

# Public Document Pack

## 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:-

<b>Date:</b>	Tuesday, 22 February 2022
<b>Place:</b>	Council Chamber, Bury Town Hall
<b>Time:</b>	7.00 pm
<b>Briefing Facilities:</b>	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
<b>Notes:</b>	Live streamed meeting <a href="https://councilstream.com/burycouncil">https://councilstream.com/burycouncil</a>

## **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 25TH JANUARY 2022** (*Pages 3 - 4*)

Minutes of the meeting held on Tuesday the 25th January 2022 are attached.

### **4 PLANNING APPLICATIONS** (*Pages 5 - 84*)

Reports attached.

### **5 DELEGATED DECISIONS** (*Pages 85 - 98*)

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 99 - 106*)

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:** 25 January 2022

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

**Also in attendance:** Councillor S Wright  
**Public Attendance:** 9 members of the public were present at the meeting.

**Apologies for Absence:** Councillors J Mason and K Thomas

**PCC.1 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors: J Mason and K Thomas.

**PCC.2 DECLARATIONS OF INTEREST**

There were no declarations of interest made at the meeting.

**PCC.3 MINUTES OF THE MEETING HELD ON THE 14TH DECEMBER 2021**

**Delegated decision:**

That the Minutes of the meeting held on the 14<sup>th</sup> December 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 applications for planning permission.

There was supplementary information to add in respect of application numbers 67431 and 67789.

The Committee heard representations from applicants, objectors and a ward Councillor in respect of applications submitted. This was limited to three minutes for the speaker.

**Delegated decisions:**

1. That the Committee **Be Minded to Approve** the following application in accordance with the reasons put forward by the Development Manager in the report and any supplementary information submitted, subject to the conditions included:-

**Land off Poppythorn Lane, Prestwich**

Residential development comprising 6 no. single storey apartments and 12 no. duplex apartments in part-two and three storey linked buildings with landscaped

grounds, car parking and a new access road from Poppythorn Lane serving the development

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 any supplementary information submitted and subject to the conditions included:-

**275 Bury New Road, Whitefield, Manchester, M45 8QP**

Change of use of ground floor from retail (Class E) to public house (Sui Generis) with replacement of existing glazed frontage and new entrance/ramped 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 PLANNING ENFORCEMENT**

A report from the Head of Development Management was submitted listing statistical information on enforcement activity between the 1<sup>st</sup> October 2021 to the 30<sup>th</sup> December 2021.

**Delegated decision:**

That the report be noted.

**PCC.8 URGENT BUSINESS**

No urgent business was reported.

**COUNCILLOR G MCGILL**  
**Chair**

**(Note: The meeting started at 7.05pm and ended at 7.53pm)**

<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>22 February 2022</b>
<b>By:</b>	<b>Development Manager</b>
<b>Status:</b>	<b>For Publication</b>

### **Executive Summary**

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

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

### **This report has the following implications**

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

**Policy:** Identified in each case.

**Resources:** Not generally applicable.

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

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

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

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

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

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

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

### **Development Manager**

#### **Background Documents**

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

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

01	<b>Township Forum - Ward:</b> Bury East - Redvales	<b>App No.</b> 66745
	<b>Location:</b> Buckley Wells Locomotive Depot, Baron Street, Bury, BL9 0TY	
	<b>Proposal:</b> Development of the ELR's historic locomotive and carriage works site including repair and restoration of the 1857 locomotive work building, the construction of new locomotive running shed, incorporation of associated new workshops and training facilities and construction of a standalone carriage shed.	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> Y
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02	<b>Township Forum - Ward:</b> Bury East - Redvales	<b>App No.</b> 66746
	<b>Location:</b> Buckley Wells Locomotive Depot, Baron Street, Bury, BL9 0TY	
	<b>Proposal:</b> Listed Building Consent for the development of the ELR's historic locomotive and carriage works site including repair and restoration of the 1857 locomotive work building, the construction of new locomotive running shed, incorporation of associated new workshops and training facilities and construction of a standalone carriage shed.	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> Y
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03	<b>Township Forum - Ward:</b> Bury East - Moorside	<b>App No.</b> 67867
	<b>Location:</b> 206 Walmersley Road, Bury, BL9 6LL	
	<b>Proposal:</b> Change of use to 8-bedroom HMO (Sui Generis) and formation of front and rear lightwells	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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04	<b>Township Forum - Ward:</b> Ramsbottom and Tottington - Ramsbottom	<b>App No.</b> 67876
	<b>Location:</b> 62 Bridge Street, Ramsbottom, Bury, BL0 9AG	
	<b>Proposal:</b> Installation of refrigeration plant with pitched slate roof covering at rear	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> Y
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**Ward:** Bury East - Redvales

**Item** 01

**Applicant:** East Lancashire Light Railway Co. Ltd

**Location:** Buckley Wells Locomotive Depot, Baron Street, Bury, BL9 0TY

**Proposal:** Development of the ELR's historic locomotive and carriage works site including repair and restoration of the 1857 locomotive work building, the construction of new locomotive running shed, incorporation of associated new workshops and training facilities and construction of a standalone carriage shed.

**Application Ref:** 66745/Full

**Target Date:** 21/06/2021

**Recommendation:** Approve with Conditions

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

### **Description**

The application relates to Buckley Wells which is the location and facility of the locomotive and carriage works and rail depot for the East Lancashire Railway (ELR).

The site is located on Baron Street which is formed off Manchester Old Road. The eastern part of Baron Street is adopted and comprises residential properties on either side of the street. There is an apartment block located next to the site where Baron Street then becomes a part tarmac part cobbled unadopted road, classified as a By-Way Open to All Traffic. At this point the main entrance to the site is formed. Baron Street then continues westwards and leads to 3 separate schools (St Gabriel's, Bury Girls and Boys Grammar School).

The overall Buckley Wells site area is 9.1ha. The site is split into two parts. The main operational part of the site is 5.5ha and is immediately to the south of Baron Street and comprises a Grade II Listed locomotive works/carriage shed building, an extensive network of railway sidings, storage containers, open air storage for a wide range of railway infrastructure and engineering components and parking areas.

The southern part of the site has a narrow elongated triangular form, with Baron Street forming the northern boundary, the eastern boundary is defined by the Metrolink line which is screened from the site by dense planting and to the west is a steep embankment. It is within a Wildlife Corridor and partly within a River Valley.

This part of the site is the subject of this planning application.

The other area of the Buckley Wells site is located opposite, to the north of Baron Street which is additional operational land comprises a 'modern' carriage shed building constructed in the 1980's and further railway sidings. To the west is an area of un-used land set at a lower level to the main site which is overgrown with self-seeded vegetation.

### **Background to the application**

The ELR plays a key role as a visitor and heritage attraction in the north west and has its main workshop facilities located at the Buckley Wells site where the locomotives, carriages and wagons are housed and where the essential locomotive and carriage operations, maintenance and restoration facilities necessary to operate the successful heritage railway are carried out.

In recent years the ELR Company has been pursuing a scheme of works to help improve visitor experience and Buckley Wells, and as the centre for the railway operations, Buckley Wells is the critical and indispensable base for the storage and maintenance of historic

locomotives and carriages such as the Flying Scotsman.

The works are currently carried out in two buildings -

- A Grade II Listed carriage shed building dating from 1857 which is located immediately to the south of Baron Street. This houses the engineering facilities for the maintenance and restoration of historic locomotives and facilities for both long term restoration projects and operational locomotives in daily use. This building is deteriorating badly and in need of significant investment to secure its longevity not only as a valuable heritage asset but as vital facility for ELR and the site.
- A more modern carriage shed to the north of Baron Street which provides limited facilities for restoration works and storage.

Not only is there a need to carry out essential works to the Listed Building but there is also a need to provide additional purpose built provision for the fleet of locomotives and carriages so they can be maintained to the highest possible standards expected of such an established and high quality attraction and to secure the functions and capabilities to serve the ELR.

There is also an aspiration to expand the important and essential training facilities within the site to attract and train up future generations of volunteer engineers necessary and crucial to maintain and successfully operate the heritage railway for years to come.

In essence, development works are essential to facilitate the managed growth of the ELR on a long term and sustainable basis as a premier visitor and heritage attraction.

### **The proposal**

There are 5 key elements to the redevelopment of the Buckley Wells site -

1. A comprehensive programme of restoration and repair to the Grade II Listed historic Buckley Wells carriage shed building. It will continue to be used for the restoration of locomotives/general railway engineering operations including workshops and stores. An extension of 626 sqm to provide new offices would be located at the north end of the building to support training, skills and various operations associated with the overall site.
2. An extension to the LB carriage shed to provide a new locomotive running shed and maintenance workshop which would be located on the western side of the building and on the footprint of a former original Buckley Wells engine shed (demolished in the 1970's). This new build would have a portal frame structure with steel clad elevations which would also accommodate classroom/workshop areas, stores, and other ancillary facilities.
3. The erection of a new carriage shed which would house, restore and repair the ELR's fleet of historic railway coaches. This would be located on an area of sidings to the south of the Listed Building, approx 90m away. The building would be vital to the storing of the machines and engines and for the protection from the elements and vandalism, particularly as their maintenance can take an extensive period of time. The building would be formed by a base of red engineering brick with steel clad elevations interspersed with a row of symmetrically aligned window openings. Solar panels would be located on the roof. A new internal access road would be formed to this building.
4. Within the site some tracks would be re-laid to facilitate rail access to the new buildings.
5. It is also proposed to rationalise the external part of the site to provide for the expanded operational capacity of the site and would include new areas of hardstanding, designated parking areas for staff and volunteers and external storage facilities in the eastern part of the site.

The scheme is proposed as a phased development comprising 3 components -

Phase 1 - Lifting and relaying rail track to establish facilitate and new track layout and rationalise the areas for storage around the site. The site would also be cleared for the construction works for the new build.

Phase 2 - Construction of the new build carriage shed and vehicular access route to the building.

Phase 3 - Works to restore the Listed carriage shed and construction of the proposed

running shed.

### **Relevant Planning History**

47480 - Workshop extension to carriage and wagon shed - Approve with Conditions  
28/02/2007

49349 - Carrying out of an engineered fill operation prior to accommodating new rail track infrastructure without the restriction within condition 10 of planning permission ref. 48268 that would limit the hours during which the importation of materials to carry out the operation can take place. - Approve with Conditions 19/03/2008

49958 - Erection of 2.4 metre high paladin security fencing from the Metrolink boundary along the length of the bury grammar schools playing fields access road boundary, and returning along baron street to the east Lancashire railway level crossing (retrospective) - Approve 19/09/2008

53647 - Renewal of planning permission 49349 to carry out engineering fill operation prior to accommodating new rail track infrastructure - Approve with Conditions 20/04/2011

### **Publicity**

Letters sent to 122 properties on 30/3/21.

Site notice posted 15/4/21

Press advert 1/4/21

No representations made by the public have been received.

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

**Traffic Section** - No objection. Conditions to be recommended in the Supplementary Planning Agenda.

**Borough Engineer - Drainage Section** - No response received

**Environmental Health - Contaminated Land** - No objection subject to condition

**Environmental Health - Pollution Control** - No objection

**Environmental Health - Commercial Section** - No response received

**Public Rights of Way Officer** - No objection

**Waste Management** - No response received

**United Utilities (Water and waste)** - Recommend a condition for a detailed water drainage scheme.

**Transport for Greater Manchester (TfGM)** - No objection in principle

**TfGM Metrolink** - Require a legal agreement regarding the use of Metrolink land

**Rossendale Borough Council** - Objection received - see report below for a summary and response

**The Coal Authority** - No objection

**Planning & Building Regs consultation Fire Protection Dept Bury Fire Station (Part B)**  
- Advisory note to applicant

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

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

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

NPPF	National Planning Policy Framework
EC1/2	Land Suitable for Business (B1)
EN1/2	Townscape and Built Design
EN2/3	Listed Buildings
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
EN7/1	Atmospheric Pollution
OL5/2	Development in River Valleys
HT2/4	Car Parking and New Development
HT3/4	Schemes to Assist Metrolink
HT4	New Development
HT6/2	Pedestrian/Vehicular Conflict
RT4/6	East Lancashire Railway

SPD11      Parking Standards in Bury  
Area          Bridge Road/Buckley Wells  
BY2

## **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 and Principles**

### Opportunity Site

The majority of the site is allocated as an Opportunity Site in the Bury Unitary Development Plan suitable for proposals for the further development and enhancement of facilities associated with the East Lancashire Railway (RT4/6/5) or for Business (B1) and Office use (EC1/2/8).

UDP Policy RT4/6 relates to the East Lancashire Railway and states that Council will encourage and support proposals for the further development and enhancement of facilities associated with the East Lancashire Railway. In accordance with this policy, a number of sites are allocated for railway-related development, including the application site at Buckley Wells under allocation RT4/6/5. The proposal is consistent with Policy RT4/6 and the specific allocation under RT4/6/5.

The Opportunity Site allocation also identifies the site as being suitable for Business (B1) and Office Use under UDP Policy EC1/2 and, specifically, under proposal EC1/2/8. However, this opportunity reflected the site's proximity to a proposed new Park and Ride Metrolink station at Buckley Wells (Highways and Transportation Proposal HT3/4/1) which was considered to offer a unique opportunity to integrate a suitable employment use and a major new public transport facility. However, the proposal for a Park and Ride Metrolink stop is no longer active

Policy RT4/6/5 stresses the importance that further development of the railway is facilitated to maximise the number of visitors to both the railway and wider Irwell Valley, and positively encourages development aimed at safeguarding, improving or developing this important resource and associated proposals.

The ELR is a key visitor and heritage attraction, and the site carries out essential maintenance and operational related works necessary for the successful delivery of its facility and services. The proposed development would contribute and improve on the essential facilities to manage the expansion and enhancement programme which would secure and facilitate the ELR as a major visitor and heritage attraction for the long term future.

As such the proposals in principle are consistent with the currently adopted UDP policies on Recreation and tourism.

### River Valley

Part of the application site falls within an area that is designated as River Valley. UDP Policy OL5/2 relates to development in River Valleys and states that within the River Valleys, new buildings or the change of use of existing buildings or the change of use of land will not be permitted. The only exceptions considered acceptable will

be those where the development would not lead to the division of the open parts of the valleys into sections and it falls within the terms below:

- where the area is designated as Green Belt the established Green Belt policies will apply; or
- where the area does not form part of the Green Belt, at least one of the following circumstances is met:
- that the development represents limited infilling to an established valley settlement or industrial area;
- that it is an extension to, or renewal of an existing industry, where the economic and employment factors are of overriding importance;
- that the development is required in association with an outdoor recreation or appropriate tourist facility;
- that the development is limited and will form part of, and be essential to, the maintenance of the provision and improvement of public services and utilities;
- any other development that would be appropriate in a Green Belt.

As the land is not designated as Green Belt, it is necessary for the proposal to meet at least one of the exceptions set out in Policy OL5/2 above.

The proposals for the new locomotive running shed and the store compound would extend into the River Valley area. In this respect, the proposed development would be contained within the existing boundary of the Buckley Wells site on already developed land, and therefore encroach no further into the River Valley than currently exists and therefore would not lead to the division of open parts of the valley into sections. In addition, the proposal would involve an extension to an existing industry, where the economic and employment factors are of overriding importance as well as the development being required in association with an outdoor recreation or appropriate tourist facility.

Consequently, the proposal is considered not to conflict with UDP Policy OL5/2.

### **Heritage considerations**

The existing carriage shed at Buckley Wells is a Grade II Listed Building.

Planning (Listed Buildings and Conservation Areas Act) 1990 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require decision makers to have special regard to the desirability of preserving a listed building or its setting or any feature of architectural or historic interest it possesses. The decision maker must also give considerable importance and weight to the desirability of preserving the setting of the listed building.

Under UDP Policy EN2/3, the Council will actively safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features. Proposals for demolition will be opposed and will only be considered where it is demonstrated conclusively that the building(s) cannot be retained. Consideration of any potential impact on the Listed Building should be given to ensure that there is no conflict with UDP Policy EN2/3.

In terms of the NPPF, under para 194, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

197. In determining applications, local planning authorities should take account of:

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

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

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The NPPF at Annex 2 describes setting as:

Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral;

and

Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.

An appropriate Heritage assessment has been submitted with the application in consideration of the above heritage paras of the NPPF.

### **Works to the Listed Building**

The proposal comprises of the extension of the existing 1857 building on its west elevation which would replace the previous extension built in 1875 and demolished in the 1970s. This would comprise of a two bay 4 road running shed. A steel portal construction it would have a red brick plinth and steel cladding system. The roof would be hipped with a

ventilation louvre along its length with solar panels and a translucent rooflight. In design terms the proposed extension draws inspiration from the original extension in terms of its size and scale with an acknowledgement to the architectural style of the original extension with its 2 bay construction and ventilation louvre. In terms of height the proposal would not dominate the existing shed and would not create unacceptable massing. Overall, the proposed extension does not attempt to be a pastiche of the original shed and as such it does not challenge the architectural aesthetic of the listed building or confuse its legibility as an historic building of merit and interest.

The proposed extensions to the 1862 offices at the north elevation of the shed also draws inspiration from the existing structure by virtue of its materials and height. This element, although part of the listing entry does not possess any special interest. The proposed office extension would provide much needed welfare, office and training facilities.

works/repairs - to fabric subject to LBC the

A comprehensive structural and condition report with a schedule of repair/restoration has been submitted as part of the listed building consent application. Careful consideration will be given to the amount, scale and scope and level of intervention of the required repairs/restoration. As a rule, repairs will be kept to the required minimum in order to preserve the significance of the building and this will be balanced against the need to preserve the fabric of the building with regard to air and water tightness and structural integrity.

The repairs and restoration are acceptable and comprise of external roof repairs, window repairs, external brick repairs and internal roof timber repairs.

### **Setting**

The proposed stand-alone carriage restoration workshop, carriage/diner and catering accommodation shed would be sited to the south west of the 1857 shed and would be within its setting. Its design philosophy is the same as that in approach to the design of the 1857 shed extension. It would be a portal frame 2 bay construction with brick plinth and a steel cladding system, ventilation louvre, solar panels. Its height at approximately 16 metres would be approximately 4 metres higher than the highest part of the original 1857 shed. This would have an impact on its setting.

The setting of a listed building are the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset and may affect the ability to appreciate that significance or may be neutral.

It is important to note that setting is not a land use or a heritage value. Development within or change to a setting can impact on the significance of the listed building. Buckley Wells is an industrial site by its nature, its setting has changed over its lifetime with the addition and removal of extensions to the original shed as well as addition and removal of permanent and semi-permanent outbuildings. The site currently has a number of cabins and carriages used as office space and for welfare and other ad hoc storage facilities within the site and adjacent to the east elevation of the shed which have a negative impact on the setting of the listed building. It is understood that proposals would allow these elements to be removed. This would have a positive impact on its setting.

### **Heritage Balance and Conclusion -**

Paragraph 201 of the NPPF states that where proposals amount to substantial harm to or total loss of significance to a heritage asset the application should be refused. It is not considered the proposals amount to this level of harm. The proposed extension to the shed and office will not require any significant loss of historic fabric of the shed or alter its use or adapt it in any way that would cause loss of significance as an architecturally important railway building or the continuing use of the site as a railway depot. The proposed extension would replace one that previously existed historically and as such together with the office extension would represent a new addition to the building. This would represent less than substantial harm within the terms of paragraph 202 of the NPPF. As such

paragraph 202 of the NPPF requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

It is considered the proposed extensions would bring considerable public benefits in protecting the long term viable use of the shed and site as heritage railway and which would also be compatible with its conservation. It would facilitate the expansion of the heritage railway in a viable and compatible way and using green energy securing its future as well as bringing economic and educational benefits. As such the proposed extensions would outweigh, by virtue of their public benefits, the less than substantial harm identified and therefore would comply with paragraph 202 of the NPPF.

The proposed stand-alone carriage restoration workshop, carriage/diner and catering accommodation shed would be sited to the south west of the 1857 listed shed and would be within its setting. The size and proximity of the proposed building together with associated works comprising of additional hardstanding and track layout would have an impact on the setting of the listed 1857 shed. The question is whether or not the proposal would alter the setting in such a way as to cause harm to the significance of the listed shed.

The site is an evolved and evolving industrial site. As a working railway depot, it is viewed in close by and wider distances within its industrial site context. The proposed stand-alone carriage shed would not alter this fact. However, the way in which the listed shed is experienced would be altered by the proximity of the proposal but given the context of the site this alteration would not lead to substantial harm to or total loss of significance with regard to paragraph 201 of the NPPF. Therefore, the proposed stand-alone carriage shed would represent less than substantial harm to the significance of the listed shed. This harm would be outweighed by the considerable public benefits brought by the scheme as already identified above.

The proposal would therefore preserve the identified special historic and architectural significance of the grade II listed Buckley Wells locomotive and carriage shed and its setting. The proposed restoration works and extension to the Listed Building would ensure the longevity of the building and preserve the building and its use for years to come. It is therefore considered the proposed development would be acceptable in principle and comply with the principles of the NPPF and policy EN2/3.

The works which involve the Listed building and impact on the setting on the Listed Building are assessed more fully in the parallel application ref 67864 which is the associated Listed Building Consent application.

Conditions should be imposed on both the planning and associated LBC applications for the formal assessment of condition and method of repair, scope and intervention to be submitted to and approved in writing by the local planning authority before the commencement of works for repair or restoration.

It is recommended that a condition is also imposed for the submission of details of the external finishes for the proposed extension and stand-alone carriage building to be submitted to and approved in writing by the local planning authority before any development commences.

## **Layout and siting**

Site constraints including the configuration of the track layout, form and shape of the overall site, accesses to the site and the position of the Listed Building have informed the development proposals.

Proposed new carriage shed - By its very nature, a purpose built carriage restoration workshop needs to be large and elongated in form to not only enable the necessary works, restorations, maintenance and repairs to take place but a facility to also accommodate the

historic carriages which are currently stored outside and are vulnerable to inclement weather and vandalism attacks. Facilitating their safe and secure storage would also double the life-span of the carriages to 10 years.

Given the site constraints and necessary requirements, it is therefore proposed to site the carriage shed in the southern part of the site which is the only area capable of accommodating the 6065 sqm building and one which would also relate well in terms of legibility and connections to the Listed Building and wider site.

To access the building, it is proposed to lay a new internal vehicular route from the car park which would run along the eastern boundary of the site. This would not interfere with other built development on site and also avoid the existing rail tracks. There would also be an area to the west of the building which would be capable of providing a servicing and car park for deliveries, staff and visitors without impacting on the wider site.

Internally, the building would provide areas for the storage of the carriages, separate to those being maintained and repaired. The main staff facilities would also be located within the building together with the catering block for the food preparations for the Red Rose Pullman Diner which is a popular tourist attraction.

It is therefore considered the siting and layout of the proposed carriage shed could be accommodated in this part of the site without affecting the operations of the Buckley Wells site or adversely impacting on the River Valley.

Existing Listed Building - Proposed administration and training block - The main site administrative office space, staff/volunteer mess and welfare facilities, and meeting rooms are currently provided by the two temporary buildings located on the east side of the Listed Building. These temporary buildings are unsightly, inadequate for the current and future level of activity planned for the site and are becoming in an increasingly dilapidated condition.

The proposal is to replace and expand these facilities by adapting and extending the brick-built office block that sits on the Baron Street end of the Listed Building.

It is proposed to demolish the small courtyard and toilet outhouse that sits on the north east corner of the Listed Building and to construct an extension to the office block in the space left by the demolition. The ground floor of the extension would provide a reception area that would act as the main control point for managing access into the Running Shed/Heavy Maintenance Workshop, and into the site overall. The first floor of the extension would contribute to providing the meeting room/training room facilities.

The west side of the LB would also be extended. The ground floor of the proposed extension would provide the space for the welfare facilities and the first floor would provide a large mess room serving the entire building complex.

Facilitating this accommodation within the footprint and confines of the Listed Building would not only provide much needed and upgraded facilities but would locate the functions within one area to streamline and rationalise the operations of the ELR.

Proposed new Running Shed - The purpose of the proposed Running Shed would be to significantly ease the pressure on the Listed Building which has reached its maximum capacity and which negatively impacts on working conditions and also limits the number of locomotives that can be worked on at one time. Such intensification of the use of the building is also putting a physical strain on its historic fabric. Providing a new building would relieve the pressure on the LB, enable a more spacious and efficient working environment to be achieved and facilitate the equipment and machinery necessary to delivery the ELR operations.

Ideally, the two builds need to be physically connected and site constraints including the alignment of the rail tracks within the site and position of the existing access from Baron

Street have been determining factors to where and how the building would be positioned.

It is therefore proposed to position the new build on the western elevation of the Listed Building which previously accommodated an engine shed which was demolished in the 1970's and therefore an ideal position for a new build. This would allow connectivity to the LB by an existing door opening on the west elevation with an additional connection directly from the heavy workshop to facilitate the necessary operations which are carried out internally. The Running Shed would provide a heavy maintenance shop for the major locomotive restoration. The building would also provide accommodation for important support facilities - workshops, stores and a dedicated training workshop and welfare facilities.

Access from Baron Street would also be maintained and the new build able to connect via tracks to the new Carriage Shed which is proposed to the south of the site.

It is therefore considered the layout and siting of the proposed Running Shed would be best placed and positioned in relation to the functions and manageability of the ELR operations.

Track layout - It is proposed to make as much use of the existing tracks as possible but works would be required to move/add to some of the track to facilitate train access to the new building. It is noted that the existing lines leading to the LB carriage shed would remain unaltered.

Site storage - There are a number of shipping containers on the site, generally formed along the eastern boundary but in a slightly haphazard arrangement. It is proposed to re-configure the arrangement of the containers along the eastern boundary which would tidy up and streamline this area of the site.

It is also proposed to provide a separate storage compound for the associated materials and equipment which would further rationalise the site and better the overall arrangement.

Car park - This would be reconfigured to provide a formal parking layout in the eastern part of the site close to the entrance, thereby improving parking provisions for staff and visitors.

In terms of access to the site, the existing entrance at the north east corner of Baron Street would be the main access point for staff, volunteers, visitors and the smaller deliveries. There is also an entrance from Baron Street at the north westerly corner of the site with the proposal to utilise this access for the delivery of the locomotives and carriages by ELR low-loaders. This would require some improvement works and the setting back of gates opposite Baron Street which form the entrance to the northern part of the Buckley Wells site, which would enable such vehicles to manoeuvre the large loads.

In conclusion, it is considered that the proposed layout of the new buildings and extensions to the existing LB, together with the provision of the re-configured accesses, car parks and additional servicing/storage areas would provide a betterment of the existing arrangements, enabling the site to function in a productive and sustainable way which would be of benefit to all users, visitors and employees and in turn improve the service and attractions the ELR provides.

The proposals therefore accord with the principles of the NPPF and UDP policies.

**Design** - The design concept for the development has been driven by a number of factors including the need for the buildings to perform in a functional and practical fashion, awareness to the sensitivities of the Listed Building, whilst being challenged by an ambitious, potentially costly, but necessary scheme.

Turning to the works to the Listed Building, a scheme of restoration and repair is proposed, including the complete overhaul and repair of the original windows, strip out of the roof to incorporate a new breathable roofing felt re-using as many of the existing slates as possible, replacing valley gutters and flashing and install new glazed roof lights. Internally, repairs

and cleaning would be carried out to the walls, replacing roof trusses where necessary.

