats hereby approved shall be used for any other purpose other than a Class C3 use (including any other purpose in Class C3 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 as amended) without the submission and approval of a relevant planning application.

Reason. In the interests of residential amenity, to safeguard the character of the area and to secure the appropriate scale and intensification of use of the development for the site pursuant to policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development and H2/4 - Conversions.

13. 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:
- Photographic dilapidation survey of the footways and carriageways abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of any statutory undertakers connections;
 - Access point for construction traffic from the adopted highway and all associated temporary works to facilitate vehicular access to the site;
 - Proposed site hoardings (if proposed) clear of the visibility splays indicated on approved site plan reference MASTER PLAN Revision I;
 - 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 (or on land under the applicant's control) of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this;
 - Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period.

The areas identified shall not be used for any other purpose other than the parking of vehicles and storage of construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied.

Reason. Information not submitted at application stage. To maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the adjacent adopted highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and ensure 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.

14. The development hereby approved shall not be first occupied unless and until the access improvements, replacement boundary treatment and bin storage arrangements indicated on approved plan reference MASTER PLAN Revision I, incorporating the construction of a new site access tying in to the adjacent footway crossing, reconstruction of the footway abutting the site required as a result of the works at the interface with the adopted highway/replacement of the boundary wall, provision of tactile paving, demarcation of the limits of the adopted highway, replacement/relocation of the street lighting column that may be affected by the proposed access position, boundary wall/railing foundations that do not encroach under the adjacent adopted highway and new car park areas of hardstanding in a

porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway, have been implemented in full to a specification to be agreed with the Highway Authority.

Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, H2/4 - Conversions, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

15. The visibility splays at the back edge of the footway and at the junction of the site access with Ringley Road indicated on approved plan reference MASTER PLAN Revision I shall be implemented before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

16. The turning facilities indicated on approved plan reference MASTER PLAN Revision I shall be provided before the development hereby approved is first occupied and shall subsequently be maintained free of obstruction at all times.

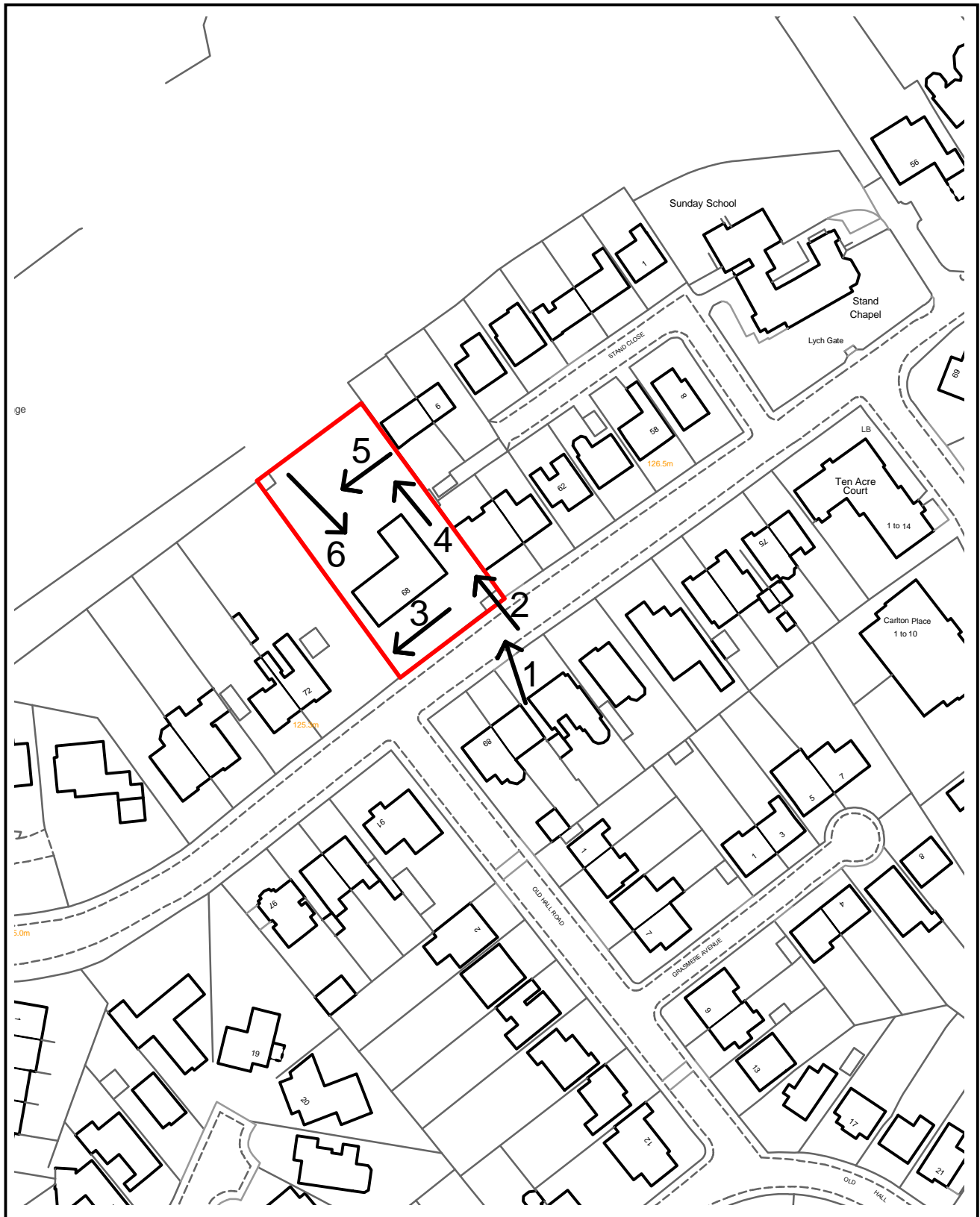
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict

17. The cycle and allocated car parking indicated on approved plan reference MASTER PLAN Revision I shall be made available prior to the development hereby approved being first occupied and thereafter maintained available for use at all times.

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

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 66802

**ADDRESS: 68 Ringley Road
Whitefield**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

66802

Photo 1



Photo 2



66802

Photo 3



Photo 4



66802

Photo 5




Photo 6





1. Site - Block Plan - Overlay
1 : 500

REV		DESCRIPTION	BY	DATE
PROJECT		SCALE @ A3	DATE	DRAWN BY
68 Ringley Road		1 : 500	17 JUNE 2021	PY
CLIENT		STATUS		
Mr Alex Rind		PLANNING		
TITLE		PROJECT NO.	DRAWING NO.	REV.
Existing and Proposed Footprint		DA16117.6.	406.	
		NOTES		
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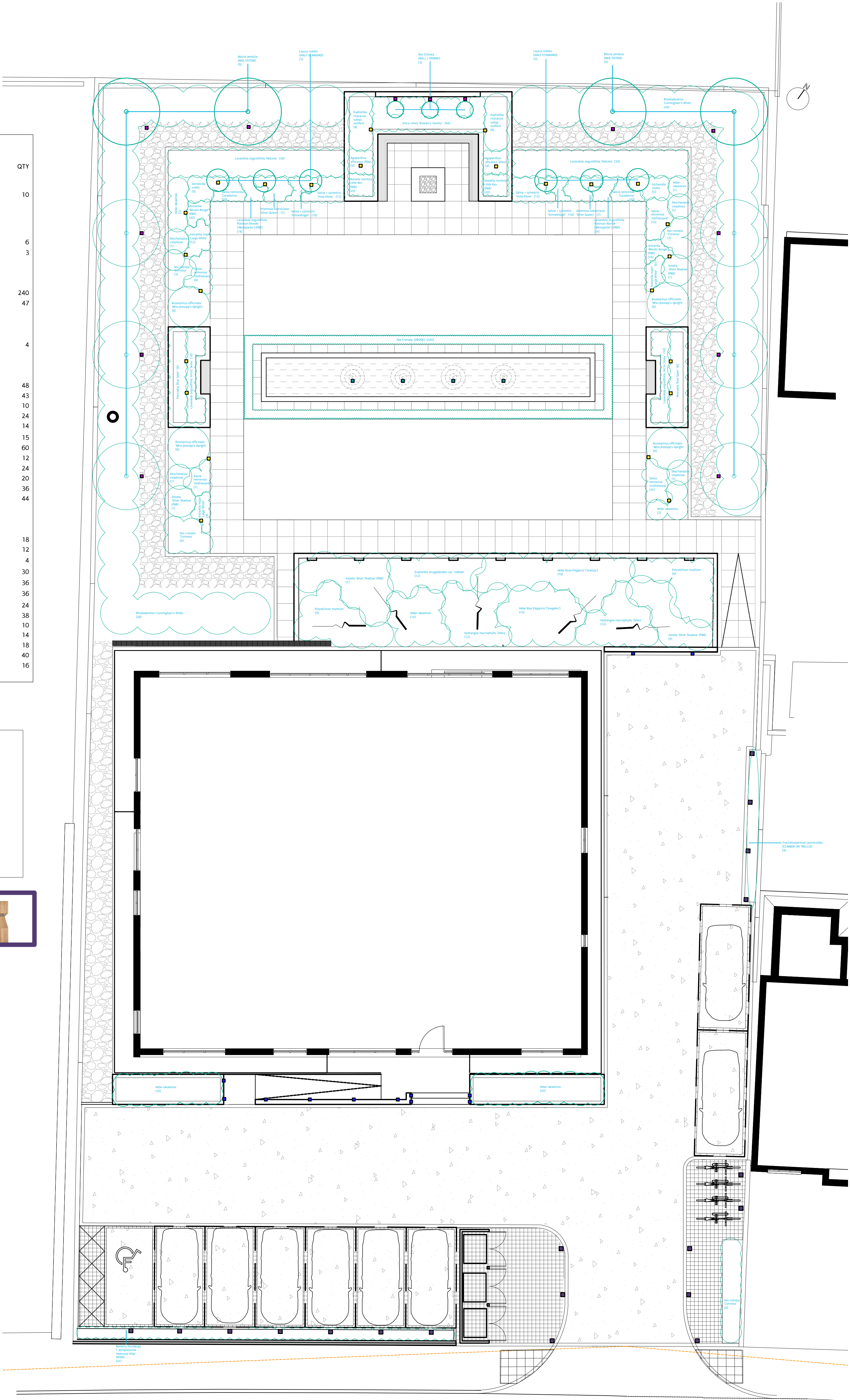
PLANT SCHEDULE

