

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:-

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

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

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

3 MINUTES OF THE MEETING HELD ON THE 22ND FEBRUARY 2022 *(Pages 3 - 6)*

Minutes of the meeting held on Tuesday the 22nd February 2022 are attached.

4 PLANNING APPLICATIONS *(Pages 7 - 74)*

Reports attached.

5 DELEGATED DECISIONS *(Pages 75 - 86)*

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 87 - 98)*

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: 22 February 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

Public Attendance: 3 members of the public were present at the meeting.

Apologies for Absence: Councillor J Mason and Councillor 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

Councillor Harris declared a prejudicial interest in planning applications 66745 and 66746 as she was the Bury Council representative serving on the East Lancashire Railway Trust Board

Councillor Harris left the meeting during deliberation of the applications.

Councillor D. Quinn declared a personal interest in planning applications 66745 and 66746 but would remain in the meeting.

Councillor Boles declared both a prejudicial interest in planning applications 66745 and 66746 due to a family member owning a property in the vicinity of the application location.

Councillor Boles left the meeting during deliberation of the applications.

Councillor Vernon declared a personal interest in planning application 67876.

Councillor Vernon left the meeting during deliberation of the application.

PCC.3 MINUTES OF THE MEETING HELD ON THE 25TH JANUARY 2022

Delegated decision:

That the Minutes of the meeting held on the 25th January 2022 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 66745, 67867 and 67876.

The Committee heard supportive representations from applicants in respect of applications submitted. This was limited to three minutes for the speaker.

Delegated decisions:

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

Buckley Wells Locomotive Depot, Baron Street, Bury, BL9 0TY

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.

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

Buckley Wells Locomotive Depot, Baron Street, Bury, BL9 0TY

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.

3. 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 with an additional condition related to the submission of a scheme to show parking space(s) with a EV charge point:-

206 Walmersley Road, Bury, BL9 6LL

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

4. 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:-

62 Bridge Street, Ramsbottom, Bury, BL0 9AG

Installation of refrigeration plant with pitched slate roof covering at rear

PCC.5 DELEGATED DECISIONS

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

Delegated decision:

That the report and appendices be noted.

PCC.6 PLANNING APPEALS

A report from the Head of Development Management was submitted listing all recent Planning Appeal decisions since the last meeting of the Planning Control Committee.

Delegated decision:

That the report and appendices be noted.

PCC.7 URGENT BUSINESS

No urgent business was reported.

COUNCILLOR G MCGILL
Chair

(Note: The meeting started at 7.00pm and ended at 7.46pm)

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Title	Planning Applications
To:	Planning Control Committee
On:	22 March 2022
By:	Development Manager
Status:	For Publication

Executive Summary

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

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

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

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

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

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

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

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

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

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

Development Manager

Background Documents

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

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

- 01 Township Forum - Ward:** Whitefield + Unsworth - Besses **App No.** 66993
- Location:** Land between 21 and 23 Mode Hill Lane, Whitefield, Manchester, M45 8JF
- Proposal:** Erection of a detached dwelling (new layout)
- Recommendation:** Approve with Conditions **Site Visit:** N
-
- 02 Township Forum - Ward:** Radcliffe - East **App No.** 67597
- Location:** East Lancs Paper Mill, Church Street East, Radcliffe, Manchester, M26 9PG
- Proposal:** s73 Application - Variation to conditions 2 for consistency and to allow phasing; 3 removing indicative masterplan from list of approved plans; 8 and 42 for consistency; 9, 23, 33 and 39 to amend the trigger point for submitting information; 11 to allow site clearance and preparation to take place prior to commencement of development; 15, 18 and 37 to amend the trigger point for submitting information and consistency; 16, 27, 28 and 34 for flexibility and to amend the trigger point as to when information is submitted; 17 and 30 to increase flexibility and 26 to allow for phasing, following approval of planning permission 62969
- Recommendation:** Approve with Conditions **Site Visit:** N
-
- 03 Township Forum - Ward:** Radcliffe - North **App No.** 68038
- Location:** 22 Cockey Moor Road, Radcliffe, Bury, BL8 2HB
- Proposal:** Erection of detached dwelling
- Recommendation:** Approve with Conditions **Site Visit:** N
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Ward: Whitefield + Unsworth - Besses

Item 01

Applicant: Mr Hassani

Location: Land between 21 and 23 Mode Hill Lane, Whitefield, Manchester, M45 8JF

Proposal: Erection of a detached dwelling (new layout)

Application Ref: 66993/Full

Target Date: 27/07/2021

Recommendation: Approve with Conditions

Description

The application relates to a vacant partly overgrown irregular shaped plot of land in a residential area. The site comprises 328.7sqm. The northern half of the site (161.3sqm) is Green Belt and the southern part is not in the Green Belt. Beyond the rear boundary is open countryside and Green Belt land.

The site is flanked by two dwellings, Nos 21 and 23 Mode Hill Lane and at the rear the existing boundaries comprise closeboard fencing.

Planning permission is sought for the construction of one two-storey detached dwelling with associated parking and garden.

The dwelling would be located in the southern part of the site which is not Green Belt and would have a very similar footprint to No.23 but slightly set back from this property. There would be a garage with one parking space at the front. At the rear there would be a patio area which would also not extend into the Green Belt.

The northern section which is Green Belt will be maintained as open garden for the dwelling and there are no proposed structures on this area of the site. Along the rear northern boundary the applicant has stated a willingness to replace the existing fence with an open fencing design to be agreed.

The design of the dwelling would be very similar in size and scale to existing neighbouring dwellings, a square footprint, and incorporating a gable roof. Materials would be red brick and grey tiles to match adjacent properties.

It should be noted that the current development proposal is very similar in siting, size, and height, to an existing permission (planning application 64333) on the same plot for one dwelling which was approved in 2020 and which is still valid.

Relevant Planning History

64333 - Erection of 1 no. dwelling - Approved May 2020 (Valid until May 2023)

61825 - Non-mat amend to 59296 - Approved Sept 2017

59296 - Residential Development - 9 no. dwellings - Approved Jan 2016

Publicity

Immediate neighbours notified by letter dated 03/06/2021, 02/02/2022, and 22/02/2022 sent to 20 neighbours. Eleven objections (5 individuals) were received from five separate households.

Objections –

Concerns are summarised below:

General

- Object and strongly oppose to this planning application.

Principle of Development

- Object to a house being built so close to the green belt land
- Green belt land will be affected,
- Do not want a common land created from my lower garden which is green belt.
- No house to be built
- The council have only given permission because Unsworth South Social Club has been demolished for development. There is no need for property to be built there.
- Justification for development of the greenbelt contrary to the explicit comments made by the head of the planning team regarding the preservation of greenbelt at the planning committee meeting relating to the previous application for the site.
- The previous use of the site was temporary materials storage and site office located on land that formed part of the garden for a previous development.

Visual Amenity

- Overlooked by a towering building so close to the fence line obstructing a view of the green belt land.

Residential Amenity

- Obstruct light into gardens of properties nearby.
- The development would tower over the garden to the property blocking sunlight and rights to privacy.
- Overshadow issues, with loss of light onto part of my property.
- Under the Rights to Light Act 1959, I will not waive my rights to light to this development.
- Loss of sunlight and privacy.
- This could alter the height and privacy of fences.
- Under the Right to Light Act, part of my garden will be blocked by the erection of this property, which contravenes the Act.
- The windows on the proposed development would partly overlook into my land, causing a breach of my privacy.
- Overshadow issues, with loss of light onto part of my property. Under the Rights to Light Act 1959, I will not waive my rights to light to this development.
- We have a child and an infant. With currently having to tolerate the unbearable noise levels, smells, dust and vibrations with the ongoing/forthcoming works at the former Unsworth Social Club, which already poses as a health risk, I will not accept further disturbances from this development.
- Noise pollution.

Transport

- Scaffolding or the parking and turning of builder's vehicles.
- The small residential road will be dangerously congested; with no access for emergency vehicles along there when a: it is small and b: it comes immediately after a small T-junction in the road.
- Severe impact on traffic in and out of the street, due to blockage by construction vehicles.
- Emergency vehicles need to pass.
- Aware that ten dwellings built behind 34 Mode Hill Lane will also be undertaken. This will result in all roads becoming adapted for building use and this is a serious hazard to community safety.
- With 10 houses underway of being built directly across this development, Mode Hill Lane would not only be blocked by heavy building machinery and vehicles, it would also be impassable to traffic.
- The proposed development would adversely affect highway safety and the

convenience of road users, leading to inadequate access, parking and servicing. It is a single lane road, with resident cars parked on both sides, with no possible turning points for big commercial vehicles.

- The proposed new site plan proposes a car parking space that cannot be accessed over the existing dropped curve without driving over the lawn and driving across land not within the curtilage of the property. It is clearly inadequate and will cause obstruction to the free flow of traffic on Mode Hill Lane.
- Wish to see a response from Highways who stated the parking arrangements were inadequate for the last proposals.
- Need details of the construction traffic management plan for the site and materials storage given that there will be no access to the rear of the building at any time during the build and that the proposed off-road parking will be underneath an upper storey bedroom.
- Need details of the proposed wastewater drainage and sewage connection given that the application does not specify these.
- Mode Hill ancient covenant land turns into a country pathway which is unadopted and unkept, how is it to be a turning point for lorries and building vehicles? Is the junction that is heavily congested.

Safety

- The safety of the children in their gardens could be at risk.
- A lack of access for parking and emergency vehicles is clearly hazardous and life threatening.

Natural Environment

- Site of Biological Importance (SBI) status mostly due to the diversity of the waterside plants; Tufted Loosestrife and Greater Spearwort being particularly unusual and Great Crested Newt.
- Damage to wildlife.
- Overgrown [site] inhabited by indigenous wildlife seeking their mating land that was once farmers scrub land that seasonally flooded.

Other Issues

- Revoke the planning application.

Objections submitted by residents outside the immediate area

- This is in breach of the Right of Light Act on both boundaries, the new application shows the property in front of the edge of my rear building.
- There is no room for temporary buildings whilst building to house materials or construction devices vehicles on the site and build the actual plot, this makes me seriously think that my land will be impeded upon for turning or reversing heavy vehicles and be damaged. I am also concerned about drainage and sewage pipes being attached to my properties and the damage this could cause to my own drainage and sewage system.
- The lands (green belt) floods and indigenous species return to mate, like the newt. These will be at high risk. Since the demolition of the social club opposite a large rat infestation has appeared and crosses between that building site and the site proposed to build upon next to me (planning ref 66993). Parking in front of my house will increase with both permissions.

Relevant concerns of the neighbours have been addressed in this report.

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

Statutory/Non-Statutory Consultations

Highways - No objection subject to recommended planning conditions relating to car parking arrangements, dropped kerb, bin storage facilities, construction of driveway in a

porous/permeable material, plus a requirement for a 'Construction Traffic Management Plan'. These issued have been conditioned in this report.

United Utilities – No objections subject to a condition for a drainage scheme

Environmental Health: Contaminated Land – No objection subject to conditions relating to air quality and submission of a ground investigation report.

Engineering: Drainage Section - No response.

Pre-start Conditions

The agent has agreed to the pre-commencement conditions.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
OL1	Green Belt
SPD 9	Conversion and Re-use of Buildings in the Green Belt
EN1/2	Townscape and Built Design
EN1	Built Environment
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN8/2	Woodland and Tree Planting
H2	Housing Environment and Design
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury

Issues and Analysis

Green Belt – NPPF paragraphs 147 and 148 state that inappropriate development in the Green Belt is by definition, harmful and should not be approved except in Very Special Circumstances (VSC). Planning Authorities should ensure that substantial weight is given to any harm in the Green Belt. VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 of the NPPF regards the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this are:

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

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

the size of the original dwelling; and limited infilling in existing villages as set out under Policy OL/3.

The site is partly located within the greenbelt on the edge of Whitefield. The northern half of the site is within the Green Belt but the southern part of the site where the proposed dwelling would be located is not in the Green Belt. Site history confirms that in the northern half of the site there was a former outbuilding which appears to have been a garage or large shed. Nevertheless, the current scheme does not propose any new structures in that part of the site. The proposed new dwelling would only be within the southern part of the site which is not Green Belt.

Supplementary Planning Guidance 8 - New Buildings and Associated Development in the Green Belt states that the image of the suburban garden in the Green Belt is inappropriate and should be avoided (eg. close boarded fencing will not be acceptable). Therefore, a condition would be attached to ensure that the existing closeboard fencing along the northern boundary is removed and replaced with an open fencing design, prior to the proposed outbuilding being occupied to ensure that the openness of the countryside is protected.

The proposed scheme does not propose any new structures in that part of the site which is Green belt. The applicant has submitted a statement to confirm this and it is stated that *"To meet green belt policy, very special circumstances (VSC), the rear garden has limited use by future occupants and no permanent structure is to be erected"*.

In this instance due to the location of the proposal it is considered that the proposal would not conflict with the surrounding land uses nor would it create harm to the openness of the Green Belt given the above circumstances.

The proposed layout means that the urban elements of the proposed development would not be within the Green Belt. With regards to the provision of a rear private domestic garden and associated fencing, it is considered this would not result in a significant encroachment into the Green Belt and therefore not harm openness.

It is therefore considered that the proposal would not have an adverse impact on the character of the Green Belt, and as such the proposal is considered to comply with the principles of the NPPF Green Belt policies, Bury UDP Policies, OL1/2 and associated guidance SPD6.

Principle of Development (Residential)

The site is located within the urban area and there is residential development to the south, east and west of the site. The proposed development would not conflict with the surrounding land uses and would be in a sustainable location with good access to public transport and services.

There is an extant consent for one dwelling on the same site, planning reference 64333 and as such, residential use is established and the principle of development is therefore acceptable.

Layout and Design

Policy H2/1- The Form of New Residential Development requires all new residential development to make a positive contribution to the form and quality of the surrounding area. Policy H2/2 - The Layout of New Residential Development seeks to ensure that new residential development will be acceptable in terms of layout in order to provide a good quality residential environment. In addition to this, Policy EN1/2 - Townscape and Built Design seeks to ensure that any proposals would not have an adverse impact on the particular character and townscape of an area.

The proposal is to place 1 (one) two storey detached dwelling on the site. The scale of the

proposed development and building footprint, alignment, and building line would be broadly similar to both 21 and 23 Mode Hill Lane.

There would be a parking space (plus garage) at the front of the site and at the rear the garden would extend approximately 12m which would provide acceptable levels of amenity for the future occupiers.

In terms of design and appearance the extension is generally in-keeping with the neighbouring houses, comprising a very similar design, size, and scale, including the same roof pitch and materials would match neighbours properties. In this respect the proposed development would comply with H2/1 and associated guidance in SPD6.

It is therefore considered that the proposed design would be in keeping with the surrounding residential streetscene incorporating a two storey dwelling, with gable roof, front windows overlooking the main street. The design, appearance, and scale of this development for a new build dwelling would therefore be acceptable within this street scene.

It is considered that the proposed development would, by reason of its size, position and design, be an appropriate and acceptable addition in the streetscape and would comply with policies - H2/1- The Form of New Residential Development, H2/2 - The Layout of New Residential Development, and EN1/2 - Townscape and Built Design

Residential amenity

UDP Policy H1/2 Further Housing Development states that the council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses. There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

The proposed new detached dwelling would be two storey with a gable roof and front windows. There is a clear difference in levels between the site and adjacent properties to the west, with No.21 being on a slightly raised level. The applicant has submitted a streetscene plan showing that the roof pitch will be the same as both neighbouring properties.

The building line at the front and rear would be broadly within that of both adjacent dwellings and set approximately 21.1m apart from the front elevation at 34 Mode Hill Lane opposite. The west side gable wall (no windows) would be set 15.6m apart from the habitable windows of the neighbour at No. 21, which is in excess of the 13m required in council guidance SPD6.

Beyond the rear boundary there are open fields and as such, the rear elevation would not directly overlook any neighbours,

The design is consistent with the 45-degree rule on both sides. There are no side windows proposed other than the stairwell which can be conditioned to require obscure glazing. As such the side windows proposed are considered to comply with guidance set out within SPD 6. The rear windows would not directly overlook either neighbours gardens.

In terms of the general prominence and impact on daylight the proposed new dwelling is set broadly within the centre of the plot, of a similar layout, scale and massing and surrounding residential development and with the separation distances to Nos 21 and 23 discussed above, the proposed development would not cause significant overshadowing and would not have a serious impact on the outlook from either neighbour.

It is therefore considered that the proposed development would not have a significantly

detrimental impact on the residential amenity of the adjacent occupiers and as such would comply with policies EN1/2, H2/1, H2/2 and SPD6.

Sustainable Development

The location of the site is on the edge of the existing urban area, well-integrated within the existing urban fabric. It would reuse an existing vacant site which has an extant planning permission for a dwelling and considered to make a positive contribution to sustainable development. A condition would be included to require an EV charging point.