In terms of the extension to create office and welfare facilities to the front of the listed building on Baron Street, it is proposed to form the front elevation with red brick to half way with the remainder formed by zinc seam cladding. Bearing in mind the functionalities of the building as industrial uses, and its position on Baron Street which is more susceptible to street, this approach is considered acceptable maintaining appropriate definition between new and old.

These works are considered in more detail in the application for Listed Building Consent, but essentially it is concluded the fabric of the historic building would be sensitively treated and restoration would ensure the longevity of the building for years to come.

The challenge comes in the addition to the western elevation of the heavy maintenance workshop, as it is critical the new addition has a harmonious relationship to the LB in terms of form, massing and design whilst fulfilling its necessary functions.

Instead of trying to replicate the LB which could result in a pastiche and poor imitation, the approach is one of a modern and contemporary addition which would stand on its own merits and distinguish it from the LB rather than vie for attention.

It is proposed to construct a portal framed build with a red brick plinth and steel built up cladded elevations with intervening flat cladded panels on the north west elevation. The roof would be hipped and able to support the mechanical extract plant which would be a key part of the roof design, providing a modern equivalence to ventilation lanterns and smokestacks found on more historic types of buildings.

Adding a modern style of build to a historic listed building is a common approach and in respect of this scheme, with the identified constraints and deliverability issues, considered to be an acceptable solution.

The design of the new Carriage Shed has similarly been driven by its function, size and height requirements to accommodate machinery and locomotives/carriages, together with the practicalities and costs of erecting the building. The design philosophy is the same as that in the approach to the 1857 shed extension. The design therefore proposes a portal frame profile metal clad industrial 'shed'. The use of cladding on the elevations would express the functionality of the build as a large scale industrial use and the use of large span portals would be a modern approach but equivalent in form and reflective of more historic railway buildings, form following function.

Translucent roof lights and solar panels would feature into the design, allowing natural light and energy saving mechanisms to be incorporated within the building without undue attention being drawn to them.

It is therefore considered the proposed new carriage shed would sit comfortably within the existing site in terms of its design and appearance and be a coherent and logical solution to providing the essential facilities at the ELR site.

It is therefore considered the proposed development would be acceptable and comply with Policies EN1/2, RT4/6 and the principles of the NPPF.

### **Environmental sustainability**

The ELR have a commitment to incorporating sustainable design features and are keen to explore initiatives for reducing the carbon footprint. It is therefore proposed to incorporate sustainable drainage measures, low carbon energy, install solar panels to the roof of the new builds and utilise surface water run-off from both the new buildings and the Listed Building.

This approach is welcomed.

**Impact on the surroundings** - The nearest properties are the residential dwellings on Baron Street, the closest being the flatted development directly adjacent to the main site entrance.

The ELR first use and development of Buckley Wells dates from the opening of the line in 1987 and since then has been used to house and maintain the early stock of carriages in the open air, which has developed to become one of the most acclaimed centres within the railway sector. Buildings and storage facilities have been added over time and large loader vehicles carrying the locomotives have been delivered to and from the site for a number of years, so local residents already experience a degree of noise and activity on the site plus the comings and goings of traffic.

Whilst the proposed development would involve more built development by the erection of a new separate carriage shed and extension to the Listed Building, these would provide better working conditions, storage/garaging accommodation and facilities for works to, and storage of the existing engines, carriages and other such associated machinery, and would not necessarily involve further intensification of the use of the site than currently exists. In terms of deliveries and traffic, again, this already occurs and the developments would likely not exacerbate the current arrangements. The works proposed to Baron Street would effectively improve access along the road and past the site, by increasing the width of the road and providing a pedestrian footway.

In terms of the appearance of the site, the removal of the palisade fence along Baron Street, the 'garaging' of locomotives and the general rationalisation of the site to relocate the storage containers and provide a formal parking area would tidy up and improve the appearance of the site overall.

The extension to the Listed Building would be more than 40m away from the flats and mostly screened by the existing LB. The new carriage shed would be over 200m away to the south west and significantly distanced so as not to harm outlook.

The main disruptions would more likely be from the construction of the development, where impacts can be minimised by conditions and legislation under the Environmental Protection Act.

It is therefore considered that the proposed development would not have a significantly harmful impact on the amenity of the nearby occupiers, and moreover so would seek to better the operations and appearance of the site.

As such, it is considered the proposed development would comply with policies EN1/2 and RT4/6 and the principles of the NPPF.

### **Highways**

The part of Baron Street which serves the site is unadopted and classified as a By Way Open to All Traffic. The road surface along this stretch is a combination of tarmac and cobbles. There is currently no separate pedestrian footway along this route.

Proposals include widening the part of Baron Street which serves the site to provide a 5.5m wide carriageway and 1.8m wide footway on the southern side of the road. To facilitate these works, the stone wall would be repositioned slightly further into the ELR land to the north. The existing palisade fence which also forms part of the boundary to the ELR land would be removed and replaced with a more appropriate and less visually intrusive paladin type for additional security.

Generally speaking, the access arrangements for the low loaders and other HGV vehicles would remain broadly similar to the existing arrangements.

Deliveries to the site of locomotives by low-loader vehicles currently take place at the westerly access point which is formed by a set of gates and leads to a large piece of land

next to the Listed Building. As it is proposed to site the extension to the LB closer to this access, an area on the northern side of Baron Street opposite the entrance would be used, with boundary fences and gates re-aligned to facilitate the manoeuvres of a low-loader vehicle. This pushes deliveries away from residential properties.

Deliveries of the larger locomotives occur on a relatively infrequent basis (currently 10-12 a year and projected to be 10-15 a year following the development) and it is therefore considered these arrangements would be acceptable. The Highway Section have raised no concerns or objections in this respect.

The access which is located to the east of the site is used by staff, volunteers and visitors and the smaller delivery of goods. This would be retained and serve a car park which would be formally laid out to provide just under 80 spaces including disabled spaces and EV charge points. This would be more than adequate on a day to day basis where there would not usually be more than 35 staff on site. Special events would require more staff on site but there would be more than adequate parking facilities especially factoring in the northern part of the Buckley wells site which has the capacity provide circa 30 spaces.

It is therefore considered that the proposed works to widen Baron Street and provide a public footway would considerably improve movement along the road for pedestrians whilst enabling the safe delivery of the large locomotives by low-loader vehicles to the site. Improvements to the parking arrangements would also benefit the site and its users.

The Highway Section have raised no objection in principle subject to details which can reasonably be addressed by conditions.

As such, the proposed development would comply with Policies EN1/2, HT2/4 and HT6/2 and the principles of the NPPF.

#### **TfGM response**

##### Trip Generation

The Transport Statement states that the extra number of personnel will not have an impact but TfGM note that it is not clear if the extra visits will be considerable or not. TfGM would suggest that further evidence is provided in terms of peak hour travel.

The applicant has responded as follows -

Of the proposed staff and visitors on site day to day (20 + 14 respectively), from the staff travel surveys undertaken in January 2020 it appears that 89% travel by car and there is some flexibility in times of arrival and departure. As a worst case scenario, even if all of these trips were within the peak hours of 0800-0900 and 1700-1800, this equates to 30 vehicle trips. Some of these staff and volunteers are already using the site and making these journeys.

On special event days there may be a further 8 volunteers on site. This level of traffic generation does not warrant any further investigation and does not represent a severe impact on the road network. The introduction of a Travel Plan will introduce measures to reduce the use of the single occupancy car and encourage car sharing, cycling, walking and use of public transport to reach the site.

The additional car parking will be utilised on occasion by staff and volunteers from across the whole ELR, to free up parking at stations when large events are on.

The timing of the servicing of the site, particularly for the infrequent abnormal loads, can be conditioned if necessary.

TfGM note this response and advise that consideration be given to large events which may have an impact on the highway network locally if occurring during weekday peak hours. This would be managed by ELR.

##### Site Sustainability

On the issue of the accessibility of the site, the Transport Statement includes a detailed

breakdown of the accessibility of the site by foot, cycle and public transport. As the site is located on the edge of Bury Town Centre it is in a sustainable location with excellent accessibility and transport connections.

#### **TfGM - Metrolink**

The area edged red includes a large area of land that is owned by TfGM and whilst this does not preclude the works from proceeding TfGM advise the applicant to expedite the conclusion of the legal agreement currently being progressed.

Whilst it is considered that the development proposals are unlikely to affect Metrolink operations, the site does adjoin the Metrolink boundary and therefore advise the applicant to consult the safety at work information which is available.

Metrolink also request that the existing access arrangements for the maintenance of Metrolink infrastructure should remain available at all times during construction unless specific prior agreement has been reached with Metrolink. Advisory notes to the applicant are recommended.

#### **Ecology**

Following the submission of the habitat and biodiversity report, on the request of GMEU, a bat scoping report and additional biodiversity report have been submitted.

GMEU's original comments for the submission of this information have now been updated and their response is as follows.

#### Summary

GMEU are satisfied that ecological matters can be resolved by conditions or informatives.

#### Bats

The carriage shed was assessed as having low bat roosting potential by a suitable ecological consultant. This is because whilst there are numerous crevices for bats, these do not lead to any voids, the building is well lit by roof lights and unlined, with no roof void and the building subject to heavy engineering works. In line with best practice one emergence survey has been recommended.

GMEU accept that the building is very unlikely to be an important roost site, but the numerous minor roost features make it high risk for day roosts. Day roosts on large building such as this can however be very difficult to locate with reasonable avoidance measures often a better way forward.

In this instance however the consultants have also noted that whilst refurbishment of the listed building forms part of the planning application, no funding is actually available, the funds that are in place for the phase 1 and phase 2 parts of the development, the new build, which do not impact on this building. Funds will only be applied for, when and if planning permission is in place and may not in any event be successful. There is no likelihood of works commencing in 2022.

GMEU therefore accept that any dusk emergence survey at this time would not be valid by the time development came forward and likely in any event to be inconclusive given the scale of the building. It would therefore be unreasonable to request a survey that would be likely both inconclusive and invalid by such time as development commenced.

GMEU are therefore willing to depart from best practice and recommend a condition be applied to any permission for the submission of bat emergence surveys prior to the refurbishment of the building.

#### Nesting Birds

The consultants were informed that feral pigeons nest in the building. Pigeons are capable of breeding throughout the year. Nesting pigeons have legal protection under the terms of

the Wildlife & Countryside Act 1981 (as amended) but are also listed as a pest species and a 'general license' can be applied for from Natural England to allow work to proceed that would damage pigeon's nests, if present. GMEU therefore recommend a condition be applied to any permission for a detailed bird nesting survey to be carried out prior to refurbishment works.

### **Badgers**

A survey has now been provided that found no evidence of badgers. This is in-line with expectations. GMEU are however aware of badgers now been present in the wider areas, it is therefore possible given the long timescale associated with the various phases of the development that badgers could colonise but are however of the opinion that this risk is low. It is therefore recommended that the survey is updated if earthworks are delayed more than 12 months from this survey carried out on the 4th October 2021. This would be a condition.

### **Invasive Species**

A survey of the site has confirmed the presence of himalayan balsam and japanese knotweed in close proximity to the site. No giant hogweed was located. Measure to control the japanese knotweed are recommended but none proposed for the balsam. Whilst accepting that eradication is unlikely to be feasible for balsam, given the seed bank and presence of balsam on adjacent land, this still does not absolve the developer from taking reasonable measures to prevent spreading this species off-site ie carrying out localised control and biosecurity measures during construction.

A condition is now recommended for the submission of a method statement detailing eradication and/or control and/or avoidance measures for himalayan balsam and japanese knotweed.

### **Contributing to and Enhancing the Natural Environment and the existing Wildlife Corridor**

Section 174 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment.

GMEU accept that the reports general recommendations that mitigation through measures along the Bury Grammar School boundary are likely to provide net gain.

The footprint of the development site has generally negligible ecological value but does form part of a wildlife corridor that follows the route of the ELR and Metrolink through the Borough and to Heywood, this section through Bury being a weak point in the corridor. The development therefore provides an opportunity to strengthen the Wildlife Corridor through native planting along the boundaries of the development site and enhancement of the existing habitat to either side of the development platform.

Mitigation for loss of bird nesting habitat and potentially bat roosting habitat should also be provided. Given the generally low ecological value of the site and large area of land available to the ELR for mitigation to occur, GMEU are satisfied that the detail can be resolved via a condition along the following lines.

Prior to development an ecological mitigation and enhancement plan shall be submitted which shall include but not be restricted to:

- Mitigation for loss of trees;
- Mitigation for loss of bird nesting and bat roosting habitat and;
- Demonstrating enhancement of the Wildlife corridor

Subject to conditions, GMEU are satisfied that ecological issues can be resolved and are acceptable.

### **Coal Authority**

Confirm that 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.

The Coal Authority records indicate that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth and that thick coal seams outcropped across the site. Records also indicate the presence of one recorded mine entry (shaft) within the planning boundary.

In support of the planning application, the applicant has submitted both an Interim Ground Investigation & Risk Assessment Report (25 October 2006, prepared by Leyden Kirby Associates Ltd) and a letter on a proposed foundation solution in lieu of further site investigation and remedial works. It is noted that the Interim Ground Investigation & Risk Assessment Report confirms that because of extensive investigation the recorded mine entry in the approximate area of the Running Shed and Heavy Maintenance poses no undue risk to the development.

Turning to the situation about potential shallow coalmine workings implicating on ground stability, the Coal Authority accepts that because of the existing operating use, further extensive intrusive investigation would not be practical. Consequently, and having considered the structural precautions proposed in lieu of further investigation, the designs of which have been informed from the very results of the site investigation, the Coal Authority is satisfied the risks posed to the development following their implementation would be very low. This is further reinforced when considering their relative lightweight construction.

The Coal Authority has no objections to this planning application and it will be the responsibility of both the developer and the Building Regulations process to ensure that the foundations proposed are installed accordingly.

**Drainage** - United Utilities have been consulted on the application and raise no objections to the proposed development and recommend a condition for the submission of a drainage scheme.

### **Objection**

#### Rossendale Council objection - Summary

Rossendale Borough Council has submitted an objection to the proposal. Rossendale BC recognise the value of the railway in terms of the role it plays in the cultural and visitor economies of Rossendale, Bury and Rochdale and that the proposal would, in general terms, bring positive additions to the railway, widen its appeal and enhance the engine and carriage shed facilities to the benefit of the railway as a whole.

However, Rossendale BC is concerned that the application has been submitted without prior due diligence and dialogue with them. They are concerned that the proposal will undermine aspirations for a rail link from Rawtenstall to Manchester along the route of the railway and, in particular, one of their leading options for a tram/train interchange at the junction of the East Lancashire Railway and Metrolink which would require a single, uninterrupted track between Bury Bolton Street station and Buckley Wells Interchange.

To avoid this, Rossendale Council suggest that the proposed new build carriage shed and shunting lines would need to move approximately 5 metres in an easterly direction to allow space for the dedicated connection line and also request that these applications be referred to the Secretary of State for his decision due to their implications on future strategic transport infrastructure in the region.

### **Responses to objection**

#### Response by Bury LPA

An objection has been submitted by Rossendale Borough Council regarding the perceived impact of the application on proposals for a commuter rail line connecting Rossendale with Manchester, which includes a route through the Buckley Well site. The objection claims that this commuter line would be undermined by the proposal.

However, there are no specific plans for the commuter line and there is no provision within

the development plan that can be taken into account in considering this application.

Likewise, the proposal for a commuter line does not feature within the Greater Manchester 2040 Transport Plan, which was recently endorsed by the Council and the Combined Authority.

Whilst it is acknowledged that Rossendale Council has historical and current aspirations to provide a commuter line through Bury, at this time there is no evidence that such a proposal is feasible, viable or deliverable. Therefore, very little weight can be attached to this objection.

In terms of Rossendale's request for the application to be referred, the Council is required to consult the SoS when it intends to approve certain types of application. The Buckley Wells application does not fall within any of the criteria in the Direction that would require consultation with the SoS.

The Direction does not affect the SoS's general power under S.77 to call in any planning application and anyone can ask the SoS to call-in a planning decision. The policy of the SoS, in general, is to only consider using call-in powers if planning issues of more than local importance are involved.

If Rossendale Council wish the decision to be determined by the SoS instead of Bury Council, they would need to ask the SoS and set out the reasons why they think it meets the criteria. It is not for Bury Council to ask the SoS to make the determination.

#### Response to objection from ELR - Summary

The East Lancashire Railway have submitted a response to the objection from Rossendale Borough Council specifying that, in their view the ELR have carried out proper due diligence and fully engaged with Rossendale BC on the scope and development of the proposals for the Buckley Wells heritage rail depot. This engagement has been undertaken through the ELR Trust Board (which includes three representatives from Rossendale BC) who have given their unanimous support to the proposal and agreed a grant to cover the costs of professional fees needed to develop the planning application.

ELR also state that proposals for a commuter service have previously been considered to be unfeasible and do not form part of the plans of the relevant strategic transport bodies. The ELR have also highlighted that very considerable operational, technical, safety and legal issues would have to be addressed to deliver Rossendale BC's aspirations for a dedicated commuter line through the Buckley Wells depot.

ELR therefore believe that Rossendale BC's objection and aspirations for Buckley Wells have no relevance to the planning and listed building consent applications for the Buckley Wells heritage rail depot development.

#### **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 -

**Plans:**

**C-0340**

01 Rev B (Existing Site Layout),  
02 (Existing Running Shed Plans),  
03 (Existing Running Shed SW, NE Elevations & Sections)  
03-1 (Existing Running Shed SE & NW Elevations)  
08 Rev H (Proposed Site Layout)  
09 Rev C (Proposed Baron Street Improvement Works)  
10 Rev B (Proposed Phasing Plan)  
12 (Existing Ground Floor & Roof Plan)  
100 Rev E (Proposed Carriage Shed Plan)  
101 Rev D (Proposed Carriage Shed SW, NE Elevations & Section A-A)  
101-1 Rev A (Proposed Carriage Shed SE & NW Elevations)  
200 Rev D (Proposed Running Shed Ground Floor Plan)  
200-1 Rev A (Proposed Running Shed First Floor Plan)  
201 Rev B (Proposed Running Shed SW, NE Elevations & Section B-B)  
201-1 Rev B (Proposed Running Shed SE & NW Elevations)  
202 (Proposed Running Shed Elevation Details)  
SLP Rev B (Site Location Plan)

**TRI-2480-03-A1** (Existing Internal Elevations)

04 (Existing Sections)

**TRI-2313 TRI-2313-01-A1 Existing Site Layout**

02 A1 Existing Site Layout  
03 A1 Existing Site Layout  
04 A1 Existing Site Layout  
05 A1 Existing Site Layout  
06 A1 Existing Site Layout  
07 A1 Existing Site Layout  
08 A1 Existing Site Layout  
09 A1 Existing Site Layout  
10 A1 Existing Site Layout  
11 A1 Existing Site Layout

**Supporting Documents:**

Additional Biodiversity Report by Blackfryers 20 Dec 2021 Final  
Bat Scoping Report by UES 1 Dec 2021 ref UES 503532/01  
Summary of proposed works Rev A  
190626 ELR habitat report dated 25 June 2019 by Blackfryers  
Structural Report  
Interim Ground Investigation & Risk Assessment Report  
PAS00020 ADVICE- Coal Authority  
NX397 Coal Mining Risk Assessment Final  
SCP\_18638\_Transport Statement\_16.12.20\_v3issue-by SCP  
Appendix 6.3 Timberwise Survey Report  
Survey of the Fabric- Buckley Wells- 1-302  
Combined Heritage and Design & Access Statement

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 EV chargepoints shown on approved plan C-0340-08 rev H shall be provided and shall thereafter be retained.

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 development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

Details of proposed maintenance arrangements should also be provided. The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

7. 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.
8. In the peak activity season prior to refurbishment works commencing bat emergence surveys shall be carried out and supplied to the Local Planning Authority and a reasonable avoidance measures method statement for bats produced and agreed in writing by the Local Planning Authority.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
9. No refurbishment works shall occur unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to works and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA unless the species present is feral pigeon, in which case a general license issued by Natural England authorising destruction of feral nests should be provided to the LPA.  
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.
10. If the development hereby approved does not commence before 1st October 2022, a re-survey of the site and within 30m of the earthworks for badger setts will occur and the findings supplied to and agreed in writing by the LPA.  
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.
11. Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for himalayan balsam and japanese knotweed should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.  
Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
12. Prior to development an ecological mitigation and enhancement plan including but not restricted to:
  - Mitigation for loss of trees;
  - Mitigation for loss of bird nesting and bat roosting habitat and;
  - Demonstrating enhancement of the Wildlife corridorThe 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 EN6/4 - Wildlife Links and Corridor, 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.

13. Prior to the removal of the boundary wall and/or palisade fence to Baron Street, details of the proposed boundary treatment to Baron Street shall be submitted to and approved by the Local Planning Authority. The approved details only shall be implemented and thereafter retained.

Reason. In the interests of visual amenity and highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

14. The existing access arrangements to Metrolink infrastructure for maintenance purposes should remain available at all times during construction and post construction unless specific prior agreement has been obtained from Metrolink.  
Reason. To ensure that the development does not adversely impact Metrolink operations pursuant to Bury Unitary Development Plan Policies RT4/6 - East Lancashire Railway, EN1/2 - Townscape and Built Design and HT4 - New Development.

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

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

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

**Ward:** Bury East - Redvales

**Item 02**

**Applicant:** East Lancashire Light Railway Co. Ltd

**Location:** Buckley Wells Locomotive Depot, Baron Street, Bury, BL9 0TY

**Proposal:** Listed Building Consent for the development of the ELR's historic locomotive and carriage works site including repair and restoration of the 1857 locomotive work building, the construction of new locomotive running shed, incorporation of associated new workshops and training facilities and construction of a standalone carriage shed.

**Application Ref:** 66746/Listed Building  
Consent

**Target Date:** 17/05/2021

**Recommendation:** Approve with Conditions

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

#### **Description**

The application relates to Buckley wells which is the location and facility of the locomotive and carriageworks and rail depot for the East Lancashire Railway (ELR).

The site is located on Baron Street which is formed off Manchester Old Road. The eastern part of Baron Street is adopted and comprises residential properties either side and an apartment block located next to the site where Baron Street becomes an unmade and part cobbled unadopted road, classified as a by-way open to all traffic (106 BUR) at which point the main entrance on the site is formed to the south. Baron Street then continues westwards to St Gabriel's School.

The overall Buckley Wells site area is 9.1ha. The main operational part of the site is 5.5ha which is immediately to the south of Baron Street and comprises a Grade III Listed locomotive works/carriage shed building, an extensive network of railway sidings, storage containers, open air storage for a wide range of railway infrastructure and engineering components and parking areas.

This part of the site has a narrow elongated triangular form, with Baron Street forming the northern boundary, the eastern boundary defined by the Metrolink line which is screened from the site by dense planting and to the west is a steep embankment. It is within a Wildlife Corridor and partly within a River Valley.

This part of the site is the subject of this planning application.

The other areas of the Buckley wells site are located opposite, to the north of Baron Street which is additional operational land comprises a 'modern' carriage shed building constructed in the 1980's and further railway sidings. To the west is an area of un-used land set at a lower level to the main site which is overgrown with self-seeded vegetation.

The ELR plays a key role in as a visitor and heritage attraction in the north west and has its main workshop facilities located at the Buckley Wells site where the locomotives, carriages and wagons are housed and where the essential locomotive and carriage operations, maintenance and restoration facilities necessary to operate the successful heritage railway are carried out.

visitor experience and Buckley Wells, as the centre for the railway operations, is the critical and indispensable base for the storage and maintenance of historic locomotives and carriages such as the Flying Scotsman.

The works are currently carried out in two buildings -

- a Grade II Listed carriage shed building dating from 1857 which is located immediately to the south of Baron Street. This houses the engineering facilities for the maintenance and restoration of historic locomotives and facilities for both long term restoration projects and operational locomotives in daily use. This building is deteriorating badly and in need of significant investment to secure its longevity not only as a valuable heritage asset but as vital facility for ELR and the site.
- a more modern carriage shed to the north of Baron Street which provides limited facilities for restoration works and storage and is challenged by site constraints.

Not only is there a need to carry out critical works to the Listed Building but there is also a need to provide additional purpose built provision for the fleet of locomotives and carriages so they can be maintained to the highest possible standards expected of such an established and high quality attraction.

There is also a need to expand the important and essential training facilities within the site to attract and train up future generations of volunteer engineers necessary and crucial to maintain and successfully operate the heritage railway for years to come.

In essence, development works are essential to facilitate the managed growth of the ELR on a long term and sustainable basis as a premier visitor and heritage attraction.

There are 5 key elements to the redevelopment of the Buckley Wells site -

1. A comprehensive programme of restoration and repair to the Grade II Listed historic Buckley Wells carriage shed building. It will continue to be used for the restoration of locomotives/general railway engineering operations including workshops and stores. An extension to provide new offices would be located at the north end of the building to support training, skills and various operations associated with the overall site.
2. An extension to the LB carriage shed to provide a new locomotive running shed and maintenance workshop which would be located on the western side of the building and on the footprint of a former original Buckley Wells engine shed (demolished in the 1970's). This new build would have a portal frame structure with steel clad elevations which would also accommodate classroom/workshop areas, stores, and other ancillary facilities.
3. The erection of a new carriage shed which would house, restore and repair the ELR's fleet of historic railway coaches. This would be located on an area of sidings to the south of the Listed Building, approx 90m away. The building would be vital to the storing of the machines and engines and for the protection from the elements and vandalism, particularly as their maintenance can take an extensive period of time. The building would be formed by a base of red engineering brick with steel clad elevations interspersed with a row of symmetrically aligned window openings. Solar panels would be located on the roof. A new internal access road would be formed to this building.
4. Within the site some tracks would be re-laid to facilitate rail access to the new buildings.
5. It is also proposed to rationalise the external part of the site to provide for the expanded operational capacity of the site and would include new areas of hardstanding, designated parking areas for staff and volunteers and external storage facilities in the eastern part of the site.

This application seeks Listed Building Consent for these works.

The scheme is proposed as a phased development comprising 3 components -

Phase 1 - Lifting and relaying rail track to establish facilitate and new track layout and rationalise the areas for storage around the site. The site would also be cleared for the construction works for the new build.

Phase 2 - Construction of the new build carriage shed and vehicular access route to the

building.

Phase 3 - Works to restore the Listed carriage shed and construction of the proposed running shed.

### **Relevant Planning History**

47480 - Workshop extension to carriage and wagon shed - Approve with Conditions  
28/02/2007

49349 - Carrying out of an engineered fill operation prior to accommodating new rail track infrastructure without the restriction within condition 10 of planning permission ref. 48268 that would limit the hours during which the importation of materials to carry out the operation can take place. - Approve with Conditions 19/03/2008

49958 - Erection of 2.4 metre high paladin security fencing from the Metrolink boundary along the length of the bury grammar schools playing fields access road boundary, and returning along baron street to the east Lancashire railway level crossing (retrospective) - Approve 19/09/2008

53647 - Renewal of planning permission 49349 to carry out engineering fill operation prior to accommodating new rail track infrastructure - Approve with Conditions 20/04/2011

### **Publicity**

Letters sent to 122 properties on 30/3/21.

Site notice posted 15/4/21

Press advert 1/4/21

No representations made by the public have been received.