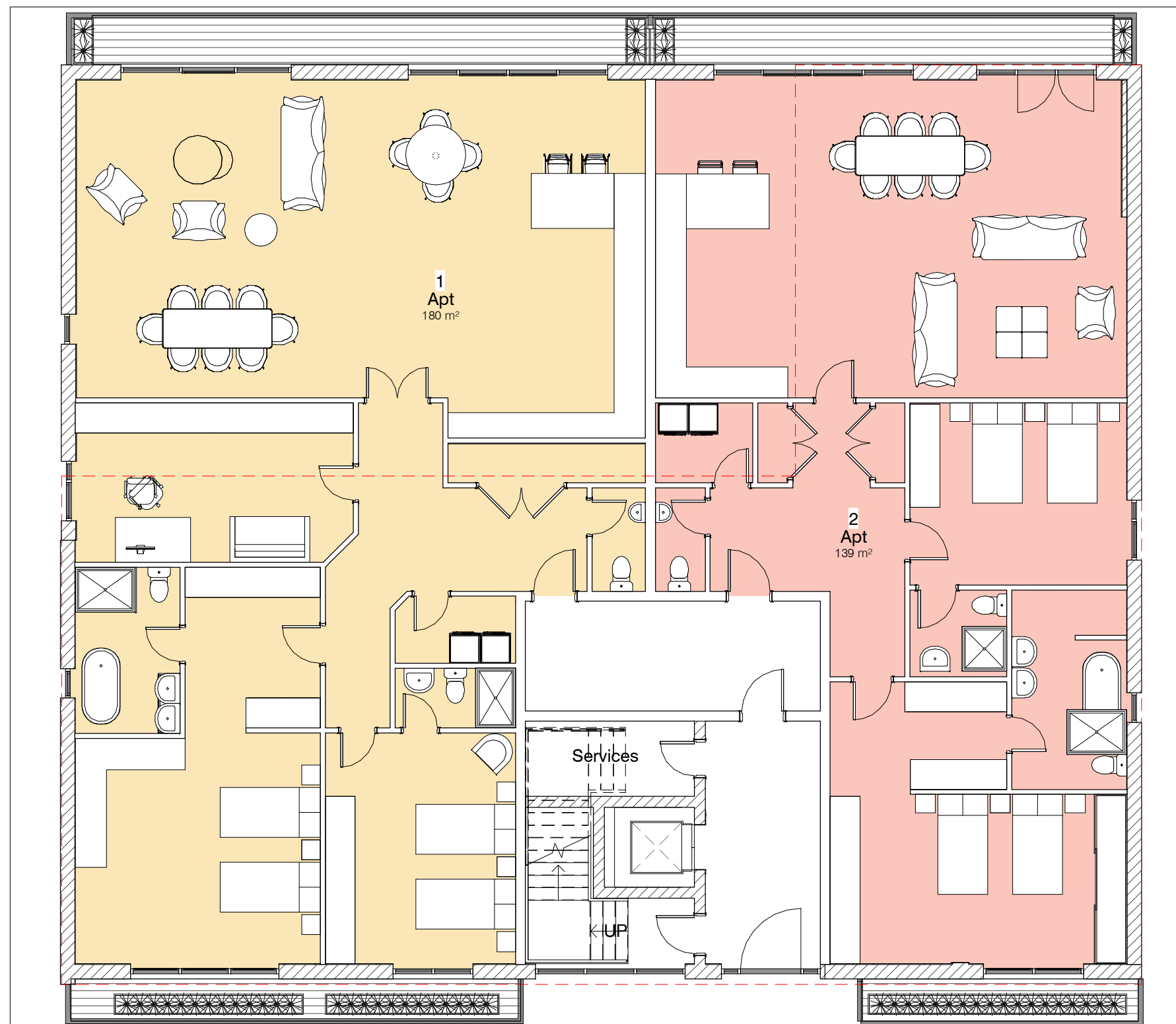
PLANT NAME	TYPE	SIZE	QTY
TREES			
Betula pendula (MULTISTEM)	P/G OR R/B	2.5 - 3M HEIGHT 45 LTR OR R/B	10
TOPIARY			
Laurus nobilis (HALF STANDARD)	P/G	70 TO 80 CM 30 LTR	6
Ilex Crenata (BALL / SPHERE)	P/G	70 CM 45 LTR	3
HEDGE			
Ilex Crenata	P/G	4 PER MTR 1.5 LTR	240
Berberis thunbergii f. atropurpurea 'Helmond Pillar'	P/G	2 PER MTR 2 LTR	47
CLIMBERS (SUPPORTED BY TRELLIS)			
Trachelospermum jasminoides	P/G	4 LTR	4
SHRUBS			
Rhododendron Cunningham's White	P/G	15 LTR	48
Hebe rakaiensis	P/G	5 LTR	43
Hebe Blue Elegance ('lowgeko')	P/G	5 LTR	10
Hydrangea macrophylla 'Zebra'	P/G	5 LTR	24
Astelia 'Silver Shadow' (PBR)	P/G	5 LTR	14
Hebe Rose Elegance ('lowtop')	P/G	5 LTR	15
Lavandula angustifolia 'Hidcote'	P/G	2 LTR	60
Perovskia 'Blue Spire'	P/G	5 LTR	12
Rosmarinus officinalis 'Miss Jessopp's Upright'	P/G	2 LTR	24
Ilex crenata 'Convexa'	P/G	5 LTR	20
Lavandula angustifolia 'Arctic Snow'	P/G	2 LTR	36
Vinca minor 'Bowles's Variety'	P/G	2 LTR	44
PERENNIALS / FERNS (EVERGREEN) / GRASSES			
Polystichum munitum	P/G	2 LTR	18
Euphorbia amygdaloides var. robbiae	P/G	2 LTR	12
Deschampsia cespitosa	P/G	2 LTR	4
Astrantia major 'Large White'	P/G	2 LTR	30
Salvia nemorosa 'Ostfriesland'	P/G	2 LTR	36
Astrantia 'Moulin Rouge' (PBR)	P/G	2 LTR	36
Salvia « sylvestris 'Viola Klose'	P/G	2 LTR	24
Salvia « sylvestris 'Schneehügel'	P/G	2 LTR	38
Alchemilla mollis	P/G	2 LTR	10
Artemisia ludoviciana 'Silver Queen'	P/G	2 LTR	14
Agapanthus africanus 'Albus'	P/G	2 LTR	18
Dianella revoluta Little Rev ('Dr5000') (PBR)	P/G	2 LTR	40
Euphorbia characias subsp. wulfenii	P/G	2 LTR	16