Highways

This development proposal for one house would involve a dropped kerb for site access plus two car parking spaces (including the garage). SPD11 requires a maximum of 3 parking spaces for properties in a low accessibility area such as this. The proposal would provide one parking space (plus garage). Given that parking on street is not restricted at the site, and the fact this site is within a sustainable area and within walking distance of local amenities, the existing parking arrangements are therefore considered to be acceptable.

The Highways section has no objection to the proposed development subject to conditions for formation of a footway crossing, driveway with minimum length constructed in a porous/permeable material, measures to discharge surface water, garage door to include roller shutter type garage doors, and bin storage facilities, plus a requirement for a 'Construction Traffic Management Plan'. These would be conditioned in this report.

Bins would be stored to the rear of the dwelling and moved to/from the highway on collection days.

As such, it is considered the proposed development would be acceptable and comply with HT2/4 and HT6/2.

Drainage

In terms of drainage United Utilities have been consulted and raise no objection to the proposed development and recommend the submission of a scheme for surface water details based on the hierarchy of drainage.

This would be included as a condition.

Note to objectors

- Highways team has been consulted in relation to traffic concerns, and associated issues have been addressed in the report.
- Issues relating to highways and drainage have been covered in the above report.
- A condition will be included to require that the Green Belt section of the site will be maintained as open space.
- The SBI status has been checked and there is no such designation for this site and hence no environmental consultation requirement.
- The proposed dwelling is two storey only, and the roof pitch matches those of immediate surrounding neighbouring dwellings.
- The side window overlooking a neighbours garden has been removed.
- The Right of Light Act is a private civil legal matter that is separate to the issue of access to natural light which is a material planning consideration.
- The application has been assessed in accordance with adopted planning policies in terms of impacts on neighbouring properties and it is concluded the proposed development would accord with policy and there would be no significantly harmful impacts on the residential amenity of adjacent occupiers.

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered PP107(1)21 RevC, PP107(3)21 RevC, PP107(4)21 RevB, and PP107(5)21 RevC 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 external finishing materials for the proposal hereby approved shall match those of the adjacent dwellings.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. Before the first occupation of the extension hereby permitted the stairwell window at the East side elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
5. No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.
Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
6. A landscaping scheme shall be submitted to, and approved by the Local Planning

Authority prior to the commencement of the development. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

7. Air quality and electric vehicle charging point
Prior to occupation the applicant shall provide electric vehicle (EV) charging points for each residential unit. EV chargepoints shall be chosen for the Electric Vehicle Homecharge Scheme approved chargepoint model list. The approved scheme shall be available for use prior to first occupation and retained in situ thereafter.
Reason. In accordance with the principles of 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.
8. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the extension hereby approved being brought into use.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
9. The existing closeboard fencing along the northern boundary to be removed and replaced with an open fencing design prior to the proposed dwelling being occupied and thereafter maintained, design to be agreed to the satisfaction of the Local Planning Authority.
Reason: To ensure that the openness of the countryside is protected pursuant to UDP Policy OL1 and SPD8.
10. The northern part of the site that is Green Belt land as identified in green at the rear of the proposed dwelling on plan PP107(1)21 RevC is to be maintained as open space and no permanent structure is to be erected.
Reason: To ensure that the openness of the countryside is protected pursuant to UDP Policy OL1 and SPD8.
11. Notwithstanding the details indicated on approved site plan reference PP107(1)21 Revision C, no development shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways to, and agreed with, the Local Planning Authority:
 - Formation of the proposed footway crossing and reinstatement of the redundant footway crossing to the east, incorporating the demarcation of the limits of the adopted highway with edgings at the back of the footway with a 50mm upstand adjacent to the proposed lawn area;
 - New driveway a minimum of 5.0m in length in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adjacent adopted highway;
 - Roller shutter type garage door or a similar approved type which does not project outwards at any time during or after operation.

The details subsequently approved shall be implemented to the satisfaction of the Local Planning Authority with all highway works completed prior to the development hereby approved being occupied.

Reason: To secure the satisfactory development of the site in terms of highway safety, maintain the integrity of the adopted highway, enable a vehicle to stand clear of the highway whilst the garage door is opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of highway safety, and to ensure a satisfactory development pursuant to Bury Unitary Development Plan Policies HT6/2 - Pedestrian/Vehicular Conflict, HT2/4 - Car Parking and New Development, and SPD 11 - Parking standards in Bury.

12. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

- Photographic dilapidation survey of the footway and carriageway abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of statutory undertakers connections to the site;
- Access point for construction traffic from the adopted highway and all temporary works required to facilitate access for ground works/construction vehicles;
- Hours of operation and number of vehicle movements;
- A scheme of appropriate warning/construction traffic signage in the vicinity of the site and its access;
- Parking on site of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this;
- If proposed, site hoarding/inward opening gate positions clear of the adopted highway, including the provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the parking of vehicles and storage of construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use.

13. The bin storage arrangements indicated on approved site plan reference PP107(1)21 Revision C shall be implemented to the satisfaction of the Local Planning Authority before the development hereby approved is brought into use and thereafter be maintained available for use at all times.

Reason: To ensure adequate off-highway bin storage arrangements are provided within the curtilage of the site, in the interests of highway safety, and to ensure a satisfactory development pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, HT6/2 - Pedestrian/Vehicular Conflict, HT2/4 - Car Parking and New Development.

14. 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.

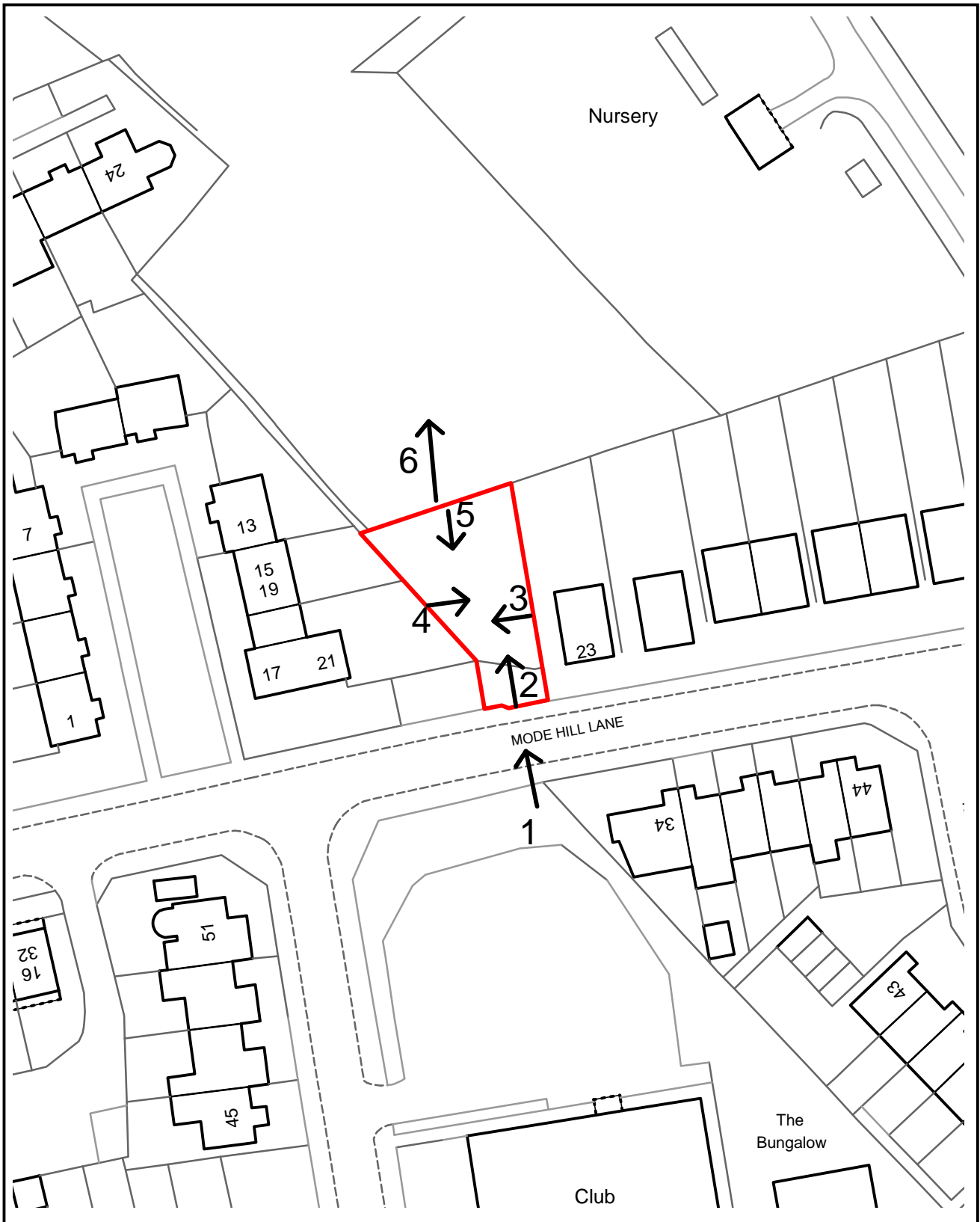
Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework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

15. Following the provisions of Condition 14 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.

For further information on the application please contact **Steven Gunn Russell** on **0161 253 5396**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 66993

ADDRESS: Land between 21 and 23 Mode Hill Lane
Whitefield



Planning, Environmental and Regulatory Services

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

66993

Photo 1



Photo 2



66993

Photo 3



Photo 4



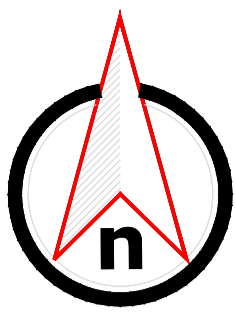
66993

Photo 5



Photo 6





Location Plan
Scale 1 :1250



Site Plan
Scale 1 :500



Proposed Site Plan
Scale 1:200

GENERAL NOTES

1. The contractor must check the site and the approved drawings before commencing the works and must take any working measurements as necessary and any discrepancy must be reported to the client.
2. Work shall comply with any current relevant BS/codes of practices and confirm to the Building Regulations including the latest amendment. The contractor is responsible for setting out the works.

PROJECT ADDRESS

Land between 21 and
23 Mode Hill Lane
Whitefield
M45 8JF

PROJECT

Erection of Detached Dwelling

KEY

----- Boundary

Drawing No
PP107(1)21
Rev C

Scale
1:1250 @ A1
1:500 @A1
1:200 @A1

Date
10.05.21

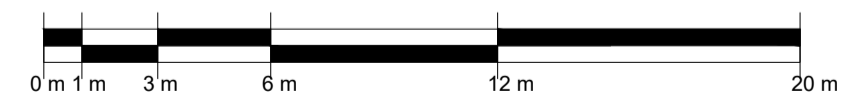
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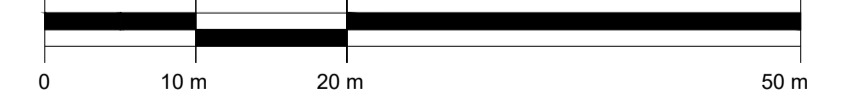
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Stockport
SK5 8BF

T. 07830039347

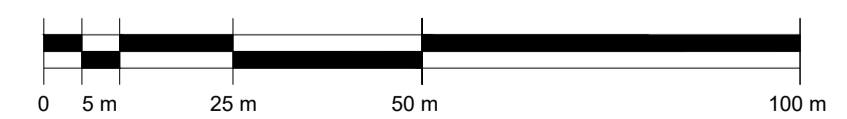
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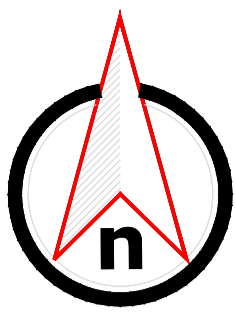
SCALE BAR 1:200



SCALE BAR 1:500



SCALE BAR 1:1250



Page 27



GENERAL NOTES

1. The contractor must check the site and the approved drawings before commencing the works and must take any working measurements as necessary and any discrepancy must be reported to the client.
2. Work shall comply with any current relevant BS/codes of practices and confirm to the Building Regulations including the latest amendment. The contractor is responsible for setting out the works.

PROJECT ADDRESS

Land between 21 and
23 Mode Hill Lane
Whitefield
M45 8JF

PROJECT

Erection of Detached Dwelling

KEY

----- Boundary

Drawing No
PP107(2)21
Rev C

Scale
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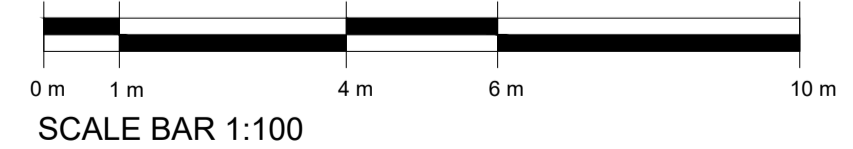
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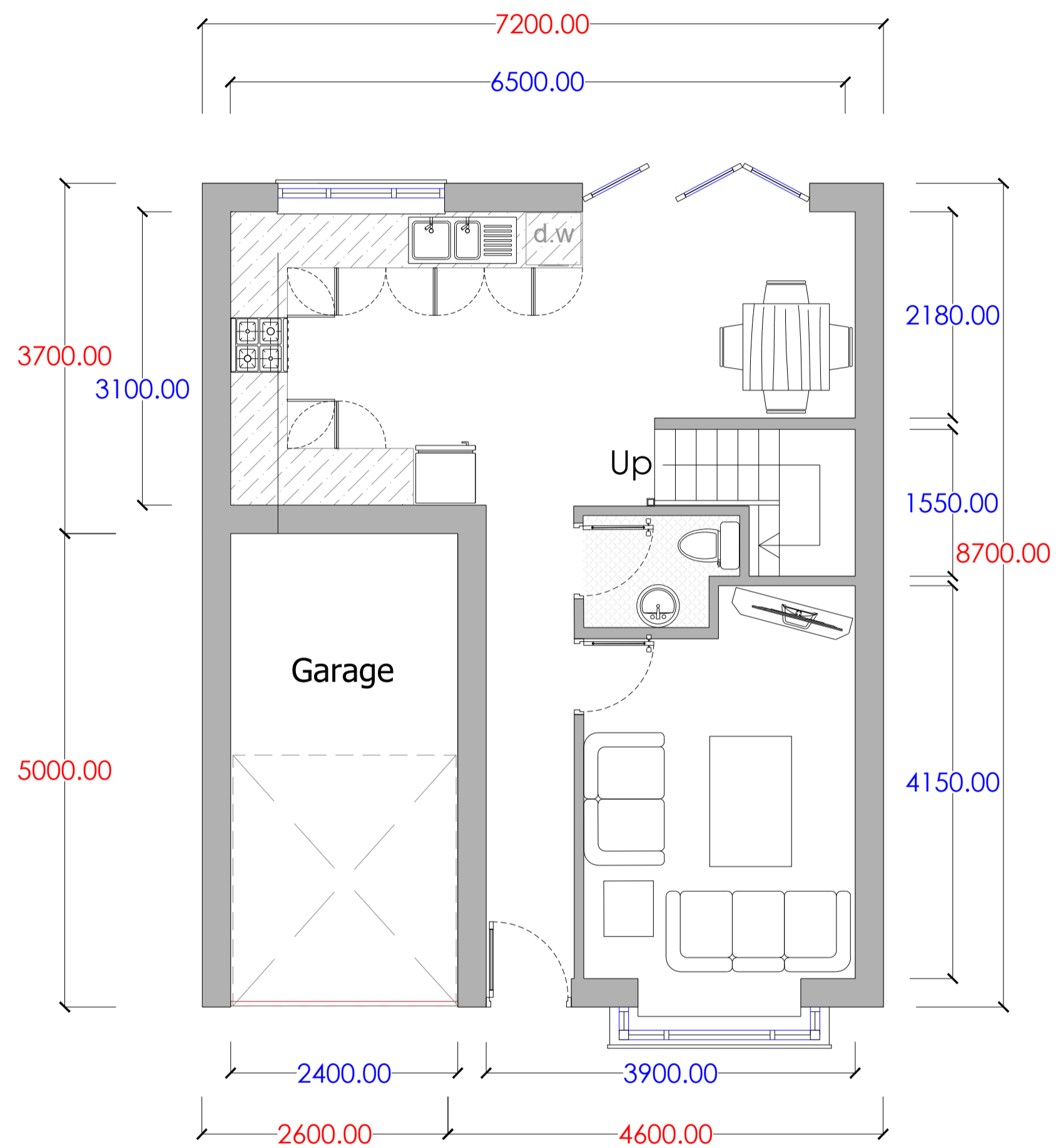
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Stockport
SK5 8BF