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

**Conservation Officer** - No objection

**G M Archaeological Advisory Service** - No objection

**Historic England** - No objection

**Rossendale Borough Council - Objection received.** This is referenced in parallel application reference 66745

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

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

NPPF	National Planning Policy Framework
EC1/2	Land Suitable for Business (B1)
EN1/2	Townscape and Built Design
EN2/3	Listed Buildings
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
EN7/1	Atmospheric Pollution
OL5/2	Development in River Valleys
HT2/4	Car Parking and New Development
HT3/4	Schemes to Assist Metrolink
HT4	New Development
HT6/2	Pedestrian/Vehicular Conflict
RT4/6	East Lancashire Railway
SPD11	Parking Standards in Bury
Area	Bridge Road/Buckley Wells
BY2	

### **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

Planning (Listed Buildings and Conservation Areas Act) 1990 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require decision makers to have special regard to the desirability of preserving a listed building or its setting or any feature of architectural or historic interest it possesses. The decision maker must also give considerable importance and weight to the desirability of preserving the setting of the listed building.

The following policy of the adopted Bury Unitary Development Plan is relevant:  
EN2/3 - Listed Buildings

The Council will actively safeguard the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features. Proposals for demolition will be opposed and will only be considered where it is demonstrated conclusively that the building(s) cannot be retained.

In considering applications for Listed Building Consent, the Council will have regard to the following criteria: a) the impact of the proposal on the historic fabric of the building;

- the relationship of any extension to the Listed Building in terms of its height, size, design, and roofscape;
- the need to protect the setting of the Listed Building;
- the impact of associated ancillary facilities and infrastructure works.

The setting of a Listed Building is often an essential feature of its character; unsympathetic development in close proximity to a Listed Building can mar its appearance, make its future use unattractive or untenable, or physically damage its structure. It is therefore important to consider the effect that a proposed development may have on such buildings.

## National Planning Policy Framework (NPPF) –

The following paragraphs from Chapter 16 of the NPPF – Conserving and Enhancing the Historic Environment and relevant:

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

197. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable

communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

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

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The NPPF at Annex 2 describes setting as:

Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral;

and

Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.

### **Heritage Values and Significance –**

The applicant has provided a comprehensive combined heritage and design and access statement. This document sets out the significance of the shed, the requirement for increased and improved facilities and the impact of the proposal on the buildings' significance.

The following has been reproduced in part from the heritage values and significance part of

the document.

**Evidential Value** – English Heritage (2008) suggests that "Evidential value derives from the potential of a place to yield evidence about past human activity": Buckley Wells has operated continuously as a locomotive depot since 1846. The site has adapted continuously over the 173 year history of its use keeping it relevant as an operational locomotive depot. Evidence of past development and evolution of the site as an operation loco depot can be derived from four primary sources: archive material, historic mapping, archaeology and photographic records.

**Historical Value** - English Heritage (2008) suggests that - "Historical value derives from the ways in which past people, events and aspects of life can be connected through a place to the present. It tends to be illustrative or associative": Buckley Well's principal historical value lies in the fact that it is an extremely rare example of a still operational historic locomotive works and depot with the use of the site dating back to 1846 placing it in the early phase of railway development nationally and internationally.

The surviving building, the Listed 1857 loco works/carriage shed building, is the first purpose built permanent building to be constructed on the site. This places it relatively early within the development of the railways and therefore now as (potentially) the oldest remaining operational locomotive works building in Europe.

Throughout its long history the site and the building have been associated with important technological advances in locomotive and rail infrastructure development.

**Communal Value** - English Heritage (2008) suggests that: "Communal value derives from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory": There are several aspects to the ways in which communal value can be attributed to the Listed 1855/57 loco works/carriage shed building and the wider historic Buckley Wells locomotive depot site.

Early communal value would mainly be gained from the local work force that were employed in the building. The building was not part of the public realm but solely an engineering workplace. Over the last 35 years since the successful formation of the East Lancashire Steam Railway the building has taken on a distinct and new sense of communal value as follows:

- The building is now used by a new local workforce (circa 90 personnel) which use the building on a full and part-time basis as they restore both engines and carriages.
- The building is now visited by various groups and railway enthusiasts as they seek to learn and share engineering skills. Some of these volunteers have been associated with this building for over 30 years.
- For visitors to the ELR heritage railway the communal value is largely hidden but vital. Buckley Wells provides the essential engineering and operational support infrastructure that enables visitors to enjoy and experience historic steam and diesel locomotives and passenger carriages (which are heritage assets in their own right).
- For the active rail enthusiast (be it volunteer or professional engineer) the historic 1857 loco works/carriage shed building and wider Buckley Wells site affords major communal value. Specifically, the opportunity that site provides for people to learn and practice a wide range of critical heritage engineering skills and activities directly connects today's volunteers and staff working out of the site with the past generations of rail engineers working stretching back to the earliest days of the development of the railways.

**Aesthetic Value** - English Heritage (2008) suggests that: "Aesthetic value derives from the ways in which people draw sensory and intellectual stimulation from a place". The Buckley Wells site's aesthetic value derives principally in two areas:

- External aesthetics. The building presents itself as a functional Victorian Railway Shed built with simple load bearing construction. It is built on a regular pattern of simple bays which are expressed externally with brick pilasters, with a combination of glazed and blind openings. The detailing of the building is enhanced with brickwork corbelling and brick arches.

- Internal aesthetics. The building retains its principle skeletal structural of internal load-bearing columns with timber king-post and queen-bolt trusses. The internal architecture remains in its original form and presents a virtually unspoilt aesthetic of the original Victorian railway building.

The statement of significance concludes the site is the operational locomotive depot for the ELR heritage railway whose use as a locomotive depot dates back to 1846, and where the surviving building, the Grade II Listed Locomotive Works/Carriage Shed building, is both the first (and largest) purpose built building to be constructed on the site with the oldest parts of the building dating from 1855-1857. Dating from the early period of railway development it is believed to be the oldest surviving fully operational rail depot and locomotive workshop in Europe.

The site's greatest significance therefore lies in the survival of the 1857 building as an example of early industrial railway architecture and in the continuity of the use of the building and site as an operational rail depot and locomotive works since 1846. This survival is all the more remarkable because industrial railway architecture (and especially locomotive works) is a very neglected part of the nation's industrial architectural heritage, with most of the country's largest and most important historic locomotive works already lost to redevelopment.

Through the assessment of the site and the distillation of the listed buildings' heritage values it is considered the site and buildings possess overall moderate to high heritage significance. There are some elements that possess minimal or low significance such as external storage, modular buildings, non-historic rainwater goods, the extension to the southern end of the shed which was part demolished in 1974 and the office extension built in 1862 and is described in the Historic England listing description as not of special interest.

#### **Impact of the proposals on the Listed Building -**

The proposal comprises of the extension of the existing 1857 building on its west elevation which would replace the previous extension built in 1875 and demolished in the 1970s. This would comprise of a two bay 4 road running shed. It would be a steel portal construction with a red brick plinth and steel cladding system. The roof would be hipped with a ventilation louvre along its length with solar panels and a translucent rooflight.

In design terms the proposed extension draws inspiration from the original extension in terms of its size and scale with an acknowledgement to the architectural style of the original extension with its 2 bay construction and ventilation louvre. In terms of height the proposal would not dominate the existing shed and would not create unacceptable massing. Overall, the proposed extension does not attempt to be a pastiche of the original shed and as such it does not challenge the architectural aesthetic of the listed building or confuse its legibility as an historic building of merit and interest.

The proposed extensions to the 1862 offices at the north elevation of the shed also draws inspiration from the existing structure by virtue of its materials and height. Although part of the listing entry, this element does not possess any special interest. The proposed office extension would provide much needed welfare, office and training facilities.

The proposed stand-alone carriage restoration workshop, carriage/diner and catering accommodation shed would be sited to the south west of the 1857 shed and would be within its setting. Its design philosophy is the same as that in approach to the design of the 1857 shed extension. It would be a portal frame 2 bay construction with brick plinth and a steel cladding system, ventilation louvre, solar panels. Its height at approximately 16 metres would be approximately 4 metres higher than the highest part of the original 1857 shed. This would have an impact on its setting.

#### **Setting of the Listed Building -**

The setting of a listed building are the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the

significance of an asset and may affect the ability to appreciate that significance or may be neutral.

It is important to note that setting is not a land use or a heritage value. Development within or change to a setting can impact on the significance of the listed building. Buckley Wells is an industrial site by its nature, its setting has changed over its lifetime with the addition and removal of extensions to the original shed as well as addition and removal of permanent and semi-permanent outbuildings. The site currently has a number of cabins and carriages used as office space and for welfare and other ad hoc storage facilities within the site and adjacent to the east elevation of the shed which have a negative impact on the setting of the listed building. It is understood that proposals would allow these elements to be removed. This would have a positive impact on its setting.

### **Heritage Balance and Conclusion -**

Paragraph 201 of the NPPF states that where proposals amount to substantial harm to or total loss of significance to a heritage asset the application should be refused. It is considered the proposals would not amount to this level of harm. The proposed extension to the shed and office will not require any significant loss of historic fabric of the shed or alter its use or adapt it in any way that would cause loss of significance as an architecturally important railway building or the continuing use of the site as a railway depot. The proposed extension would replace one that previously existed historically and as such together with the office extension would represent a new addition to the building. This would represent less than substantial harm within the terms of paragraph 202 of the NPPF. As such paragraph 202 of the NPPF requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

It is considered the proposed extensions would bring considerable public benefits in protecting the long term viable use of the shed and site as heritage railway and which would also be compatible with its conservation. It would facilitate the expansion of the heritage railway in a viable and compatible way and using green energy securing its future as well as bringing economic and educational benefits. As such the proposed extensions would outweigh, by virtue of their public benefits, the less than substantial harm identified and therefore would comply with paragraph 202 of the NPPF.

The proposed stand-alone carriage restoration workshop, carriage/diner and catering accommodation shed would be sited to the south west of the 1857 listed shed and would be within its setting. The size and proximity of the proposed building together with associated works comprising of additional hardstanding and track layout would have an impact on the setting of the listed 1857 shed. The question is whether or not the proposal would alter the setting in such a way as to cause harm to the significance of the listed shed.

The site is an evolved and evolving industrial site. As a working railway depot, it is viewed in close by and wider distances within its industrial site context. The proposed stand-alone carriage shed would not alter this fact. However, the way in which the listed shed is experienced would be altered by the proximity of the proposal but given the context of the site this alteration would not lead to substantial harm to or total loss of significance with regard to paragraph 201 of the NPPF. Therefore, the proposed stand-alone carriage shed would represent less than substantial harm to the significance of the listed shed. This harm would be outweighed by the considerable public benefits brought by the scheme as already identified above.

The proposal would therefore preserve the identified special historic and architectural significance of the Grade II listed Buckley Wells locomotive and carriage shed and its setting.

### **Internal and External Repairs to the Grade II Listed Shed -**

A comprehensive structural and condition report with a schedule of repair/restoration has

been submitted as part of the listed building consent application. Careful consideration will be given to the amount, scale and scope and level of intervention of the required repairs/restoration. As a rule, repairs will be kept to the required minimum in order to preserve the significance of the building and this will be balanced against the need to preserve the fabric of the building with regard to air and water tightness and structural integrity.

The repairs and restoration are acceptable and comprise of external roof repairs, window repairs, external brick repairs and internal roof timber repairs.

Conditions would be imposed on any listed building consent for the formal assessment of condition and method of repair, scope and intervention to be submitted to and approved in writing by the local planning authority before the commencement of works for repair or restoration.

It is recommended that a condition is also imposed for the submission of details of the external finishes for the proposed extension and stand-alone carriage building to be submitted to and approved in writing by the local planning authority before any development commences.

### **Consultee responses**

**Historic England** - On the basis of the information available to date, HE do not wish to offer any comments and suggest that the views of the LPA's specialist conservation adviser are sought.

**Greater Manchester Archaeological Advisory Service** - The application is supported by a detailed Combined Heritage and D&A Statement, prepared by Equilibrium Architects Ltd, which sets out the historic development and interest in the site and presents a robust assessment of the impact on the significance of the listed building and its setting, as required by Section 16, Paragraphs 189 and 190, of the NPPF. The application is also supported by a detailed survey of the building's fabric and structure, which provides a comprehensive record of the buildings 'as existing'. The Bury Conservation Officer may wish to advise further on the listed building, but GMAAS is not seeking any further archaeological investigation of the historic built environment.

The application is not supported by an archaeological desk-based assessment that specifically considers the potential impact of the proposed development on below-ground archaeological remains. However, from a review of the historic mapping available for the site and the detail presented in the documentation supporting the application, it is evident that the impact on below-ground archaeology is unlikely to be anything other than negligible. As such, GMAAS does not consider it necessary to impose any archaeological requirements on the applicant.

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

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

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.  
Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. This decision relates to drawings -

**Plans:**

**C-0340**

01 Rev B (Existing Site Layout),  
02 (Existing Running Shed Plans),  
03 (Existing Running Shed SW, NE Elevations & Sections)  
03-1 (Existing Running Shed SE & NW Elevations)  
08 Rev H (Proposed Site Layout)  
09 Rev C (Proposed Baron Street Improvement Works)  
10 Rev B (Proposed Phasing Plan)  
12 (Existing Ground Floor & Roof Plan)  
100 Rev E (Proposed Carriage Shed Plan)  
101 Rev D (Proposed Carriage Shed SW, NE Elevations & Section A-A)  
101-1 Rev A (Proposed Carriage Shed SE & NW Elevations)  
200 Rev D (Proposed Running Shed Ground Floor Plan)  
200-1 Rev A (Proposed Running Shed First Floor Plan)  
201 Rev B (Proposed Running Shed SW, NE Elevations & Section B-B)  
201-1 Rev B (Proposed Running Shed SE & NW Elevations)  
202 (Proposed Running Shed Elevation Details)  
SLP Rev B (Site Location Plan)

**TRI-2480-03-A1** (Existing Internal Elevations)

04 (Existing Sections)

**TRI-2313 TRI-2313-01-A1 Existing Site Layout**

02 A1 Existing Site Layout  
03 A1 Existing Site Layout  
04 A1 Existing Site Layout  
05 A1 Existing Site Layout  
06 A1 Existing Site Layout  
07 A1 Existing Site Layout  
08 A1 Existing Site Layout  
09 A1 Existing Site Layout  
10 A1 Existing Site Layout  
11 A1 Existing Site Layout

**Supporting Documents:**

Additional Biodiversity Report by Blackfryers 20 Dec 2021 Final  
Bat Scoping Report by UES 1 Dec 2021 ref UES 503532/01  
Summary of proposed works Rev A  
190626 ELR habitat report dated 25 June 2019 by Blackfryers  
Structural Report  
Interim Ground Investigation & Risk Assessment Report  
PAS00020 ADVICE- Coal Authority  
NX397 Coal Mining Risk Assessment Final  
SCP\_18638\_Transport Statement\_16.12.20\_v3issue-by SCP  
Appendix 6.3 Timberwise Survey Report  
Survey of the Fabric- Buckley Wells- 1-302  
Combined Heritage and Design & Access Statement

and the development shall not be carried out except in accordance with the

drawings hereby approved.

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

3. Details of the external finishes of the locomotive shed extension and stand-alone carriage shed hereby approved shall be submitted to and approved in writing by the Local Planning Authority before any development commences. Only the approved materials/bricks shall be used for the construction of the development.  
Reason. For the avoidance of doubt, in the interests of visual amenity and to ensure a satisfactory standard of repair and to preserve the significance of the Grade II listed Buckley Wells Carriage Shed pursuant to adopted Bury Unitary Development Plan policy EN2/3 - Listed Buildings and paragraphs 194, 195, 197, 199, 200, 201 and 202 of the National Planning Policy Framework.
4. Repairs/replacement to the roof covering shall be carried out in accordance with the submitted Survey of Fabric - C-0340 Revision A and relevant Grid Survey Reference, Timberwise Report - G62753-GF-CRW and Booth King Structural Engineer Report - 12889 using the existing natural slates and any replacements required shall be of the same type, size, thickness and colour of natural slate as the existing original natural slates.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of repair and to preserve the significance of the Grade II listed Buckley Wells Carriage Shed pursuant to adopted Bury Unitary Development Plan policy EN2/3 - Listed Buildings and paragraphs 194, 195, 197, 199, 200, 201 and 202 of the National Planning Policy Framework.
5. Repairs/restoration/replacement of the internal roof timbers shall be carried out in accordance with the submitted Survey of Fabric - C-0340 Revision A and relevant Grid Survey Reference, Timberwise Report - G62753-GF-CRW and Booth King Structural Engineer Report - 12889.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of repair and to preserve the significance of the Grade II listed Buckley Wells Carriage Shed pursuant to adopted Bury Unitary Development Plan policy EN2/3 - Listed Buildings and paragraphs 194, 195, 197, 199, 200, 201 and 202 of the National Planning Policy Framework.
6. Cleaning and re-pointing the internal and external brickwork shall be carried out in accordance with the submitted Survey of Fabric - C-0340 Revision A and relevant Grid Survey Reference. Raking out of brickwork shall be carried out by hand only and power tools shall not be used.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of repair and to preserve the significance of the Grade II listed Buckley Wells Carriage Shed pursuant to adopted Bury Unitary Development Plan policy EN2/3 - Listed Buildings and paragraphs 194, 195, 197, 199, 200, 201 and 202 of the National Planning Policy Framework.
7. Samples of replacement brick to be used in any repairs shall be submitted to and approved in writing by the Local Planning Authority before the replacements are used.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of repair and to preserve the significance of the Grade II listed Buckley Wells Carriage Shed pursuant to adopted Bury Unitary Development Plan policy EN2/3 - Listed Buildings and paragraphs 194, 195, 197, 199, 200, 201 and 202 of the National Planning Policy Framework.
8. Details of the repair, restoration, or replacement of timber window frames and

glazing shall be submitted to and approved in writing by the Local Planning Authority before works to repair the windows are started or windows replaced and shall be carried out in accordance with the submitted Survey of Fabric - C-0340 Revision A and relevant Grid Survey Reference and Timberwise Report - G62753-GF-CRW. Details must include a condition report of the existing windows, method statement of repair, details of design and section drawing showing window set back reveal where appropriate. The approved details only shall thereafter be implemented.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of repair and to preserve the significance of the Grade II listed Buckley Wells Carriage Shed pursuant to adopted Bury Unitary Development Plan policy EN2/3 - Listed Buildings and paragraphs 194, 195, 197, 199, 200, 201 and 202 of the National Planning Policy Framework.

9. Details of replacement timber doors in accordance with Survey of Fabric - C-0340 Revision A and relevant Grid Survey Reference shall be submitted to and approved in writing by the Local Planning Authority before the replacements are used.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of repair and to preserve the significance of the Grade II listed Buckley Wells Carriage Shed pursuant to adopted Bury Unitary Development Plan policy EN2/3 - Listed Buildings and paragraphs 194, 195, 197, 199, 200, 201 and 202 of the National Planning Policy Framework.

10. Details of the replacement western rooflight and lantern to the shed shall be submitted to and approved in writing by the Local Planning Authority before the rooflight or lantern is replaced and shall be carried out in accordance with the submitted Survey of Fabric - C-0340 Revision A and relevant Grid Survey Reference and Timberwise Report - G62753-GF-CRW. Details must include a plan showing the details of design. the approved details only shall thereafter be implemented.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of repair and to preserve the significance of the Grade II listed Buckley Wells Carriage Shed pursuant to adopted Bury Unitary Development Plan policy EN2/3 - Listed Buildings and paragraphs 194, 195, 197, 199, 200, 201 and 202 of the National Planning Policy Framework.

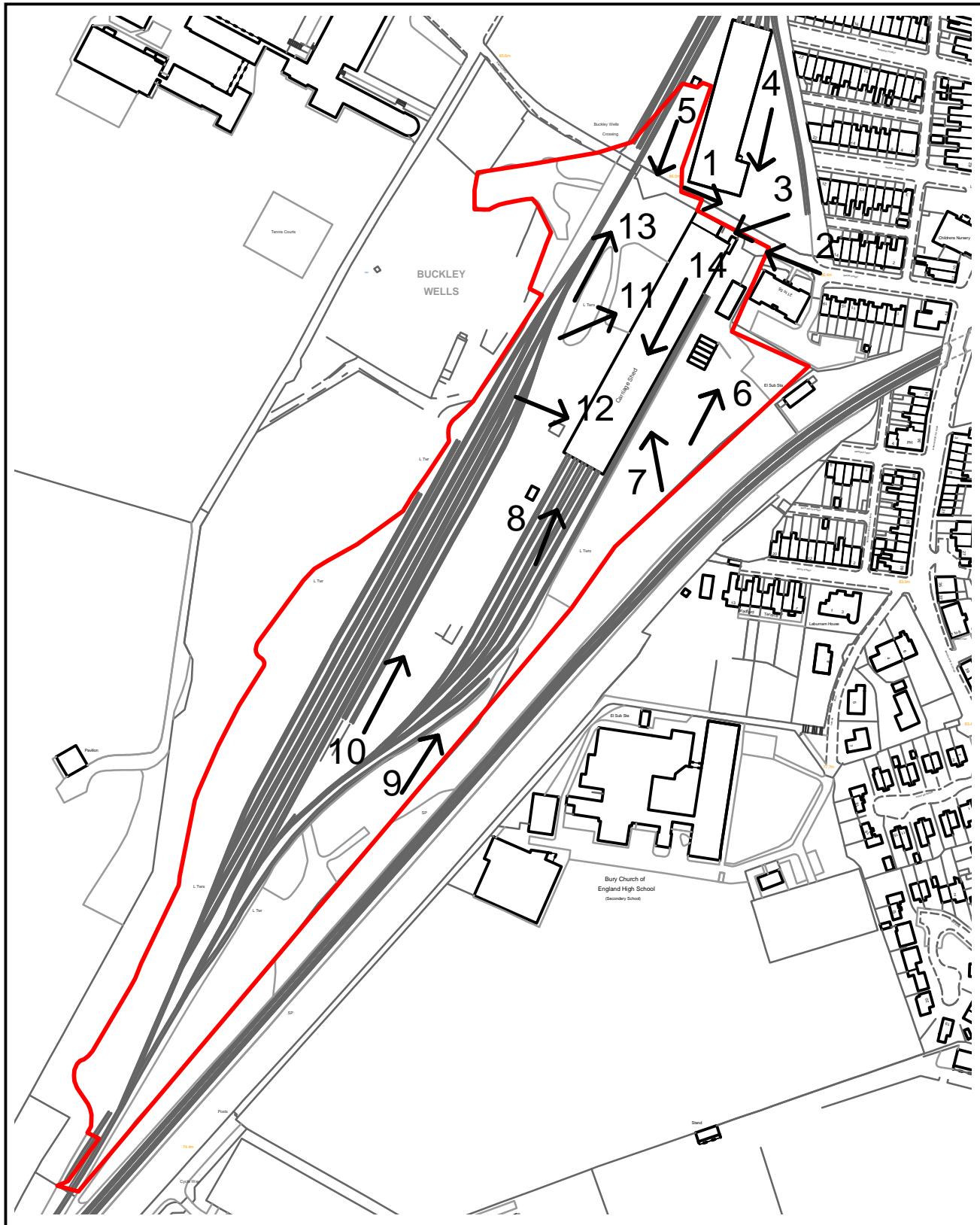
11. Details of replacement gutters, downpipes and hoppers if appropriate shall be submitted to and approved in writing by the Local Planning Authority before the replacements are carried out. The approved details only shall thereafter be implemented.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of repair and to preserve the significance of the Grade II listed Buckley Wells Carriage Shed pursuant to adopted Bury Unitary Development Plan policy EN2/3 - Listed Buildings and paragraphs 194, 195, 197, 199, 200, 201 and 202 of the National Planning Policy Framework.