LIGHTING

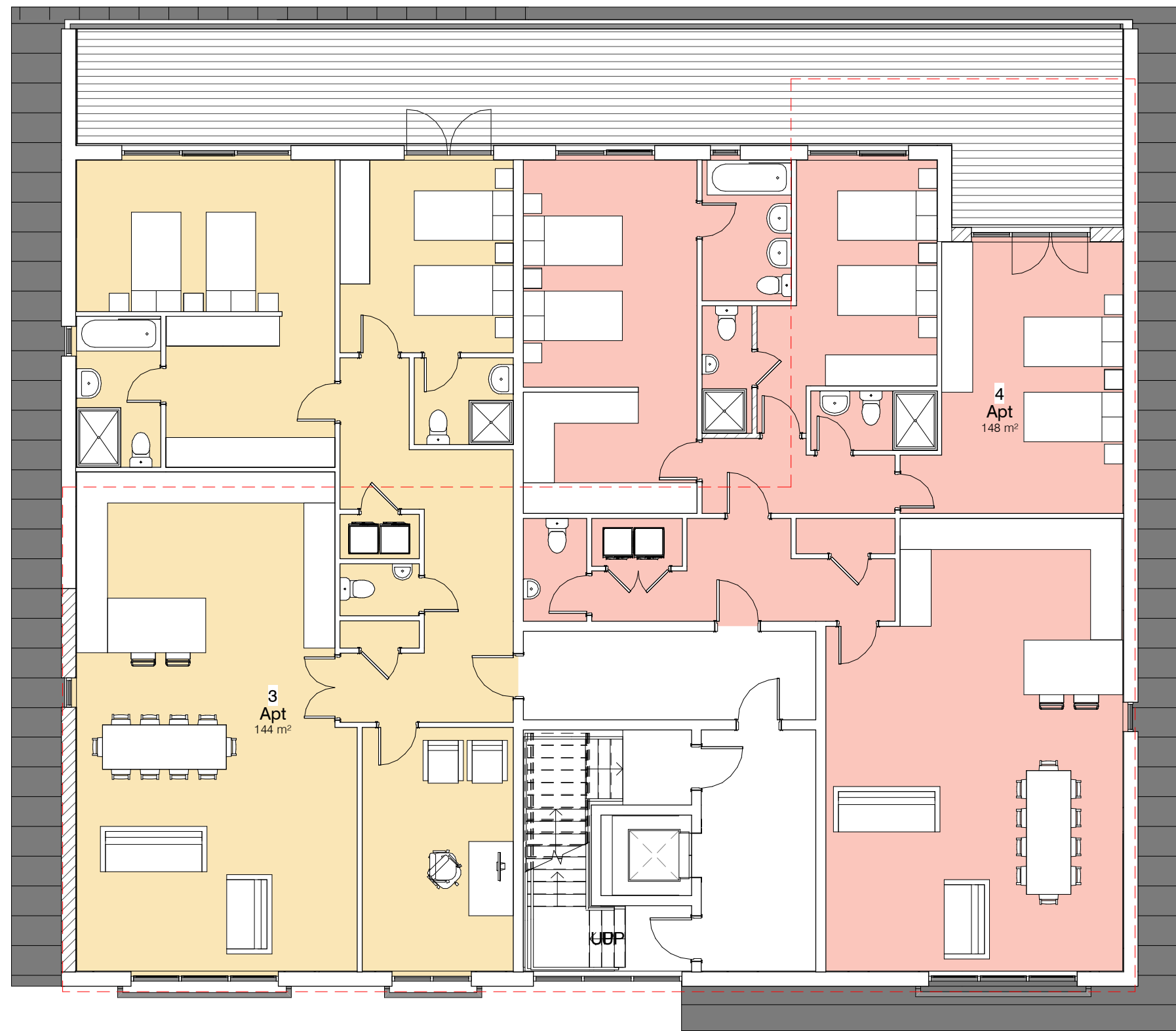
N.B. ALL CONNECTED BY ARMoured CABLE / USE BEST ROUTE FOR CABLE / ALL LIGHTS WARM WHITE 3000K

- LED Twin Bar Spike Light (9.2 WATT / STAINLESS STEEL / IP65) (13 - BACK)
- LED Spike KLlight (5.7 WATT / STAINLESS STEEL / IP65) (24 - BACK)
- LED Underwater Spotlight (3 WATT / BLACK / IP68) (4 - BACK)
- LED IN-Wall Step Light (3 WATT/ Stainless Steel / IP67) (12 - FRONT)
- LED Bollard Light (2 WATT / Iroko Post & Stainless Steel / IP65) (20 - FRONT)