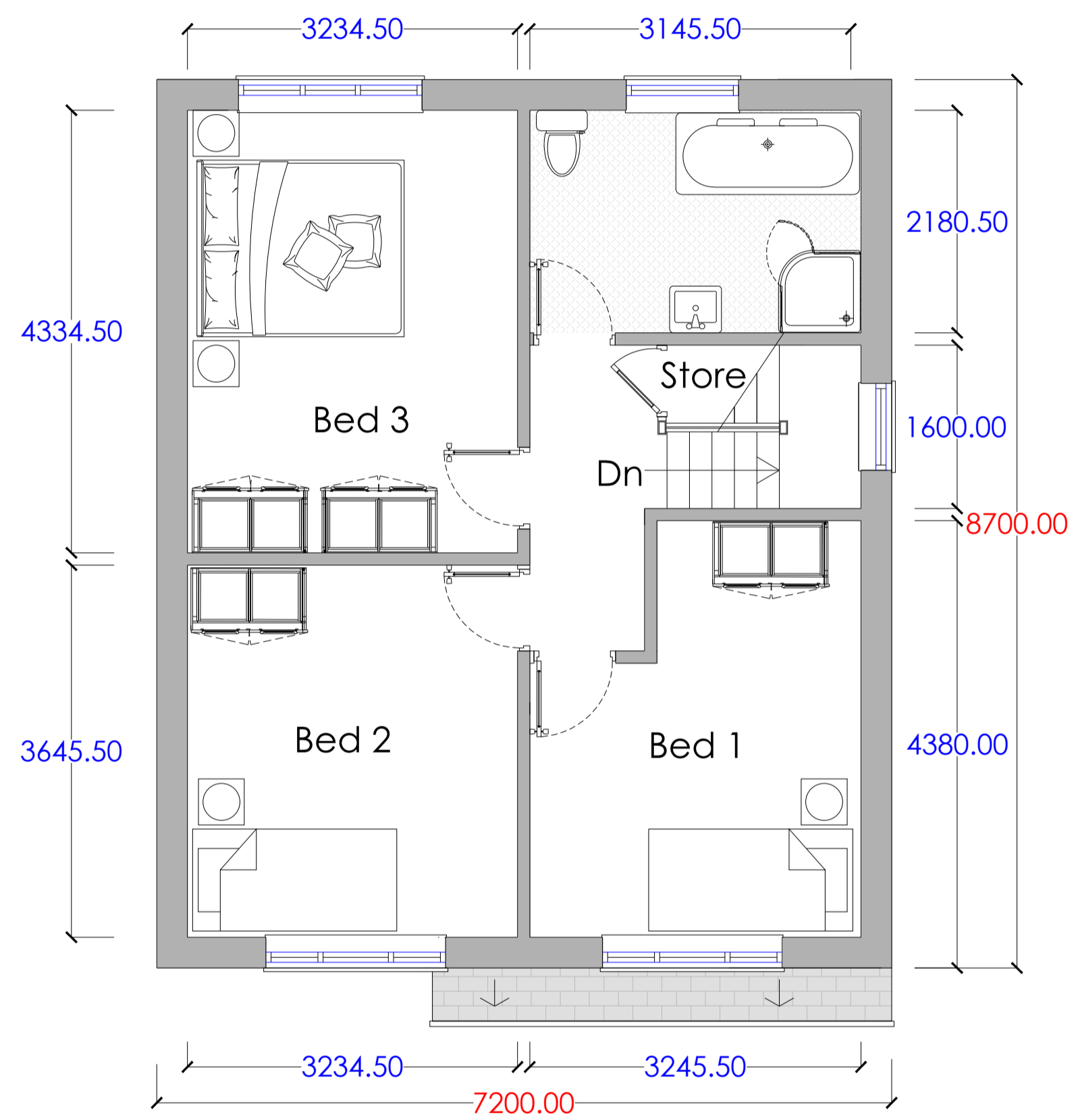
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E. ata_design@hotmail.com





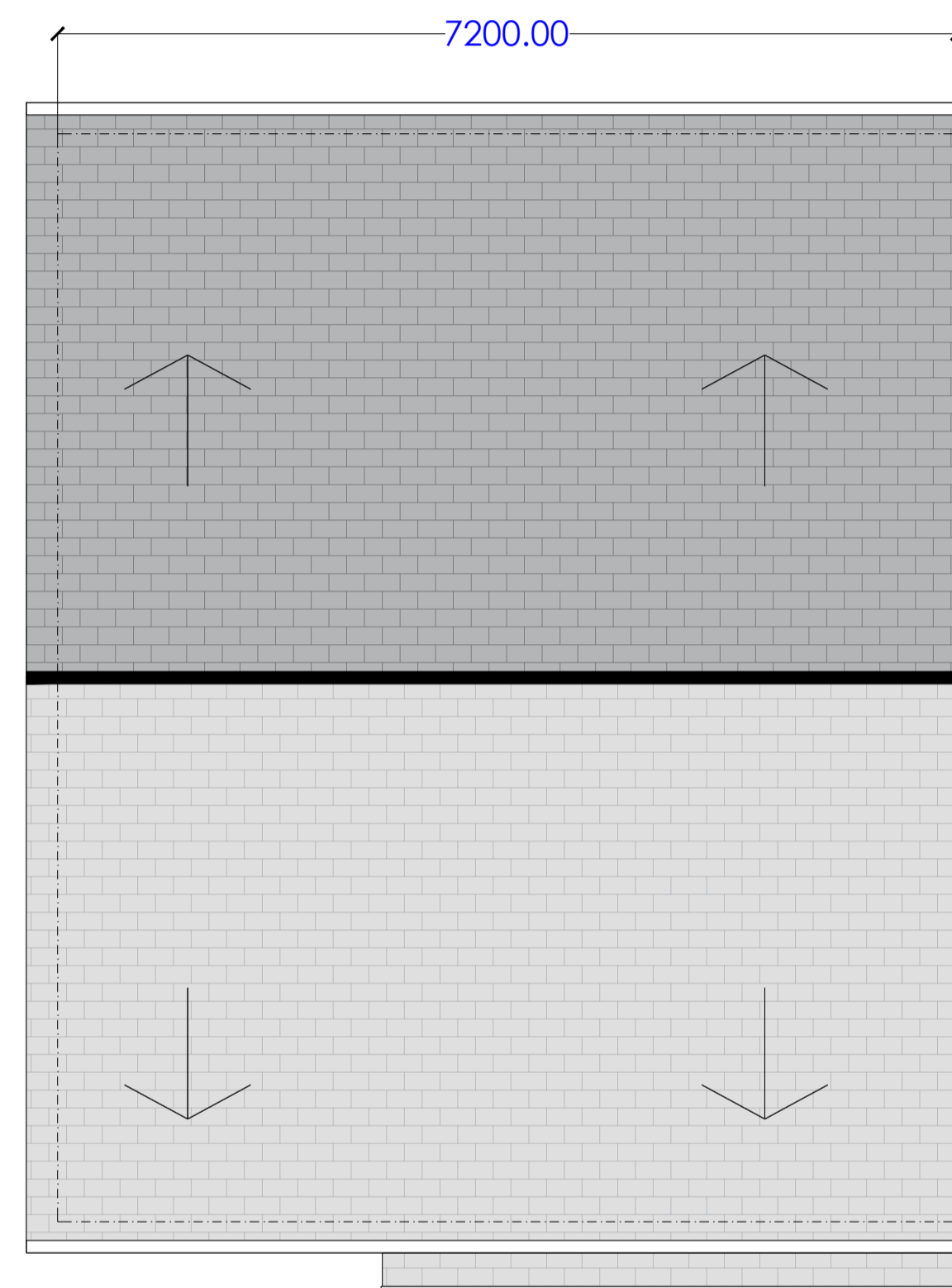
Ground Floor Plan

Scale 1:50



First Floor Plan

Scale 1:50



Roof Plan

Scale 1:50

GENERAL NOTES

1. The contractor must check the site and the approved drawings before commencing the works and must take any working measurements as necessary and any discrepancy must be reported to the client.
2. Work shall comply with any current relevant BS/codes of practices and confirm to the Building Regulations including the latest amendment. The contractor is responsible for setting out the works.

PROJECT ADDRESS

Land between 21 and 23 Mode Hill Lane Whitefield M45 8JF

PROJECT

Erection of Detached Dwelling

KEY

- RWP Rain water pipe
- Boundary

Drawing No
PP107(3)21
Rev C

Scale
1:50 @ A1

Date
10.05.21

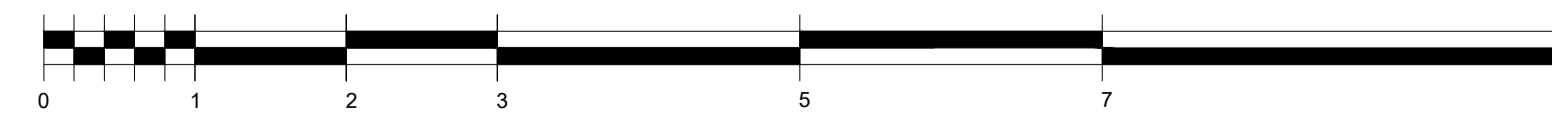
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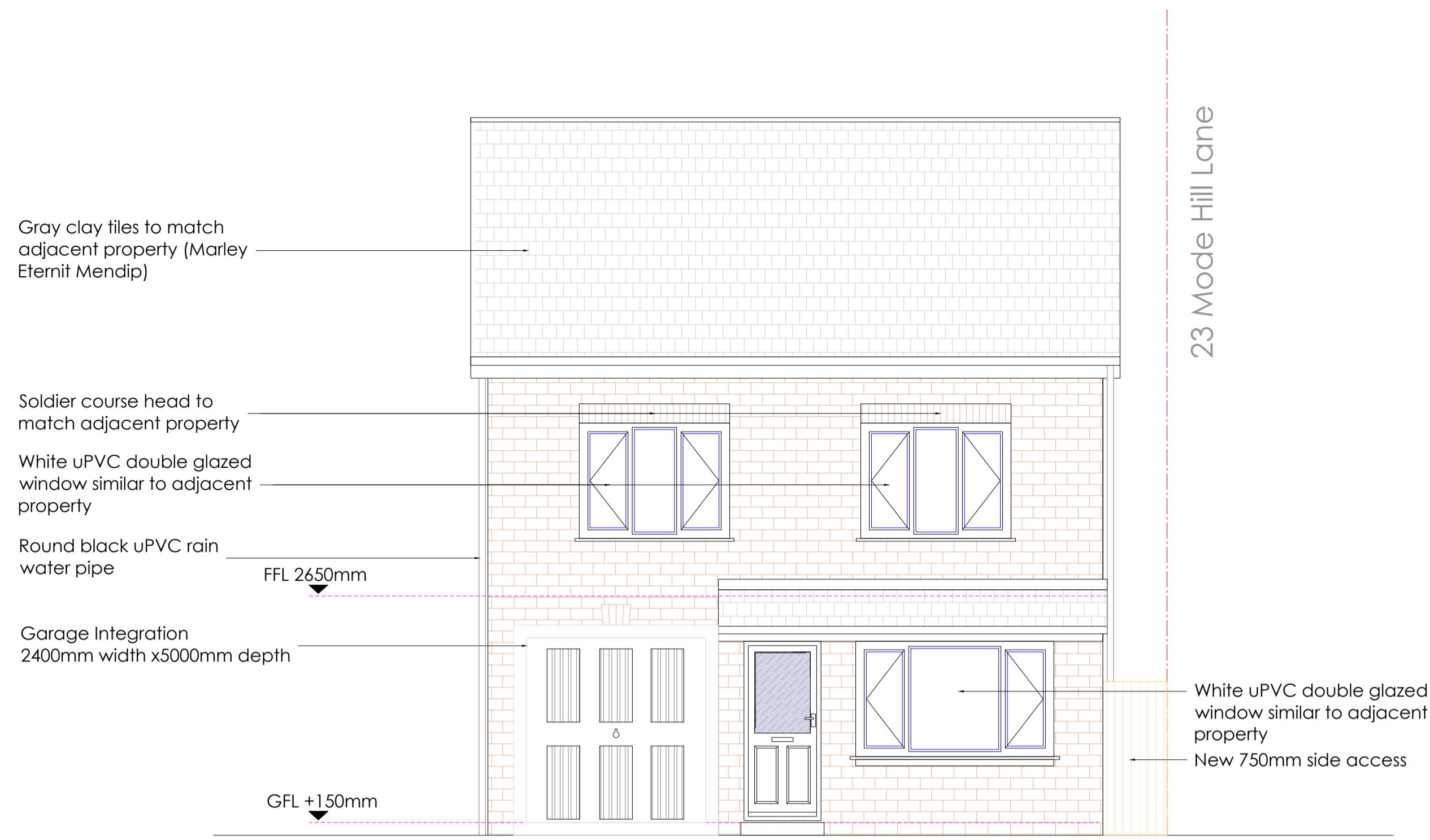
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Stockport
SK5 8BF