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



## Viewpoints



# **PLANNING APPLICATION LOCATION PLAN**

**APP. NO 66745**

**ADDRESS:** Buckley Wells Locomotive Depot  
Baron Street



**Bury**  
COUNCIL

## **Planning, Environmental and Regulatory Services**

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

66745

Photo 1



Photo 2



66745

Photo 3



Photo 4



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Photo 5



Photo 6



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Photo 7



Photo 8



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Photo 9



Photo 10



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Photo 11



Photo 12

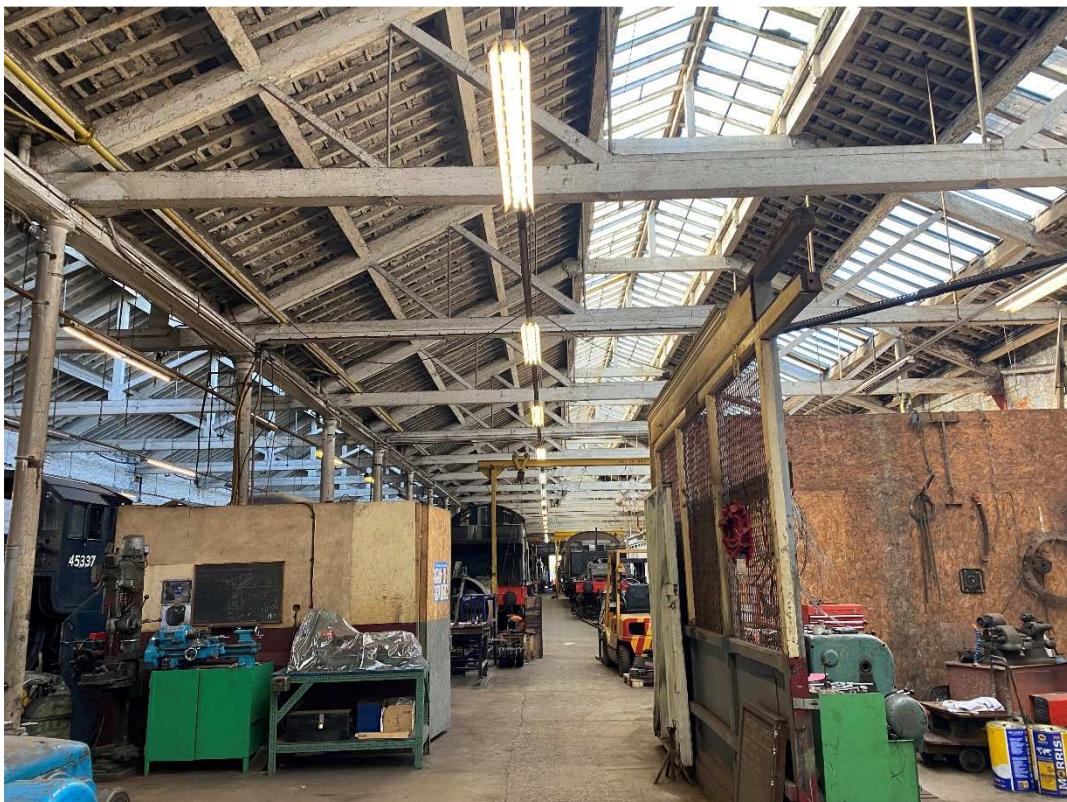


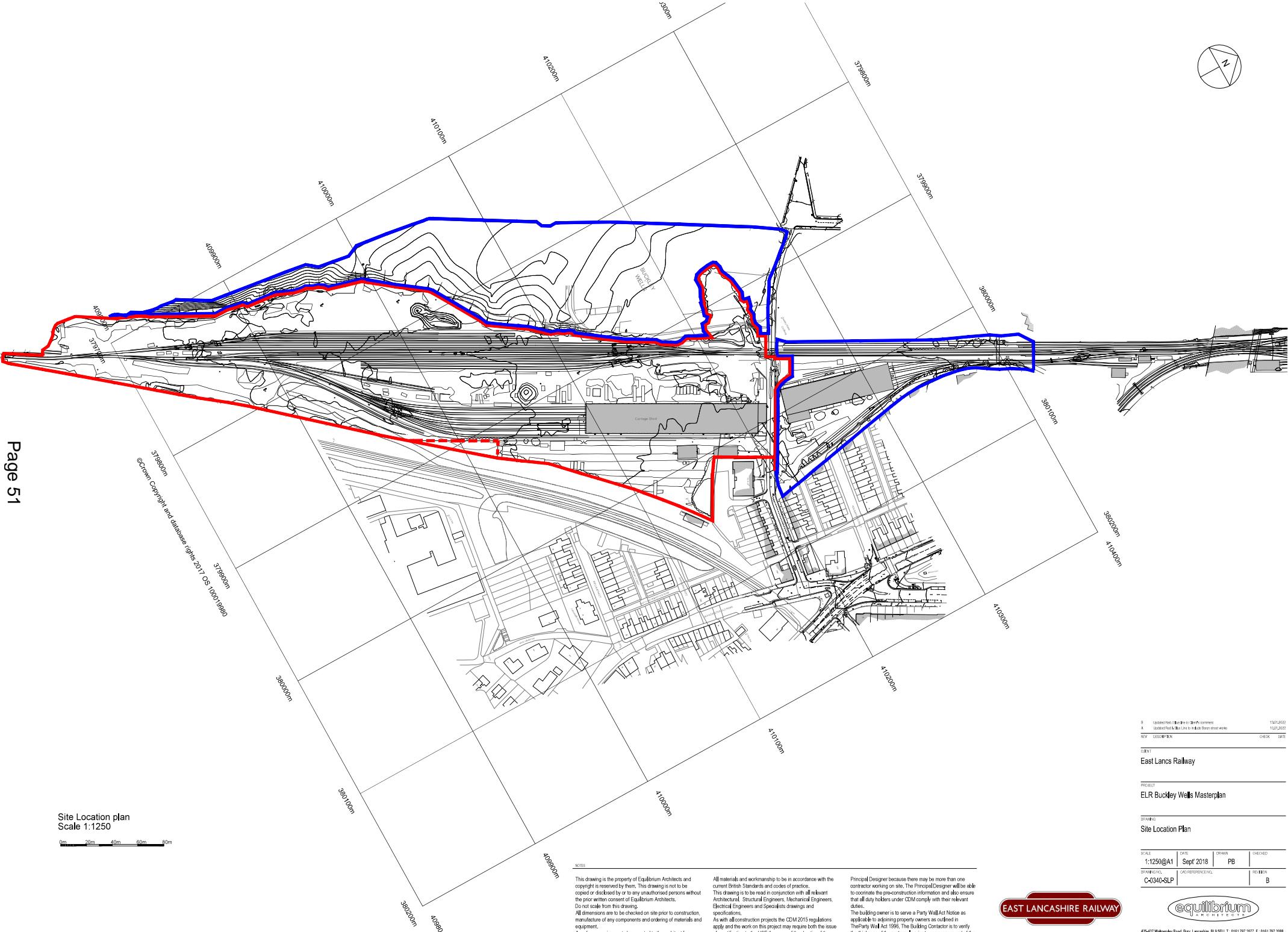
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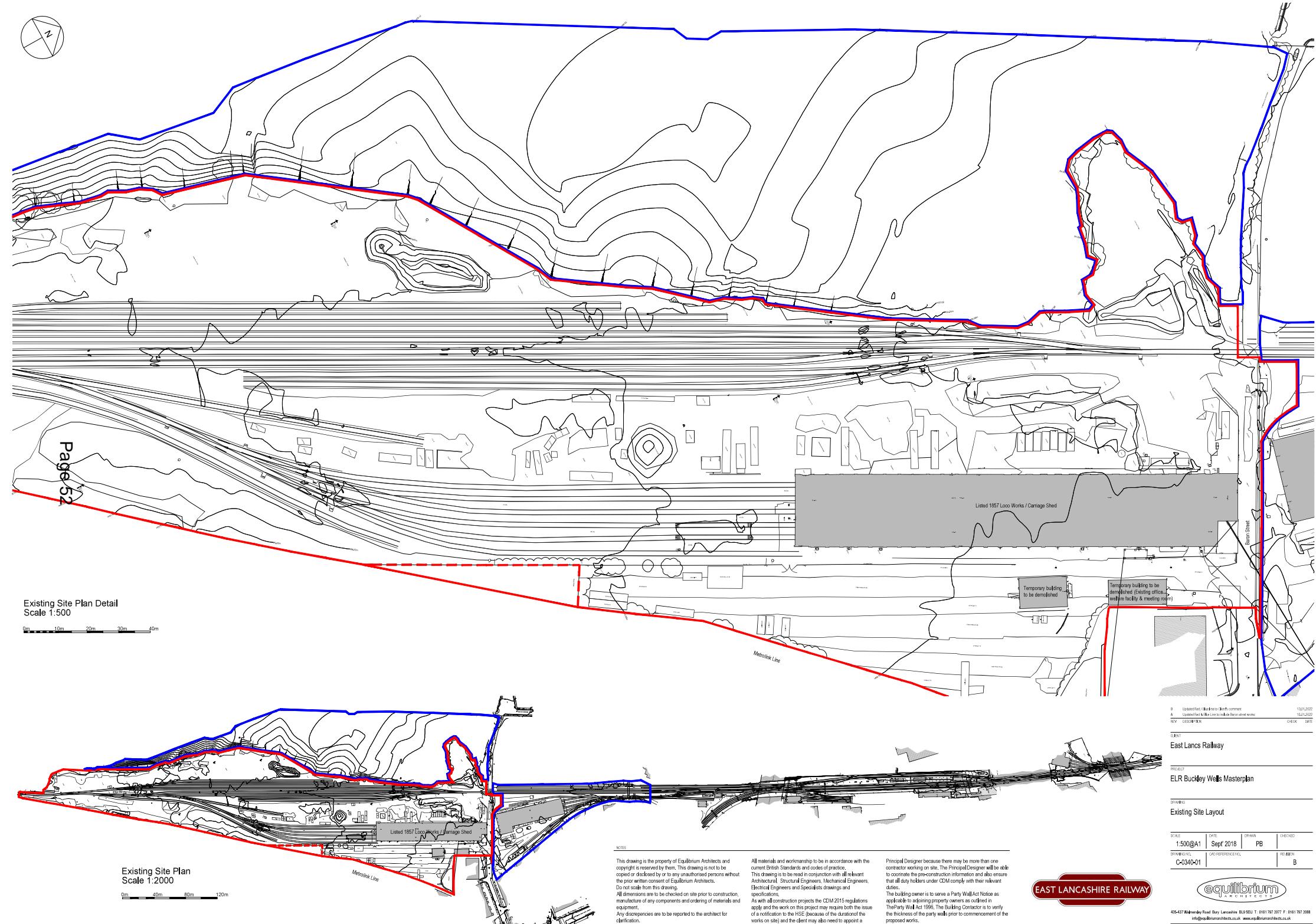
Photo 13

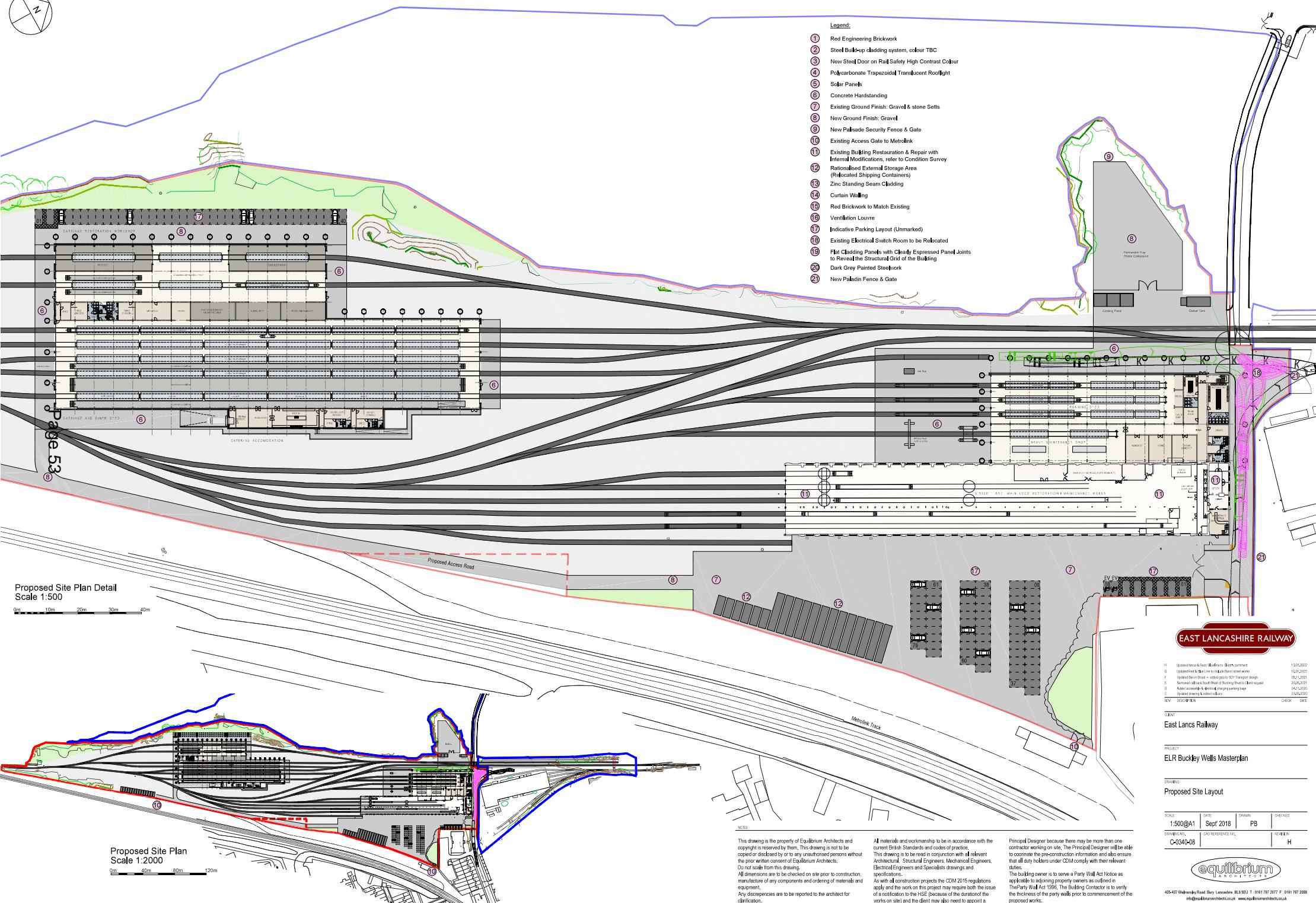


Photo 14









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Any discrepancies are to be reported to the architect for clarification. All materials and workmanship to be in accordance with the current British Standards and codes of practice.

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

As with all construction projects the CDM 2015 regulations apply and the work on this project may require both the issue of a notification to the HSE (because of the duration of the works on site) and the client may have to issue a site specific risk assessment because there may be more than one contractor working on site.

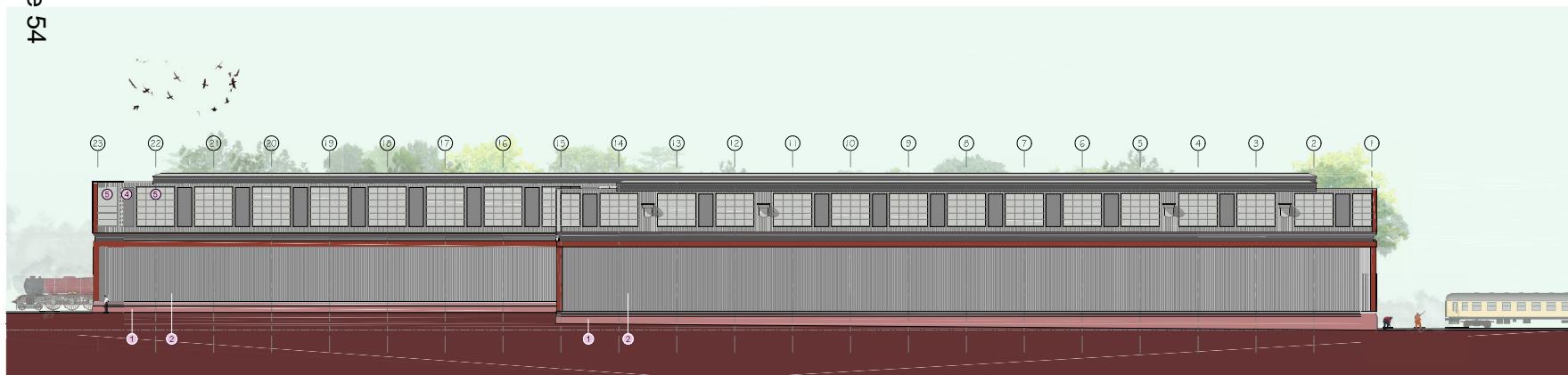
The Principal Contractor will be liable to coordinate the preconstruction information and ensure that duty holders under CDM comply with their relevant duties.

The building owner is to serve a Party Wall Act Notice as applicable to adjoining property owners as required in The Party Wall Act 1996. The Building Contractor to notify the thickness of the party walls prior to commencement of the proposed works.



Proposed South East Elevation  
Scale 1:200

Page 54

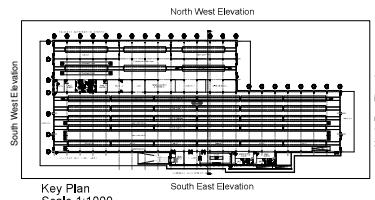


Proposed North West Elevation  
Scale 1:200

0m 2m 10m 15m 20m

Legend:	
①	Red Engineering Brickwork
②	Steel Build-up cladding system, colour TBC
③	New Steel Door
④	Polyacrylate Trapezoidal Translucent Rooflight
⑤	Solar Panels
⑥	Concrete Hardstanding
⑦	Existing Ground Finish: Gravel & stone Sets
⑧	New Ground Finish: Gravel
⑨	Palisade Security Fence
⑩	Existing Access Gate to Metrolink
⑪	Existing Building Renovation & Repair with Minor Modifications, refer to Consultative Survey
⑫	Rationalised External Storage Area (Rejected Shipping Containers)
⑬	Indicative Parking Layout (Unmarked)
⑭	Existing Electrical Switch Room to be Relocated
⑮	Zinc Standing Seam Cladding

Legend:	
⑯	Curtain Walling
⑰	Red Brickwork to Match Existing
⑱	Ventilation Louvre
⑲	Indicative Parking Layout (Unmarked)
⑳	Existing Electrical Switch Room to be Relocated



Key Plan  
Scale 1:1000



DRAFT

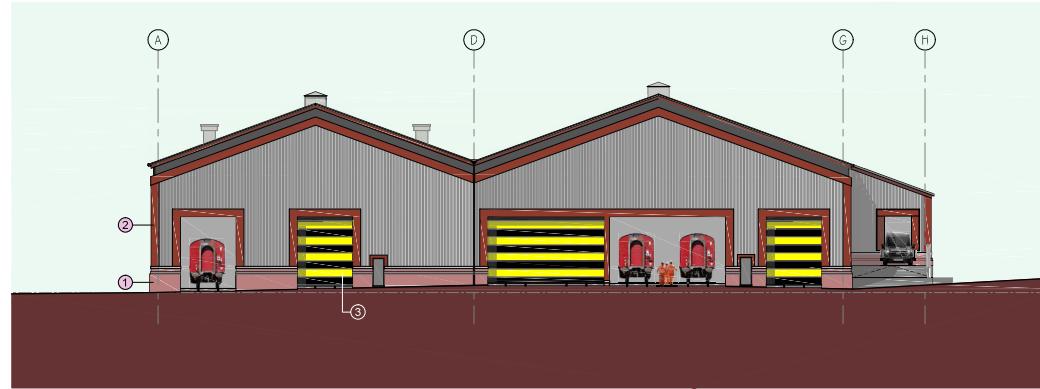
A	Architects	20/07/2018
B	Design Team	Check Date
EAST LANCASHIRE RAILWAY		
ELR Buckley Wells Masterplan		
Proposed Carriage Shed South East & North West Elevations		
SCALE	DATE	DESIGNER
1:200 @ A1	Sept 2018	PB
DRAWING NO.		
C0304-014-A		
C0304-014-A		



0m 2m 10m 15m 20m

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info@equilibriumarchitects.co.uk www.equinumarchitects.co.uk



Proposed South West Elevation  
Scale 1:200

- Legend:**
- ① Red Engineering Brickwork
  - ② Steel Built-up cladding system, colour TBC
  - ③ New Steel Door
  - ④ Polycarbonate Trapezoidal Translucent Rooflight
  - ⑤ Solar Panels
  - ⑥ Concrete Hardstanding
  - ⑦ Existing Ground Finish: Gravel & stone Sets
  - ⑧ New Ground Finish: Gravel
  - ⑨ Palisade Security Fence
  - ⑩ Existing Access Gate to Metrolink
  - ⑪ Existing Building Restoration & Repair with Internal Modifications, refer to Condition Survey
  - ⑫ Rationalised External Storage Area (Relocated Shipping Containers)
  - ⑬ Zinc Standing Seam Cladding
  - ⑭ Curtain Walling
  - ⑮ Red Brickwork to Match Existing
  - ⑯ Ventilation Louvre
  - ⑰ Indicative Parking Layout (Unmarked)
  - ⑱ Existing Electrical Switch Room to be Relocated

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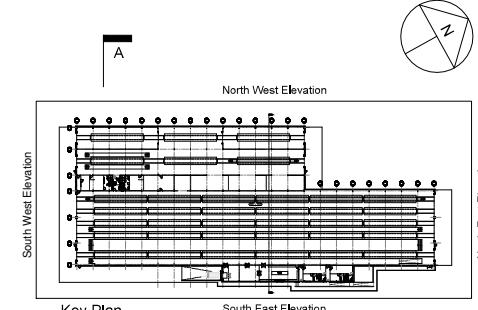
As with all construction projects the CDM 2015 regulations apply and the work on this project may require both the issue of a notification to the HSE (Health and Safety Executive) (work on site) and the client may also need to appoint a Principal Designer because there may be more than one contractor working on site.

The Principal Designer will be able to communicate the pre-construction information and also ensure that all duty holders under CDM comply with their relevant duties.

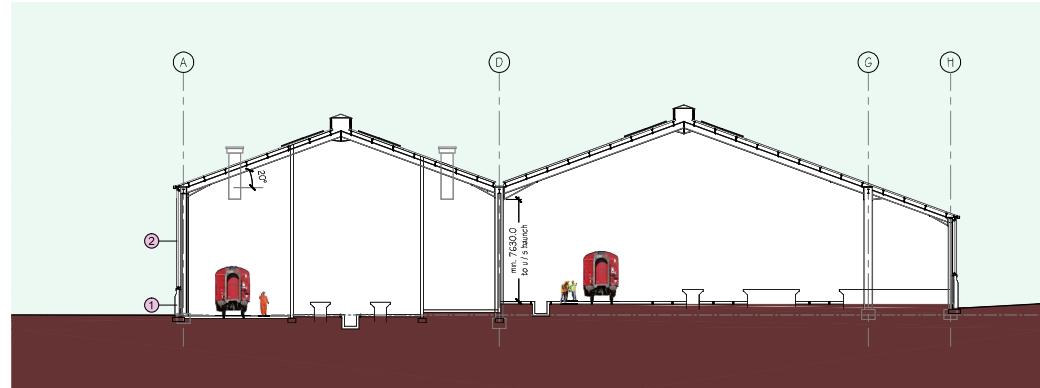
The building owner is to serve a Part W (Fact Notice as applicable to approved documents) and plan in the Party Wall Act 1996. The Building Contractor is to verify the thicknesses of the party walls prior to commencement of the proposed works.



Proposed North East Elevation  
Scale 1:200



Key Plan  
Scale 1:1000

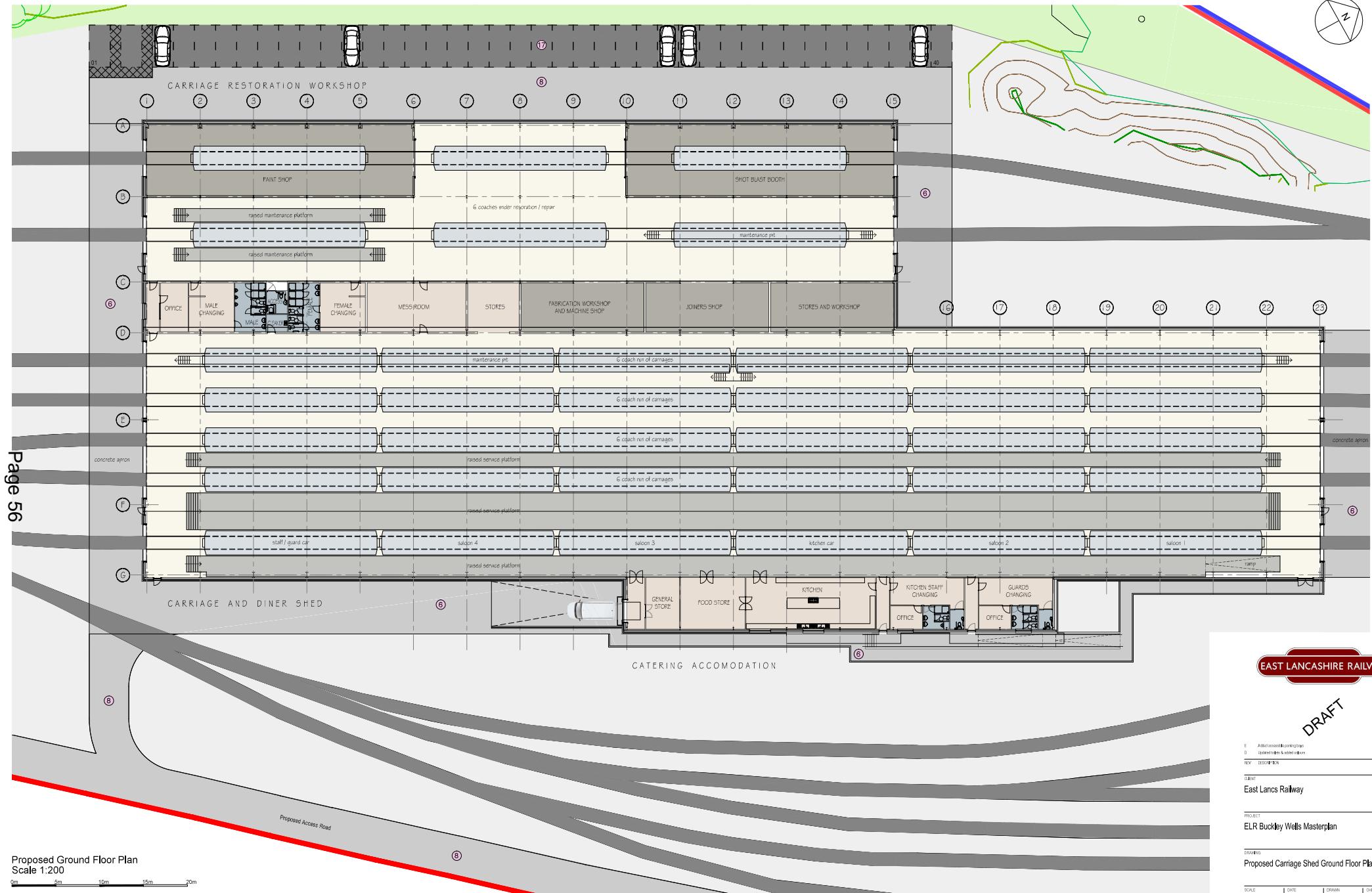


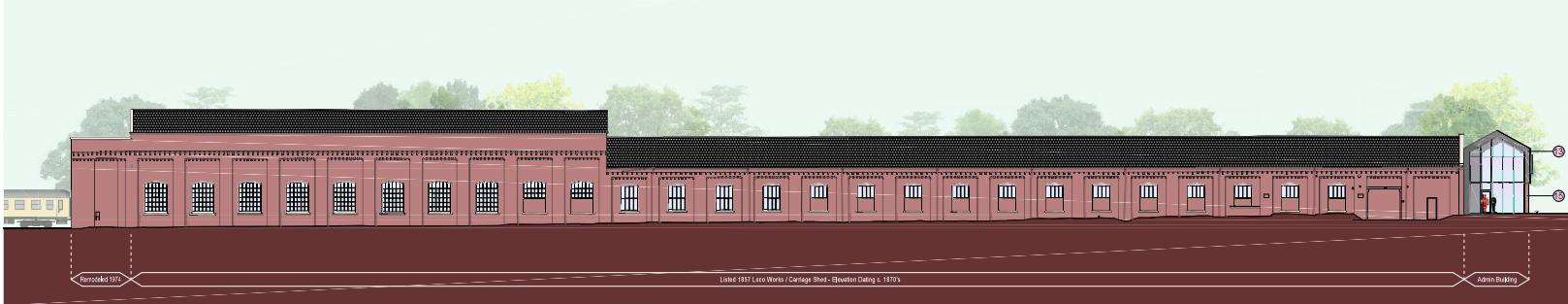
Proposed Section A-A  
Scale 1:200

**EAST LANCASHIRE RAILWAY**  
**DRAFT**

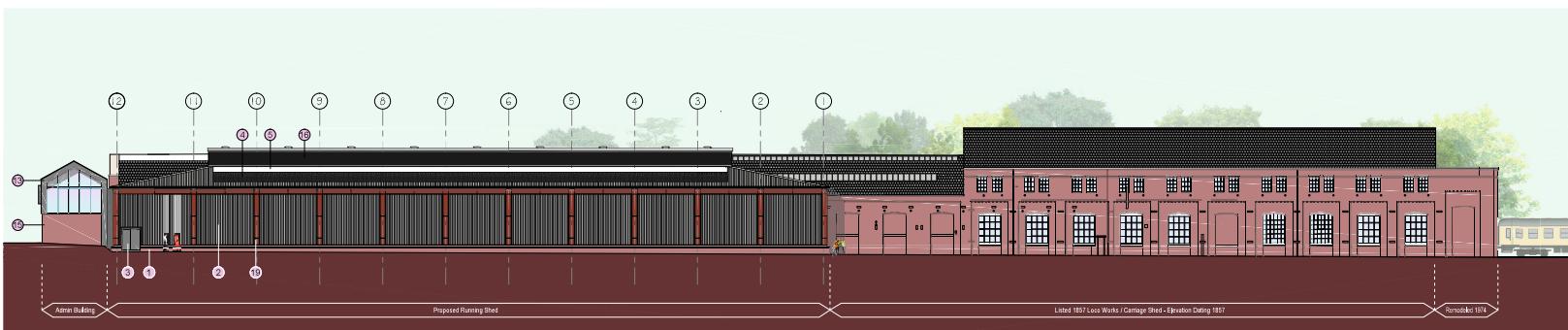
0	Addendum	2018/2019
REV.	DESCRIPTION	CHECKED
CLIENT		
East Lancs Railway		
PROJECT		
ELR Buckley Wells Masterplan		
DRAWN BY		
Proposed Carriage Shed South West, North East Elevations & Section A-A		
SCALE	DATE	DRAWN
1:200 @ A1	Sept 2018	PB
DIMINISHING	CHANGED	REMOVED
C-0340-101		

**equilibrium**  
ARCHITECTS





Proposed South East Elevation  
Scale 1:200



Proposed North West Elevation  
Scale 1:200



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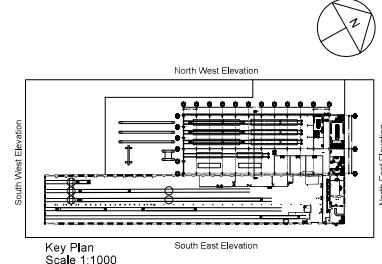
All materials and workmanship to be in accordance with the current British Standards and codes of practice.