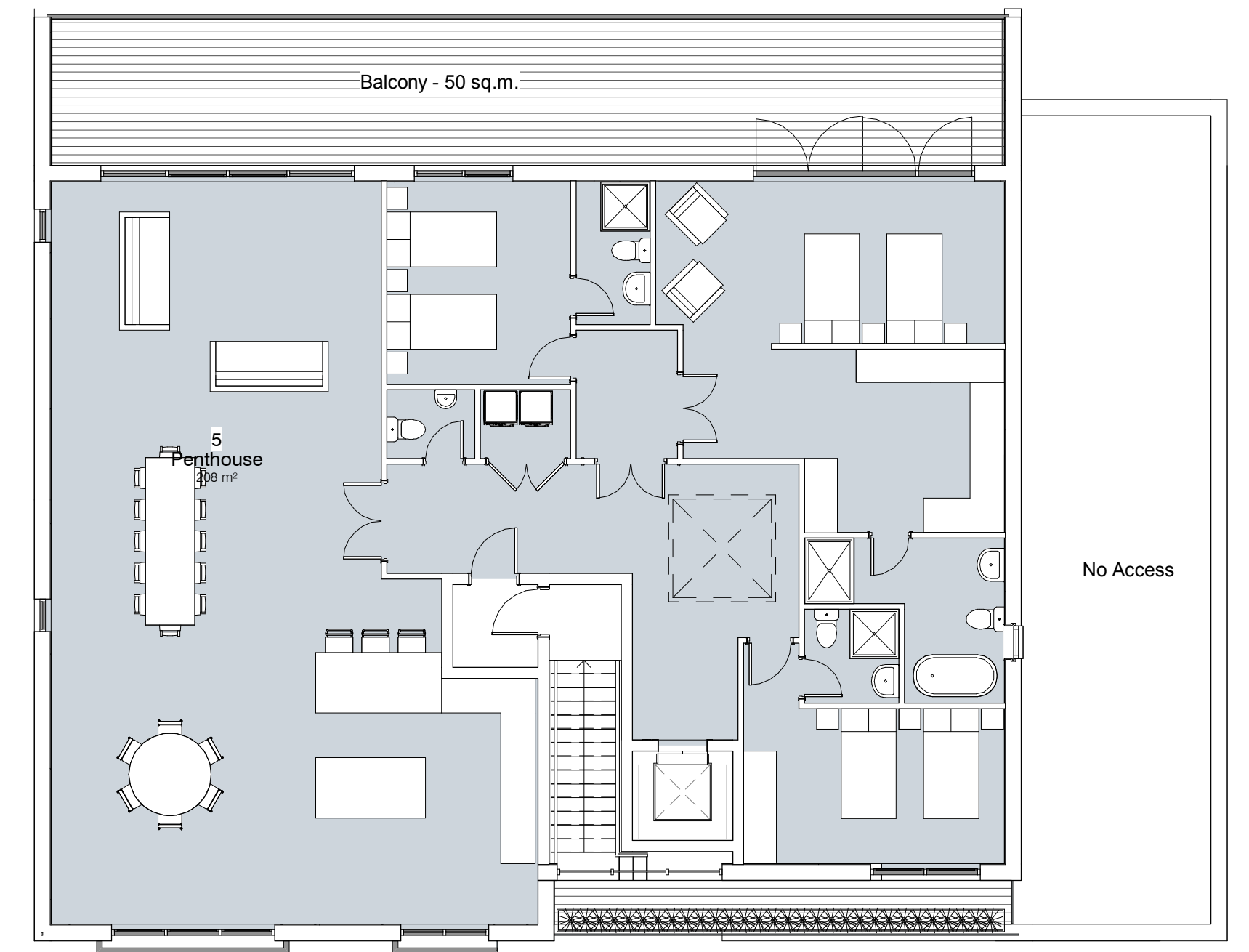




1. Level 0 - GA Proposed

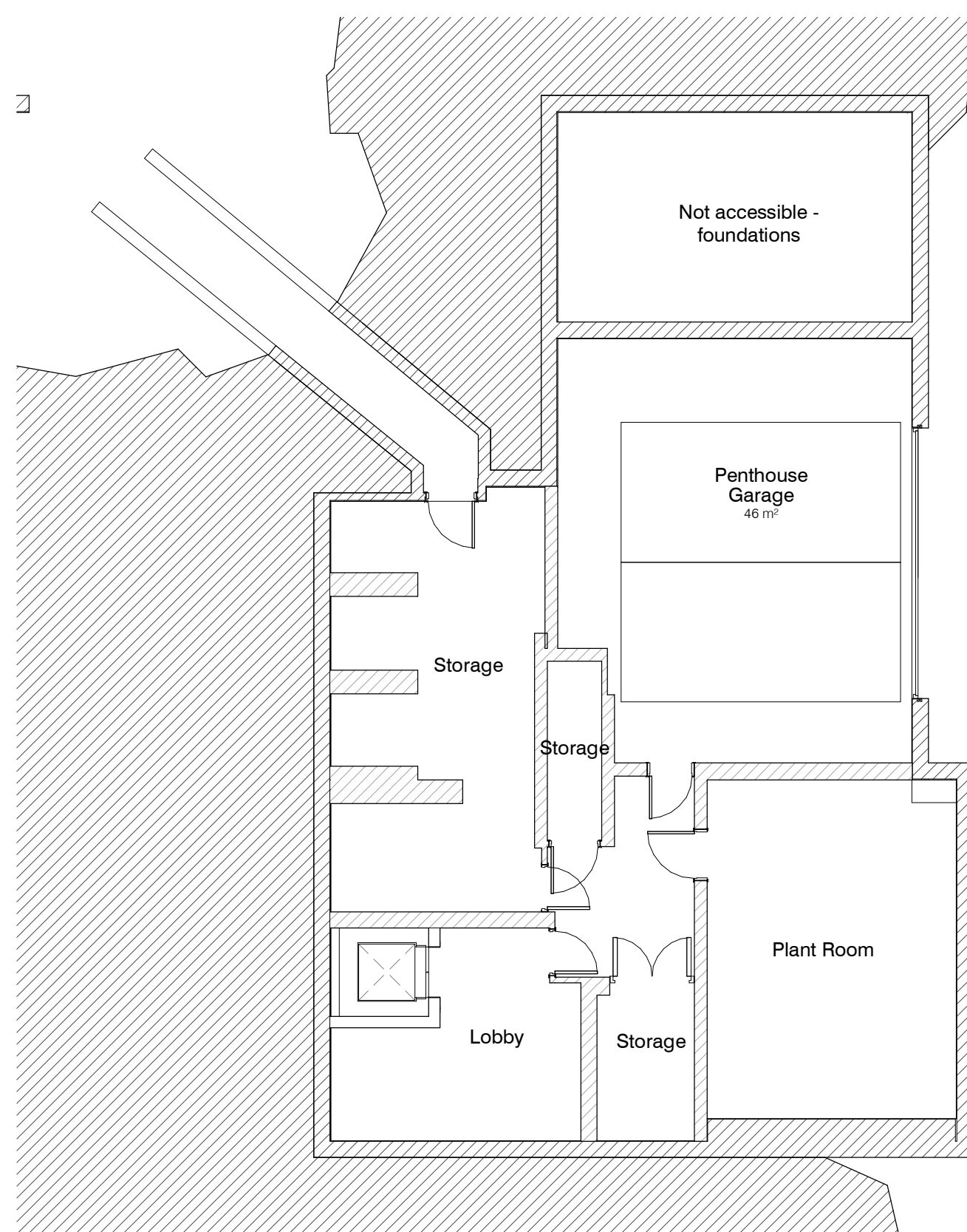


2. Level 1 - GA Proposed



3. Level 2 - GA Proposed


Note Block - Elevations - GA

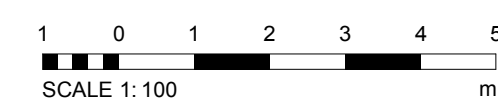


4. Level B1 - GA Proposed

Schedule - Room - Proposed			
Level	Number	Name	Area
LEVEL 0	1	Apt	180 m ²
LEVEL 0	2	Apt	139 m ²
LEVEL 1	3	Apt	144 m ²
LEVEL 1	4	Apt	148 m ²
LEVEL 2	5	Penthouse	208 m ² 820 m ²

Outline of existing footprint

PROJECT	REV	DESCRIPTION	BY	DATE	DRAWN BY
68 Ringley Road	SCALE @ A1	DATE			
QUEST	1 : 100	12 APR 2021			PY
Mr Alex Rind	10/06/2021				
	PLANNING				
TITLE	PROJECT NO.	DRAWING NO.			REV
Proposed GA Plans	DA16117.6	003.			4
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1. Front - Proposed



2. Left Side - Proposed



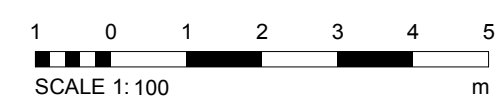
3. Rear - Proposed



4. Right Side - Proposed

2	Design			PY 050921
3	Planning			PY 050921
4	Engineering			PY 050921
5	Project			PY 050921
6	Design			PY 050921
7	Planning			PY 050921
8	Engineering			PY 050921
9	Project			PY 050921
10	Design			PY 050921
11	Planning			PY 050921
12	Engineering			PY 050921
13	Project			PY 050921
14	Design			PY 050921
15	Planning			PY 050921
16	Engineering			PY 050921
17	Project			PY 050921
18	Design			PY 050921
19	Planning			PY 050921
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21	Project			PY 050921
22	Design			PY 050921
23	Planning			PY 050921
24	Engineering			PY 050921
25	Project			PY 050921
26	Design			PY 050921
27	Planning			PY 050921
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29	Project			PY 050921
30	Design			PY 050921
31	Planning			PY 050921
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86	Design			PY 050921
87	Planning			PY 050921
88	Engineering			PY 050921
89	Project			PY 050921
90	Design			PY 050921

SY	DESCRIPTION	DATE	DRAWNBY
1 : 100		12 APR 2021	PY
STATUS			
PLANNING			
PROJECT NO.	DRAWING NO.	REV.	
DA16117.6.	004.	4	
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2. Street Elevation - Existing
1 : 100



1. Street Elevation - Proposed
1 : 100

1		Design	PY 08/09/21	
REV	DESCRIPTION	DATE	BY	DATE
PROJECT	68 Ringley Road	1 : 100	25 MAY 2021	PY
CLIENT	Mr Alex Rind	STATUS	PLANNING	
TITLE	Street Scene Elevations	PROJECT NO.	DA16117.6. 403.	REV. 1
DEBTAL ARCHITECTURE www.debtal.co.uk		NOTES		
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REPORT FOR NOTING

Agenda Item 5

Bury
COUNCIL

**Agenda
Item**

5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	5 October 2021
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:-**

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Planning applications decided using Delegated Powers

Between 23/08/2021 and 26/09/2021



Ward: **Bury East**

Application No.:	66815	App. Type:	FUL	21/09/2021	Approve with Conditions
Location:	Fairfield General Hospital, Rochdale Old Road, Bury, BL9 7TD				
Proposal:	Erection of a facility for cold water booster tanks containing 2no. 125m3 water tanks, booster units and associated external works.				
Application No.:	67122	App. Type:	FUL	01/09/2021	Approve with Conditions
Location:	Angouleme Retail Park, Angouleme Way, Bury, BL9 0BZ				
Proposal:	2 no. automatic number plate recognition cameras (pole mounted) for the purpose of car park management				
Application No.:	67123	App. Type:	ADV	01/09/2021	Approve with Conditions
Location:	Angouleme Retail Park, Angouleme Way, Bury, BL9 0BZ				
Proposal:	32 No. non-illuminated pole/wall mounted car park management signs				
Application No.:	67131	App. Type:	FUL	09/09/2021	Approve with Conditions
Location:	16 Market Street, Bury, BL9 0AJ				
Proposal:	Change of use to the second floor only from Class Ec1 Financial Services to 2 no. holiday apartment lettings Class C1 including internal alterations together with the provision of an external wrought iron staircase on the rear elevation				
Application No.:	67137	App. Type:	LBC	09/09/2021	Approve with Conditions
Location:	16 Market Street, Bury, BL9 0AJ				
Proposal:	Listed building consent for proposed change of use to the second floor only from Class Ec1 Financial Services to 2 no. holiday apartment lettings Class C1 including internal alterations together with the provision of an external wrought iron staircase on the rear elevation				
Application No.:	67193	App. Type:	FUL	02/09/2021	Approve with Conditions
Location:	Knowsley Place, 4 Duke Street, Bury, BL9 0EJ				
Proposal:	Installation of new entrance door and subdivision to create two self-contained units of occupation				
Application No.:	67220	App. Type:	FUL	06/09/2021	Approve with Conditions
Location:	Former Pc World, George Street, Bury, BL9 0BZ				
Proposal:	Installation of partial mezzanine floor				
Application No.:	67407	App. Type:	GPDE	03/09/2021	Prior Approval Not Required - Extension
Location:	67 Fairfield Drive, Bury, BL9 7SL				
Proposal:	Prior approval for proposed single storey rear extension				