T. 07830039347

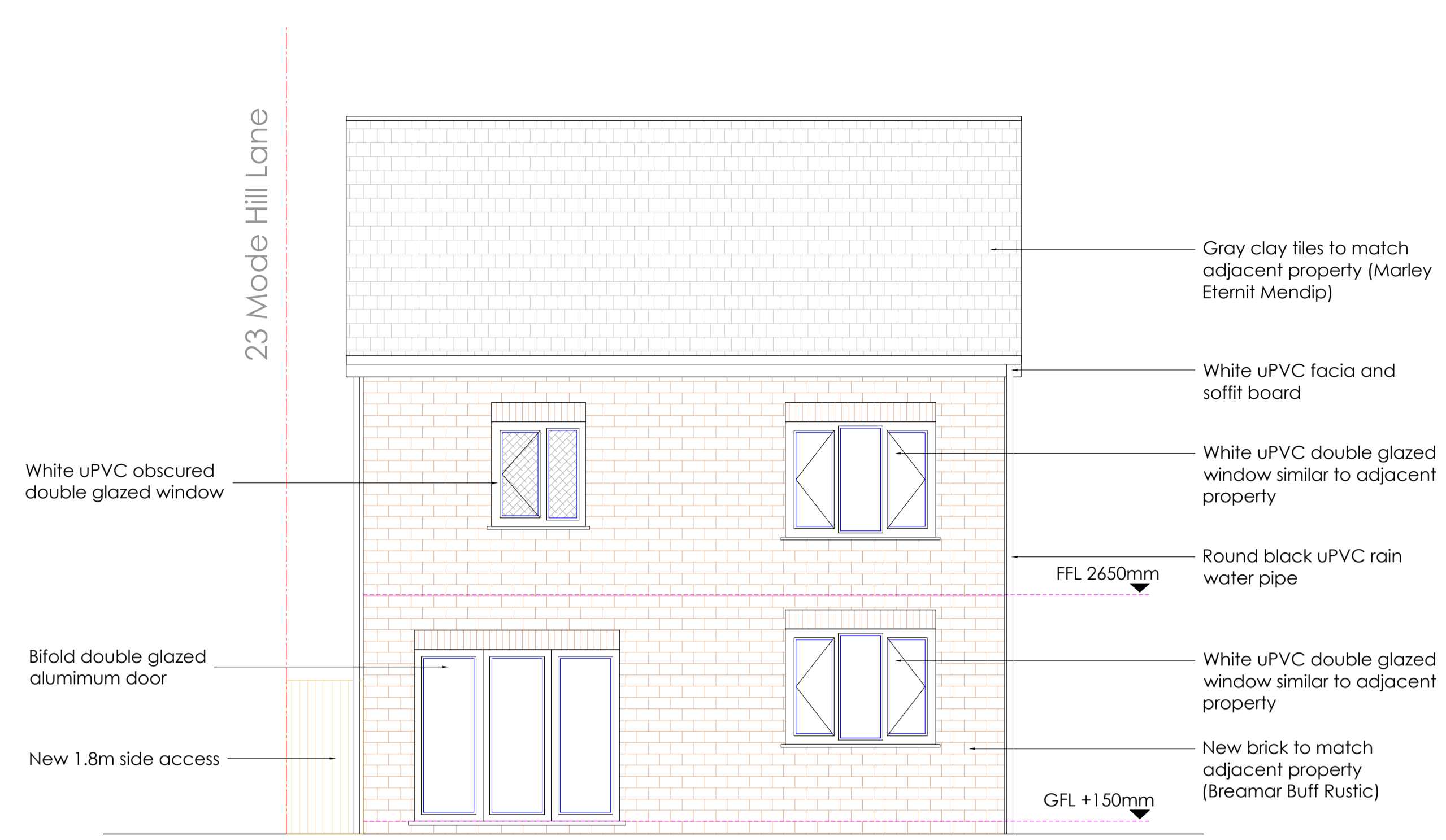
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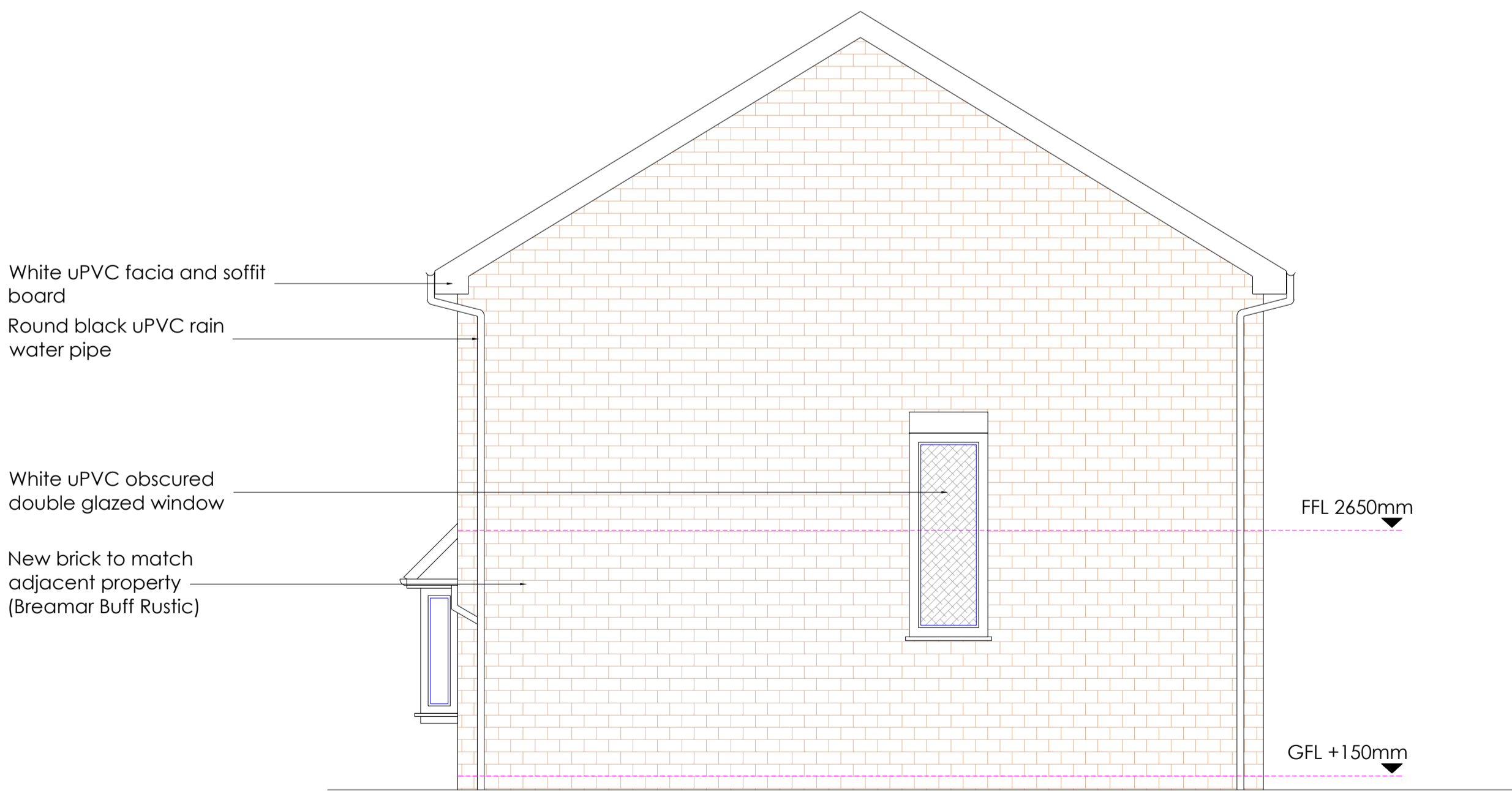
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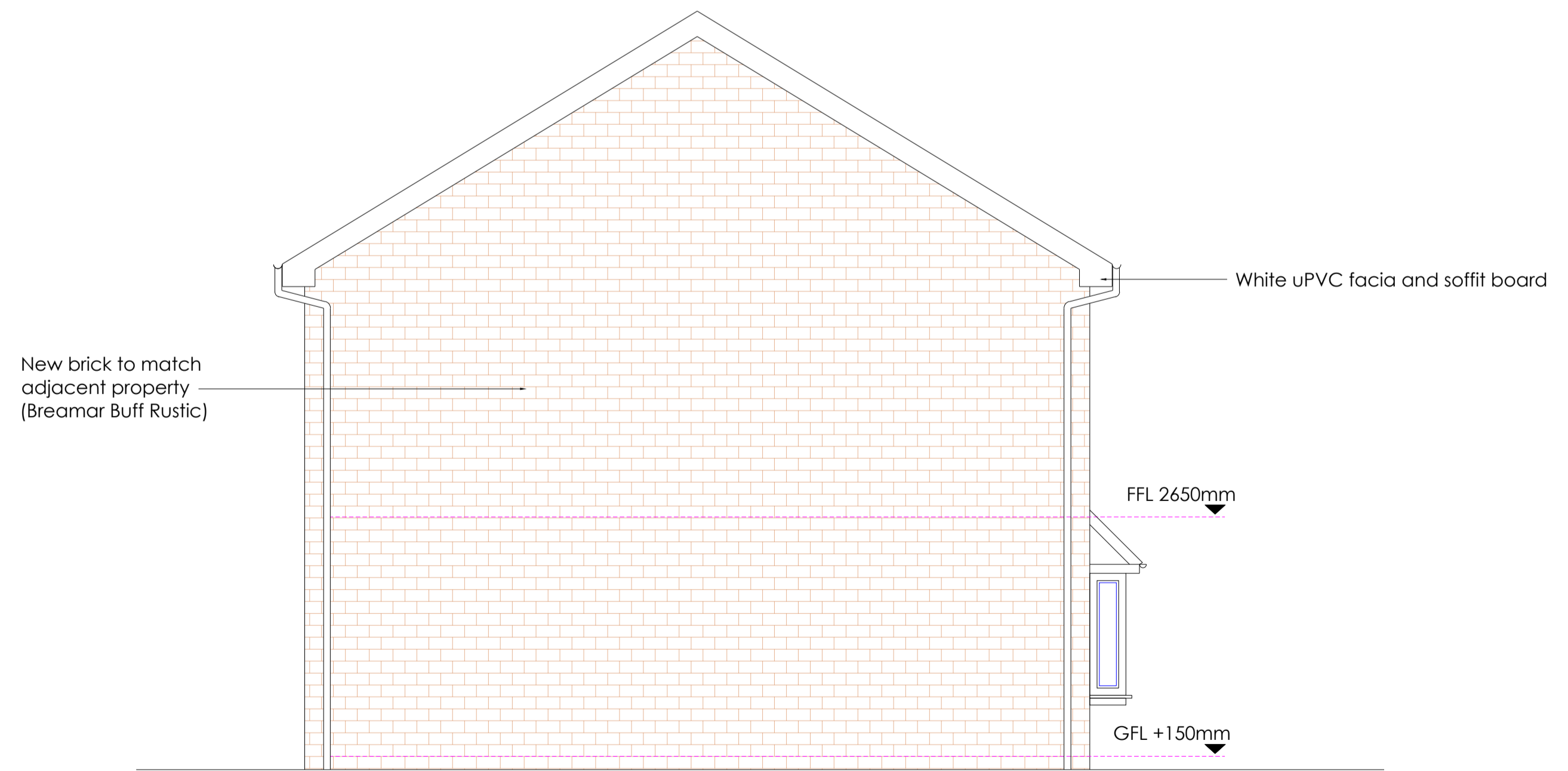
Front Elevation (South Facing)
Scale 1:50



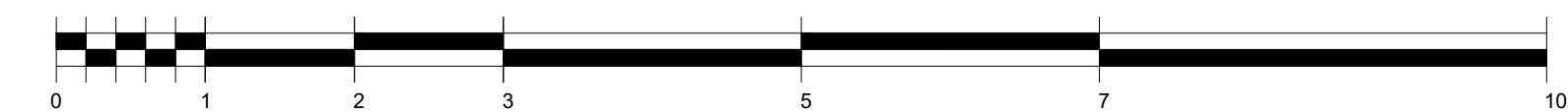
Rear Elevation (North Facing)
Scale 1:50



Side Elevation (East Facing)
Scale 1:50



Side Elevation (West Facing)
Scale 1:50



Scale Bar 1:50

GENERAL NOTES

1. The contractor must check the site and the approved drawings before commencing the works and must take any working measurements as necessary and any discrepancy must be reported to the client.
2. Work shall comply with any current relevant BS/codes of practices and confirm to the Building Regulations including the latest amendment. The contractor is responsible for setting out the works.

PROJECT ADDRESS

Land between 21 and
23 Mode Hill Lane
Whitefield
M45 8JF

PROJECT

Erection of Detached Dwelling

KEY

- RWP Rain water pipe
- Boundary

REVISION

Side window (bed 2) omitted

DATE

07/03/2022

Drawing No
PP107(4)21
Rev B

Scale
1:50 @ A1

Date
10.05.21

Drawn by
at

AT A. Design

Address:
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Stockport
SK5 8BF

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Proposed Street Scene
Scale 1:100

GENERAL NOTES

1. The contractor must check the site and the approved drawings before commencing the works and must take any working measurements as necessary and any discrepancy must be reported to the client.
2. Work shall comply with any current relevant BS/codes of practices and confirm to the Building Regulations including the latest amendment. The contractor is responsible for setting out the works.

PROJECT ADDRESS

Land between 21 and
23 Mode Hill Lane
Whitefield
M45 8JF

PROJECT

Erection of Detached Dwelling

KEY

- RWP Rain water pipe
- Boundary

Drawing No
PP107(5)21
Rev C

Scale
1:100 @ A1

Date
07/03/2022

Drawn by
at

AT A. Design

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Ward: Radcliffe - East

Item 02

Applicant: Homes England and Bury Council

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

Proposal: s73 Application - Variation to conditions 2 for consistency and to allow phasing; 3 removing indicative masterplan from list of approved plans; 8 and 42 for consistency; 9, 23, 33 and 39 to amend the trigger point for submitting information; 11 to allow site clearance and preparation to take place prior to commencement of development; 15, 18 and 37 to amend the trigger point for submitting information and consistency; 16, 27, 28 and 34 for flexibility and to amend the trigger point as to when information is submitted; 17 and 30 to increase flexibility and 26 to allow for phasing, following approval of planning permission 62969

Application Ref: 67597/Full

Target Date: 24/01/2022

Recommendation: Approve with Conditions

Description

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

The site is an extensive brownfield site, which occupies some 22.72 hectares and is vacant, having been cleared over 10 years ago. The site was formerly occupied by a large paper manufacturing factory, which has since been demolished and a number of lodges (large water bodies). There is now only one lodge left on site, with the others having been backfilled. A cricket club is present in the centre of the site.

Church Street East bisects the site in an east-west direction, connecting to Sandford Street and Rectory Lane. Three culverts, known as Crow Trees Farm Brook, Hutchinson's Goit and Bealey's Goit pass through the site. The south east section of the site is located in the Green Belt and forms part of an area known as Tower Farm. This part of the site contains open fields with clusters of trees.

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

Outline planning permission was granted in December 2018 for up to 400 residential dwellings including details of vehicular access (all other matters reserved) and associated works including relocation of cricket pitch, including a pavilion, provision of open space and sports facilities and demolition of existing building and structures under planning application 62969. Homes England and Bury Council are joint landowners / applicants.

Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions.

The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.

The proposal

The joint applicants seek consent to vary the wording of conditions 2, 3, 8, 9, 11, 15, 16, 17, 18, 23, 26, 27, 28, 30, 32, 33, 34, 37 and 42 attached to the outline consent, to provide clarity, consistency and flexibility to facilitate the overall on-site future delivery of the scheme. The applicants state that the amendments are proposed to (i) revise the trigger point as to when further information needs to be submitted; (ii) improve the flexibility of the condition to facilitate on-site delivery; and (iii) improve consistency of the condition wording.

The revised wording proposed is set out below and is summarised under the following headings. For the avoidance of doubt, this table reflects all changes as proposed and amended during the application process, noting that the proposed change to Condition 32 is no longer being pursued by the applicants (further information on this below pursuant to consultee feedback by the Greater Manchester Ecology Unit (GMEU)).

Enabling Earthworks

Conditions 11 (Surface Water Drainage), 23 (Landscaping Scheme) and, 33 (Landscape Management Plan) are proposed to be reworded to enable earthworks, site clearance/ preparation etc to take place prior to the condition being discharged.

Building greater delivery flexibility

Conditions 9 (Acoustic attenuation for dwellings fronting the A6053); 15 (Bat Activity Surveys for Tower Farm area); 16 (Otter Assessment); 18 (Breeding Birds); 27 (Phasing); 34 (Riparian Bankside Works Method Statement), 37 (Replacement Cricket Club Facilities) and 39 (Highways works) are reworded to require information as required by the condition to be submitted with the reserved matters application relating to that part of the site, rather than for the first reserved matters application.

Condition 15 (Bat Activity Surveys) is reworded to refer to the area of the site used for the new cricket club facility rather than the Tower Farm area to provide clarity on which part of the site the condition relates to.

Condition 27 (Phasing) is reworded so that a phasing plan is only required if the development is to be phased.

Flexibility

Condition 17 (Bird Nesting) is reworded to provide flexibility for works to take place during bird nesting season where a survey for nesting birds has been carried out (by a qualified ecologist) immediately beforehand and the findings submitted to and approved by the Local Planning Authority (LPA).

Condition 34 (de-culverting of Crow Trees Farm Brook) is reworded so details of opened up Crow Trees Farm channel to River Irwell, is provided if required by the final drainage strategy.

Consistency

Conditions 2 (Plans), 8 (Electric Vehicle) and 42 (Visibility Splays) are reworded to remove reference to who needs to submit the requested details, providing consistency with the other conditions. The change proposed is to better enable a future developer to take responsibility for discharging the conditions rather than the applicants only (reflective of the fact that neither Homes England or the Council will be responsible for developing the site out directly).

Conditions 2 (Plans), 12 (Construction Risk), 23 (Landscaping), 26 (Construction Traffic Management Plan), 28 (Internal Road Layout) and 33 (Landscape Management) are

reworded to make it clearer that conditions can be discharged in phases. For clarity Conditions 18 (Breeding Birds) and 37 (Replacement Provision) are reworded to refer to new cricket club facility rather than sports pitches and an informative is proposed to define the new cricket club facility.

Condition 42 (Visibility Splays) is reworded to remove reference to visibility splays being provided on land within the applicants' control, to allow the visibility splays to be delivered either within the application red line boundary or where visibility splays extend into the adopted highway.

Condition 30 (Crow Trees Farm Brook) has been simplified to remove ambiguity on the extent of the culvert position to be provided, and simply retains the requirement for no dwellings to be sited within 8m of Crow Trees Brook Culvert.

Removing reference to the illustrative masterplan

Condition 3 (Approved Drawings) and Condition 27 (Phasing) are reworded to remove reference to the illustrative masterplan (ref: SP-01 F), which is an indicative drawing.

Relevant Planning History

00092/E - MIXED USE DEVELOPMENT - HOUSING, SCHOOL & INDUSTRY -

00791/E - ELPM - Housing Sites - Enquiry completed 25/01/2011

02070/E - Residential development - Enquiry completed 18/11/2019

02553/E - 9 no. new dwelling houses and 18.no apartments. - Enquiry completed 16/04/2021

62536 - Prior notification of proposed demolition of the building of the former electrical sub-station - Prior Approval Required and Granted 04/04/2018

62969 - Outline application for up to 400 residential dwellings including details of vehicular access (all other matters reserved) and associated works including relocation of cricket pitch, including a pavillion, provision of open space and sports facilities and demolition of existing building and structures - Approve with Conditions 19/12/2018

63064 - Prior notification of proposed demolition of 3 no. single storey buildings - Prior Approval Required and Granted 24/01/2019

67423 - Variation of condition 39 following approval of planning permission 62969- relocate the vehicular access shown on the approved plan A090070-193-P002 Revision P03,two metres to the East as listed within Condition 39 - Approve with Conditions 08/10/2021

11/0140 - Monitor planning conditions - 12/09/2012

67911 - Removal of condition 24 to facilitate the delivery of affordable housing, following approval of planning permission 62969 – under consideration.

67965 - Residential development of 27 no. houses and apartments with car parking, landscaped areas and associated works at East Lancs Paper Mill site, land between Cock Clod Street/Cunliffe Street/Howard Street/Pollitt Street, Radcliffe Manchester, M26 9PG – under consideration.

Publicity

The neighbouring properties were notified by means of a letter on Thursday 28 October 2021 and a press notice was published in the Bury Times on Thursday 4 November 2021. Site Notices were last posted around the site on Friday 12 November 2021.

No responses have been received as a result of this publicity.

Statutory/Non-Statutory Consultations

Archaeology – no response.

Cadent Gas – no response.

Coal Authority – no comments provided.

Contaminated land – no response.

Drainage – no response.

EA – no response.

Electricity North West – no response.

GM Ecology Unit – has provided comments which the applicants have since been responded to. The proposed amendments to the application arising from GMEU feedback have been accounted for in the composite analysis section below. GMEU raised concerns with the proposed changes to Condition 32, and HE and the Council agree to omit the proposed changes to this condition and leave the condition wording as per the current planning permission.

GM Police – no response.