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

As built drawings will be issued under the CDM 2015 regulations and apply to the work on this project but will only issue the basis of a notification to the HSE (because of the duration of the works on site) and the client has the right to request a full risk assessment and method statement because there may be more than one contractor working on site.

The Principal Designer will be responsible for the pre-construction information and the Health and Safety Officer will remain on site with their representatives.

The building owner is sent a Party Wall Notice as applicable to adjoining property owners as required by the Party Wall Act 1996. The notice will be served at least 12 weeks before the start date of the job or commencement of the proposed works.



EAST LANCASHIRE RAILWAY

ELR Buckley Wells Masterplan

DRAWING			
Proposed Running Shed			
South East & North West Elevations			
SCALE	DATE	COPYRIGHT	DRAWN BY
1:200 @ A1	Sept 2018	PB	
DRAWING NO.	C-2010-201-1		REVISION
DESIGNER	CADD PREFERENCE INC.		B

05-07 Wimbley Road, Bury, Lancashire BL9 5EU T: 0161 737 2077 F: 0161 737 2088  
info@eqzarchitects.co.uk www.eqzarchitects.co.uk



Proposed North East Elevation  
Scale 1:200

## Legend:

- ① Red Engineering Brickwork
- ② Steel Buck-up cladding system, colour TBC
- ③ New Steel Door on Rail Safety High Contrast Colour
- ④ Polycarbonate Trapezoidal Translucent Rooflight
- ⑤ Solar Panels
- ⑥ Concrete Hardstanding
- ⑦ Existing Ground Finish: Gravel & stone Sets
- ⑧ New Ground Finish: Gravel
- ⑨ Palsade Security Fencing
- ⑩ Existing Access Gate to Metrolink
- ⑪ Existing Building Restoration & Repair with Internal Specification, refer to Condition Survey
- ⑫ Rationalised External Storage Area (Relocated Shipping Containers)
- ⑬ Zinc Standing Seam Cladding
- ⑭ Curtain Walling
- ⑮ Red Brickwork to Match Existing
- ⑯ Ventilation Louvre
- ⑰ Indicative Parking Layout (Unmarked)
- ⑱ Existing Electrical Switch Room to be Relocated
- ⑲ Flat Cladding Panels with Clearly Expressed Panel Joints to Reveal the Structural Grid of the Building
- ⑳ Dark Grey Painted Steelwork

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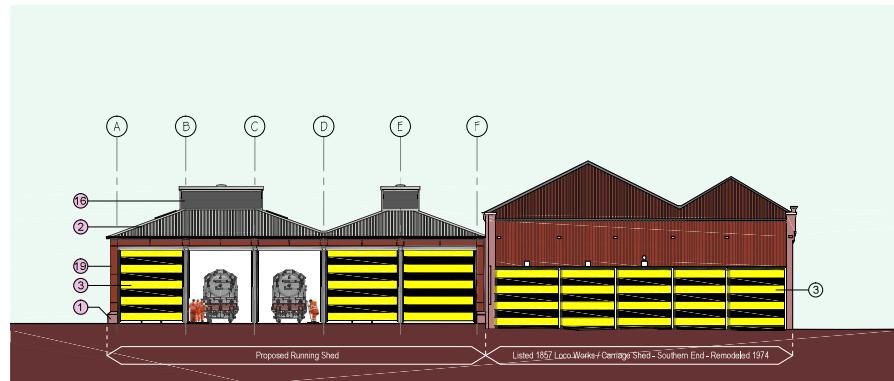
At all times and workmanship to be in accordance with the current British Standards and codes of practice.

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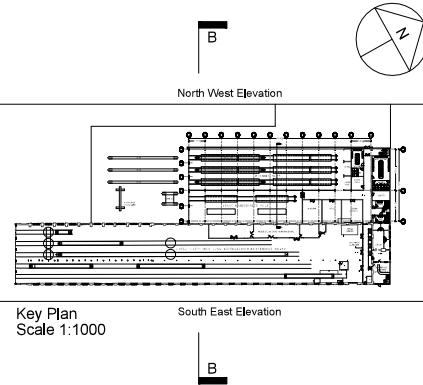
As with all construction projects the CDM 2015 regulations apply and the work on this project may require both the issue of a notification to the HSE (because of the duration of the works on site) and the client may also need to appoint a Principal Designer because there may be more than one designer involved in the project.

The Principal Designer will be able to coordinate the pre-construction information and also ensure that all duty holders under CDM comply with their relevant duties.

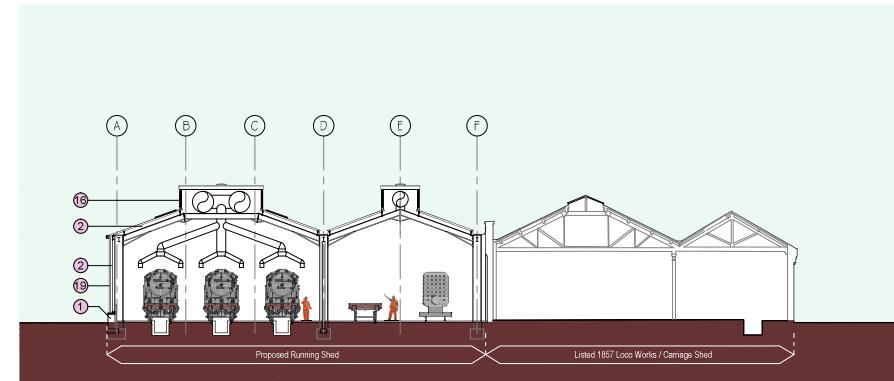
The building owner is to serve a Party Wall Act Notice as outlined in the Party Wall Act 1996 to adjoining property owners as outlined in The Party Wall Act 1996. The Building Contractor is to verify the thickness of the party walls prior to commencement of the proposed works.



Proposed South West Elevation  
Scale 1:200



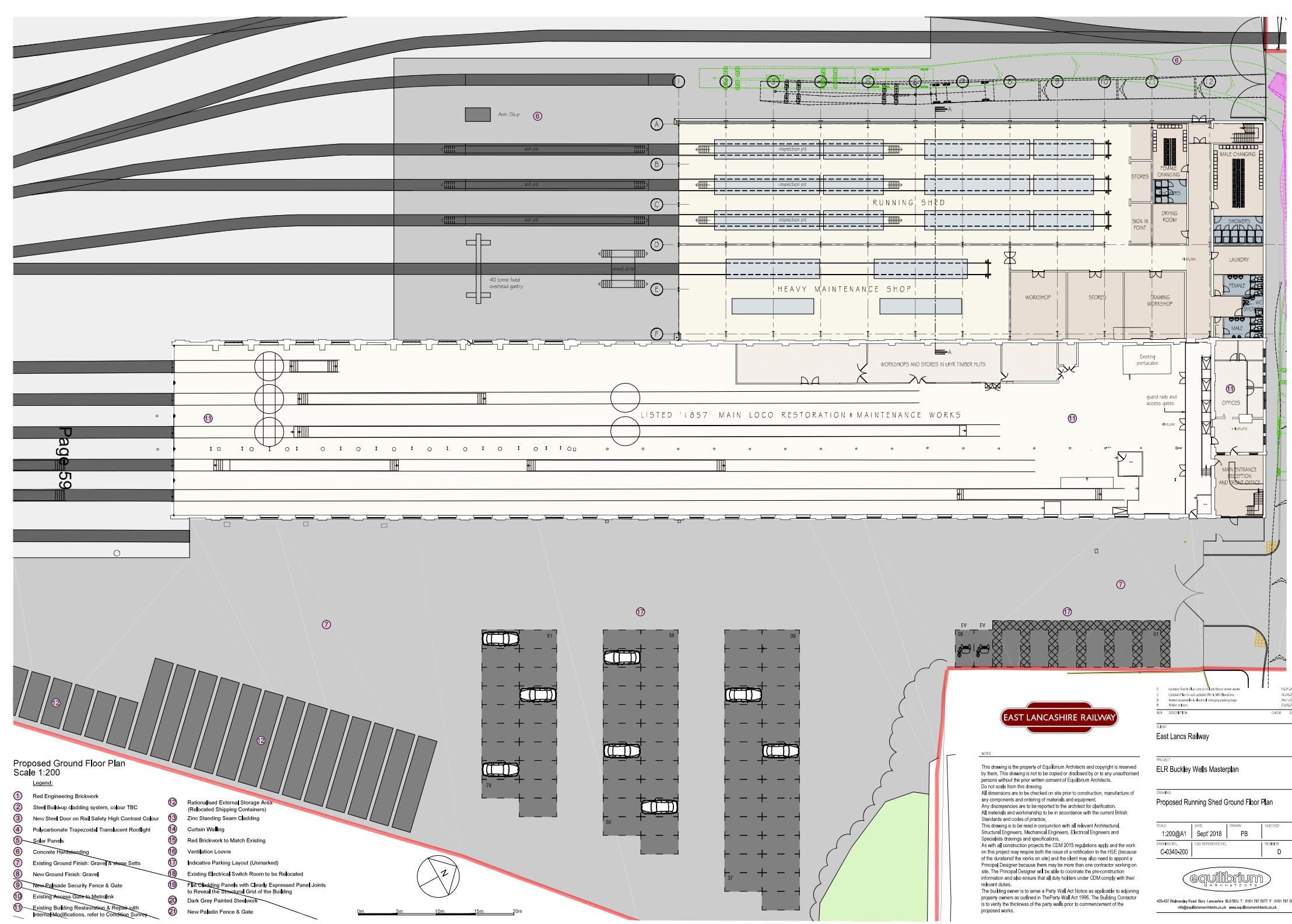
Key Plan  
Scale 1:1000



Proposed Section B-B  
Scale 1:200

B	Updated South West Elevation	(B201001) 25/02/2018	
A	Architect's Name	REV. DESCRIPTION CHECK DATE	
CLIENT			
East Lancs Railway			
PROJECT			
ELR Buckley Wells Masterplan			
DRAWN BY			
Proposed Running Shed South West, North East Elevations & Section B-B			
SCALE	DATE	DRAWN	CHEKED
1:200@A1	Sept 2018	PB	
DESIGNING	CHIEF REFERRED TO	REVISION	
C-0340-201		B	





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**Ward:** Bury East - Moorside

**Item** 03

**Applicant:** Sona Co-Living Ltd

**Location:** 206 Walmersley Road, Bury, BL9 6LL

**Proposal:** Change of use to 8-bedroom HMO (Sui Generis) and formation of front and rear lightwells

**Application Ref:** 67867/Full

**Target Date:** 27/01/2022

**Recommendation:** Approve with Conditions

### **Description**

The site relates to a three storey mid-terraced property on a row of similar styled properties. The dwellinghouse was converted to a 6 no. house of multiple occupation (HMO) under permitted development (Use Class C4).

The row fronts a main road and there is an alley (Back Albion Place) running along the backs of these houses. Over the rear alley to the east are a row of two storey terraced houses. Across Walmersley Road are mixed residential properties.

There is a large enclosed rear yard where bins would be stored and which provides some outdoor amenity space.

The proposal involves:-

Basement - 2 no. bedrooms with en-suites

Ground floor - 1 no. bedroom with ensuite and a communal lounge, kitchen and dining areas.

First floor - 3 no. bedrooms with en suites with a small communal office workspace.

Second floor - 2 no. bedrooms with en suites.

To accomodate bedrooms in the basement, the proposal also includes the formation of a light wells to the front and rear.

The smallest bedroom would be 14.3sqm with the largest measuring 24.3sqm. There would be space for parking one car in the rear yard with a bike store and bin storage.

### **Relevant Planning History**

47760 (204, 206 & 208 Walmersley Road) - Conversion into 12 one and two bedroom apartments – approved 20/07/2007.

39210 (206 & 208 Walmersley Road) - Change of use from bed & breakfast to house in multiple occupation to provide 16 bedrooms – approved 01/07/2002.

30670 - Single storey kitchen extension at rear – approved 07/03/1995.

28993 - Change of use from dwelling to residential guest house (Class C1) – approved 05/10/1993.

### **Publicity**

Immediate neighbours notified by letter dated 20/12/2022. Four objections received from nearby residents. Concerns summarised:

- This area is becoming more deprived and attracting landlords who want to maximise profit over community. This property should remain a family home. The area is being blighted by many HMO establishments that bring no quality to the area whatsoever. Current properties of this type within walking distance are a disgrace to the eye. Unkept, dirty, poor repair.

- Concerns about noise
- problems with parking
- problems with scattered bins and rats and disease.

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

**Traffic Section** - No objections received. Any comments made will be reported in the supplementary agenda.

### **Pre-start Conditions** - N/A

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

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/4	Conversions
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD11	Parking Standards in Bury
SPD13	Conversion of Buildings to Houses in Multiple Occupation
NPPF	National Planning Policy Framework

### **Issues and Analysis**

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

**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, it is 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 material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

**Principle** - The property is currently a vacant dwellinghouse (Use Class C3) which would have a 'permitted development fallback' to form a 6 person HMO, under current regulations. The permitted development position together with the history of the site suggests that the principle of a conversion to a HMO is acceptable.

The conversion of houses to HMO's can often make an important contribution to local housing stock. However, it is recognised that such conversions can put pressures on the amount of accommodation provided, put demands on parking and have an adverse effect on residential amenity and the character of an area.

The main issues with this proposal are what impact the clear intensification of the residential use of the premises would have in planning terms and in relation to the suitability of the site and location, impacts on amenity, nature of the local environment, surrounding land uses and highway issues.

**Policy H2/4** - Conversions specifically has regard to effects on amenity of neighbouring properties, general character of the area, amenity of occupants, effects from external changes on the street scene and car parking and servicing requirements.

These issues are discussed in more detail below and in light of policies H1/2 and H2/4.

**Visual amenity and Streetscape** - The main external changes to the building would be the formation of the lightwells at the front and rear. There would be the usual multi-doorbell arrangement at the entrance but generally there would be no significant impact on the character and appearance of the building or streetscape. The bins would be kept with the rear yard area so should not cause particular concern. In terms of visual amenity, the proposal is considered to be acceptable and complies with UDP Policy and guidance in relation to HMOs.

**Layout** - In terms space standards, the applicant confirms that the proposed bedrooms would exceed the minimum standards set out in HMO licensing standards and the Nationally described Space Standards.

It is also stated that the communal areas in the form of a kitchen, lounge and dining areas and study area would provide good internal communal space.

Whilst the property could convert to a 6 person HMO without permission, the revised scheme which reduces the number of bedrooms from the 9 originally proposed, to 8. It is considered that this would now not give rise to particular concerns regarding the size and quality of communal living and recreation areas within the property. The proposed floor plans show the proposed communal areas would now comprise a kitchen/diner/lounge (32sqm), a front living room (16.4sqm) and a small work area only, to provide the kitchen, lounge and dining area.

Externally, there would be little change to the existing arrangements and facilities. Suitable bin storage would be located to the rear of the yard area, close to the rear doors. There would be cycle store and a parking space provided. There would be sufficient space left for drying clothes and incidental recreation/sitting out areas.

On balance, the revised layout with 8 units would comply with Policies H1/2, H2/1, H2/2 and H2/4.

**Impact on residential amenity** - In terms of the site and surroundings, the existing property fronts onto a very busy road and has residential properties on either side, to the rear and across the road to the front. A number of properties along Walmersley Road have been converted into HMOs.

The existing property on 1st and 2nd floor levels has 6 bedrooms. This number would be reduced to 5 and three additional units would be created on the ground floor and basement areas. This proposed internal arrangement is unlikely to generate additional noise, disturbance and activity to cause serious harm to neighbour amenity. In terms of residential amenity, the proposal is acceptable and complies with UDP Policy and guidance relating to HMO's.

**Highway and parking** - There is no specific car parking standards for HMO's in SPD11 Parking Standards in Bury. SPD 13 The Conversion of Buildings to Houses in Multiple Occupation gives some general advice.

It states that parking and road safety issues will be important considerations when assessing a planning application and any proposal that is considered to have a detrimental impact on highway safety or harm to amenity will not be permitted. Car parking provision should meet the requirements of the likely occupants and, where possible, should be provided off-street. HMO's are best located in sustainable areas well served by public transport and close to amenities, services and facilities, which can reduce the demand of parking.

With regard to the site, there are parking restrictions along this part of Walmersley Road with double yellow lines and a cycle way running in front of the property. At the rear, there is an access which is wide enough for one car. The parking for properties in the vicinity is mostly on-street with some off-street in rear yard areas.

There is limited parking for the HMO. Whilst it is generally recognised that car ownership tends to be lower for those who occupy HMOs compared to other households, it is clear that the proposed 8-bedroom HMO could have the potential to generate a greater demand for car parking than either the existing family dwelling or a 6-bed HMO 'permitted' under the current planning regulations . Whilst some residents of the HMO may not require access to a car, there is no means to secure this and any cars associated with the use would have to park within the yard or, if this is not available, on nearby streets alongside other residents in the locality.

In terms of the sustainability of the location, the property is situated on a main road and bus route into Bury Town Centre and as such could be considered 'sustainable', situated about 700m' to the north of the town centre. .

Given the location of the site in relation to the town centre together with the provision of one parking space and secure cycle storage, it is considered that it would be difficult to sustain a reason to refuse the proposal in traffic/parking grounds. The proposal would, on balance, would be acceptable and comply with UDP policies H2/4, HT2/4 and SPD13 with regard to HMOs.

**Permitted Development** - Under 'Permitted development' the Local Planning Authority does not have any control over the use of the property as a 6-bed HMO. The critical issue is whether the two additional bedrooms would make a significantly material and detrimental impact on residential amenity and highway safety. In view of the above it is considered that the development is acceptable.

## **Response to objections**

Many of the points raised have been responded to within the main report. In relation to the character and building, the building is in a good state of repair and presents itself appropriately to the street. Any dilapidous building can be subject to Enforcement processes.

Vermin is not a planning concern.

**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.

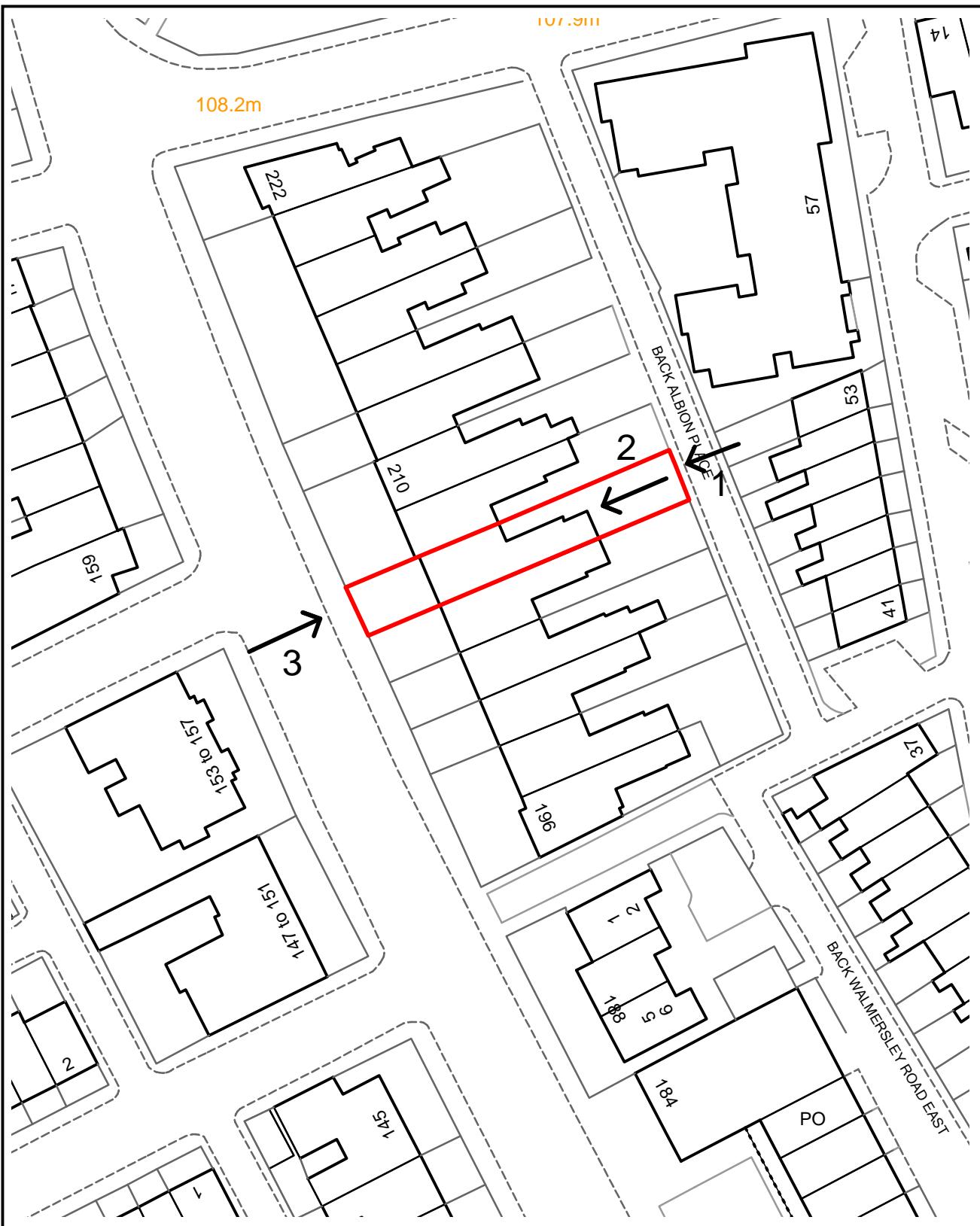
**Recommendation:** Approve with Conditions

**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 existing drawings numbered TQRQM21300094826253, 001, 002 rev B, 003, 004 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The car parking and cycle storage indicated on the approved plans shall be demarcated and made available for use prior to the first occupation of the development.  
Reason. To ensure adequate off street car parking and cycle storage in the interests of road safety pursuant to Policy H2/4 Conversions and SPD13 Conversion of Buildings to Houses in Multiple Occupation.
4. The refuse storage facilities indicated on the approved plans shall be made available for use prior to first occupation and shall thereafter remain available at all times.  
Reason - In order to ensure that the development would maintain adequate facilities for the storage of domestic waste in the interests of amenity and pursuant to the following Unitary Development Plan Policy H2/4 Conversions.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

APP. NO 67867

ADDRESS: 206 Walmersley Road  
Bury



**Bury**  
COUNCIL

Planning, Environmental and Regulatory Services

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67867

Photo 1



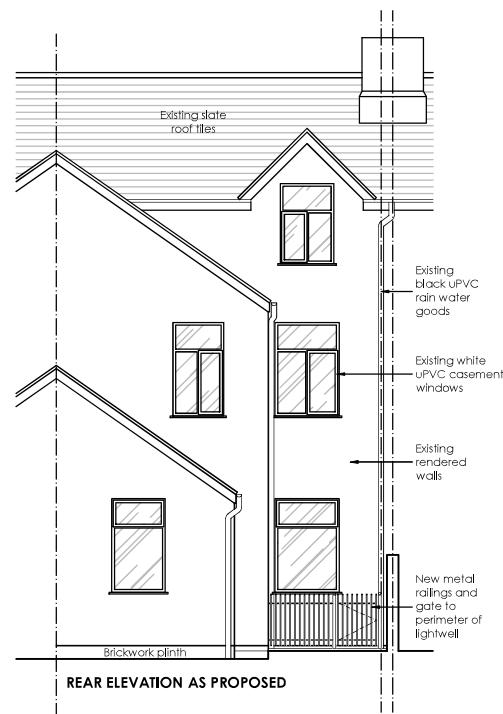
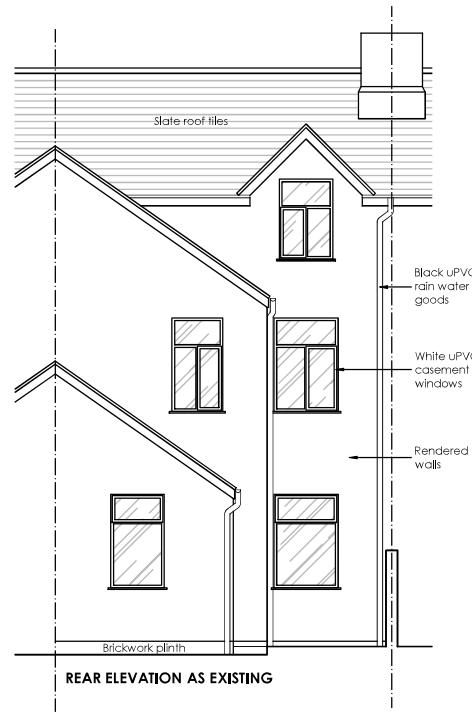
Photo 2



67867

Photo 3





# Tim Spencer Associates

Design and Project Management Consultants

12 Manley Close  
Holmes Chapel  
Cheshire CW4 7HL  
Tel/Fax: 01477 549 254  
E-mail: admin@timspencerassociates.co.uk

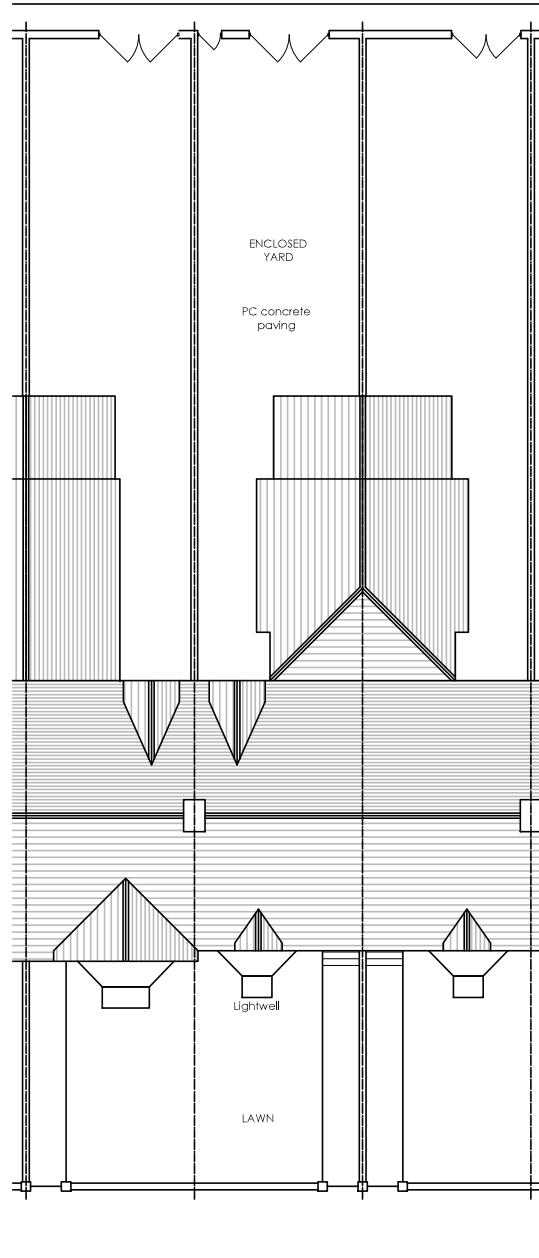
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Bury, BL9 6LL

Description:  
**EXTERNAL ELEVATIONS  
AS EXISTING & PROPOSED**

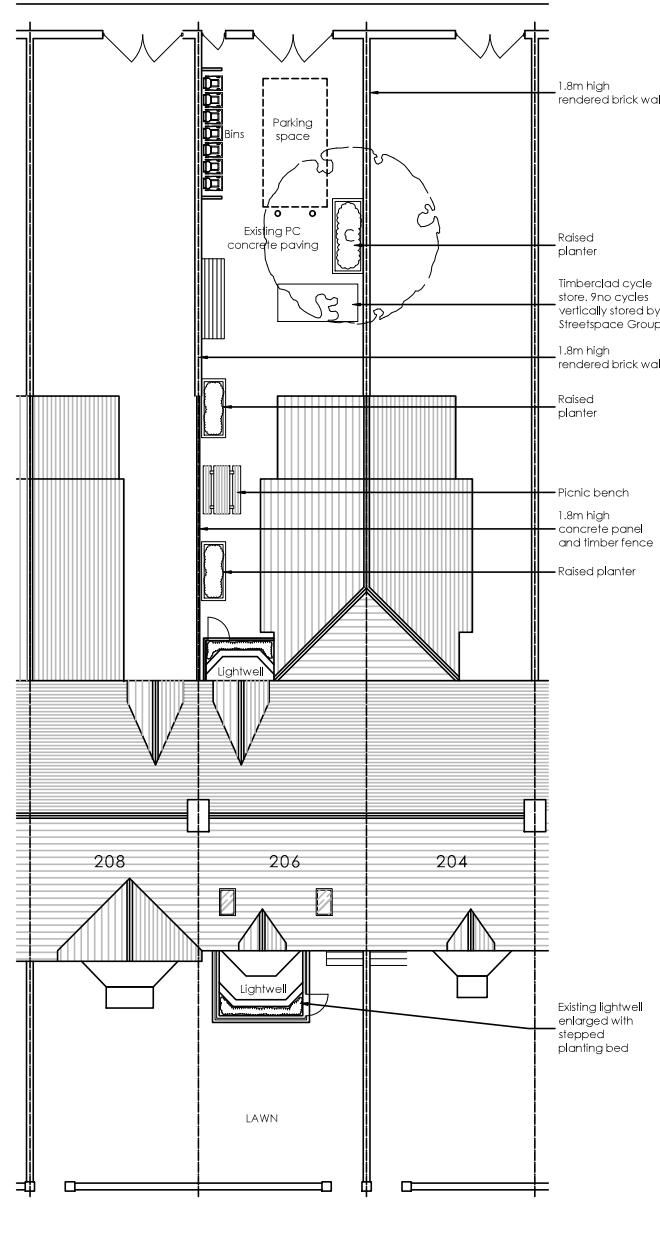
Job no: TSA 0421 Scale: A3@1/100  
Drawn no: 003 Date: 3.11.21 Rev: -

Drawing not to be scaled. Dimensions indicated must be checked on site prior to commencement of works. Any discrepancies to be reported immediately.