Ward: **Bury East - Moorside**

Application No.:	65165	App. Type:	FUL	03/09/2021	Approve with Conditions
Location:	Land off Harvard Road, Chamberhall Green, Bury, BL9 0AP				
Proposal:	Erection of builders merchant building (Class B1/B2/B8) and associated works				
Application No.:	66285	App. Type:	FUL	15/09/2021	Refused
Location:	Land between 2 Ferngrove House, Rochdale Old Road & Woodgate Hill Road, Bury, BL9 7LS				
Proposal:	Erection of 5 no. dwellings				
Application No.:	66800	App. Type:	FUL	01/09/2021	Refused
Location:	Hague Hall Farm, Mather Road, Bury, BL9 6TJ				
Proposal:	Change of use of a building to additional living accommodation; Two storey side extension and single storey front extension				
Application No.:	66922	App. Type:	FUL	15/09/2021	Approve with Conditions
Location:	Bradshaw Hill Farm, Castle Hill Road, Bury, BL9 6UN				
Proposal:	Conversion of garage to form dwelling				
Application No.:	67163	App. Type:	FUL	17/09/2021	Approve with Conditions
Location:	16 Hampton Grove, Bury, BL9 6PT				
Proposal:	Single storey rear extension				
Application No.:	67199	App. Type:	FUL	13/09/2021	Approve with Conditions
Location:	36 Arley Avenue, Bury, BL9 5HD				
Proposal:	Two storey side extension				
Application No.:	67229	App. Type:	FUL	10/09/2021	Approve with Conditions
Location:	1 Louis Avenue, Bury, BL9 5EQ				
Proposal:	Two storey side extension; Front porch				
Application No.:	67259	App. Type:	FUL	14/09/2021	Approve with Conditions
Location:	8 Fold Mews, Lowes Road, Bury, BL9 6WD				
Proposal:	Replacement of conservatory with single storey rear extension				
Application No.:	67275	App. Type:	FUL	02/09/2021	Refused
Location:	296 Walmersley Road, Bury, BL9 6NH				
Proposal:	Two storey side extension; Single storey rear extension; Single storey front porch extension				
Application No.:	67286	App. Type:	FUL	22/09/2021	Approve with Conditions
Location:	1-7 Peter Street, Bury, BL9 6AB				
Proposal:	Variation of condition 2 following approval of planning permission 65622- Change opening times to 0830- 2100 on weekdays and 1000- 1700 on Sundays				

Application No.: 67299 **App. Type:** FUL 17/09/2021 Approve with Conditions
Location: 4 Chestnut Drive, Bury, BL9 6TN
Proposal: Single storey rear extension

Application No.: 67306 **App. Type:** FUL 13/09/2021 Approve with Conditions
Location: 20 Barlow Close, Bury, BL9 6WF
Proposal: Single storey rear and side extension

Ward: **Bury East - Redvales**

Application No.: 67067 **App. Type:** FUL 02/09/2021 Approve with Conditions
Location: 37 Hampson Mill Lane, Bury, BL9 9UA
Proposal: Single storey extension at front and two storey extension at side

Application No.: 67158 **App. Type:** FUL 13/09/2021 Approve with Conditions
Location: Unit H, Pilot Mill, Alfred Street, Bury, BL9 7EJ
Proposal: Retrospective application for installation of AC / Chiller units for operation of internal cooling, to rear and side of unit

Application No.: 67204 **App. Type:** FUL 23/09/2021 Approve with Conditions
Location: 86 Parkhills Road, Bury, BL9 9AP
Proposal: Single story side and rear extension and front porch

Application No.: 67280 **App. Type:** FUL 10/09/2021 Approve with Conditions
Location: 6 St Peters Road, Bury, BL9 9RB
Proposal: Single storey extension at rear

Application No.: 67380 **App. Type:** FUL 15/09/2021 Approve with Conditions
Location: 126 Parkhills Road, Bury, BL9 9AW
Proposal: Single storey rear extension to replace conservatory and kitchen

Application No.: 67455 **App. Type:** GPDE 16/09/2021 Prior Approval Not Required - Extension
Location: 36 Grosvenor Street, Bury, BL9 9BJ
Proposal: Prior approval for proposed single storey rear extension

Ward: **Bury West - Church**

Application No.: 67182 **App. Type:** FUL 01/09/2021 Split Decision
Location: 22 Lodge Side, Bury, BL8 2SW
Proposal: A. Two storey side extension including basement with swimming pool;
B. First floor extension to existing detached outbuilding

Application No.: 67203 **App. Type:** FUL 01/09/2021 Approve with Conditions
Location: 291 Ainsworth Road, Bury, BL8 2LS
Proposal: Two storey side and front extension, replacing existing garage

Application No.: 67288 **App. Type:** FUL 17/09/2021 Approve with Conditions
Location: 92 Haslam Hey Close, Bury, BL8 2LB
Proposal: Single storey extension at rear

Application No.: 67292 **App. Type:** FUL 10/09/2021 Approve with Conditions
Location: 26 Otterbury Close, Bury, BL8 2TY
Proposal: Single storey rear extension and change to roof over existing conservatory

Application No.: 67303 **App. Type:** FUL 23/09/2021 Approve with Conditions
Location: 20 Wadebridge Drive, Bury, BL8 2NN
Proposal: First floor extension at side; Pitched roof over existing garage and porch at front

Ward: **Bury West - Elton**

Application No.: 67155 **App. Type:** FUL 13/09/2021 Approve with Conditions
Location: 9 Foxfield Close, Bury, BL8 1FD
Proposal: Single/two storey front extension and single storey side extension

Application No.: 67264 **App. Type:** FUL 02/09/2021 Approve with Conditions
Location: 64 Rudgwick Drive, Bury, BL8 1YA
Proposal: First floor extension at side above existing garage

Application No.: 67266 **App. Type:** FUL 23/09/2021 Approve with Conditions
Location: 4 Bowes Close, Bury, BL8 1UA
Proposal: Extension to existing front porch; first floor side extension over existing garage and single storey extension at rear with overhanging to accommodate external lighting

Application No.: 67383 **App. Type:** LDCEP 23/09/2021 Lawful Development
Location: 11 Darlington Close, Bury, BL8 1UG
Proposal: Lawful development certificate for proposed single storey rear extension

Application No.: 67441 **App. Type:** GPDE 13/09/2021 Prior Approval Not Required - Extension
Location: 53 Birks Drive, Tottington, Bury, BL8 1JF
Proposal: Prior approval for proposed single storey rear extension

Ward: **North Manor**

Application No.:	67070	App. Type:	FUL	26/08/2021	Approve with Conditions
Location:	Opposite 1-6 Mount Pleasant, Nangreaves, Bury, BL9 6SP				
Proposal:	Part demolition and rebuilding to facilitate repair of dry stone wall; remove old non-historic copings and replacement with flat copings				
Application No.:	67154	App. Type:	FUL	22/09/2021	Refused
Location:	36 Sandringham Drive, Tottington, Bury, BL8 4DJ				
Proposal:	Two storey side extension; Replacement of existing pitched roof with flat roof extension projecting over side and rear; Front dormer extension; Single storey front extension; Demolition of existing garage to be replaced with new garage at front; Raised patio at rear; Raised fencing to boundaries				
Application No.:	67198	App. Type:	FUL	09/09/2021	Approve with Conditions
Location:	61 Brandlesholme Road, Greenmount, Bury BL8 4DX				
Proposal:	Two storey side extension				
Application No.:	67211	App. Type:	FUL	24/08/2021	Approve with Conditions
Location:	15 Greenheys Crescent, Tottington, Bury, BL8 4QD				
Proposal:	Proposed single storey rear extension, porch at front and replace existing rear door with ground floor rear window				
Application No.:	67279	App. Type:	FUL	23/09/2021	Approve with Conditions
Location:	12 Crag Avenue, Summerseat, Bury, BL9 5NZ				
Proposal:	Demolition of existing conservatory and replace with single storey rear extension				
Application No.:	67370	App. Type:	GPDE	03/09/2021	Prior Approval Not Required - Extension
Location:	24 Hunt Fold Drive, Greenmount, Bury, BL8 4QG				
Proposal:	Prior approval for proposed single storey rear extension				

Ward: **Prestwich - Holyrood**

Application No.:	66682	App. Type:	FUL	02/09/2021	Approve with Conditions
Location:	33 Daneshill, Prestwich, Manchester, M25 2QL				
Proposal:	Single storey front extension; Two storey side extension; Single storey rear extension;				
Application No.:	66972	App. Type:	FUL	24/08/2021	Refused
Location:	26 St Josephs Avenue, Whitefield, Manchester, M45 6NT				
Proposal:	Two storey front and rear extension, Changes to the front elevation, gable end to the both sides and rear dormer.				
Application No.:	67093	App. Type:	FUL	02/09/2021	Refused
Location:	524 Bury Old Road, Prestwich, Manchester, M25 3DF				
Proposal:	Double storey side extension and single storey rear extension				

Application No.: 67133 **App. Type:** FUL 17/09/2021 Approve with Conditions
Location: 84 Glebelands Road, Prestwich, Manchester, M25 1NJ
Proposal: Rear dormer extension; New window to 1st floor rear elevation; Part over-cladding to rear and side

Application No.: 67208 **App. Type:** FUL 13/09/2021 Approve with Conditions
Location: 234 Heywood Road, Prestwich, Manchester, M25 2GW
Proposal: Single storey extension at side/rear to form assisted living annex adjoining the existing dwelling