Historic England – no comments provided.

Parks and Countryside – no response

Pollution control – no objection.

PRoW – no response.

Sport England – has suggested alternative wording for condition 37 which has been agreed by the applicants.

Transport for GM – no comments provided.

Transport for GM (Metrolink) – no comments provided.

Traffic Section – no response.

Urban Renewal – no response.

UU – no response.

Waste Management – no response

Pre-start Conditions - Applicant/Agent [Not relevant/has/has not] agreed with pre-start conditions

Unitary Development Plan and Policies

OL1 Green Belt

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.

Analysis

Section 73 of the Town & Country Planning Act permits the removal, change or removal of a planning condition that has been imposed on an extant planning permission. Court decisions have clarified that the changes must be within the scope of the original planning permission and cannot be changed where a development goes beyond the scope of the

original scheme that would fundamentally change the nature of the development.

The existing and proposed changes are set out below.

The key themes rest around the use of consistency across the conditions so that the references to items or areas reads the same. This is considered to be acceptable, minor and makes an appropriate change to avoid confusion.

Trigger points have also been amended to allow a greater flexibility of implementation. The original wording would require the submission of details for parts of the site that are not being implemented nor otherwise subject to consideration at the time that they are implemented. In consideration of the fact that a reserved matters may only be submitted for part of the site, requirements affecting that part of the site would still remain to be submitted and approved, whilst other areas not coming forward would not need to be necessarily resolved until those areas are coming forward.

The conditional controls remain as they were initially intended but a reflection of a phased implementation would be embraced and thus permitted.

The exact wording has been refined since the original submission mainly around the ecological issues, with consultation and agreement from GMEU. Condition 32 has subsequently been withdrawn from the request as this affected the riverside riparian way which is an area of importance in itself that should be determined comprehensively rather than being left as adhoc or later phase and the delivery of this land would not be tied to a particular phase that may not otherwise come forward.

The reasons behind the conditions shall remain as approved.

In all, it is considered that the amendments are within the considerations of local and National policy and are consistent with the approved scheme, policy and the scope of the original planning permission.

The approved and proposed changes:

Condition 2

Approved Wording

Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the layout, scale, appearance and the landscaping of the site.

Proposed Wording

Amend condition for consistency and to allow phasing:

Prior to the commencement of any phase of development, detailed plans and particulars shall be submitted to and approved by the Local Planning Authority, under the Town and Country Planning Acts, of the following reserved matters for that phase; the layout, scale, appearance and the landscaping of the site.

Condition 3

Approved Wording

This decision relates to drawings numbered SP-01 F, SP-05, SP-06 A, which set the design principles and the associated supporting reports, and the development shall not be carried out except in accordance with the drawings hereby approved.

Amend condition to remove reference to indicative masterplan drawing ref SP-01F:

This decision relates to drawings numbered, SP-05, SP-06 A, which set the design principles and the associated supporting reports, and the development shall not be carried out except in accordance with the drawings hereby approved.

Condition 8

Approved Wording

Prior to occupation the applicant shall provide a scheme for electric vehicle charging points for the residential units. EV chargepoints shall be chosen from the Electric Vehicle Homecharge Scheme approved chargepoint model list.

Amend condition - consistency:

Prior to occupation, a scheme for electric vehicle charging points for the residential units shall be submitted to the LPA. EV chargepoints shall be chosen from the Electric Vehicle Homecharge Scheme approved chargepoint model list.

Condition 9

Approved Wording

An acoustic attenuation scheme for all dwellings fronting onto the A6053 shall be submitted at the first reserved matters stage. The scheme shall include details of acoustic glazing and acoustically treated ventilation. The acoustic attenuation scheme hereby approved shall be implemented in full before use of the residential premises first commences.

Amend condition - trigger point:

Any reserved matters relating to development fronting the A6053 will include an acoustic attenuation scheme. The scheme shall include details of acoustic glazing and acoustically treated ventilation. The acoustic attenuation scheme hereby approved shall be implemented in full before use of the residential premises first commences.

Condition 11

Approved Wording

No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SUDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Amend condition - trigger point:

No development shall commence (excluding works of site clearance and preparation) unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the

submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SUDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Condition 15

Approved Wording

Bat activity surveys for the Tower Farm area shall be submitted to the Local Planning Authority as part of the first reserved matters application. The survey shall include appropriate mitigation measures and the approved scheme shall be implemented prior to first occupation of the dwellings hereby approved.

Amend condition – trigger point and consistency:

Any application for reserved matters approval relating to the area for the proposed relocation of the cricket club facility (as defined in the informatives) shall include Bat Activity Survey's of this area. The survey shall include appropriate mitigation measures and the approved scheme shall be implemented in accordance with the programme approved as part of the Bat Activity Survey.

Condition 16

Approved Wording

An assessment on the potential impacts upon the otters shall be submitted to the Local Planning Authority as part of the first reserved matters application.

Amend condition - flexibility and trigger point:

Any application for reserved matters approval relating to land affecting Otters shall include an assessment on the potential impacts upon the otters.

Condition 17

Approved Wording

No works to trees or shrubs shall occur between the 1st March and 31st August in any year.

Amend condition - increased flexibility:

No works to trees or shrubs shall occur between the 1st March and 31st August in any year, unless the site has been surveyed for nesting birds by a qualified ecologist immediately beforehand and the survey findings have been submitted to and approved by the Local Planning Authority.

Condition 18

Approved Wording

Breeding bird surveys for the areas to be used for the relocated sports pitches shall be submitted to the Local Planning Authority as part of the first reserved matters application

affecting this area. The survey shall include appropriate mitigation measures and the approved scheme shall be implemented prior to first occupation of the dwellings hereby approved.

Amend condition - consistency and trigger point:

Breeding bird surveys for the areas to be used for the relocated cricket club facility shall be submitted to the Local Planning Authority as part of the first reserved matters application affecting this area. The survey shall include appropriate mitigation measures and the approved scheme shall be implemented prior to the relocated cricket club facility hereby approved, being brought into use.

Condition 23

Approved Wording

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

- Native tree and shrub planting;
- Mitigation for bat foraging habitat;
- Loss of nesting bird habitat;
- Measures to enhance the existing reservoir, goits and River Irwell; and
- Marshy grassland and woodland habitat.

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

Amend condition – trigger point:

No phase of development shall commence (excluding works of site clearance and preparation) until a landscaping scheme for that phase has been submitted to, and approved in writing by the Local Planning Authority. The contents of the plan should include:

- Native tree and shrub planting;
- Mitigation for bat foraging habitat;
- Loss of nesting bird habitat;
- Measures to enhance the existing reservoir, goits and River Irwell; and
- Marshy grassland and woodland habitat.

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

Condition 26

Approved Wording

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

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

The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Amend condition – phasing:

No phase of development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP) for that phase, has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:

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

The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Condition 27

Approved Wording

Notwithstanding the illustrative masterplan, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority as part of the first reserved matters

application. The phasing plan shall include:

- The boundaries of each phase (shown edged red on a plan); and
- The sequence in which phases are to be constructed and made ready for occupation;

The development shall not be carried out other than in accordance with the approved phasing plan and strategy, or such varied plan and strategy, first approved in writing by the Local Planning Authority.

Amend condition - trigger point/flexibility:

If development is to be phased, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority either in advance of or as part of the first reserved matters application. The phasing plan shall include:

- The boundaries of each phase (shown edged red on a plan); and
- The sequence in which phases are to be constructed and made ready for occupation;

The development shall not be carried out other than in accordance with the approved phasing plan and strategy, or such varied plan and strategy, first approved in writing by the Local Planning Authority.

Condition 28

Approved Wording

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

Amend condition – trigger point/flexibility:

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

Condition 30

Approved Wording

Details of the exact position of Crow Trees Farm Brook culvert beneath the site shall be submitted as part of the first reserved matters application affecting this area. The proposed dwellings and structures shall not be sited within 8m of the existing culvert structure.

Amend condition – flexibility:

No dwellings or structures shall be sited within 8m of Crow Trees Brook Culvert.

Condition 33

Approved Wording

No development shall take place until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following elements:

- Detail of any retained or enhanced habitats;

- Detail extent and type of new soft landscaping including landscape schedule predominantly based on native species;
- Details of maintenance regimes;
- Details of any new habitat created including opened up and restored culverted stream channels, new SUDs ponds, wetlands and swales on site details of treatment of site boundaries and/or buffers around water bodies; and
- Details of management over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.

The landscape management plan shall be carried out as approved. This condition can be satisfied in phases.

Amend condition - trigger point:

No phase of development shall commence (excluding works of site clearance and preparation) until a landscape management plan for that phase, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas within that phase (except privately owned domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following elements:

- Detail of any retained or enhanced habitats;
- Detail extent and type of new soft landscaping including landscape schedule predominantly based on native species;
- Details of maintenance regimes;
- Details of any new habitat created including opened up and restored culverted stream channels, new SUDs ponds, wetlands and swales on site details of treatment of site boundaries and/or buffers around water bodies; and
- Details of management over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.

The landscape management plan shall be carried out as approved.

Condition 34

Approved Wording

No development shall commence unless or until a working method statement to cover all riparian bankside works alongside River Irwell and Crow Trees Farm Brook shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme. The method statement must cover the following:

- Timing of works;
- Methods used for all channel, bankside water margin works, and de-culverting of Crow Trees Farm Brook;
- Machinery (location and storage of plant, materials and fuel, access routes, access to banks etc.);
- Protection of areas of ecological sensitivity and appropriate mitigation for any identified

ecological impacts;

- Restoration techniques adopted to create a high quality riparian Green Infrastructure asset; and
- Site supervision.

Amend condition – trigger point/flexibility:

No phase of development including works to the riparian bankside alongside the River Irwell and Crow Tree Brook shall commence unless or until a working method statement to cover all riparian bankside works alongside River Irwell and Crow Trees Farm Brook has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme. The method statement must cover the following:

- Timing of works;
- Methods used for all channel, bankside water margin works, and de-culverting of Crow Trees Farm Brook, if required;
- Machinery (location and storage of plant, materials and fuel, access routes, access to banks etc.);
- Protection of areas of ecological sensitivity and appropriate mitigation for any identified ecological impacts;
- Restoration techniques adopted to create a high quality riparian Green Infrastructure asset; and
- Site supervision.

Condition 37

Approved Wording

Notwithstanding the submitted plans and reports, full details of a scheme showing details of the design, layout and specification of replacement playing field provision (of at least equivalent quantity and quality which would be lost or become unusable as a result of the development) at East Lancs Paper Mill Cricket Club Ground shall be submitted to, and approved in writing by, the Local Planning Authority (after consultation with Sport England) at the first reserved matters stage. The scheme shall include:

- Details of pedestrian and vehicular access including car parking within the site to the replacement playing field provision;
- Details of the design and construction of the clubhouse to meet England and Wales Cricket Board standards;
- A written specification of soils structure, cultivation and other operations associated with grass and sports turf establishment based on the results of the assessment carried out pursuant to the feasibility and agronomy report prepared by PSD Agronomy Labosport Group, dated 12th July 2018);
- A programme of implementation detailing when the existing playing field provision will be taken out of use, when the replacement playing field and ancillary provision will be implemented; and

- A scheme of playing field maintenance and management.

The approved details shall be implemented in accordance with the approved programme.

Amend condition - consistency and trigger point:

Notwithstanding the submitted plans and reports, full details of a scheme showing details of the design, layout and specification of the replacement cricket club facility (of at least equivalent quantity and quality which would be lost or become unusable as a result of the development) at East Lancs Paper Mill Cricket Club Ground shall be submitted to, and approved in writing by, the Local Planning Authority (after consultation with Sport England) at the reserved matters stage affecting this area. The scheme shall include:

- Details of pedestrian and vehicular access including car parking within the site to the replacement playing field provision;
- Details of the design and construction of the clubhouse to meet England and Wales Cricket Board standards;
- A written specification of soils structure, cultivation and other operations associated with grass and sports turf establishment based on the results of the assessment carried out pursuant to the feasibility and agronomy report prepared by PSD Agronomy Labosport Group, dated 12th July 2018);
- A programme of implementation detailing when the existing cricket club facility will be taken out of use, when the replacement cricket club facility will be implemented; and
- A scheme of cricket club facility maintenance and management.

The approved details shall be implemented in accordance with the approved programme.

Condition 39

Approved Wording

Notwithstanding the details indicated on the approved plans and in the supporting technical information, full details of the following highway aspects shall be submitted on a topographical based survey of the site and adopted highways at first reserved matters application stage:

- Formation of the proposed Western Site Access onto Cross Lane at Cock Clod Street, incorporating the provision of a pedestrian crossing facility at the widened junction, parking layby on the northerly side of Cross Lane and all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P002 Revision P03);
- Formation of the proposed Eastern Site Access onto Cross Lane to the west of Croft Lane, incorporating the provision of a pedestrian crossing facility at the new junction and all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P003 Revision P03);
- Widening of Cross Lane, incorporating the provision of pedestrian crossing facilities and build outs at the Park Street and Hutchinson Street junctions, relocation of affected bus stops, closure of the existing Croft Lane junction, provision of alternative means of vehicular access to No. 62 Cross Lane and to the rear of No.'s 62 - 102 Cross Lane and

all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P003 Revision P03);

- A scheme of carriageway reconstruction/resurfacing works on Cross Lane in between, and in the vicinity of, the proposed western and eastern site accesses;
- New loop road connecting Cock Clod Street, Church Street East and Croft Lane and the proposed internal road layout, incorporating the provision of visibility splays and forward visibility envelopes in accordance with the standards in Manual for Streets and 20mph traffic calming scheme;
- Proposals for the prohibition of vehicular access to the site from Rectory Lane (other than for emergency access purposes), incorporating the provision of access for emergency service vehicles, pedestrians and cyclists;
- Proposals for the prohibition of vehicular access to the site from Church Street East/Sandford Street (other than for emergency access purposes), incorporating the provision of access for emergency service vehicles, pedestrians and cyclists;
- Proposals for the provision of vehicular access to the part of the site to be served from Rectory Lane/Glebe Street/Brook Street;
- Proposals for improvements to/localised widening of the bend at Bury Street/Cross Lane, incorporating all measures to improve forward visibility at this point on the highway network in accordance with the standards in Manual for Streets and for a design speed to be determined;
- Provision of the proposed easterly pedestrian access into the site incorporating the provision of guard railing at the junction with Bury Street;
- Provision of a controlled pedestrian crossing facility on Bury Street in the vicinity of the proposed easterly pedestrian access into the site;
- Reinstatement of all redundant vehicular accesses around the perimeter of the site to a scope and specification to be agreed;
- Proposed phasing of construction of the development.

The highway works subsequently approved shall be implemented to an agreed programme before phase of the development subsequently agreed is first occupied.

As approved in Section 73 application 67423:

Notwithstanding the details indicated on the approved plans and in the supporting technical information, any application for reserved matters approval relating to the areas of the site listed below, to include full details of the following highway aspects shall be submitted on a topographical based survey of the site and adopted highways at first reserved matters application stage:

- Formation of the proposed Western Site Access onto Cross Lane at Cock Clod Street, incorporating the provision of a pedestrian crossing facility at the widened junction, parking layby on the northerly side of Cross Lane and all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P002 Revision P03), or as otherwise agreed in writing by the LPA;
- Formation of the proposed Eastern Site Access onto Cross Lane to the west of Croft Lane, incorporating the provision of a pedestrian crossing facility at the new junction and all associated highway and highway drainage remedial works (as shown

indicatively on WYG plan reference A090070-193-P003 Revision P03);

- Widening of Cross Lane, incorporating the provision of pedestrian crossing facilities and build outs at the Park Street and Hutchinson Street junctions, relocation of affected bus stops, closure of the existing Croft Lane junction, provision of alternative means of vehicular access to No. 62 Cross Lane and to the rear of No.'s 62 - 102 Cross Lane and all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P003 Revision P03);
- A scheme of carriageway reconstruction/resurfacing works on Cross Lane in between, and in the vicinity of, the proposed western and eastern site accesses;
- New loop road connecting Cock Clod Street, Church Street East and Croft Lane and the proposed internal road layout, incorporating the provision of visibility splays and forward visibility envelopes in accordance with the standards in Manual for Streets and 20mph traffic calming scheme;
- Proposals for the prohibition of vehicular access to the site from Rectory Lane (other than for emergency access purposes), incorporating the provision of access for emergency service vehicles, pedestrians and cyclists;
- Proposals for the prohibition of vehicular access to the site from Church Street East/Sandford Street (other than for emergency access purposes), incorporating the provision of access for emergency service vehicles, pedestrians and cyclists;
- Proposals for the provision of vehicular access to the part of the site to be served from Rectory Lane/Glebe Street/Brook Street;
- Proposals for improvements to/localised widening of the bend at Bury Street/Cross Lane, incorporating all measures to improve forward visibility at this point on the highway network in accordance with the standards in Manual for Streets and for a design speed to be determined;
- Provision of the proposed easterly pedestrian access into the site incorporating the provision of guard railing at the junction with Bury Street;
- Provision of a controlled pedestrian crossing facility on Bury Street in the vicinity of the proposed easterly pedestrian access into the site;
- Reinstatement of all redundant vehicular accesses around the perimeter of the site to a scope and specification to be agreed;
- Proposed phasing of construction of the development.