## BACK ALBION PLACE



## BACK ALBION PLACE



**Tim Spencer  
Associates**

Design and Project Management Consultants

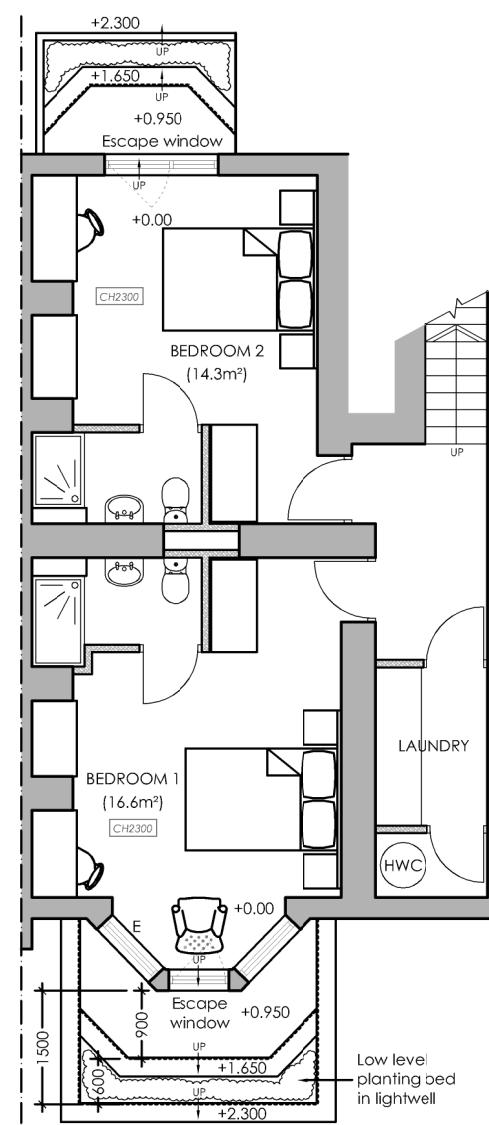
12 Manley Close  
Holmes Chapel  
Cheshire CW4 7HL  
Tel/Fax: 01677 549 254  
E-mail: admin@timspencerassociates.co.uk

Project: 206 Walmersley Road,  
Bury, BL9 6LL

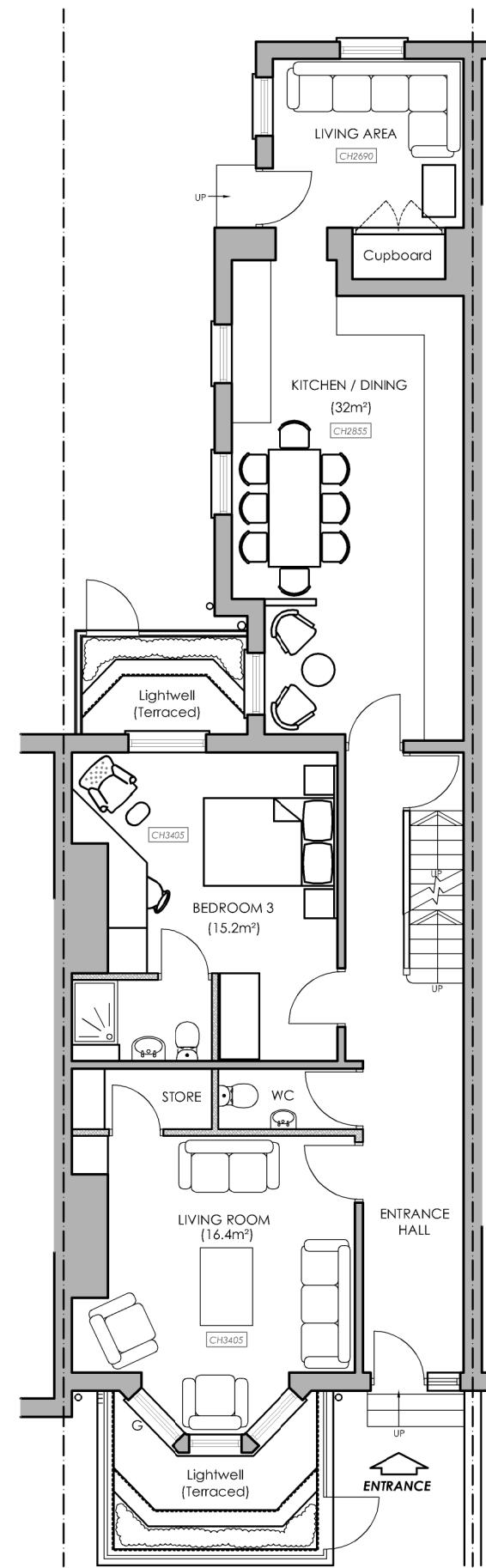
Description:  
**SITE PLANS AS EXISTING & PROPOSED**

Job no: TSA 0421 Scale: A3@1/200  
Drawg no: 004 Date: 3.11.21 Rev: -

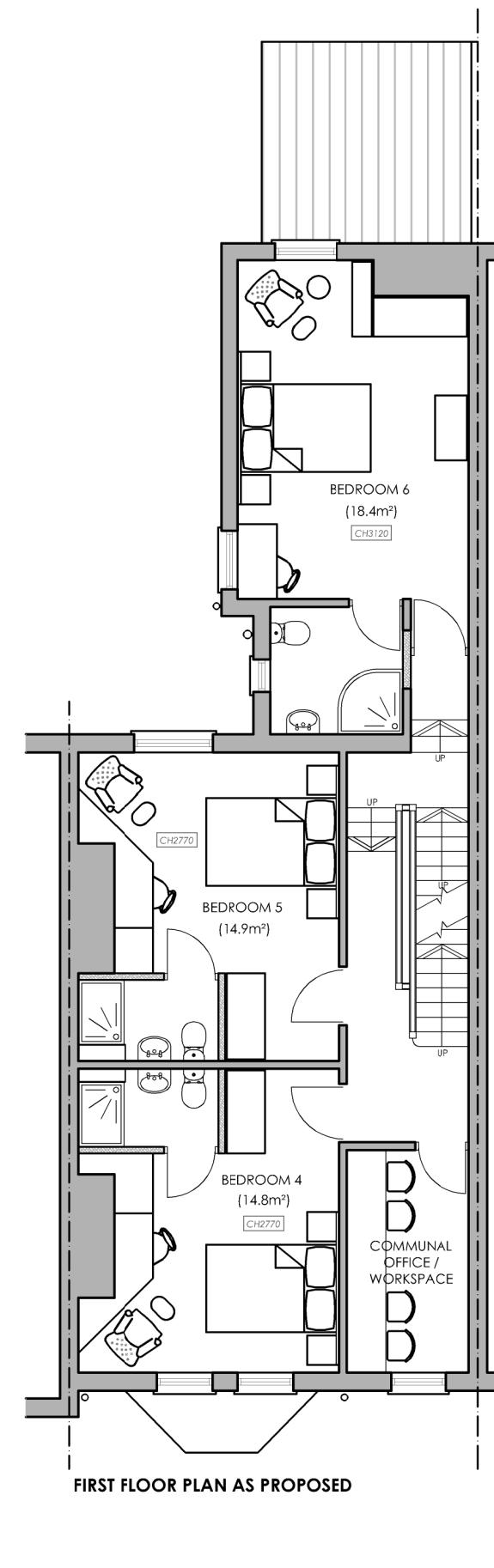
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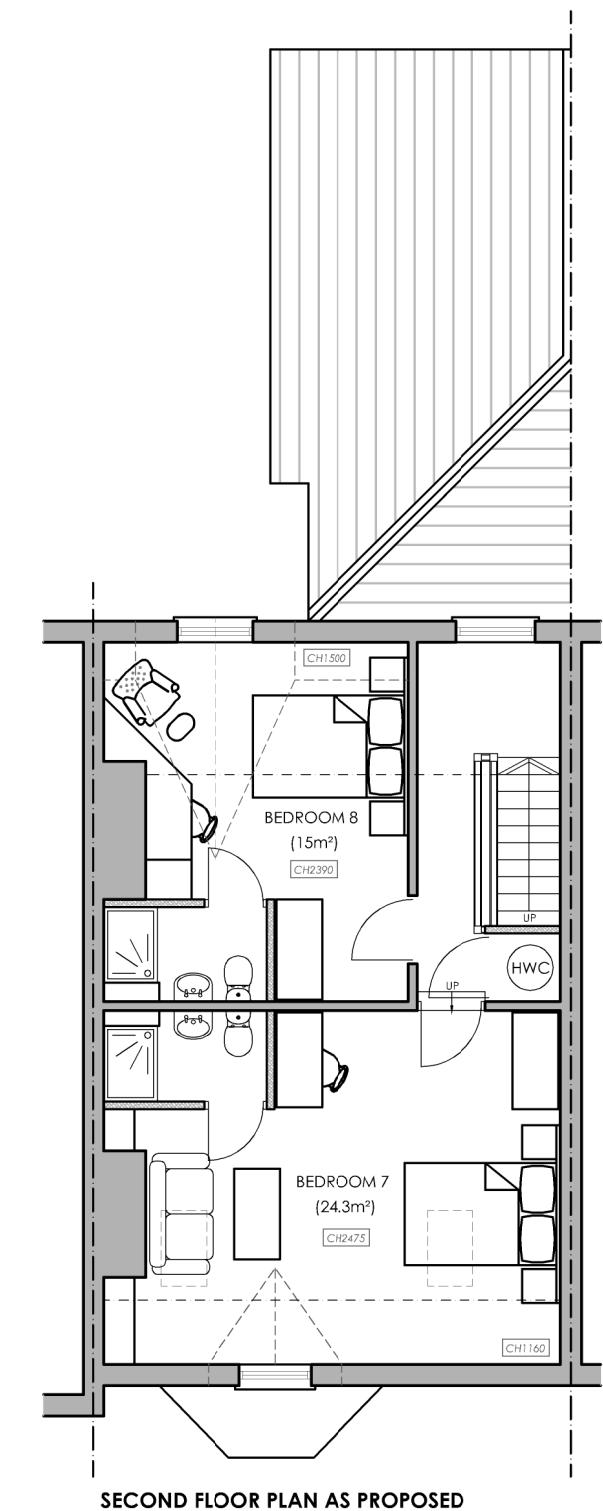
BASEMENT FLOOR PLAN AS PROPOSED



GROUND FLOOR PLAN AS PROPOSED



FIRST FLOOR PLAN AS PROPOSED



SECOND FLOOR PLAN AS PROPOSED

**Tim Spencer  
Associates**  
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Project: 206 Walmersley Road,  
Bury, BL9 6LL

Description: PLANS AS PROPOSED

Job no: TSA 0421 Scale: A3@1/100

Drawn no: 002 Date: 3.11.21 Rev: B

Drawing not to be scaled. Dimensions indicated must be checked on site prior to commencement of works. Any discrepancies to be reported immediately.

B	Bedroom 3 replaced with Living and Store Room	LJS	31.01.22
A	Building Regs information added	LJS	18.01.22
Rev	Description	By	Date

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**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 04

**Applicant:** Mr Arshad Khan

**Location:** 62 Bridge Street, Ramsbottom, Bury, BL0 9AG

**Proposal:** Installation of refrigeration plant with pitched slate roof covering at rear

**Application Ref:** 67876/Full

**Target Date:** 31/01/2022

**Recommendation:** Approve with Conditions

#### **Description**

The application relates to a shop premises which is located in Ramsbottom Town Centre and within the designated Ramsbottom Conservation Area. The premises are within a row of other shops and commercial businesses in a mix of different uses, and form one of the main shopping frontages in the town. Above the shops on this row are residential units, storage/office areas or uses ancillary to the businesses.

Access to the rear of the premises is either via Smithy Street or a walkway which is located between Nos 6 and 8 Silver Street. This access also serves the rear of the adjacent commercial and residential properties.

The property itself is a stone mid-terraced with a single storey rear extension which serves as a store room. There is an external yard area which provides bin store facilities and access to the rear of the property.

Planning permission was granted in October 2020 for the change of use of the ground floor from a cafe to hot food takeaway to include an extract flue and a staircase at the rear to access the storage areas at the first floor.

Bins were to be kept in the rear yard area.

This application seeks the installation of refrigeration plant in the rear yard. These units have already been installed in the yard of the property and have a profiled aluminium roof covering.

The equipment would be 4.2m long, 1.9m in depth and 2.8m high and located on the side wall next to the external staircase.

It is proposed to replace this roof with a pitched natural slate roof to match that of the property and surrounding area.

There is also a compressor/condenser which has been mounted on the end of the plant equipment. It is proposed to remove this and relocate it to the inside the back room of No 62.

In terms of bin storage, the previous operator of the business had a Euro bin which was too large for the yard area and had been kept in the communal area at the back.

This application seeks to utilise smaller wheelie bins which could fit within the rear yard area and therefore be fully contained within the site (as shown on the proposed layout plan).

#### **Relevant Planning History**

62200 - Prior approval for proposed change of use from shop (Class A1) to cafe (Class A3)

- Prior Approval Required and Granted 23/01/2018

65723 - Change of Use from cafe (Class A3) to hot food takeaway (Class A5), to include

extract flue and staircase at the rear - Approve with Conditions 08/10/2020

66313 - 1 no. non-illuminated fascia sign - Refused 04/02/2021

67877 - 1 No. non-illuminated fascia sign -

19/0046 - Change of use of first floor flat to business use - 01/04/2019

20/0368 - Breach of condition of planning permission 65723 -

21/0013 - Illuminated neon sign to the rear of the front glazing -

## **Publicity**

Letters sent on 21/12/21 to 19 properties on Square Street, Back Silver Street, Bridge Street, Silver Street.

5 letters of objection received which raise the following issues:

- This refrigeration unit is already built and has been up for over a year now. Retrospective planning permission should not be given under any circumstances. Permission was given for the bins to be stored in the location where the fridges currently are and therefore these fridges should be removed and waste containers kept within the curtilage.
- Environmental nuisance and pest control issues have become serious and persistent issues in the locality, as Bury council were warned about when permission was first sought for the business to open. Should this be allowed to pass then the rest of the residents and businesses in the area will have to put up with this nuisance.
- The last owners carried out this work without authorisation over a year ago. The new owner has submitted this planning application. I strongly oppose this action as the consequence of the work has meant that their bins are left in the outside communal alley of which I enter my residence and have customers walking by to collect takeaway orders from me, which aren't just unsightly but a breeding ground for vermin, as I was told by Pest Control as they visited my property 3 times and Freddie's too.
- My business reputation is at stake as a consequence of their bins being poorly stored in front of my entrance way. Please may this be not only taken into consideration, but effectively managed and forcible removal of said metal cage with wet cardboard.
- It has been noted that the original grant of planning has not been adhered to. ALL waste was to be contained within the curtilage but in fact refrigeration units were illegally built necessitating an industrial waste bin being situated on Back Square Street. Since then my tenants have suffered a rat infestation and more recently a plague of flies. Back Square Street serves a number of residential properties within the heart of The Conservation Area with residents having to put up with the stench of rotting foodstuffs and associated vermin infestation.
- App no. 65723 states regarding bin storage must be within curtilage "To ensure adequate off-highway bin storage facilities are provided within the curtilage of the site.
- This, as previously stated, resulted in an infestation of rats to the detriment of residents who use Back Square Street as their only means of access. The property remains in the same ownership Land Registry Title GM837210 yet prospective tenants are used as applicants for planning purposes.
- I fear the disrespect of your authority will continue and I, together with my tenants and residents, must be assured that if the premises remain a food outlet that the strictest measures be imposed on the occupiers! REFUSE
- The extension to the back would seem only to incur further stress to an obvious problem with waste management. They have on numerous occasions attracted vermin near my cellar and doorstep. The smell of rotten food and waste has left a sour tone to my wellbeing. I have on countless occasions moved their bins which were always an obstacle to my parking place.
- Residents can't open their windows because of the appalling smell of unkempt and open overflowing and unemptied large commercial bin left out for weeks.
- Although it states the equipment was installed some time ago, it does not mention whether it was actually used. If it was used by the previous occupier then I do not have an objection as it has not caused any problem to me. If not used so far, it could cause noise and vibration problems as it is very close to the wall of my home.

**Conservation Officer** - No objection  
**Environmental Health - Pollution Control** - No objection.

**Pre-start Conditions** - Not relevant

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

NPPF	National Planning Policy Framework
EC4/1	Small Businesses
EN1/2	Townscape and Built Design
EN1/8	Shop Fronts
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
S1/2	Shopping in Other Town Centres
S2/2	Prime Shopping Areas and Frontages
S2/6	Food and Drink

### **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.

**Application** - S73A of the Town and Country Planning Act 1990 makes provisions for Planning permission to be considered for development already carried out.

**Siting of equipment and impact on the surrounding area** - The equipment has already been installed within the yard area and has been positioned in the corner of the side walls which are shared with No 2 and 4 Silver Street. It is noted that there are 2 small windows in the side elevation which are blocked internally and as such there would be no issues from overlooking or privacy.

The equipment would be sited in the corner of the yard between these shared walls and there is a high boundary wall which runs along the rear boundary of the yard which would significantly screen the majority of the equipment from external view, and as such the equipment would not be highly visible from outside the site nor from other properties. It is also proposed to replace the aluminium roof covering with a natural slate roof which would be more appropriate visually to the surroundings as well as the Conservation Area. A condition would be added that the roof be replaced within 3 months of the grant of permission, to which the applicant is agreeable.

The compressor/condensor which is attached to the refrigeration unit is to be relocated inside the back room of No 62.

The Pollution Control Section have been notified of the application and have raised no objections to the type or siting of the refrigeration units.

It is therefore considered that there would not be a significantly detrimental impact on the occupiers of the surrounding areas and would preserve the character of the Conservation Area and as such would comply with Policies EN1/2 - Townscape and Built Design, EN7/2 - Noise Pollution and S2/6 - Food and Drink as well as discharging the duty imposed by virtue of s72 of the TCP (LB & CA) Act 1990.

**Bin storage** - In terms of bin storage, objectors have raised the issue that the waste Euro bin which was being used for the business is kept in the communal area at the rear of the premises causing issues of smells and attracting vermin.

It is understood that this bin has now been removed from the area and it is now proposed to use smaller wheelie bins which can be accommodated and fully contained within the yard area of the premises. This point is supported by the objections.

Regardless of what has happened in the past, this application shows the bins would be stored within the yard are to be taken out to the communal area for collection purposes only. This would be a condition of the application and any breach could result in potential enforcement action by the LPA. It cannot be assumed that this operator would breach a planning approval on the back of the behaviours of a previous occupier.

It can also not be assumed that the problems of vermin and waste smells are all, or even part related to the business.

Action against issues of environmental nuisances can also be taken under the Environmental Health Protection Act, a separate legislation under which the Pollution Control would have powers to act and prosecute on such matters. It is through Enforcement processes that have led to this application being considered.

**Conservation Area** - The application site is within Ramsbottom Conservation Area. It is not listed or considered to be a Non-Designated Heritage Asset.

Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Paragraph 194 states that in determining applications, LPA's should require an applicant to describe the significance of any heritage assets affected, including any contribution to their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control policies only support proposals where it can be demonstrated that development would preserve or enhance the special character of the area. In the case of re-use of buildings or the introduction of new uses, the impact of the proposal on the character or appearance of the area and the fabric of the building will be considered.

The proposal would not be visible in the street scene and would not be visible from wider views within the conservation area. As such the impact of the proposal on the conservation area is considered to be neutral and therefore would preserve the character and appearance of the conservation area.

It is therefore considered that the proposed development would comply with the principles of the NPPF and UDP Policies EN2/1 and EN2/2.

### **Response to objectors**

- There is adequate space in the rear yard to accommodate both the refrigeration units and bins for the business, as shown on proposed plan PM7-02D.
- It cannot be assumed that all matters relating to the environmental nuisances have arisen from the application premises.
- A condition to control the storage of bins would be included in the grant of a permission.

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

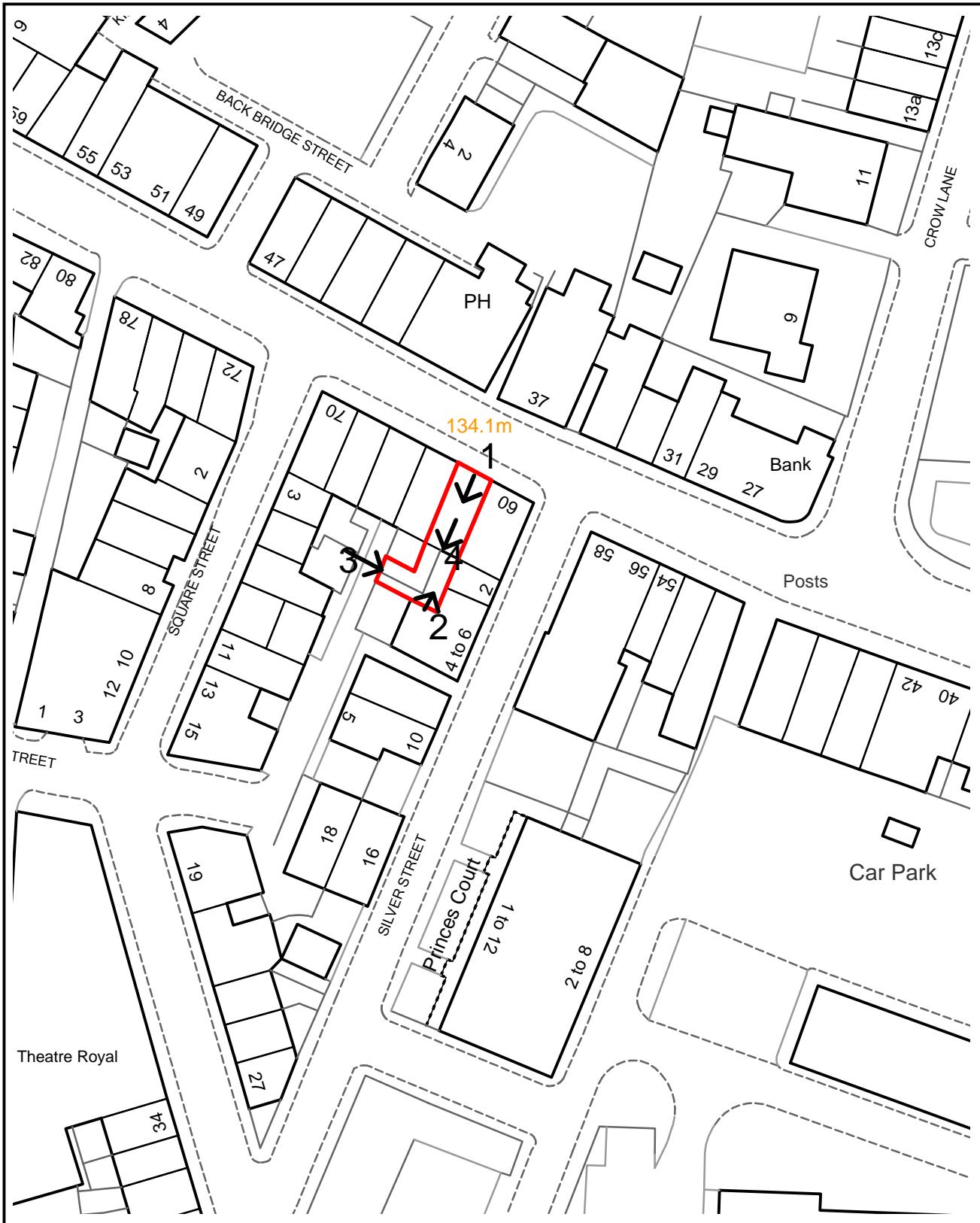
The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

### Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings - As-built plans and elevations PM7-02C; Proposed plans and elevations PM7-02D and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The bin storage facilities indicated on the approved plans shall be provided before the use hereby approved commences and shall subsequently be maintained available for use at all times.  
Reason. To ensure adequate off-highway bin storage facilities are provided within the curtilage of the site, in the interests of road safety and to safeguard the amenity of adjacent occupiers pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and S2/6 - Food and Drink.
4. Within 3 months of the grant of this permission, the roof of the refrigeration units hereby approved shall be removed and replaced with a natural slate roof and thereafter maintained as such whilst it serves the premises.  
Reason. In the interests of visual amenity pursuant to EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the Bury Unitary Development Plan and principles of the NPPF.