Application No.: 67215 **App. Type:** FUL 24/09/2021 Approve with Conditions
Location: 25 Ferndene Road, Prestwich, Manchester, M25 2RB
Proposal: Two storey side and rear extension

Application No.: 67291 **App. Type:** FUL 24/09/2021 Approve with Conditions
Location: 6 Hill Top Avenue, Prestwich, Manchester, M25 1LL
Proposal: Two storey side extension/single storey extension at side/rear incorporating ground floor granny flat with alterations to existing single storey roof at rear; Replacement of boundary wall railings at side with timber panels

Application No.: 67399 **App. Type:** TEL 24/09/2021 Prior Approval Required and Refused
Location: Grass verge, opposite 401-403 Middleton Road, Prestwich, Manchester, M24 4QZ
Proposal: Prior approval for proposed telecommunications installation comprising 18.0m Phase 8 Monopole C/W wraparound cabinet at base and associated ancillary works

Ward: **Prestwich - Sedgley**

Application No.: 66960 **App. Type:** FUL 23/09/2021 Refused
Location: 52 Heywood Road, Prestwich, Manchester, M25 1DX
Proposal: Erection of 1 no. detached dwelling

Application No.: 67039 **App. Type:** FUL 26/08/2021 Approve with Conditions
Location: 72 Park Road, Prestwich, Manchester, M25 0FA
Proposal: Variation of condition 02 (approved plans) of planning permission 62178 for demolition of existing dwelling and erection of 4 no. dwellings (2 no. detached and pair of semi-detached) - to add single storey extensions to dwelling types B & C and minor amendments to the external levels.

Application No.: 67076 **App. Type:** FUL 22/09/2021 Approve with Conditions
Location: 33 Charlbury Avenue, Prestwich, Manchester, M25 0FJ
Proposal: Two storey side and rear extension; Replacement of conservatory with new single storey rear extension

Application No.: 67089 **App. Type:** FUL 13/09/2021 Approve with Conditions
Location: 41 Windsor Crescent, Prestwich, Manchester, M25 0DD
Proposal: Single storey rear extension; 1st floor rear infill extension

Application No.:	67142	App. Type:	FUL	13/09/2021	Approve with Conditions
Location:	14 Circular Road, Prestwich, Manchester, M25 9WF				
Proposal:	Proposed part two storey, part single storey side extension				
Application No.:	67161	App. Type:	FUL	02/09/2021	Approve with Conditions
Location:	90 Albert Avenue, Prestwich, Manchester, M25 0LU				
Proposal:	Loft conversion including flat roofed dormer at rear and pitched roof dormer at front				
Application No.:	67168	App. Type:	FUL	02/09/2021	Approve with Conditions
Location:	Singleton Court, Bury Old Road, Prestwich, Manchester, M25 8FX				
Proposal:	Conversion of roof space to create 5 no. 1 bed self-contained flats with front and rear dormers and new enclosed external stairwells. Associated refuse and bike storage.				
Application No.:	67178	App. Type:	FUL	17/09/2021	Approve with Conditions
Location:	52 Parkway, Prestwich, Manchester, M25 0JB				
Proposal:	Single storey front, side and rear extensions; Loft conversion with front and rear dormers; Hip to gable roof extension				
Application No.:	67192	App. Type:	FUL	17/09/2021	Approve with Conditions
Location:	40 Albert Avenue, Prestwich, Manchester, M25 0LX				
Proposal:	Two storey extension at side and rear. Single storey extension at rear				
Application No.:	67231	App. Type:	FUL	13/09/2021	Approve with Conditions
Location:	128 Windsor Road, Prestwich, M25 0DF				
Proposal:	Single storey rear extension				
Application No.:	67241	App. Type:	FUL	21/09/2021	Approve with Conditions
Location:	16 Wilton Avenue, Prestwich, Manchester, M25 0HD				
Proposal:	Single storey rear extension				
Application No.:	67256	App. Type:	FUL	26/08/2021	Approve with Conditions
Location:	4 Charlbury Avenue, Prestwich, Manchester, M25 0EJ				
Proposal:	Two storey side extension				
Application No.:	67262	App. Type:	FUL	24/09/2021	Approve with Conditions
Location:	114 Albert Avenue, Prestwich, Manchester, M25 0LU				
Proposal:	Two storey side and rear extension; Single storey rear extension; Front porch extension				
Application No.:	67263	App. Type:	FUL	02/09/2021	Refused
Location:	5 Holmfield Avenue, Prestwich, Manchester, M25 0BH				
Proposal:	Demolition of existing dwelling and erection of 1 no. dwelling				

Application No.: 67296 **App. Type:** FUL 10/09/2021 Approve with Conditions
Location: 41 Meade Hill Road, Prestwich, Manchester, M8 4LW
Proposal: Two/single storey extension at side/rear and single storey front extension

Application No.: 67339 **App. Type:** LDCP 17/09/2021 Split Decision
Location: 10 Randlesham Street, Prestwich, Manchester, M25 1GY
Proposal: Lawful development certificate for proposed use - A) removing existing store extension and B) making more usable space with internal remodelling

Application No.: 67387 **App. Type:** GPDE 03/09/2021 Prior Approval Not Required - Extension
Location: 4 Marton Grange, Prestwich, M25 0EL
Proposal: Prior approval for proposed single storey rear extension

Application No.: 67415 **App. Type:** FUL 23/09/2021 Refused
Location: 4 Westleigh Drive, Prestwich, Manchester, M25 0EN
Proposal: New boundary gate on front elevation

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

Application No.: 67022 **App. Type:** FUL 06/09/2021 Approve with Conditions
Location: 4 Woodward Road, Prestwich, Manchester, M25 9TU
Proposal: Two storey side and rear, single rear extensions; removal of part of the front wall.

Application No.: 67300 **App. Type:** FUL 08/09/2021 Refused
Location: 117 Prestwich Hills, Prestwich, Manchester, M25 9PY
Proposal: Installation of 1.8 metre high timber fence with concrete post and base

Ward: **Radcliffe - East**

Application No.: 67107 **App. Type:** FUL 01/09/2021 Approve with Conditions
Location: 11 Holcombe Grove, Radcliffe, Manchester, M26 1SE
Proposal: Two storey side extension; Two storey rear extension; Balcony at rear; Juliet balcony at rear; Raised terrace at rear; Erection of fence at side

Application No.: 67326 **App. Type:** FUL 10/09/2021 Approve with Conditions
Location: Industrial site between River Irwell & York Street, Bury
Proposal: Variation of condition 2 following approval of planning permission 65976- Amendment of approved plan to allow for relocation of steel warehouse unit within red line boundary. New location will serve for better access to river edge for flood defence inspection and better protection of the warehouse unit- Amendment of approved plan ENV0000389C-BMM-DZ-4WN-DR-T-0213603 P01 to new plan(s) ENV0000389C-BMM-DZ-4WN-DR-T-0213639 and ENV0000389C-BMM-DZ-4WN-DR-T-0213638

Ward: **Radcliffe - North**

Application No.: 66722 **App. Type:** FUL 24/08/2021 Approve with Conditions
Location: Plane Trees Farm, Bradley Fold Road, Radcliffe, Bolton, BL2 5QR
Proposal: Conversion of existing barn into 2no dwellings and widening/modification of existing access, formalisation of car parking and change of use of agricultural land to form garden curtilage areas

Application No.: 67138 **App. Type:** FUL 10/09/2021 Approve with Conditions
Location: 14 Aldford Grove, Radcliffe, Bolton, BL2 6RY
Proposal: First floor side extension; Single storey rear extension

Application No.: 67321 **App. Type:** FUL 13/09/2021 Approve with Conditions
Location: 16 Ainsworth Hall Road, Ainsworth, Radcliffe, Bolton, BL2 5RZ
Proposal: Single storey rear extension

Ward: **Radcliffe - West**

Application No.: 67008 **App. Type:** FUL 26/08/2021 Approve with Conditions
Location: The Old School, 1 Walker Street, Radcliffe, Manchester, M26 1FH
Proposal: Variation of condition no. 2 of planning permission 63376 for Conversion of antiques centre/dwelling to 13 no. (total) residential apartments; change to window type to UPVC windows

Application No.: 67088 **App. Type:** TEL 03/09/2021 Prior Approval Required and Granted
Location: Ringley Road West/Outwood Road/Outwood Gate, Radcliffe, M26 1DJ
Proposal: Proposed 18.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works

Application No.: 67160 **App. Type:** FUL 24/08/2021 Refused
Location: Land rear of 53-61 Ainsworth Road, Radcliffe
Proposal: Erection of detached dwelling

Application No.: 67239 **App. Type:** FUL 14/09/2021 Approve with Conditions
Location: 250 Stand Lane, Radcliffe, Manchester, M26 1JP
Proposal: Single storey rear extension