The highway works subsequently approved shall be implemented to an agreed programme before phase of the development subsequently agreed is first occupied.

Condition 42

Approved Wording

Visibility splays measuring 2.4 metres by 60 metres shall be provided at the junctions of Cock Clod Street (Western Site Access) with Cross Lane and the Eastern Site Access with Cross Lane on land within the applicant's control before the accesses are brought into use and shall subsequently be maintained free of obstruction above the height of 0.6m.

Amend condition – consistency:

Visibility splays measuring 2.4 metres by 60 metres shall be provided at the junctions of

Cock Clod Street (Western Site Access) with Cross Lane and the Eastern Site Access with Cross Lane on land within the application red line boundary (SP 05) or adopted highway land, before the accesses are brought into use and shall subsequently be maintained free of obstruction above the height of 0.6m.

Add New informative – references to Replacement Cricket Club Facility above will be defined as – new cricket pitch, training nets and practice area, cricket pavilion, associated car park and any ancillary spaces.

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. Applications for approval of reserved matters must be made not later than:
 - the expiration of five years beginning with the date of the grant of outline planning permission namely from 18/12/2018; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

2. Prior to the commencement of any phase of development, detailed plans and particulars shall be submitted to and approved by the Local Planning Authority, under the Town and Country Planning Acts, of the following reserved matters for that phase; the layout, scale, appearance and the landscaping of the site

Reason. To ensure the satisfactory development of the site and because this application is in outline only.

3. Prior to occupation, a scheme for electric vehicle charging points for the residential units shall be submitted to the LPA. EV chargepoints shall be chosen from the Electric Vehicle Homecharge Scheme approved chargepoint model list.

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

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

Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

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

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

6. A comprehensive construction design for a gas vent trench shall be submitted to and approved in writing by the Local Planning Authority and incorporated into the development to prevent the ingress of landfill gas or ground gas into the residential development area to be approved by the Local Planning Authority before work commences for the construction of the dwellings.

Subject to the above, a Site Verification Report detailing the design and installation of the gas vent trench, including substantiating evidence, shall be submitted to and approved by the Local Planning Authority with approved timescales. It shall be implemented and validated prior to first occupation of the development hereby approved.

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

7. Following the provisions of Condition 4 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and

A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

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

8. Prior to occupation the applicant shall provide a scheme for electric vehicle charging points for the residential units. EV chargepoints shall be chosen from the Electric Vehicle Homecharge Scheme approved chargepoint model list.

Reason. To safeguard residential amenity, public health and quality of life and to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable, in accordance with paragraph 35 and 124 of the NPPF.

9. Any reserved matters relating to development fronting the A6053 will include an acoustic attenuation scheme. The scheme shall include details of acoustic glazing and acoustically treated ventilation. The acoustic attenuation scheme hereby

approved shall be implemented in full before use of the residential premises first commences.

Reason. To protect the amenity of the occupants of the premises once the development hereby approved is occupied pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

10. Foul and surface water shall be drained on separate systems.
Reason. To secure proper drainage and to manage the risk of flooding and pollution pursuant to Policies EN7/5 - Waste Water Management and EN5/1 - New Development and Flood Risk of the Bury Unitary Development Plan.
11. No development shall commence (excluding works of site clearance and preparation) unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SUDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.
Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1 - New Development and Flood Risk, EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
12. No development shall take place unless or until a Construction Risk Assessment Method Statement (RAMS) for construction of the proposed development has been submitted to and approved in writing by the Local Planning Authority. The statement shall outline the potential impacts from all construction activities on infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to this infrastructure. The development hereby approved shall only be undertaken in accordance with the approved RAMS. This condition can be satisfied in phases.
Reason. To ensure a satisfactory form of development and to afford appropriate protection of infrastructure that crosses the site pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.
13. No development shall take place unless or until the applicant or their agents or their successors in title have secured the implementation of a programme of archaeological works. The programme is to be undertaken in accordance with Written Schemes of Investigation (WSIs), which must be submitted to and approved in writing by the Local Planning Authority. The WSIs shall cover the following:
 1. A phased programme of archaeological fieldwork to include:
 - An updated programme of archaeological desk based assessment which will inform:
 - A programme of archaeological evaluation trenching;
 - Targeted open area excavation (subject to a separate WSI)
 2. A programme for post investigation assessment to include:
 - Analysis of the site investigation records and finds
 - Production of a final report
 3. Provision for publication and dissemination of the analysis and report on the site investigation.

4. A scheme for presentation and commemoration of the site's heritage
5. Provision for archive deposition of the report, finds and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the programme set-out within the approved WSIs.

Reason. To make a record and advance understanding of heritage assets impacted on by the development and to make the information about the heritage interest publicly accessible pursuant to Policies EN3/1 – Impact of Development on Archaeological Sites, EN3/2 – Development Affecting Archaeological Sites and EN3/3 – Ancient Monuments of the Bury Unitary Development Plan and Section 12 of the National Planning Policy Framework.

14. If the development hereby approved does not commence before 30th April 2019, the building and trees on site shall be reassessed for bat roosting potential and the findings supplied to and approved in writing by the Local Planning Authority.

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

15. Any application for reserved matters approval relating to the area for the proposed relocation of the cricket club facility (as defined in the informatives) shall include Bat Activity Surveys of this area. The survey shall include appropriate mitigation measures and the approved scheme shall be implemented in accordance with the programme approved as part of the Bat Activity Survey.

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

16. Any application for reserved matters approval relating to land affecting Otters shall include an assessment on the potential impacts upon the otters.

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

17. No works to trees or shrubs shall occur between the 1st March and 31st August in any year, unless the site has been surveyed for nesting birds by a qualified ecologist immediately beforehand and the survey findings have been submitted to and approved by the Local Planning Authority.

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

18. Breeding bird surveys for the areas to be used for the relocated cricket club facility shall be submitted to the Local Planning Authority as part of the first reserved matters application affecting this area. The survey shall include appropriate mitigation measures and the approved scheme shall be implemented prior to the relocated cricket club facility hereby approved, being brought into use.

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

11 of the National Planning Policy Framework.

19. A reasonable avoidance method statement to prevent any negative impacts on badger habitat shall be submitted to the Local Planning Authority as part of the first reserved matters application affecting the area where badger setts have been recorded. The survey shall include appropriate mitigation measures and the approved scheme shall be implemented prior to first occupation of the dwellings hereby approved.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
20. No development shall commence until full details of a scheme for the eradication and/or control of for himalayan balsam, japanese knotweed, giant hogweed and *Crassula helmsii* is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. If earthworks are delayed beyond 31 March 2019 an updated species invasive survey shall be carried out and the findings submitted to and approved in writing by the Local Planning Authority.
Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
21. A water framework directive assessment to detail the impact from the development upon the River Irwell shall be submitted to the Local Planning Authority as part of the first reserved matters application affecting land adjacent to the River Irwell. The assessment shall include appropriate mitigation measures and the approved scheme shall be implemented prior to first occupation of the dwellings hereby approved.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
22. A drainage strategy that demonstrates that there will be no negative impacts on the ecological status/potential of the River Irwell resulting from the disposal of foul water and surface water disposal post-development shall be submitted to and approved in writing by the Local Planning Authority. The details, as approved, shall be implemented in full in accordance with a timetable which has first been agreed in writing by the Local Planning Authority.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
23. No phase of development shall commence (excluding works of site clearance and preparation) until a landscaping scheme for that phase has been submitted to, and approved in writing by the Local Planning Authority. The contents of the plan should include:
- Native tree and shrub planting;
 - Mitigation for bat foraging habitat;
 - Loss of nesting bird habitat;
 - Measures to enhance the existing reservoir, goits and River Irwell; and

- Marshy grassland and woodland habitat.

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

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

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

Reason. To ensure that the development would contribute to satisfying the need for affordable housing provision pursuant to Bury Unitary Development Plan Policy H4/1 - Affordable Housing and the associated Development Control Policy Guidance Note 5 - Affordable Housing Provision In New Residential Developments.

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

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

26. No phase of development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP) for that phase, has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:

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

The approved plan shall be adhered to throughout the demolition/construction

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

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

27. If development is to be phased, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority either in advance of or as part of the first reserved matters application. The phasing plan shall include:

- The boundaries of each phase (shown edged red on a plan); and
- The sequence in which phases are to be constructed and made ready for occupation;

The development shall not be carried out other than in accordance with the approved phasing plan and strategy, or such varied plan and strategy, first approved in writing by the Local Planning Authority.

Reason. To ensure the satisfactory development of the site and control the release of new housing within the development site pursuant to Policy H1/2 - Further Housing Development of the Bury Unitary Development Plan and SPD7 – Managing the Supply of Housing Land in Bury.

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

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

29. At the first reserved matters stage, a scheme detailing the following to support the FRA addendum by WYG (ref: A090070-193 dated 1/11/2018) shall be submitted to and approved in writing by the Local Planning Authority:

- Existing and proposed ground levels with supporting hydraulic modelling of the River Irwell.
- The detailed modifications and controls associated with Hutchinson's Goit referred to in the FRA addendum section 4.2.
- Confirmation that overland flow routes associated with Crow Trees Brook culvert would be retained as part of any ground level changes.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements.

Reason. To ensure flood risk mitigation measures comply with those proposed in the Flood Risk Assessment addendum and risk is not increased elsewhere in accordance with Policy EN5/1 - New Development of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

30. No dwellings or structures shall be sited within 8m of Crow Trees Brook Culvert.

Reason. To ensure access is retained for future repair or replacement of the culvert structure pursuant to Policy EN5/1 - New Development of the Bury Unitary

Development Plan and Section 14 of the National Planning Policy Framework.

31. The finished floor levels for the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority as part of each reserved matters application for layout.

The approved scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/ phasing arrangements.

Reason. To reduce the risk of flooding to the proposed dwellings and future occupants pursuant to Policy EN5/1 - New Development of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

32. No development shall commence unless or until a scheme for the provision of high quality riparian buffer zone alongside the River Irwell has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- detailed plans and cross-sections showing the extent and layout of the riparian buffer zone, pre and post any proposed flood risk works (WYG, Jun 2018 & Addendum Nov 2018).
- details of opened up Crow Trees Farm channel to River Irwell.
- details demonstrating how the buffer zone will be protected during development and managed/maintained
- details of any proposed new footpaths, fencing, lighting etc.
- details of any required ecological mitigation associated bank modification works.

Reason. To ensure the development does not have an adverse impact upon the ecological value of the watercourse pursuant to Policy EN6 of the Bury Unitary Development Plan and Sections 14 and 15 of the National Planning Policy Framework.

33. No phase of development shall commence (excluding works of site clearance and preparation) until a landscape management plan for that phase, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas within that phase (except privately owned domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following elements:

- Detail of any retained or enhanced habitats;
- Detail extent and type of new soft landscaping including landscape schedule predominantly based on native species;
- Details of maintenance regimes;
- Details of any new habitat created including opened up and restored culverted stream channels, new SUDs ponds, wetlands and swales on site details of treatment of site boundaries and/or buffers around water bodies; and
- Details of management over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.

The landscape management plan shall be carried out as approved.

Reason. To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site pursuant to Section 15 of the National Planning Policy Framework.

34. No phase of development including works to the riparian bankside alongside the River Irwell and Crow Tree Brook shall commence unless or until a working method statement to cover all riparian bankside works alongside River Irwell and Crow Trees Farm Brook has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme. The method statement must cover the following:
- Timing of works;
 - Methods used for all channel, bankside water margin works, and de-culverting of Crow Trees Farm Brook, if required;
 - Machinery (location and storage of plant, materials and fuel, access routes, access to banks etc.);
 - Protection of areas of ecological sensitivity and appropriate mitigation for any identified ecological impacts;
 - Restoration techniques adopted to create a high quality riparian Green Infrastructure asset; and
 - Site supervision.

Reason. The construction phase of the development affecting the channel and banksides of River Irwell and Crow Trees Farm Brook watercourses poses significant risks to ecology pursuant to Section 15 of the National Planning Policy Framework.

35. No infiltration of surface water drainage into the ground where elevated concentrations of contamination are known or suspected to be present is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason. For the future protection of the Water Environment from risks arising from land contamination pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

36. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason. For the future protection of the Water Environment from risks arising from land contamination pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

37. Notwithstanding the details indicated on the approved plans and in the supporting technical information, any application for reserved matters approval relating to the areas of the site listed below, to include full details of the following highway aspects shall be submitted on a topographical based survey of the site and adopted highways at first reserved matters application stage:

- Formation of the proposed Western Site Access onto Cross Lane at Cock Clod Street, incorporating the provision of a pedestrian crossing facility at the widened junction, parking layby on the northerly side of Cross Lane and all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P002 Revision P03), or as otherwise agreed in writing by the LPA;

- Formation of the proposed Eastern Site Access onto Cross Lane to the west of Croft Lane, incorporating the provision of a pedestrian crossing facility at the new junction and all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P003 Revision P03);
- Widening of Cross Lane, incorporating the provision of pedestrian crossing facilities and build outs at the Park Street and Hutchinson Street junctions, relocation of affected bus stops, closure of the existing Croft Lane junction, provision of alternative means of vehicular access to No. 62 Cross Lane and to the rear of No.'s 62 - 102 Cross Lane and all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P003 Revision P03);
- A scheme of carriageway reconstruction/resurfacing works on Cross Lane in between, and in the vicinity of, the proposed western and eastern site accesses;
- New loop road connecting Cock Clod Street, Church Street East and Croft Lane and the proposed internal road layout, incorporating the provision of visibility splays and forward visibility envelopes in accordance with the standards in Manual for Streets and 20mph traffic calming scheme;
- Proposals for the prohibition of vehicular access to the site from Rectory Lane (other than for emergency access purposes), incorporating the provision of access for emergency service vehicles, pedestrians and cyclists;
- Proposals for the prohibition of vehicular access to the site from Church Street East/Sandford Street (other than for emergency access purposes), incorporating the provision of access for emergency service vehicles, pedestrians and cyclists;
- Proposals for the provision of vehicular access to the part of the site to be served from Rectory Lane/Glebe Street/Brook Street;
- Proposals for improvements to/localised widening of the bend at Bury Street/Cross Lane, incorporating all measures to improve forward visibility at this point on the highway network in accordance with the standards in Manual for Streets and for a design speed to be determined;
- Provision of the proposed easterly pedestrian access into the site incorporating the provision of guard railing at the junction with Bury Street;
- Provision of a controlled pedestrian crossing facility on Bury Street in the vicinity of the proposed easterly pedestrian access into the site;
- Reinstatement of all redundant vehicular accesses around the perimeter of the site to a scope and specification to be agreed;
- Proposed phasing of construction of the development.

The highway works subsequently approved shall be implemented to an agreed programme before phase of the development subsequently agreed is first occupied.

Reason. To ensure there is no loss of recreation facilities pursuant to Policy RT1/1 - Protection of Recreation Provision in the Urban Area of the Bury Unitary Development Plan and Section 8 of the National Planning Policy Framework.

38. No development shall commence on the site of the existing cricket club unless or until the cricket club facility has been re-provided and is available for use.

Reason. To ensure there is no loss of recreation facilities pursuant to Policy RT1/1 - Protection of Recreation Provision in the Urban Area of the Bury Unitary Development Plan and Section 8 of the National Planning Policy Framework.

39. Notwithstanding the details indicated on the approved plans and in the supporting technical information, full details of the following highway aspects shall be submitted on a topographical based survey of the site and adopted highways at first reserved matters application stage:
- Formation of the proposed Western Site Access onto Cross Lane at Cock Clod Street, incorporating the provision of a pedestrian crossing facility at the widened junction, parking layby on the northerly side of Cross Lane and all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P002 Revision P03),;
 - Formation of the proposed Eastern Site Access onto Cross Lane to the west of Croft Lane, incorporating the provision of a pedestrian crossing facility at the new junction and all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P003 Revision P03) ;
 - Widening of Cross Lane, incorporating the provision of pedestrian crossing facilities and build outs at the Park Street and Hutchinson Street junctions, relocation of affected bus stops, closure of the existing Croft Lane junction, provision of alternative means of vehicular access to No. 62 Cross Lane and to the rear of No.'s 62 - 102 Cross Lane and all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P003 Revision P03) ;
 - A scheme of carriageway reconstruction/resurfacing works on Cross Lane in between, and in the vicinity of, the proposed western and eastern site accesses;
 - New loop road connecting Cock Clod Street, Church Street East and Croft Lane and the proposed internal road layout, incorporating the provision of visibility splays and forward visibility envelopes in accordance with the standards in Manual for Streets and 20mph traffic calming scheme;
 - Proposals for the prohibition of vehicular access to the site from Rectory Lane (other than for emergency access purposes), incorporating the provision of access for emergency service vehicles, pedestrians and cyclists;
 - Proposals for the prohibition of vehicular access to the site from Church Street East/Sandford Street (other than for emergency access purposes), incorporating the provision of access for emergency service vehicles, pedestrians and cyclists;
 - Proposals for the provision of vehicular access to the part of the site to be served from Rectory Lane/Glebe Street/Brook Street;
 - Proposals for improvements to/localised widening of the bend at Bury Street/Cross Lane, incorporating all measures to improve forward visibility at this point on the highway network in accordance with the standards in Manual for Streets and for a design speed to be determined;
 - Provision of the proposed easterly pedestrian access into the site incorporating the provision of guard railing at the junction with Bury Street;
 - Provision of a controlled pedestrian crossing facility on Bury Street in the vicinity of the proposed easterly pedestrian access into the site;
 - Reinstatement of all redundant vehicular accesses around the perimeter of the site to a scope and specification to be agreed;
 - Proposed phasing of construction of the development.