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



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 67876**

**ADDRESS: 62 Bridge Street  
Ramsbottom**



**Bury**  
COUNCIL

**Planning, Environmental and Regulatory Services**

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67876

Photo 1

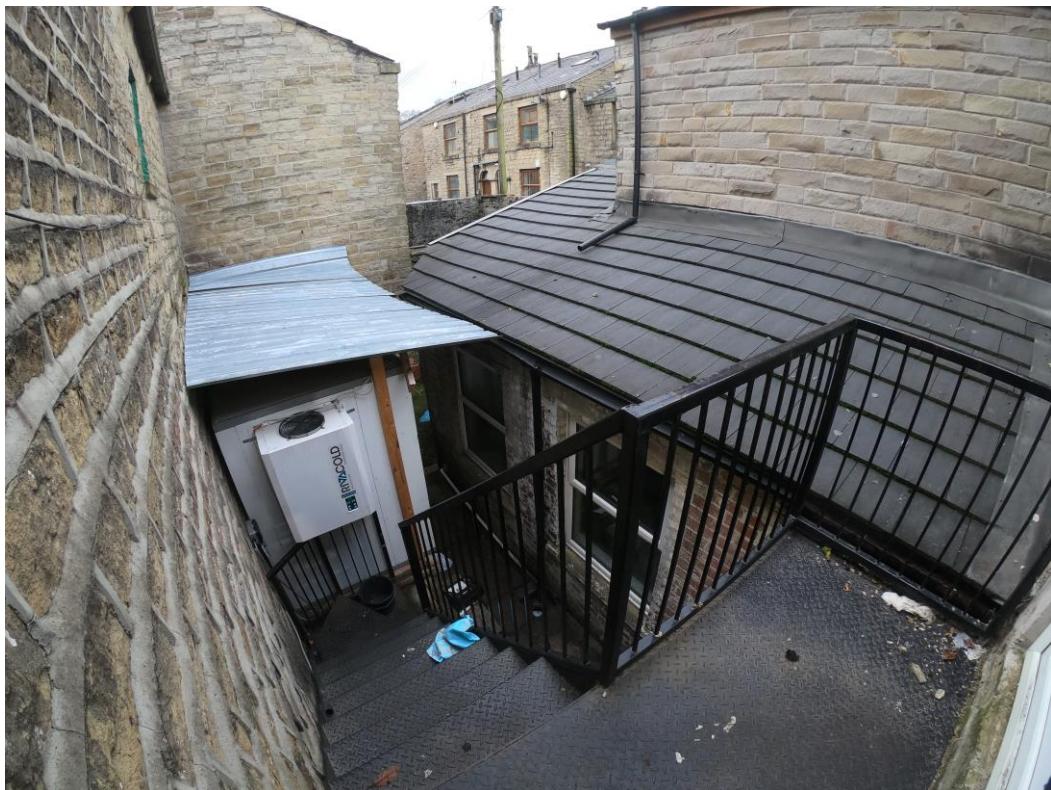


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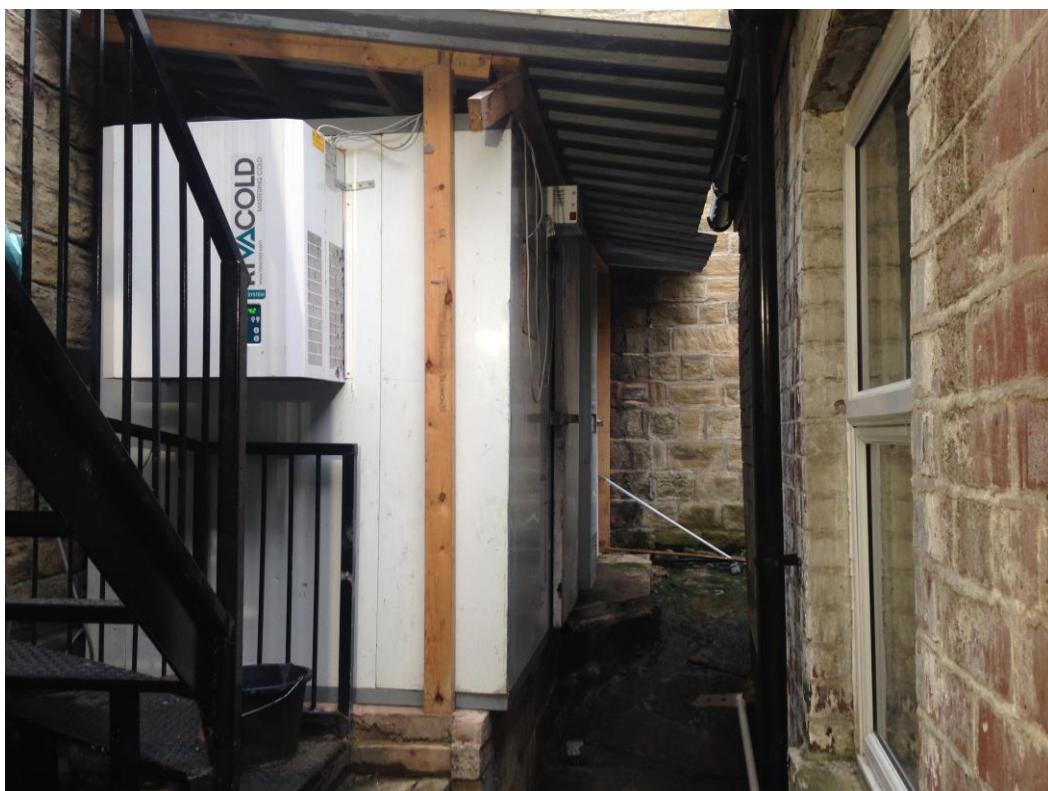


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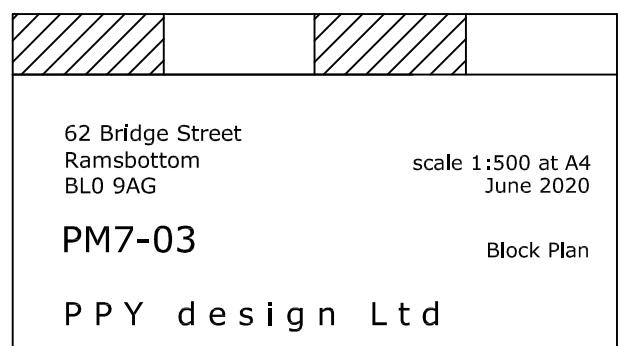
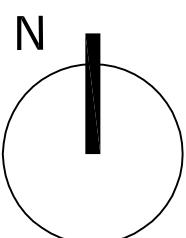


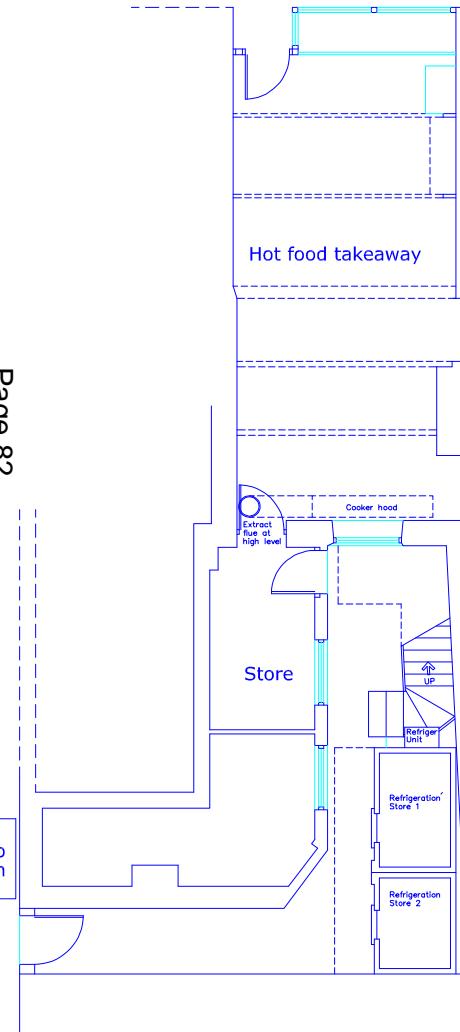
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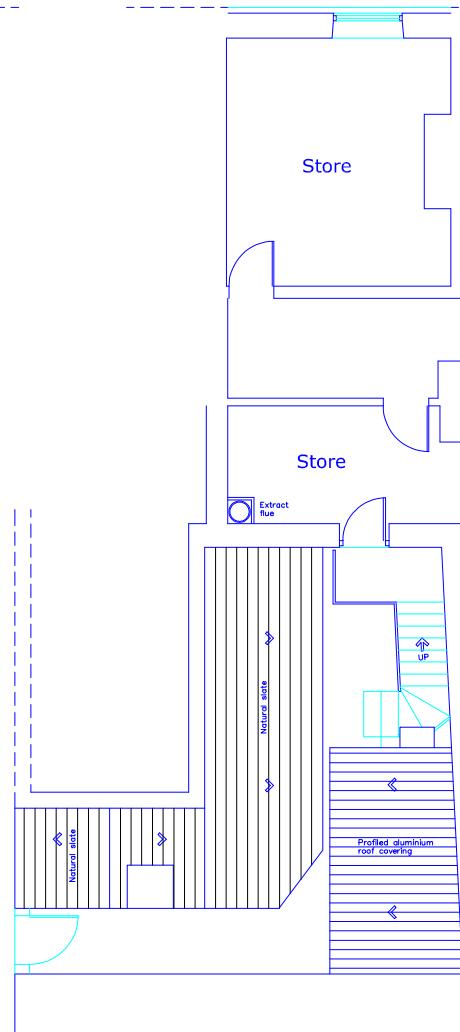


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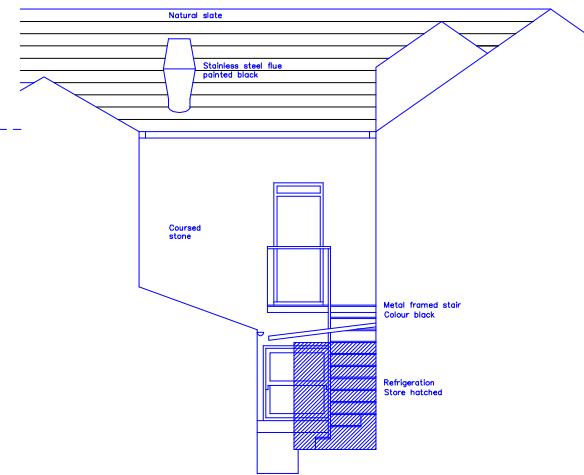




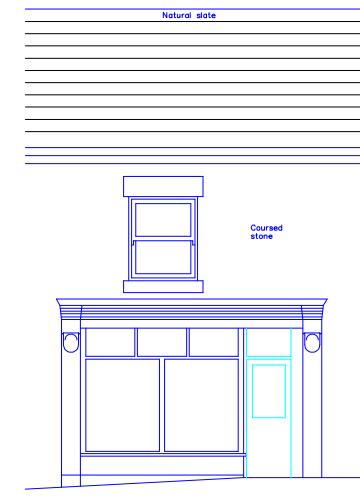
As~built Plan  
Ground Floor



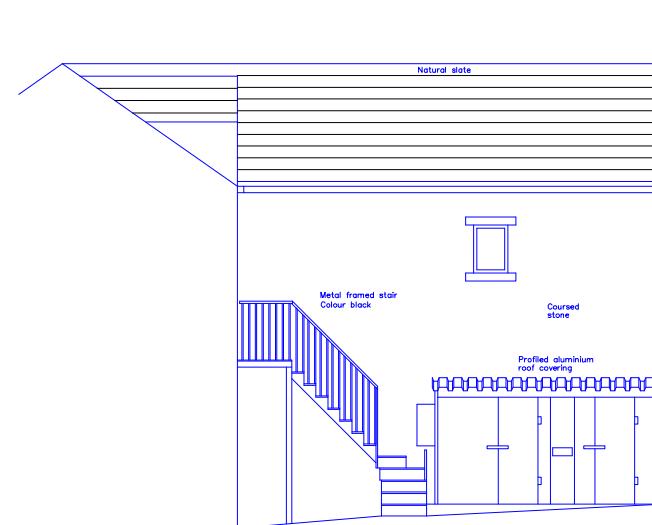
As~built Plan  
First Floor



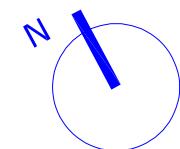
As~built Rear Elevation



As~built Front Elevation



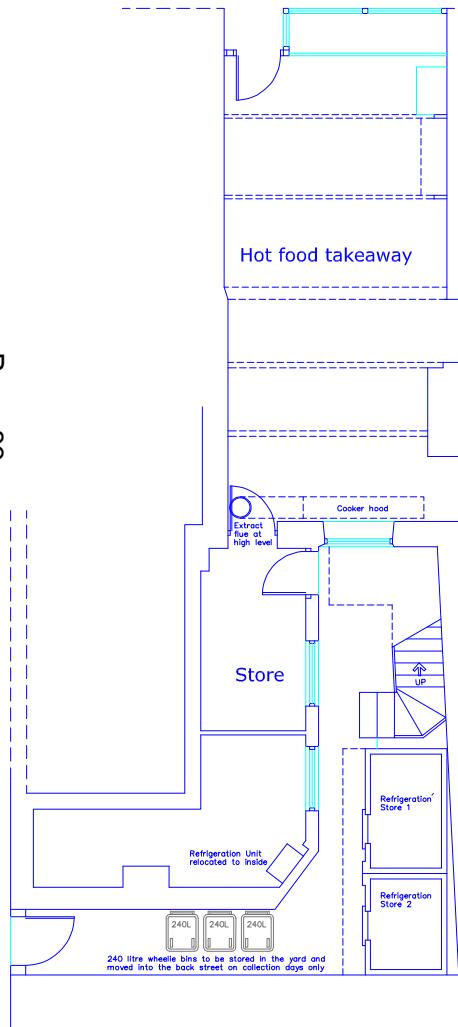
As~built Side Elevation



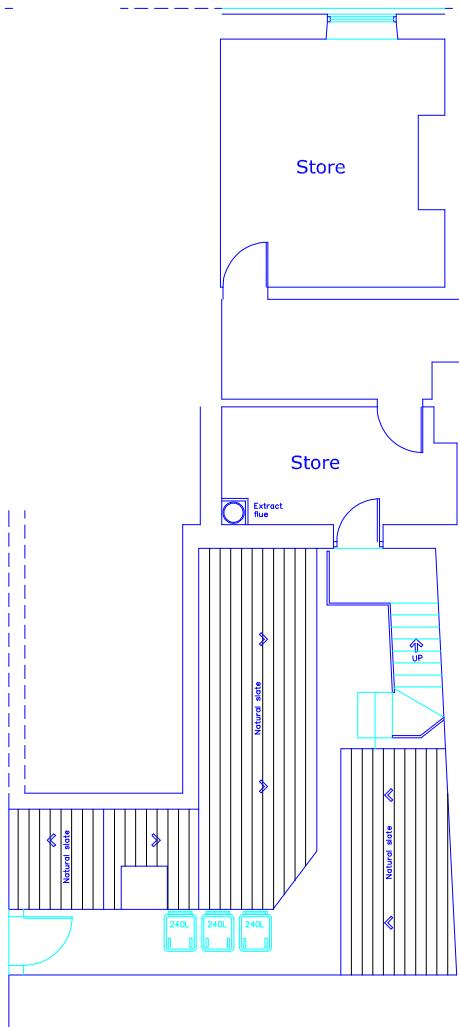
C Rear stair amended as~built:  
Refrigeration as installed with canopy 02.11.2020  
B Extract flue Internal 14.09.2020  
A Side elevation added with stair  
Bris Indicated / flue reduced in height 20.08.2020

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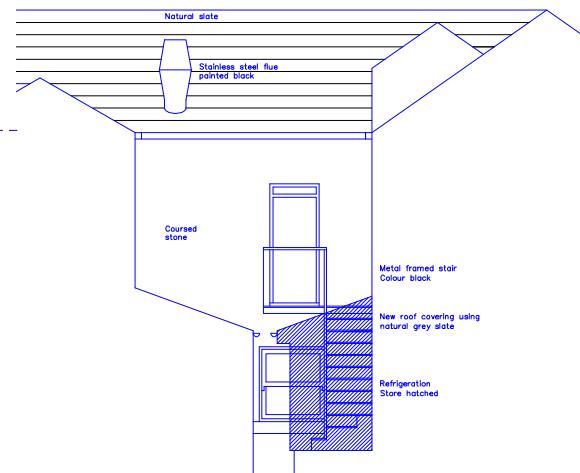




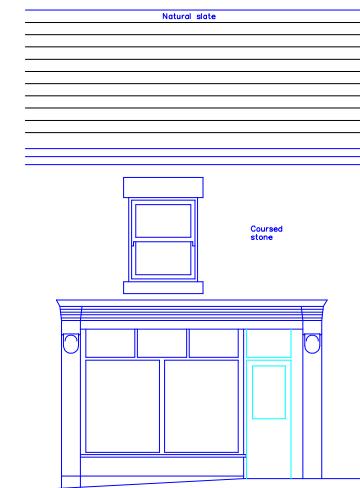
Proposed Plan  
Ground Floor



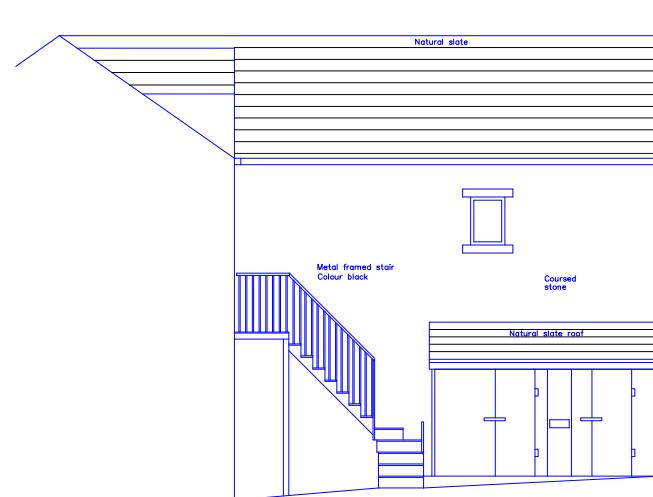
Proposed Plan  
First Floor



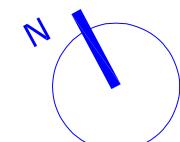
Proposed Rear Elevation



Proposed Front Elevation



Proposed Side Elevation



D. Slate roof added over refrigeration 18.11.2021  
 C. rear stair amended as built; Refrigeration as installed with canopy 03.11.2020  
 B. Extract flue Internal 14.09.2020  
 A. Side elevation added with stair Bins indicated / flue reduced in height 20.08.2020

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# REPORT FOR NOTING

<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>22 February 2022</b>
<b>SUBJECT:</b>	<b>DELEGATED DECISIONS</b>
<b>REPORT FROM:</b>	<b>HEAD OF DEVELOPMENT MANAGEMENT</b>
<b>CONTACT OFFICER:</b>	<b>DAVID MARNO</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	The report lists: Recent delegated planning decisions since the last PCC
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	The Committee is recommended to note the report and appendices
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework? Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management
<b>Statement by Executive Director of Resources:</b>	N/A
<b>Equality/Diversity implications:</b>	No
<b>Considered by Monitoring Officer:</b>	N/A
<b>Wards Affected:</b>	All listed
<b>Scrutiny Interest:</b>	N/A

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

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

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**1.0 BACKGROUND**

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

**2.0 CONCLUSION**

That the item be noted.

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**List of Background Papers:-None****Contact Details:-**

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

**Tel: 0161 253 5291**  
**Email: [d.marno@burysc.gov.uk](mailto:d.marno@burysc.gov.uk)**

## Planning applications decided using Delegated Powers

Between 17/01/2022 and 13/02/2022



Ward: **Bury East**

**Application No.:** 67713    **App. Type:** FUL    28/01/2022    Approve with Conditions

**Location:** 62 East Street, Bury, BL9 0RX

**Proposal:** Single storey rear extension

**Application No.:** 67726    **App. Type:** ADV    18/01/2022    Approve with Conditions

**Location:** 3 St Johns Square, Bury, BL9 0JL

**Proposal:** Fascia signs: 2 No. sets of built up internally illuminated LED letters (adverts 1-2), 4 no. internally illuminated flex faces onto existing frames (advert 3- 6), 1 no. internally illuminated flex face (advert 7);  
Other signs: 3 No. digital printed vinyl graphics (adverts 1-3), 1 no. dibond panel onto internal bulkhead (advert 4), 2 no. digital printed vinyl graphics (adverts 5-6)

**Application No.:** 67766    **App. Type:** ADV    27/01/2022    Approve with Conditions

**Location:** Unit A, Block A, Clerke Street, Bury, BL9 0PN

**Proposal:** 3 no. non illuminated fascia signs; 1 no. internally illuminated projecting sign; 1 no. Externally illuminated projecting sign

Ward: **Bury East - Moorside**

**Application No.:** 67596    **App. Type:** FUL    26/01/2022    Approve with Conditions

**Location:** Fernhill Caravan Site, Every Street, Bury, BL9 5BE

**Proposal:** Demolition of 17 no. existing Gypsy and Traveller pitches, amenity blocks and management blocks for the proposed redevelopment of the site to provide 12 no. permanent Gypsy and Traveller pitches including new amenity buildings and management block.

**Application No.:** 67685    **App. Type:** FUL    03/02/2022    Approve with Conditions

**Location:** 296 Walmersley Road, Bury, BL9 6NH

**Proposal:** Single storey extension at side/rear

**Application No.:** 67845    **App. Type:** FUL    04/02/2022    Approve with Conditions

**Location:** 5 Topping Street, Bury, BL9 6DR

**Proposal:** Single storey rear extension

**Application No.:** 67849    **App. Type:** FUL    24/01/2022    Refused

**Location:** Salisbury Conservative Club, Badger Street, Bury, BL9 6AD

**Proposal:** Change of use from club to sweets manufacturing unit (Class B2) with extraction flue to side elevation

Ward: **Bury East - Redvales**

---

<b>Application No.:</b>	67554	<b>App. Type:</b>	FUL	31/01/2022	Refused
<b>Location:</b>	73 Brierley Street, Bury, BL9 9HW				
<b>Proposal:</b>	Change of use from dwelling (Class C3) to residential institution (Class C2) for proposed children's care home (for up to 4 children with a minimum of 2 full time carers overnight, 1 sleeping, 3 full time carers during the day and living together as a single household)				
<b>Application No.:</b>	67705	<b>App. Type:</b>	FUL	19/01/2022	Approve with Conditions
<b>Location:</b>	3 Parkhills Close, Bury, BL9 9HB				
<b>Proposal:</b>	Two storey rear/front extension; First floor rear extension; Single storey front extension				
<b>Application No.:</b>	67767	<b>App. Type:</b>	FUL	18/01/2022	Approve with Conditions
<b>Location:</b>	588 Manchester Road, Bury, BL9 9SU				
<b>Proposal:</b>	Two storey side/rear extension; Loft conversion; Raise roof ridge height; Front entrance porch				
<b>Application No.:</b>	67805	<b>App. Type:</b>	FUL	25/01/2022	Approve with Conditions
<b>Location:</b>	126 Parkhills Road, Bury, BL9 9AW				
<b>Proposal:</b>	Two storey front extension and two storey rear extension/single storey side extension				
<b>Application No.:</b>	67879	<b>App. Type:</b>	GPDE	18/01/2022	Prior Approval Not Required - Extension
<b>Location:</b>	51 Grasmere Drive, Bury, BL9 9GB				
<b>Proposal:</b>	Prior approval for proposed single storey rear extension				
<b>Application No.:</b>	67892	<b>App. Type:</b>	GPDE	18/01/2022	Prior Approval Not Required - Extension
<b>Location:</b>	40 Wellington Road, Bury, BL9 9BG				
<b>Proposal:</b>	Prior approval for proposed single storey rear extension				
<b>Ward:</b>	<b>Bury West - Church</b>				
<b>Application No.:</b>	67779	<b>App. Type:</b>	FUL	18/01/2022	Approve with Conditions
<b>Location:</b>	36 Harwood Drive, Bury, BL8 2ED				
<b>Proposal:</b>	Two storey side extension with rear dormer				
<b>Application No.:</b>	67786	<b>App. Type:</b>	FUL	19/01/2022	Approve with Conditions
<b>Location:</b>	15 Lyons Drive, Bury, BL8 2EA				
<b>Proposal:</b>	Two storey extension at side/rear wth front dormer and rear juliette balcony, single storey rear extension, alterations to existing rear dormer roof and new first floor window at rear				
<b>Application No.:</b>	67819	<b>App. Type:</b>	FUL	19/01/2022	Approve with Conditions
<b>Location:</b>	131 Newbold Street, Bury, BL8 2RL				
<b>Proposal:</b>	Replace existing conservatory with single storey rear extension; New entrance porch to side				
<b>Application No.:</b>	67885	<b>App. Type:</b>	FUL	03/02/2022	Approve with Conditions
<b>Location:</b>	67 Greenhill Road, Bury, BL8 2LL				
<b>Proposal:</b>	First floor side extension with side window; Front porch				

## Ward: Bury West - Elton

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**Application No.:** 67315    **App. Type:** FUL    18/01/2022    Approve with Conditions

**Location:** Land at Green Street, Tottington, BL8 1TF

**Proposal:** Variation of condition 2 following approval of planning permission 65293- Insertion of a window on the front elevation of the pair of semi detached dwellings; Single storey side extension to the detached dwelling

---

**Application No.:** 67689    **App. Type:** FUL    31/01/2022    Approve with Conditions

**Location:** 5 Trimingham Drive, Bury, BL8 1HA

**Proposal:** Two/single storey extension at front, first floor extensions at rear with juliet balconies and external alterations

---

**Application No.:** 67701    **App. Type:** FUL    17/01/2022    Refused

**Location:** The Gatehouse, Woodhill Road, Bury, BL8 1BN

**Proposal:** Two storey extension at front, side and rear with balcony at front/side: Increase in height of roof

---

**Application No.:** 67769    **App. Type:** FUL    25/01/2022    Approve with Conditions

**Location:** 12 Jesmond Drive, Bury, BL8 1EE

**Proposal:** Demolition of side garage; Single storey rear extension; Two storey side extension; Front porch

---

**Application No.:** 67802    **App. Type:** FUL    19/01/2022    Approve with Conditions

**Location:** 1 Springside View, Bury, BL8 4LU

**Proposal:** Single storey rear extension; Detached annexe extension at rear; Greenhouse at rear; Level alterations to the existing paths to provide suitable access

---

**Application No.:** 67878    **App. Type:** FUL    01/02/2022    Approve with Conditions

**Location:** 29 Woodhill Fold, Bury, BL8 1UY

**Proposal:** 1.8m fencing to the side/rear

## Ward: North Manor

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**Application No.:** 67743    **App. Type:** FUL    18/01/2022    Approve with Conditions

**Location:** Burrs View, Touch Road, Bury, BL9 5QS

**Proposal:** External alterations to existing building consisting of insertion of a door and windows

---

**Application No.:** 67815    **App. Type:** FUL    17/01/2022    Approve with Conditions

**Location:** 7 Brookside Crescent, Tottington, Bury, BL8 4BG

**Proposal:** Two storey extension at side/rear with juliet balcony to rear

---

**Application No.:** 67841    **App. Type:** FUL    25/01/2022    Approve with Conditions

**Location:** 25 Shepherds Close, Tottington, Bury, BL8 4BL

**Proposal:** Single storey extension at side and rear

---

**Application No.:** 67843    **App. Type:** FUL    27/01/2022    Approve with Conditions  
**Location:** 87 Mount Pleasant, Nangreaves, Bury, BL9 6SP

**Proposal:** Replacement of hard wood front door and side window to rosewood Upvc

---

**Application No.:** 67870    **App. Type:** AG    27/01/2022    Prior Approval Required and Granted  
**Location:** Touch Road Farmhouse, Touch Road, Bury, BL9 5QS

**Proposal:** Prior approval for proposed agricultural building

---

**Application No.:** 67871    **App. Type:** TEL    27/01/2022    Prior Approval Required and Granted  
**Location:** Land at junction of Walmersley Road & Mather Road, Bury, BL9 5JA

**Proposal:** Prior approval for proposed telecommunications installation comprising of a base station consisting of a 20m monopole supporting 3 no antenna, 2 no 300mm dishes, 2 no cabinets with ancillary development thereto

---

**Application No.:** 67899    **App. Type:** GPDE    18/01/2022    Prior Approval Not Required - Extension  
**Location:** 144 Bolton Road, Tottington, Bury, BL8 4JA

**Proposal:** Prior approval for proposed single storey rear extension

---

**Application No.:** 67907    **App. Type:** ADV    10/02/2022    Approve with Conditions  
**Location:** Hamers Arms, Higher Summerseat, Summerseat, Ramsbottom, Bury, BL0 9UG

**Proposal:** Installation of 1no. externally illuminated projection sign; 2no. externally illuminated sets of gold leaf individual letters; 2no. non-illuminated poster cases; 1no. externally illuminated brass menu case; and associated lighting.