Ward: **Ramsbottom + Tottington - Tottington**

Application No.: 66162 **App. Type:** FUL 26/08/2021 Refused
Location: 110 Watling Street, Tottington, Bury, BL8 3QJ
Proposal: Demolition of existing barn and erection of two storey building to form holiday let accommodation with garage

Application No.: 66933 **App. Type:** FUL 26/08/2021 Split Decision
Location: 27 Cotswold Crescent, Bury, BL8 1QF
Proposal: Proposal A: Single storey rear extension
Proposal B: Single storey rear extension; Front and rear dormer extensions

Application No.: 66959 **App. Type:** LDCE 02/09/2021 Lawful Development
Location: Kirklees Valley Farm, Lower Kirklees Street, Tottington, BL8 3NY
Proposal: Application for a certificate of lawfulness with regard to the residential use (C3) of a former caravan

Application No.: 66987 **App. Type:** FUL 16/09/2021 Approve with Conditions
Location: 37 Holly Street, Tottington, Bury, BL8 3EZ
Proposal: Single storey extension at rear and loft conversion with rear dormer

Application No.: 67010 **App. Type:** FUL 25/08/2021 Approve with Conditions
Location: 23 Rosewood Avenue, Tottington, Bury, BL8 3HG
Proposal: Single storey / two storey extension at side and single storey extension at rear

Application No.: 67127 **App. Type:** FUL 02/09/2021 Approve with Conditions
Location: 8 Cheviot Close, Bury, BL8 1RA
Proposal: Single storey extension at rear

Application No.: 67223 **App. Type:** FUL 22/09/2021 Approve with Conditions
Location: 11 Brookthorpe Road, Bury, BL8 3AB
Proposal: Two/single storey rear extensions; Alterations to roof and windows

Application No.: 67244 **App. Type:** FUL 01/09/2021 Approve with Conditions
Location: 4 Albemarle Place, Tottington, Bury, BL8 3GN
Proposal: Single storey extension part side and rear

Application No.: 67255 **App. Type:** FUL 23/09/2021 Approve with Conditions
Location: 6 Peel View, Tottington, Bury, BL8 3EP
Proposal: Single storey rear extension and conversion of garage to form storage, en-suite and bedroom

Application No.: 67354 **App. Type:** LDCP 22/09/2021 Lawful Development
Location: 15 Cloughton Road, Tottington, Bury, BL8 3BS
Proposal: Lawful development certificate for proposed single storey extension at side/rear and porch at front

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.: 66585 **App. Type:** FUL 06/09/2021 Approve with Conditions
Location: 39 Bye Road, Shuttleworth, Ramsbottom, Bury, BL0 0HH
Proposal: Single storey side extension; Front porch extension; Boundary fence; Decking in garden; Glass balustrade to decking area

Application No.: 66962 **App. Type:** FUL 02/09/2021 Approve with Conditions
Location: The Croft, Moorbottom Road, Ramsbottom, BL8 4NS
Proposal: Replace existing fence to the rear of the property with new solid 2m high fence

Application No.: 67151 **App. Type:** FUL 02/09/2021 Approve with Conditions
Location: 5 Knowl Close, Ramsbottom, Bury, BL0 9YY
Proposal: Single storey extension at rear

Application No.: 67164 **App. Type:** FUL 23/09/2021 Approve with Conditions
Location: 196 Railway Street, Summerseat, Ramsbottom, Bury, BL9 5QB
Proposal: Loft conversion including rear dormer extension

Application No.: 67205 **App. Type:** FUL 26/08/2021 Approve with Conditions
Location: 211 Whittingham Drive, Ramsbottom, Bury, BL0 9NY
Proposal: Two storey front and side extensions; Single storey rear and side extension; Alterations to front driveway

Application No.: 67207 **App. Type:** FUL 01/09/2021 Approve with Conditions
Location: 5 Marlborough Close, Ramsbottom, Bury, BL0 9YU
Proposal: Front porch, two storey extension at front/side and single storey extension at side/rear

Ward: **Whitefield + Unsworth - Besses**

Application No.: 67080 **App. Type:** FUL 06/09/2021 Approve with Conditions
Location: 12 Kingsley Avenue, Whitefield, Manchester, M45 8HA
Proposal: Two storey rear extension

Application No.: 67250 **App. Type:** LDCP 24/08/2021 Lawful Development
Location: 11 Dartmouth Road, Whitefield, Manchester, M45 6AS
Proposal: Lawful Development Certificate for proposed single storey rear extension replacing existing conservatory

Application No.: 67304 **App. Type:** FUL 06/09/2021 Approve with Conditions
Location: 1 Edwards Drive, Whitefield, Manchester, M45 8EA
Proposal: Single storey side and rear extension

Application No.: 67332 **App. Type:** FUL 14/09/2021 Approve with Conditions
Location: 37 Mode Hill Lane, Whitefield, M45 8JF
Proposal: Single storey rear extension

Application No.: 67384 **App. Type:** LDCP 23/09/2021 Lawful Development
Location: 52 Ridge Crescent, Whitefield, Manchester, M45 8FN
Proposal: Lawful development certificate for proposed single storey side and rear extension

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

Application No.: 66808 **App. Type:** FUL 02/09/2021 Approve with Conditions
Location: 335 Bury New Road, Whitefield, Manchester, M45 7SE
Proposal: First floor rear extension and rear dormer to form 1 no. additional dwelling

Application No.: 67119 **App. Type:** FUL 10/09/2021 Approve with Conditions
Location: 12 Grosvenor Road, Whitefield, Manchester, M45 6GP
Proposal: Single storey extension at rear

Application No.: 67171 **App. Type:** FUL 23/09/2021 Approve with Conditions
Location: 4 Mansion Avenue, Whitefield, Manchester, M45 7SS
Proposal: Raised decking to the rear; Increased height of fence panels

Application No.: 67180 **App. Type:** FUL 23/09/2021 Approve with Conditions
Location: 53 Sergeants Lane, Whitefield, Manchester, M45 7TR
Proposal: Replacement of flat garage roof with pitched roof and render to the front of house.

Application No.: 67312 **App. Type:** FUL 24/09/2021 Approve with Conditions
Location: 34 Woodhall Avenue, Whitefield, Manchester, M45 7QF
Proposal: Demolition of existing detached garage and erection of single storey extension at front / side with pitched roof over existing porch; single storey / two storey extension at rear

Application No.: 67349 **App. Type:** FUL 14/09/2021 Approve with Conditions
Location: 7 Ringley Chase, Whitefield, Manchester, M45 7UA
Proposal: Replace existing conservatory with single storey rear extension

Ward: **Whitefield + Unsworth - Unsworth**

Application No.: 67170 **App. Type:** FUL 08/09/2021 Refused
Location: 58 Ringley Road, Whitefield, Manchester, M45 7LN
Proposal: First floor extension at rear and dormer extension at rear

Application No.: 67248 **App. Type:** FUL 23/09/2021 Approve with Conditions
Location: 17 Colinwood Close, Bury, BL9 8HQ
Proposal: Garage conversion and raising of ridge above garage to form living accommodation

Application No.: 67362 **App. Type:** FUL 13/09/2021 Approve with Conditions
Location: 14 Monsall Close, Bury, BL9 8NS
Proposal: First floor side extension

Total Number of Applications Decided: **109**

REPORT FOR NOTING

Agenda Item 6

Bury
COUNCIL

**Agenda
Item**

6

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	5 October 2021
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:-

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**Planning Appeals Lodged
between 23/08/2021 and 26/09/2021**



Application No.: 66990/FUL

Appeal lodged: 10/09/2021

Decision level: DEL

Appeal Type:

Recommended Decision: Split Decision

Applicant: Richard Roberts

Location 1 Dover Close, Tottington, Bury, BL8 4EE

Proposal A: Conversion of garage roof to pitched; Addition of door to side elevation and sliding doors to rear elevation; Relocation of the entrance door to front elevation
B: Roof extension to existing front dormer

Total Number of Appeals Lodged: 1

**Planning Appeals Decided
between 23/08/2021 and 26/09/2021**



Application No.: 66466/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr John Cuthbertson

Location: Sedgewell, 120 Brandlesholme Road, Tottington, Bury, BL8 4DZ

Proposal: Retrospective application for 1.8m high boundary fence and gates

Appeal Decision: Dismissed

Date: 02/09/2021

Appeal type: Written Representations



Appeal Decision

Site Visit made on 10 August 2021

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 September 2021

Appeal Ref: APP/T4210/D/21/3275517

Sedgewell, 120 Brandlesholme Road, Tottington, Bury BL8 4DZ

- 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 John Cuthbertson against the decision of Bury Metropolitan Borough Council.
 - The application Ref 66466, dated 16 December 2020, was refused by notice dated 22 March 2021.
 - The development proposed is retention of fence and gates.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application sought planning permission for development that has already taken place. I have therefore considered the proposal under the terms of s73A of the Town and Country Planning Act 1990.
3. Since the Council's determination of the planning application, a revised version of the National Planning Policy Framework (the Framework) was issued on 20 July 2021. I have sought the further comments of the main parties in this respect and have had due regard to the changes to the Framework in my determination of this appeal.