The highway works subsequently approved shall be implemented to an agreed programme before phase of the development subsequently agreed is first occupied.

Reason. To ensure good highway design in the interests of highway safety and to maintain the integrity of the adopted highway pursuant to the following Policies of

the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.

40. Full details of the re-validation of SCOOT at Water Street/Spring Lane and Water Street/Ainsworth Road, upgrade and re-validation of MOVA at Manchester Road/Radcliffe Road and associated CCTV camera provision to a scope and specification to be agreed with Transport for Greater Manchester shall be submitted to and approved in writing by the Local Planning Authority at first reserved matters application stage. The details subsequently approved shall be implemented to an approved timetable by the Local Planning Authority.
Reason. To secure the satisfactory development of the site in terms of highway safety and the flow of traffic in the interests of highway safety pursuant to UDP Policies H2/1 - The Form of New Residential Development & H2/2 - The Layout of New Residential Development.
41. As part of the reserved matters for 'siting', a scheme for a parking strategy for the development of the site shall be submitted to and approved in writing by the Local Planning Authority, incorporating the implementation of a resident's parking scheme to mitigate the site's proximity to the Radcliffe Metrolink Station. The approved scheme only shall be implemented.
Reason. To ensure adequate and appropriate levels of car parking are incorporated into the development and pursuant to UDP Policy H2/2 - The Layout of New Residential Development.
42. Visibility splays measuring 2.4 metres by 60 metres shall be provided at the junctions of Cock Clod Street (Western Site Access) with Cross Lane and the Eastern Site Access with Cross Lane on land within the application red line boundary (SP 05) or adopted highway land, before the accesses are brought into use and shall subsequently be maintained free of obstruction above the height of 0.6m.
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
43. Other than for use by emergency service vehicles, there shall be no direct means of vehicular access between the site and the easterly end of Church Street East/Sandford Street and Rectory Lane.
Reason. To ensure good highway design in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
44. On or before submission of the first reserved matters application, a residential travel plan strategy shall be submitted to and approved in writing by the Local Planning Authority. Before each phase of the development is commenced, a scheme for the provision of occupier travel plan measures relating to that phase shall be submitted to and approved by the Local Planning Authority. The scheme shall include details of measures relating to walking, cycling, public transport and car parking. The scheme shall establish the developer and occupier travel plan objectives and targets and include an implementation programme. The approved schemes shall be implemented before each phase is first occupied and retained thereafter.
Reason. In order to deliver sustainable transport objectives in accordance with Section 9 of the National Planning Policy Framework.
45. No development shall commence unless and until a 'Construction Traffic

Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:

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

The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

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

46. A minimum hardstanding of 5.5m measured between the highway/estate road boundary and any proposed garage doors shall be provided and thereafter maintained.

Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

47. Where dwellings are constructed without a garage, a minimum hardstanding of 5.0m measured from the highway/estate road boundary shall be provided within the curtilage of each dwelling and thereafter maintained.

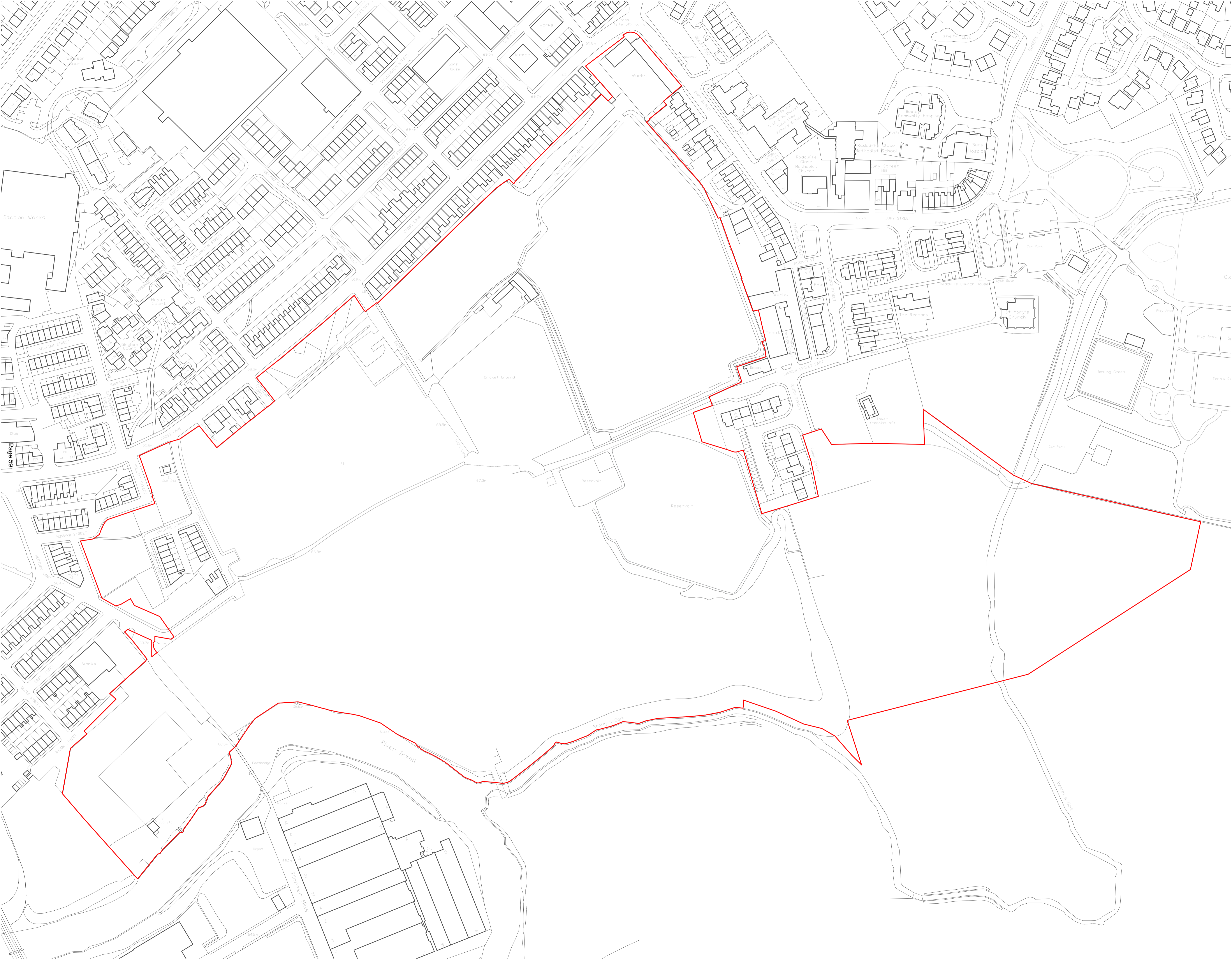
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

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



REV	AMENDMENTS	BY	DATE

KEY
 Site Boundary



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Homes England
East Lancashire Paper Mill
Site Location Plan

DATE: 18.05.2018 SCALE: 1:1250 @ A1
 DRAWN BY / REVIEWED BY: HH / LW
 PROJECT NO: A090070-193 DRAWING NO: SP-05 REVISION: -

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Ward: Radcliffe - North

Item 03

Applicant: Mr S Postchi

Location: 22 Cockey Moor Road, Radcliffe, Bury, BL8 2HB

Proposal: Erection of detached dwelling

Application Ref: 68038/Full

Target Date: 30/03/2022

Recommendation: Approve with Conditions

Description

The application relates to a residential plot on a residential row of houses on the north side of Cockey Moor Road. This application is a resubmission following a previous refusal for detached two storey house (67322). Prior to this refused application, approval was given for a two storey detached house on the plot (58590) in 2015. The previous property on the plot, a red brick and slate detached bungalow, has been demolished. Following demolition, development was commenced on the site but this was carried out after planning permission had lapsed.

The residential properties along the road are mixed in size, style and finish with large garden areas front and back and form a well established ribbon development linking the west side of Bury with Ainsworth Village. The site is 'washed over' by the Green Belt and the West Pennine Moors and has open countryside to the north, beyond the rear garden boundary. To the west side is a bungalow with an extension at the rear of similar proportions to the existing property whilst to the east is a two storey house with a hipped roof. Across Cockey Moor Road, to the south, are two storey houses.

The application proposes a two storey, 4-bed dwellinghouse that would be centrally positioned within the plot. The footprint measuring D13.6m x W10.5m, which is similar to that previously approved. The eaves, at 5.5m high, would also be similar to the previous scheme although the ridge height of 8.3m would represent an increase of about 700mm.

The house would have a relatively conventional design and appearance with a rendered front with a single storey porch centrally positioned. The sides and rear would be finished in a rough walling stone and the roof would be hipped and finished in slate tiles. At the rear corners there would be single storey sections with a two storey central element set in. Main windows would be on the front and rear elevations with four small 'non-principle' obscure glazed windows on each side elevation. The access point onto Cockey Moor Road would remain as existing with a new boundary wall across the front.

Relevant Planning History

01601/E - Demolition of existing bungalow, construction of replacement dwelling - Enquiry completed 23/01/2015

57756 - Demolition of existing bungalow and erection of 2 storey replacement dwelling with additional living accommodation in roofspace - Refused 07/10/2014

58590 - Demolition of existing bungalow and erection of 2 storey replacement dwelling (resubmission) - Approve with Conditions 03/06/2015

67322 - Erection of detached dwelling - Refused 10/01/2022

14/0331 - Demolishing bungalow - 03/09/2014

16/0144 - Untidy land/buildings - 02/06/2016

17/0161 - Untidy Property - 12/06/2017

20/0389 - Breach of start by date of planning permission 58590 - application received

Publicity

Immediate neighbours notified by letter dated 10/02/2022. Six objections received from surrounding neighbours and Ainsworth Community Association - summarised below:

- The revised plans don't address original objections regarding intrusion on and dwarfing of surrounding properties.
- The proposed property is too big and out of character with neighbouring properties.
- It would be contrary to Green Belt policy in that it increased the volume of the original bungalow by 80%.
- Overlooking of neighbours from rear windows.
- The new house would block light and views from neighbouring properties.
- Reduced light into neighbour would mean increased energy consumption/CO2 emissions
- Increased noise reverberating off walls of house.
- Works should not have been allowed to progress so far.
- The site is left untidy and unsafe.

The objectors have been notified of the Planning Control Committee.

Statutory/Non-Statutory Consultations

Traffic Section - Clarification on access and visibility required.

Drainage Section - No objection.

Environmental Health - No objection.

Environment Agency - No objection.

United Utilities - No objection.

Pre-start Conditions - As development has commenced, this is not applicable.

Unitary Development Plan and Policies

OL7/2	West Pennine Moors
OL1/2	New Buildings in the Green Belt
OL1/3	Infilling in Existing Villages in the Green Belt
EN1/2	Townscape and Built Design
EN7	Pollution Control
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
EN5/1	New Development and Flood Risk
EN7/5	Waste Water Management
EN4	Energy Conservation

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 - Policy H1/2 Further Housing Development, states that the Council will have regard to various factors when determining a proposal for residential development including the availability of infrastructure, the suitability of the site, the nature of the local environment and the surrounding land uses. The principle of residential use on the site established by its historic use and previous approval for a replacement dwellinghouse.

Green Belt - The National Planning Policy Framework (NPPF) indicates that a replacement dwelling within the Green Belt is acceptable provided it is not materially larger than the one it is replacing.

UDP Policy OL1/2 New Buildings in the Green Belt reflects the NPPF in stating that replacement dwellings are acceptable where they are not disproportionate in scale to, or materially larger than, the original dwelling. Where new development is deemed to be inappropriate in that it would have a detrimental impact on the openness of the Green Belt, the development would need to be justified under 'Very Special Circumstances (VSC)'.

Policy OL1/3 indicates that infill development would be acceptable where there is unbroken ribbon development and the new development would not prejudice Green Belt objectives.

Supplementary guidance in SPD8 New Buildings and Associated Development in the Green Belt supports Green Belt policies and indicates that where a replacement dwelling is proposed the new dwelling should reflect the original dwelling in terms of massing, siting and area of footprint, height and should not be materially larger than the one it replaces. A new dwelling that is disproportionately larger or differs materially in position or footprint to

the existing house would only be permitted in 'Very Special Circumstances' and only after the applicant has demonstrated why, in these circumstances, permission should be granted.

Notwithstanding the various increases in footprint or volume, the overriding advice is that each proposal will be considered on its own merits in the light of policies and guidance.

With an approximate increase in the footprint, from 88sqm (approx) to 150sqm and an approximate volume increase from the now demolished bungalow and garage at approximately 410m³ to over 800m³, the new dwelling would be significantly larger than the original bungalow. Whilst the proposed dwelling is significantly larger than the bungalow, in terms of its relationship with the wider streetscape, it is considered that the new dwelling would not be 'disproportionate' as Cockey Moor Road is made up of a varied mix of house types, both bungalows and larger two storey houses. An appropriately proportioned larger dwelling may not be out of keeping with the streetscene or have a seriously detrimental impact on the character or openness of the Green Belt. Indeed it could be argued that a larger house on what is a spacious plot would make better, more efficient use of the site. The proposed streetscape section is attached and shows that the relationship to immediate neighbours is not so incongruous and therefore very special circumstances could be used to justify approval.

In the light of the NPPF and UDP Policies OL1/2, OL1/3 and associated guidance and taking the proposal on its individual merits and special circumstances, the new dwelling, although larger than the original property, would not be considered to be out of scale with its surroundings and therefore would be acceptable and complies with the above Green Belt policies.

Residential Amenity - The neighbouring house at No.20 has a ground floor door and hallway window with first floor stairwell and WC windows facing across the side boundary. The bungalow at No.24 has a ground floor secondary side kitchen window and a first floor obscure glazed bathroom window facing the site. In terms of residential amenity, the non-habitable/ secondary windows on the neighbours cannot be afforded significant weight in any assessment.

The proposed new dwelling has four small, non-principle windows directly facing the neighbours on either side. On the side/west elevation there are Ground floor obscure glazed windows to a WC and utility room and at first floor, two further en suites. On the other side/east elevation, there are small secondary two lounge room windows at ground floor and two en suites at first floor, all to be obscure glazed and restricted opening and secure by an suitable condition of approval. Given the nature of the windows and the obscure glazing, there would be no direct overlooking of neighbours on either side. The habitable room windows on the front and rear elevations would not result significant overlooking beyond what would reasonably be expected in a residential setting.

The concerns of the neighbour at No.20 Cockey Moor Road with regard to reflected noise from the side elevations of the new house are noted but not considered significantly serious enough to warrant refusing the application. The proposal is for a dwelling, which with a residential use would not lead to believe that there would be increased noise or activity beyond any other residential use.

In terms of the impact of the single and two storey elements extending beyond the rear elevations of the neighbouring properties on either side, the Council's adopted guidance in SPD6 Alterations and Extensions suggests that two storey extensions should not encroach on a 45 degree line measured from a point on the boundary, 1m beyond the neighbours rear elevation. In terms of the single storey elements, these should not encroach beyond a 45 degree line measured from habitable room windows on neighbours properties. The revised plan satisfies this guidance. It is also noted that No.20 Cockey Moor Road has driveway down the side boundary and a single garage at the rear that would in part help screen the single storey element on this side.

Although extending back further beyond the neighbour's property to the east, the new dwelling is, on balance, considered acceptable and complies with UDP Policies H2/1, H2/2 and guidance in SPD6 Extensions and Alterations in relation to residential amenity.

Access and Parking - The existing access point from Cockey Moor Road would remain unchanged although there are concerns that the new 1.5m high wall/railings along the front may reduce visibility slightly and revised plans are awaited to remedy this issue. The proposed driveway and parking area to the front is considered sufficient for three cars. A condition would be attached to require all areas of hardsurfacing to be made permeable. The proposal complies with UDP Policies H2/3 extensions and Alterations and HT2/4 Car Parking and New Development and associated guidance in SPD6 and SPD11.

Drainage - The new house would be connected to the main drainage system and an appropriate condition and informatives would be attached to any approval notice.

Permitted development - It is deemed appropriate to remove 'permitted development' rights for the house to control any further amendments or extensions in the interests of visual and residential amenity.