**Ward:** **Prestwich - Holyrood**

---

**Application No.:** 67635    **App. Type:** FUL    17/01/2022    Approve with Conditions  
**Location:** 11 Farm Lane, Prestwich, Manchester, M25 2RX

**Proposal:** Two storey side extension; Two/single storey rear extension

---

**Application No.:** 67672    **App. Type:** FUL    01/02/2022    Refused  
**Location:** 55 Milton Road, Prestwich, Manchester, M25 1PT

**Proposal:** Replacement of garage with new single storey garage building

---

**Application No.:** 67710    **App. Type:** FUL    03/02/2022    Approve with Conditions  
**Location:** 4 Mardale Close, Prestwich, Manchester, M25 2RG

**Proposal:** Single storey front/rear/side extension; External works to the front elevation.

---

**Application No.:** 67732    **App. Type:** FUL    20/01/2022    Approve with Conditions  
**Location:** 8 Droughts Lane, Prestwich, Manchester, M25 2ST

**Proposal:** Two storey and single storey rear extension

<b>Application No.:</b>	67788	<b>App. Type:</b>	FUL	31/01/2022	Approve with Conditions
<b>Location:</b>	26 St Josephs Avenue, Whitefield, Manchester, M45 6NT				
<b>Proposal:</b>	Two storey front and rear extension; Changes to the front elevation/windows and doors and gable end to both sides of roof				
<b>Application No.:</b>	67803	<b>App. Type:</b>	FUL	07/02/2022	Approve with Conditions
<b>Location:</b>	14 Sunningdale Drive, Prestwich, Manchester, M25 1JX				
<b>Proposal:</b>	Two storey front extension				
<b>Application No.:</b>	67860	<b>App. Type:</b>	LDCP	25/01/2022	Lawful Development
<b>Location:</b>	3 Droughts Lane, Prestwich, Manchester, M25 2ST				
<b>Proposal:</b>	Lawful development certificate for proposed single storey side extension				
<b>Application No.:</b>	67874	<b>App. Type:</b>	LDCP	28/01/2022	Lawful Development
<b>Location:</b>	26 Newlands Drive, Prestwich, Manchester, M25 3BU				
<b>Proposal:</b>	Lawful development certificate for proposed single storey extension at rear				
<b>Ward:</b>	Prestwich - Sedgley				
<b>Application No.:</b>	67631	<b>App. Type:</b>	FUL	31/01/2022	Approve with Conditions
<b>Location:</b>	31 Meade Hill Road, Prestwich, Manchester, M25 0DH				
<b>Proposal:</b>	First floor side extension; Loft conversion with front/rear dormers; Raising ridge height				
<b>Application No.:</b>	67657	<b>App. Type:</b>	FUL	24/01/2022	Approve with Conditions
<b>Location:</b>	28 George Street, Prestwich, Manchester, M25 9WS				
<b>Proposal:</b>	Single storey rear extension; Front porch extension				
<b>Application No.:</b>	67733	<b>App. Type:</b>	FUL	18/01/2022	Approve with Conditions
<b>Location:</b>	152 Downham Crescent, Prestwich, Manchester, M25 0BS				
<b>Proposal:</b>	Two storey side extension				
<b>Application No.:</b>	67748	<b>App. Type:</b>	FUL	24/01/2022	Approve with Conditions
<b>Location:</b>	20 Bland Road, Prestwich, Manchester, M25 9WL				
<b>Proposal:</b>	Single storey rear extension with raised steps and balustrade				
<b>Application No.:</b>	67806	<b>App. Type:</b>	FUL	31/01/2022	Refused
<b>Location:</b>	4 Westleigh Drive, Prestwich, Manchester, M25 0EN				
<b>Proposal:</b>	New boundary gate and fence to front elevation				
<b>Application No.:</b>	67837	<b>App. Type:</b>	FUL	31/01/2022	Approve with Conditions
<b>Location:</b>	38 Edenfield Road, Prestwich, Manchester, M25 0EE				
<b>Proposal:</b>	Single storey/first floor front extension; Two storey side/rear extension; Raised decking at rear				

<b>Application No.:</b> 67840	<b>App. Type:</b> FUL	04/02/2022	Approve with Conditions
<b>Location:</b>	47 Bury Old Road, Prestwich, Manchester, M25 0FG		
<b>Proposal:</b> Change of use from retail (Class E) to hot food takeaway (Sui Generis)			
<b>Application No.:</b> 67889	<b>App. Type:</b> FUL	08/02/2022	Refused
<b>Location:</b>	6 Wilton Avenue, Prestwich, Manchester, M25 0HD		
<b>Proposal:</b> Single storey rear extension; first floor balcony at rear and addition of ground floor window to left hand side elevation			
<b>Application No.:</b> 67896	<b>App. Type:</b> FUL	03/02/2022	Approve with Conditions
<b>Location:</b>	81 Bury Old Road, Prestwich, Manchester, M25 0FG		
<b>Proposal:</b> Single storey front, side and rear extension			
<b>Application No.:</b> 67903	<b>App. Type:</b> FUL	04/02/2022	Approve with Conditions
<b>Location:</b>	50 Bury Old Road, Prestwich, Manchester, M25 0ER		
<b>Proposal:</b> Retrospective - Loft conversion with rear dormer			
<b>Application No.:</b> 67904	<b>App. Type:</b> LDCP	07/02/2022	Lawful Development
<b>Location:</b>	5 Egerton Street, Prestwich, Manchester, M25 1FS		
<b>Proposal:</b> Lawful development certificate for proposed loft conversion including rear facing dormer			
<b>Ward:</b> <b>Prestwich - St Mary's</b>			
<b>Application No.:</b> 66769	<b>App. Type:</b> FUL	04/02/2022	Approve with Conditions
<b>Location:</b>	1 Prestwich Park Road South, Prestwich, Manchester, M25 9PF		
<b>Proposal:</b> Proposed roof extension to existing bungalow to form two storey dwelling; Front porch extension			
<b>Application No.:</b> 67709	<b>App. Type:</b> FUL	20/01/2022	Refused
<b>Location:</b>	424 Bury New Road, Prestwich, Manchester, M25 1BD		
<b>Proposal:</b> Change to opening hours from 09:00-23:00 to 09:00-01:30; Repositioning of kitchen extractor			
<b>Application No.:</b> 67768	<b>App. Type:</b> FUL	18/01/2022	Approve with Conditions
<b>Location:</b>	45 Hilton Lane, Prestwich, Manchester, M25 9SA		
<b>Proposal:</b> Two storey rear/side extension with gable end; Glazed rear balcony; Rebuild of front walls and 1.1m glazed barrier to parking level			
<b>Application No.:</b> 67780	<b>App. Type:</b> FUL	19/01/2022	Approve with Conditions
<b>Location:</b>	36 Agecroft Road East, Prestwich, Manchester, M25 9RT		
<b>Proposal:</b> Two storey extension at side/rear; Raised patio with glass balustrade and steps to garden level at rear; New front porch			
<b>Application No.:</b> 67801	<b>App. Type:</b> FUL	18/01/2022	Approve with Conditions
<b>Location:</b>	120 St Anns Road, Prestwich, Manchester, M25 9GJ		
<b>Proposal:</b> Demolition of existing single storey rear outrigger and side garage and erection of single storey extension at rear and part single storey / part two storey extension at side; increased height fence panel to provide a screen from the neighbouring property			

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<b>Application No.:</b>	67824	<b>App. Type:</b>	FUL	01/02/2022	Refused
<b>Location:</b>	27 Rainsough Brow, Prestwich, Manchester, M25 9XW				
<b>Proposal:</b>	Two/single storey extension at side/rear with juliet balcony and basement level extension at rear; Raise roof ridge height/roof extension with loft conversion and rear dormer; Erection of outbuilding at rear; Alterations to parking and new boundary fence at side/rear				

---

<b>Application No.:</b>	67884	<b>App. Type:</b>	TEL	27/01/2022	Prior Approval Required and Refused
<b>Location:</b>	Land at Butterstile playing fields (between 57-63 Venwood Road & 206-210 Butterstile Lane), Venwood Road, Prestwich, Manchester, M25 9UH				
<b>Proposal:</b>	Prior approval for telecommunications installation comprising of a 20 metre Phosco Monopole with 6no Antennas; 1no GPS module, 2no Transmission Dishes and 18no. Remote Radio Units (RRUs); 1no. meter cabinet, 3no. equipment cabinets at the base and ancillary development including 2m high palisade fencing				

---

<b>Application No.:</b>	67891	<b>App. Type:</b>	FUL	03/02/2022	Approve with Conditions
<b>Location:</b>	38 Duckworth Road, Prestwich, Manchester, M25 9QH				

<b>Proposal:</b>	Single storey rear extension; Dormer loft conversion; Rear raised decking with railings and steps into garden
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<b>Application No.:</b>	67932	<b>App. Type:</b>	FUL	04/02/2022	Approve with Conditions
<b>Location:</b>	Former Viridor Waste, Buckley Lane, Prestwich				

<b>Proposal:</b>	Variation of condition 2 following approval of planning permission 64977- Replacement of drawing R-0544-05/G with drawings R-0544-05/K and R-0544-70 to include installation of an electrical substation transformer within the planning approval
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## Ward: Radcliffe - East

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<b>Application No.:</b>	67684	<b>App. Type:</b>	FUL	21/01/2022	Approve with Conditions
<b>Location:</b>	45 Church Street West, Radcliffe, Manchester, M26 2SP				
<b>Proposal:</b>	Change of use of vacant nightclub (Sui Generis) to a licenced pizza restaurant (Class E), and associated external alterations including installation of a flue to the rear elevation.				

---

<b>Application No.:</b>	67690	<b>App. Type:</b>	FUL	19/01/2022	Approve with Conditions
<b>Location:</b>	35 Bankside Avenue, Radcliffe, Manchester, M26 2QH				
<b>Proposal:</b>	Raise roof ridge height with loft conversion, rear dormer and two pediment windows to front				

---

<b>Application No.:</b>	67883	<b>App. Type:</b>	FUL	31/01/2022	Approve with Conditions
<b>Location:</b>	1 Parkside Close, Radcliffe, Manchester, M26 2QS				
<b>Proposal:</b>	Two storey side extension				

## Ward: Radcliffe - North

---

<b>Application No.:</b>	67771	<b>App. Type:</b>	FUL	28/01/2022	Refused
<b>Location:</b>	Land to the rear of 55 Bradley Fold Road, Radcliffe, Bolton, BL2 5QR				
<b>Proposal:</b>	Proposed widening of access and construction of new stable block and menage				

---

**Application No.:** 67857    **App. Type:** FUL    01/02/2022    Approve with Conditions  
**Location:** 25 Burghley Drive, Radcliffe, Manchester, M26 3XY  
**Proposal:** Replace existing conservatory with two storey rear extension and new first floor window to side elevation

**Ward:** **Ramsbottom + Tottington - Tottington**

---

**Application No.:** 67730    **App. Type:** FUL    20/01/2022    Approve with Conditions  
**Location:** 145 Turton Road, Tottington, Bury, BL8 3QA  
**Proposal:** Single storey detached outbuilding

---

**Application No.:** 67742    **App. Type:** FUL    27/01/2022    Approve with Conditions  
**Location:** 322 Turton Road, Tottington, Bury, BL8 3QG  
**Proposal:** First floor extension at front with alterations to existing front porch and two storey extension at rear with juliette balcony; Construction of new steps and raised landing to front garden

---

**Application No.:** 67770    **App. Type:** FUL    25/01/2022    Approve with Conditions  
**Location:** 39 Moorside Road, Tottington, Bury, BL8 3HP  
**Proposal:** Two storey front/side extension; Rear dormer; First floor side window

---

**Application No.:** 67820    **App. Type:** FUL    31/01/2022    Approve with Conditions  
**Location:** 27 Cotswold Crescent, Bury, BL8 1QF  
**Proposal:** Two storey side extension with extension of existing front and rear dormers; Single storey rear extension; Alterations to parking area at front

---

**Application No.:** 67834    **App. Type:** FUL    01/02/2022    Approve with Conditions  
**Location:** 256 Turton Road, Tottington, Bury, BL8 4AJ  
**Proposal:** Single storey rear extension and garage conversion

---

**Application No.:** 67928    **App. Type:** GPDE    04/02/2022    Prior Approval Not Required - Extension  
**Location:** 259 Walshaw Road, Bury, BL8 1PJ  
**Proposal:** Prior approval for proposed single storey rear extension

---

**Ward:** **Ramsbottom and Tottington - Ramsbottom**

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**Application No.:** 67642    **App. Type:** FUL    27/01/2022    Approve with Conditions  
**Location:** 48 Woodhey Road, Ramsbottom, Bury, BL0 9RB  
**Proposal:** Single storey rear extension with bi - folding doors; First floor extension with balustrade balcony

---

**Application No.:** 67666    **App. Type:** FUL    17/01/2022    Approve with Conditions  
**Location:** 29 Bolton Street, Ramsbottom, Bury, BL0 9HU  
**Proposal:** Alterations to front elevation of property consisting of splitting the window into 3 no. panels

<b>Application No.:</b> 67667	<b>App. Type:</b> ADV	17/01/2022	Approve with Conditions
<b>Location:</b>	29 Bolton Street, Ramsbottom, Bury, BL0 9HU		
<b>Proposal:</b>	Advertisement consent for 1 no. fixed fascia sign		
<b>Application No.:</b> 67715	<b>App. Type:</b> FUL	11/02/2022	Approve with Conditions
<b>Location:</b>	52 Tanners Street, Ramsbottom, Bury, BL0 9ES		
<b>Proposal:</b>	Single storey rear extension		
<b>Application No.:</b> 67718	<b>App. Type:</b> OUT	01/02/2022	Approve with Conditions
<b>Location:</b>	Land adjacent 5 Stubbins Lane, Ramsbottom, BL0 0PU		
<b>Proposal:</b>	Outline application for 1 No. dwelling with all matters reserved		
<b>Application No.:</b> 67737	<b>App. Type:</b> FUL	31/01/2022	Approve with Conditions
<b>Location:</b>	31 Lansdowne Close, Ramsbottom, Bury, BL0 9WE		
<b>Proposal:</b>	First floor balcony at rear		
<b>Application No.:</b> 67818	<b>App. Type:</b> FUL	31/01/2022	Approve with Conditions
<b>Location:</b>	15 Palmerston Close, Ramsbottom, Bury, BL0 9YN		
<b>Proposal:</b>	Part two/part single storey extension at front/side		
<b>Application No.:</b> 67833	<b>App. Type:</b> FUL	31/01/2022	Approve with Conditions
<b>Location:</b>	10 Heapworth Avenue, Ramsbottom, Bury, BL0 9EH		
<b>Proposal:</b>	Variation of condition no.2 (approved plans) of planning permission 67181 (two storey rear extension, loft conversion including roof extension and rear dormer, new window to side elevation and new rear garden wall): Change of material to first floor extension to timber cladding: Addition of roof light to proposed north east elevation		
<b>Application No.:</b> 67842	<b>App. Type:</b> FUL	01/02/2022	Approve with Conditions
<b>Location:</b>	6 Bramworth Avenue, Ramsbottom, Bury, BL0 9EJ		
<b>Proposal:</b>	Two storey front/side extension		
<b>Application No.:</b> 67861	<b>App. Type:</b> FUL	03/02/2022	Approve with Conditions
<b>Location:</b>	Dawes Bank Farm, Holcombe Old Road, Ramsbottom, Bury, BL8 4NQ		
<b>Proposal:</b>	Porch extension to south elevation; Velux rooflights in existing roof; New gate to entrance to replace existing; Fence to replace existing low level fencing; Erection of garden room and summer house at rear		
<b>Application No.:</b> 67908	<b>App. Type:</b> LDCP	07/02/2022	Lawful Development
<b>Location:</b>	31 Callender Street, Ramsbottom, Bury, BL0 9DX		
<b>Proposal:</b>	Lawful development certificate for proposed loft conversion to include new rooflights; internal alterations creating one new bedroom, to include a new window on the front elevation.		

Ward: **Whitefield + Unsworth - Besses**

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<b>Application No.:</b>	67662	<b>App. Type:</b>	LDCP	02/02/2022	Lawful Development
<b>Location:</b>	2-3 Albert Place, Whitefield, M45 8NE				
<b>Proposal:</b>	Lawful development certificate for proposed change of use of building from pharmacy Class E(a) to cafe Class E(b)				

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<b>Application No.:</b>	67825	<b>App. Type:</b>	FUL	28/01/2022	Approve with Conditions
<b>Location:</b>	19 Rivermead Way, Whitefield, Manchester, M45 8SF				
<b>Proposal:</b>	Single storey extension at side/rear				

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

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<b>Application No.:</b>	67668	<b>App. Type:</b>	FUL	18/01/2022	Approve with Conditions
<b>Location:</b>	26 Middleton Drive, Bury, BL9 8DS				
<b>Proposal:</b>	1.8m Fencing with concrete base and posts to the side/rear				

<b>Application No.:</b>	67679	<b>App. Type:</b>	FUL	28/01/2022	Approve with Conditions
<b>Location:</b>	11 Well Grove, Whitefield, Manchester, M45 7SQ				
<b>Proposal:</b>	Single storey rear and side extension; Loft conversion with rear dormer extension; Front porch extension				

<b>Application No.:</b>	67817	<b>App. Type:</b>	FUL	11/02/2022	Approve with Conditions
<b>Location:</b>	149 Park Lane, Whitefield, Manchester, M45 7DZ				
<b>Proposal:</b>	Single storey side extension				

<b>Application No.:</b>	67847	<b>App. Type:</b>	FUL	01/02/2022	Approve with Conditions
<b>Location:</b>	17 Kibworth Close, Whitefield, Manchester, M45 7LS				
<b>Proposal:</b>	Two storey extension at front/side, first floor side extension, single storey front extension, single storey rear extension and alterations to existing windows/doors				

## Ward: **Whitefield + Unsworth - Unsworth**

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<b>Application No.:</b>	67600	<b>App. Type:</b>	FUL	09/02/2022	Approve with Conditions
<b>Location:</b>	214 Parr Lane, Bury, BL9 8JS				
<b>Proposal:</b>	Dormer extension at rear; Juliet balcony at rear				

<b>Application No.:</b>	67757	<b>App. Type:</b>	FUL	24/01/2022	Approve with Conditions
<b>Location:</b>	13 Apollo Avenue, Bury, BL9 8HG				
<b>Proposal:</b>	Two storey side extension; Two storey/single storey rear extension				

<b>Application No.:</b>	67785	<b>App. Type:</b>	FUL	04/02/2022	Approve with Conditions
<b>Location:</b>	117 Rufford Drive, Whitefield, Manchester, M45 8PD				
<b>Proposal:</b>	Two storey side extension and first floor extension at rear				

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**Total Number of Applications Decided:** 90

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# REPORT FOR NOTING

<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>22 February 2022</b>
<b>SUBJECT:</b>	<b>PLANNING APPEALS</b>
<b>REPORT FROM:</b>	<b>HEAD OF DEVELOPMENT MANAGEMENT</b>
<b>CONTACT OFFICER:</b>	<b>DAVID MARNO</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	<p>Planning Appeals:</p> <ul style="list-style-type: none"> <li>- Lodged</li> <li>- Determined</li> </ul> <p>Enforcement Appeals</p> <ul style="list-style-type: none"> <li>- Lodged</li> <li>- Determined</li> </ul>
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	The Committee is recommended to note the report and appendices
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework? Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management
<b>Statement by Executive Director of Resources:</b>	N/A
<b>Equality/Diversity implications:</b>	No
<b>Considered by Monitoring Officer:</b>	N/A

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

## TRACKING/PROCESS

## DIRECTOR:

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

## 1.0 BACKGROUND

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

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

## 2.0 CONCLUSION

That the item be noted.

### List of Background Papers:-

#### Contact Details:-

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

**Tel: 0161 253 5291**  
**Email: [d.marno@bury.gov.uk](mailto:d.marno@bury.gov.uk)**

**Planning Appeals Lodged  
between 17/01/2022 and 13/02/2022**



**Application No.:** 67665/FUL

**Appeal lodged:** 10/02/2022

**Decision level:** DEL

**Appeal Type:**

**Recommended Decision:** Split Decision

**Applicant:** Mr Zaffer Hussein

**Location** 3 Bridgefield Drive, Bury, BL9 7PE

**Proposal** A: Single storey rear/side extension  
B: First floor front extension

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**Total Number of Appeals Lodged: 1**

**Planning Appeals Decided  
between 17/01/2022 and 13/02/2022**



**Application No.:** 66990/FUL

**Appeal Decision:** Dismissed

**Decision level:** DEL

**Date:** 20/01/2022

**Recommended Decision:** Split Decision

**Appeal type:** Written Representations

**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

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## Appeal Decision

Site visit made on 18 January 2022

**by K A Taylor MSC URP MRTPI**

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

**Decision date: 20 January 2022**

**Appeal Ref: APP/T4210/D/21/3281936**

**1 Dover Close, Tottington BL8 4EE**

- 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 Richard Roberts against the decision of Bury Metropolitan Borough Council.
- The application Ref 66990, dated 10 May 2021, was refused by notice dated 19 July 2021.
- The development proposed was originally described as '*1st Floor pitched roof extension to the front dormer, the addition of 2 No. En-suites at 1st floor level, the garage roof converted to a pitched roof, relocation of the entrance door to the front elevation, and modifications to the rear and side elevations at ground floor level*'.

### **Decision**

1. The appeal is dismissed.

### **Procedural Matters**

2. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, the Council changed the wording on the decision letter forming a split decision. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
3. The Council issued a split decision granting planning permission for 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*' and refused the application in respect of Proposal B, '*Roof extension to existing front dormer*'. I am satisfied from the evidence, that the Council do not find Proposal A, to be unacceptable. My deliberations and decision are therefore focused solely upon Proposal B, roof extension to the front dormer.

### **Main Issues**

4. The main issues are (i) the effect of the proposed pitched roof extension to the front dormer on the character and appearance of the host property and the surrounding area; and (ii) the effect of the proposed pitched roof extension to the front dormer on the living conditions of the occupants of No.43 Vernon Road (No.43), with particular reference to light and outlook.

## **Reasons**

### *Character and Appearance*

5. The appeal site is within a predominantly residential area mainly characterised by both detached and semi-detached bungalows. The property forms a pair of semi-detached dormer bungalows of similar appearance and characterised with identical features including front flat roof dormers. The property is positioned at the start of a cul-de-sac and directly opposite are an identical pair of dormer bungalows, whilst the rest of the Close are detached bungalows with single storey protruding front gables. Despite some variation in form, the properties in the area present a discreet arrangement that appreciably contributes towards the local character.
6. The proposed pitched roof extension to the front dormer would result in almost half of the original flat roof dormer having a large pitched roof and significantly protruding out onto the roof slope. Therefore, it would result in a poor mismatch of design to the front elevation and relationship to the existing form of the flat roof dormer. Despite, the footprint of the property not being increased, given the resultant excessive height, width and depth of the proposed dormer it would result in an unbalanced, bulky and dominant addition in relation to the existing front elevation and roof slope.
7. Furthermore, the proposed materials would be unsympathetic as the white cladding would be excessive on the proposed dormer. When this is combined with its overall scale, width, minimal setback and excessive depth across the host property it would appear incongruous and have a negative appearance. Accordingly, it would detract from the character and appearance of the host property and the street scene.
8. For the reasons given above, I conclude that the proposed pitched roof extension to the front dormer would cause significant harm to the character and appearance of the host property and surrounding area. It would conflict with Saved Policy H2/3 of the Bury Unitary Development Plan, 1997, Saved by way of direction 2007, which has regard to the size, shape, design and external appearance of the proposal and the character of the property in question and the surrounding area.
9. I also find it would be at odds with the guidance in the Supplementary Planning Document 6 Alterations and Extensions to Residential Properties, 2010 (SPD6), which requires domestic extensions and alterations to achieve high standards, and seeks to ensure that proposals for dormer/roof extensions preserve the character of the street scene.

### *Living Conditions*

10. No.43 is a detached single storey bungalow and positioned to the side of the appeal site. The rear elevation of No.43 directly faces onto the appeal property and contains a number of openings to habitable rooms. The proposed pitched roof extension to the dormer would result in only a short separation distance between the rear and those windows on No.46. Despite, the appellant advising windows would be frosted to reduce outlook/privacy into the neighbouring property. The dormer extension would not meet the guidance contained in SPD6, which requires extensions to maintain a minimum separation distance of 13m.

11. Therefore, when viewed from the rear windows, in particular the bedroom window of No.43 the extended dormer would appear rather stark, excessive in size and overbearing. It would be viewed as a two-storey side addition when looking up from both the windows and when stood in the rear garden area of No.43. All to the detriment of the existing living conditions and outlook of No.43.
12. Given the position of existing windows and that the proposed dormer is sited on the roof slope, it would be unlikely that there would be any loss of light to the bedroom window to an unacceptable degree. However, this does not outweigh the harm I have found in regard to outlook.
13. For the reasons given above, I conclude that the proposed pitched roof extension to the front dormer would cause harm to the living conditions of the occupiers of No.43, with particular reference to outlook. It would conflict with Saved Policy H2/3 of the UDP, which has regard to the consideration of amenity of adjacent properties. It would also be in conflict with the guidance contained within SPD6, in regard to aspect standards to protect privacy and residential amenity.

### **Other Matters**

14. I acknowledge that the Council issued a split decision for 'Proposal A' and 'Proposal B'. Whilst I have the power to issue a split decision on an appeal, this is discretionary, and I am not obliged to do so. I do not consider that parts of the proposal which are acceptable are physically clearly severable from that part which is not. In this case, the modifications to the garage roof would be attached to the pitched roof extension to the front dormer. Moreover, I do not consider that such a split decision would be clearly and easily defined with reference to the submitted drawings. Therefore, a split decision would not be appropriate in this case.

### **Conclusion**

15. The proposed roof extension to the existing front dormer conflicts with the development plan, taken as a whole and there are no other material considerations, which outweigh this finding. Therefore, for the reasons given, the appeal is dismissed.

*K A Taylor*

INSPECTOR

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