Main Issues

4. The main issues are:
 - whether the development is inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and the relevant development plan policy
 - the effect of the proposal on the openness of the Green Belt
 - the effect on the character and appearance of the locality
 - the effect on highway safety
 - if the development is inappropriate, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Green Belt

5. The site lies within the Green Belt. The development includes the erection of timber panels on top of and alongside an existing stone wall to the front boundary and part of the driveway of a detached dwelling located on the south-western side of Brandlesholme Road. According to the appellant, the majority of the timber panels are some 0.9m high and sit above the wall, also estimated at a height of 0.9m. A length of panel fencing at the south-eastern extent of the wall, where the property's side boundary adjoins a public footpath alongside the site, is described as being 1.8m in height. Additionally, timber gates shown to be 2.2m high on the submitted plans have been erected on the driveway about 7.6m from the back of the footway.
6. S336 of The Town and Country Planning Act 1990 (as amended), interprets a 'building' to include any structure or erection, and any part of a building, as so defined. The fence and gate structures are additions to the existing wall structure and are therefore extensions to a 'building' (the wall) for the purpose of this assessment.
7. The Government's approach to protecting the Green Belt is set out in Section 13 of the Framework. It states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 of the Framework makes it clear that new buildings are inappropriate in the Green Belt. However, an exception is made in the case of extensions to a building, provided that they do not result in disproportionate additions over and above the size of the original building.
8. Although saved Policy OL1/2 of the Bury Unitary Development Plan [1997] (UDP) is broadly consistent with the provisions of the more recent Framework in relation to new buildings in the Green Belt, its references to building extensions which are not inappropriate is limited to those in relation to dwellings only. This is distinct from the broader approach of the Framework which allows the extension or alteration of any building. Accordingly, the provisions in the Framework prevail pursuant to its Paragraph 219.
9. In the absence of any definition within the Framework or referenced interpretation within the development plan, whether or not an extension to an existing building constitutes a disproportionate addition is a matter of planning judgement. The fencing panels atop the stone wall double the height of the built boundary enclosure. Elsewhere, the introduction of 1.8m high fencing and gates have added to its overall length. The resultant height and length of the combined new elements of the structure significantly exceed the proportions of the existing wall by some way. They therefore appear disproportionate when compared to it.
10. A volumetric comparison between the timber structures and the stone wall may be limited on account of the slenderness of the fence and gate structures. As such any effect on the spatial openness of the Green Belt is limited. However, the visible area of the new fencing would be considerably larger than that of the stone wall. Accordingly, the effect on the visual openness of the Green Belt is considerable in comparison.

11. For the reasons set out above, I find that the fence and gates constitute inappropriate development within the Green Belt that erode its visual openness. As such they are contrary to Policy OL1/2 of the UDP which seeks to protect the openness and permanence of the Green Belt. For similar reasons, the development does not fall within the exceptions outlined in the Framework.

Character and appearance

12. The site is located within a short row of loose residential development set behind garden areas of varying depth on the south-western side of Brandlesholme Road. The land to the rear is open fields. On the opposite side of the road, the plot overlaps with open fields behind a tree line and an informal driveway leading to dwellings situated on the edge of a settlement area to the north.
13. The front boundaries of properties addressing Brandlesholme Road within the row are generally low masonry walls with railings or vegetation providing additional height. Driveways are mainly ungated. In the settlement area a short distance to the north-west, boundary treatments are more varied in their materials but remain generally low in height. In addition, some older properties nearby have high stone walls and fencing where they side on to the road frontage.
14. The introduction of the bespoke close board panel fencing and gates serve to introduce a hard edge to the site's front boundary. Although much of it is backed by mature trees and shrubs, its height and length result in a 'dead frontage' on this part of the road. Whilst the fencing is described by the appellant as 'rustic' in its appearance, it has significantly greater affinity to the suburban area than the rural location of the site. The appearance has neither the quality of the higher stone walls of the older properties to the north-west or consistency with the predominant form of boundary treatments nearby. Furthermore, it closes off glimpses of the property beyond. This prevents any active or visual contribution to the street scene.
15. In support of the proposal the appellant has referred me to a number of other examples of high boundary treatments visible in the area and I saw these during my site visit. A tall fence above a stone wall was approved by the Council at Nobbs House, a listed building. This encloses a private rear amenity space and is broken up by areas of planting. From the evidence before me it is unclear as to the specific reasons for that decision or whether the site also lies within the Green Belt. However, it is evident that the boundary in that case, like that at 116 Brandlesholme Road, serves to enclose a private amenity space to the rear of the building. It is therefore distinct from the case in point, a case I have considered on its own merits.
16. A high fence at Dowry Cottage, also encloses a private garden area within the row of development on the south-western side of the road. However, it is unclear whether it benefits from planning permission. Furthermore, it is an isolated example. It is not therefore a strong justification for development which contrasts with the prevailing character in the locality.
17. I note the appellant's suggestion that despite its preservative treatment the weathering of the fence would reduce its prominence and that it could be colour treated in order to attempt to assimilate it against the backdrop of greenery within the enclosed frontage. Although this would potentially make it

less prominent, it would not change the harsher visual nature or scale of the fencing compared to the characteristic forms of frontage enclosure. It would not therefore overcome the harm to the visual amenity of the locality I have identified.

18. There are some examples of solid gates in the locality, including one set alongside the building frontage at Dowry Place. Others to the north-west serve rear courtyard areas. However, these examples are also in the minority and contrast with the prevalent character of open driveways. Although it is suggested that the gates match the height of the original gateposts there is little evidence before me to illustrate the claim. These are therefore matters of limited weight in favour of the development.
19. For the above reasons, I find that the development is at odds with the character and appearance of boundary treatments fronting on to this part of Brandlesholme Road. It conflicts with saved Policy H2/3 of the UDP as it seeks high standards of development which are sympathetic to the character of the surrounding area.

Highway safety

20. The site benefits from a wide driveway with curved splays formed by the original stone wall to the back of the pavement. Close to the house, the drive splits into a Y arrangement which facilitates turning and enables drivers to leave the site in a forward gear.
21. I have little doubt that the presence of the fence above the wall has resulted in more limited intervisibility between drivers of vehicles emerging from the site and users of Brandlesholme Road, including footpath users. Previously the visibility splay would have included the space above the walls providing a wider field of vision.
22. Nevertheless, views at the junction of the driveway remain sufficient to observe both pavement users and approaching traffic on the straight stretch of the 30mph carriageway. I therefore find that the development is consistent with saved Policy H2/3 as it provides suitable visibility for pedestrians, cyclists and drivers of motor vehicles at the junction of the site's driveway with Brandlesholme Road.

Other Considerations

23. In support of the development, the appellant advises that the fence and gates provide enhanced security at the site which is a concern of the residents on account of their age. Age is a 'relevant protected characteristic' and I have had due regard to the Public Sector Equality Duty contained in section 149 of the Equality Act 2010. This sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. I have also had regard to rights conveyed within the Human Rights Act.
24. Whilst I acknowledge the benefits that result to the appellant and his wife in this regard, I note that this is not dependent on the specific development. It could be equally achieved through the implementation of other forms of enclosure and/or its alternative siting. Accordingly, those personal circumstances are not a strong justification for setting aside national and local

policies with the legitimate aim of protecting the essential characteristics of the Green Belt and the locality in the public interest. Nevertheless, the benefit therein weighs moderately in favour of the development.

25. The screening effect of the fence secures privacy for those using the garden areas previously visible from the roadside and prevents the danger of young children falling from the higher levels within the site. According to the appellant it has also prevented the accumulation of litter and waste along the frontage. These are also benefits that attract moderate weight.
26. The fact that the fence has been in place for some time and no objections have been received from neighbouring residents are not matters in favour of the development.

Conclusion

27. Due to its scale and extent the erection of the fence is inappropriate development in the Green Belt. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and that substantial weight should be given to that and any other harm to it. The development also causes harm to the visual openness of the Green Belt and it contrasts with the prevailing character and appearance of the locality.
28. The considerations presented by the appellant or my finding in favour of the appellant with regard to the impact of the development on highway safety, do not clearly outweigh the totality of the harm that I have identified. Consequently, the very special circumstances necessary to justify granting planning permission do not exist. Furthermore, the development is contrary to the adopted development plan and there are no other material considerations to indicate a decision otherwise than in accordance with it.
29. For the reasons set out above, I conclude that the appeal should be dismissed.

R Hitchcock

INSPECTOR

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