Representations - Most of the planning issues raised by the objectors have been addressed in the above report. The issue about increased CO2 levels and higher energy consumption raised by the neighbour would not be considered significant enough to warrant refusing the application. The loss of particular views of Holcombe Hill from properties across Cockey Moor Road is not a valid reason to refuse the application, particularly as the new house would only be two storeys high.

On balance, it is not considered that the revised proposal would have a seriously detrimentally impact on the visual amenity and character of the area, the openness of the Green Belt and the residential amenity of the neighbours.

Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to revised drawings numbered PS-2172-TS/00, RAD/2289/20/5C, RAD/2289/20/6, RAD/2289/20/7A, RAD/2289/20/8 and swept path plans 274-21-1 to 5. The development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
2. 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. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury

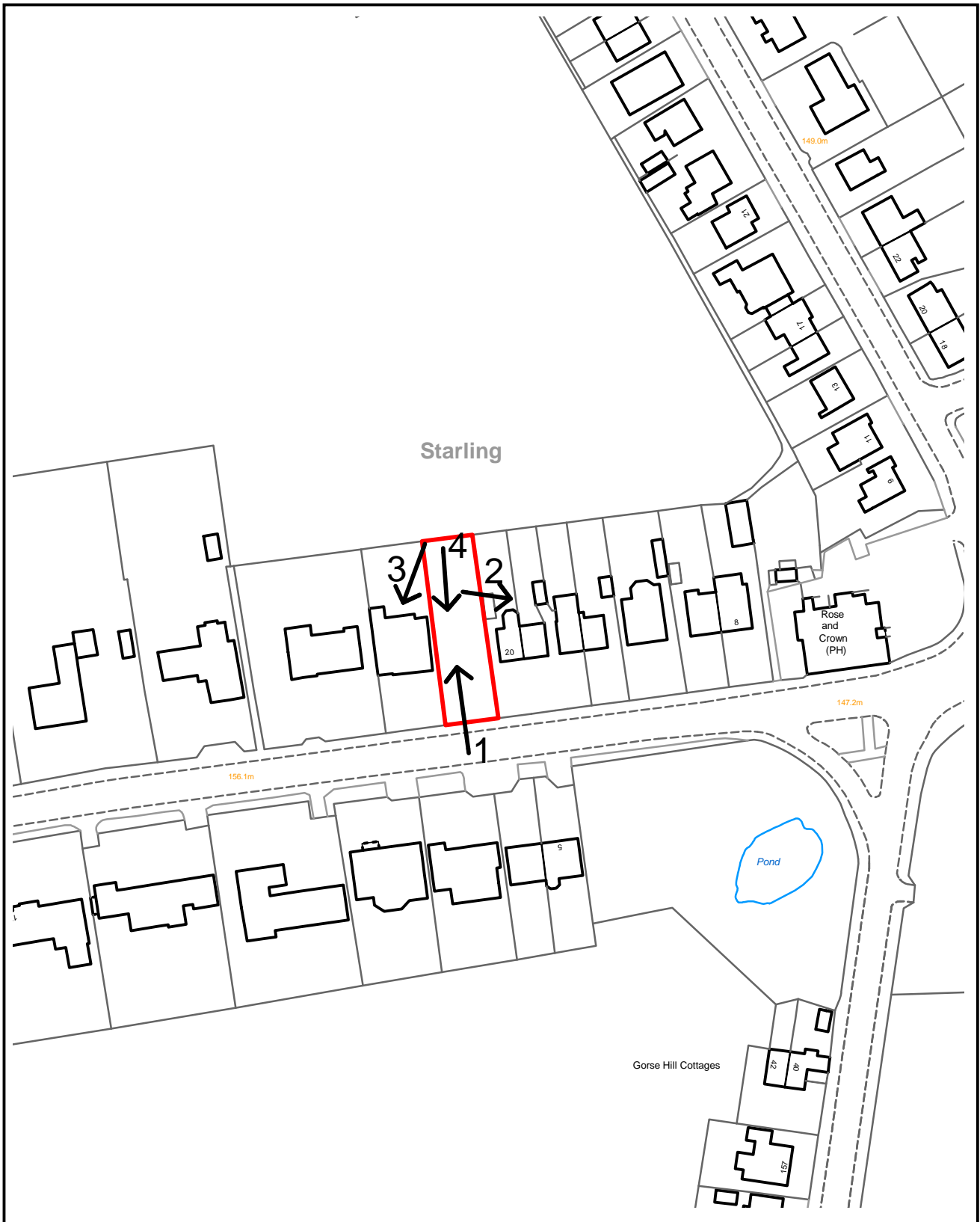
Unitary Development Plan.

3. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to the following policies of the Unitary Development Plan H2/1 The Form of New Residential Development and H2/2 The Layout of New Residential Development.
4. Within one month of the date of this decision notice, a detailed Remediation Strategy which clarifies proposed remedial actions to be undertaken as detailed in letter reference: CL758.210222.1, dated 21 February 2022, shall be submitted to, and approved in writing by, the Local Planning Authority.
Reason. 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 and UDP Policy EN7 Pollution Control.
5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework and UDP Policy EN7 Pollution Control.
6. The proposed driveway and paved areas at the front of the property shall be constructed of permeable/porous materials as set out in the Dept of Communities and Local Government publication "Guidance on the Permeable Surfacing of Front Gardens".
Reason: To secure the satisfactory development of the site pursuant to UDP Policy EN5/1 New Development and Flood Risk.
7. Within one month, details of foul and surface water drainage aspects have been submitted to and approved by the Local Planning Authority. This must include potential SuDS options for a surface water drainage scheme. The approved drainage scheme shall be implemented and thereafter maintained to the satisfaction of the Local Planning Authority.
Reason: To reduce the risk of local flooding and water pollution by ensuring the provision of a satisfactory means of surface water disposal pursuant to UDP Policy EN5/1 New Development and Flood Risk and EN7/5 Waste Water Management.
8. Notwithstanding the approved plans, prior to the commencement of further development, details relating to the proposed boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development.
Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
9. Before the first occupation of the dwellinghouse hereby approved all windows on the west and east side elevations shall be fitted with restricted opening and obscured glazing (Min obscuration level 3) to the written satisfaction of the Local Planning Authority and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2.1 The Form of New Residential Development.

10. Prior to first occupation, details of an Electric vehicle(EV) charging pointy shall be submitted to and approved by the Local Planning Authority. The charging point shall be implemented prior to first occupation.
Reason. In the interests of energy efficiency pursuant to UDP Policy EN4 Energy Conservation.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 68038

ADDRESS: 22 Cockey Moor Road
Radcliffe

Planning, Environmental and Regulatory Services

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68038

Photo 1



Photo 2



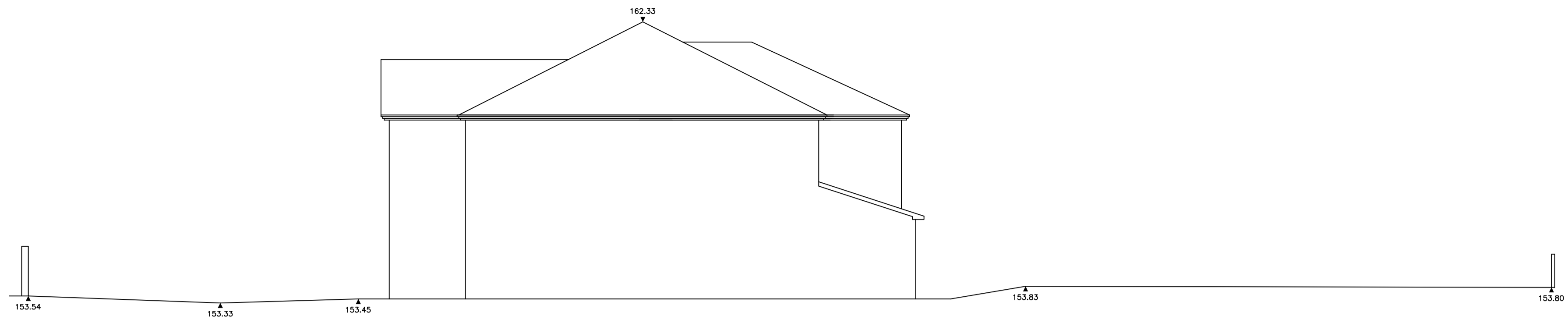
68038

Photo 3



Photo 4





SITE SECTION



150.00m Above Ordnance Datum

150.00m Above Ordnance Datum

STREETSCENE

Page 71

Date	Rev.		Initials
10/3/22	A.	Revised roof added	RA

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 The Client should ensure consent from any landowner or interested party is obtained, as well as compliance with Party Wall Act 1996

Notes

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Project
 22 COCKEY MOOR ROAD
 BURY
 BL8 2HB

Title
 SITE SECTIONS AND STREETSCENE

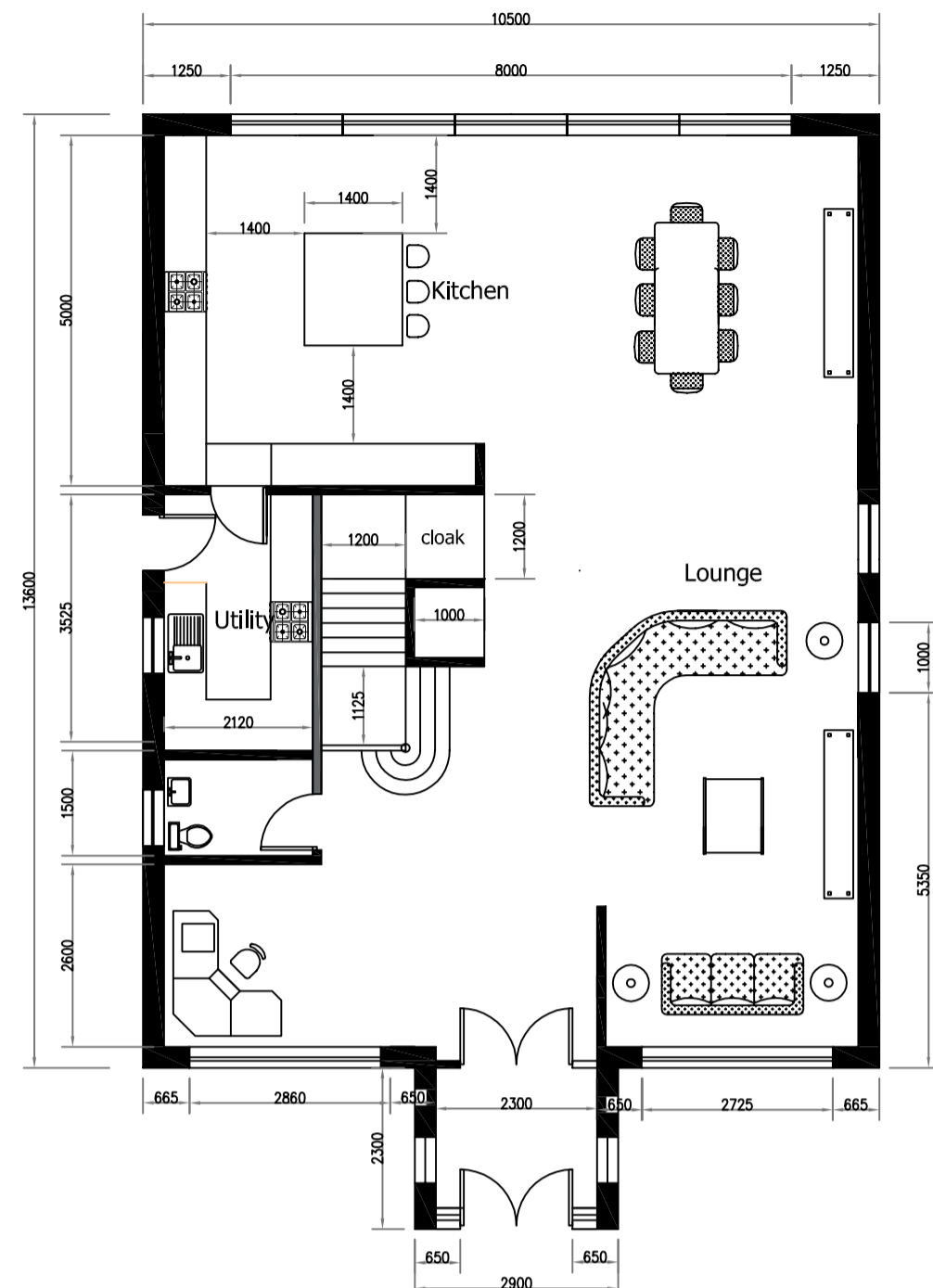
Client

Drawn RA

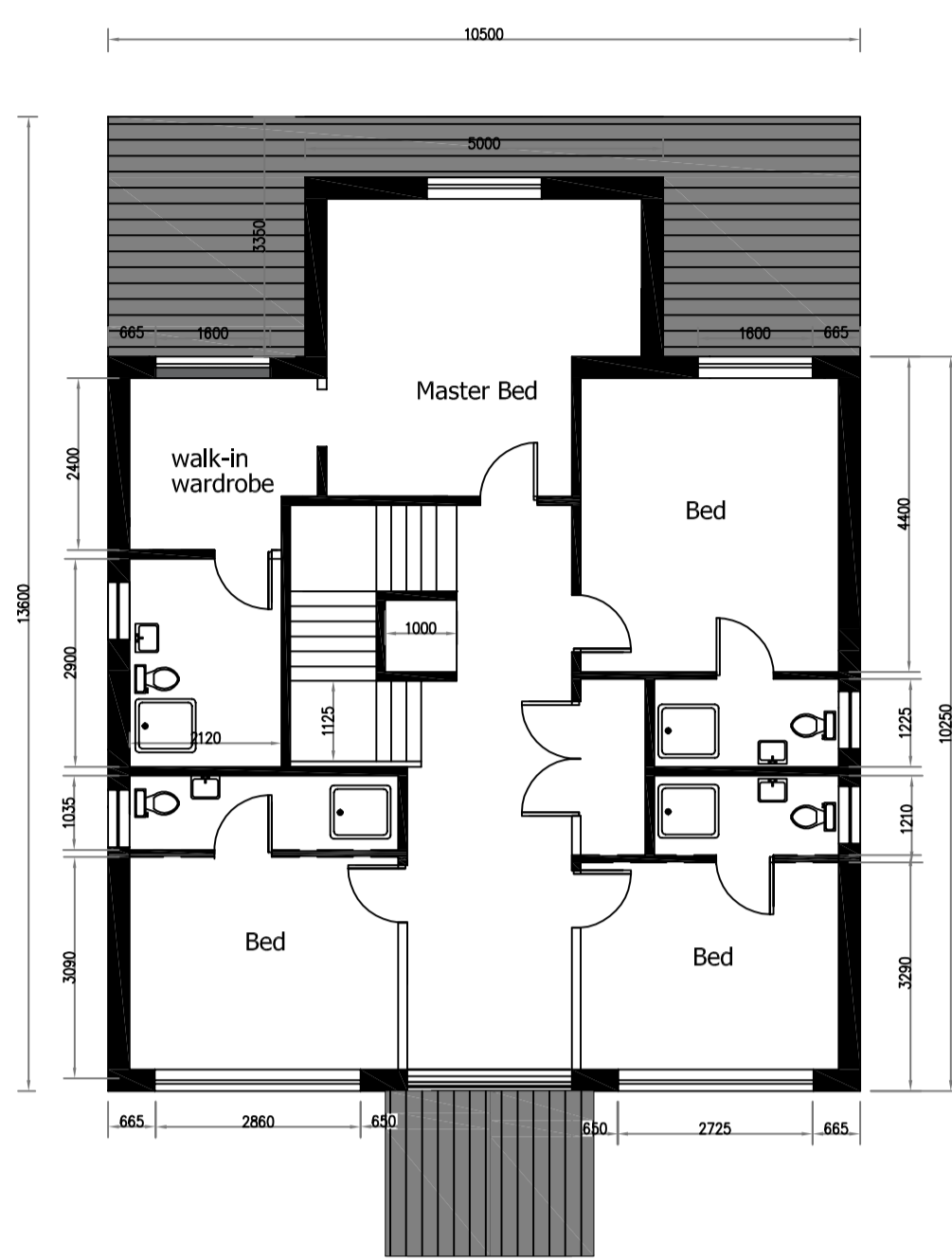
Date NOVEMBER 2021

Scale 1:100 @ A1 / 1:200 @ A3

Drawing Number RAD/2289/20/7/RevA



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

- ROOF : SPANISH SLATE
- WALLS : WHITE RENDER
- DOORS/WINDOWS : ANTHRACITE UPVC
- FEATURE FACING MATERIAL TO PORCH : STONE : MARSHALLS WALLING STONE CROMWELL WEATHERED 450 X 175MM
- 175MMRAINWATER GOODS : BLACK ALUMINIUM
- SOFFITS : WHITE PVC



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION A



PROPOSED FRONT ELEVATION

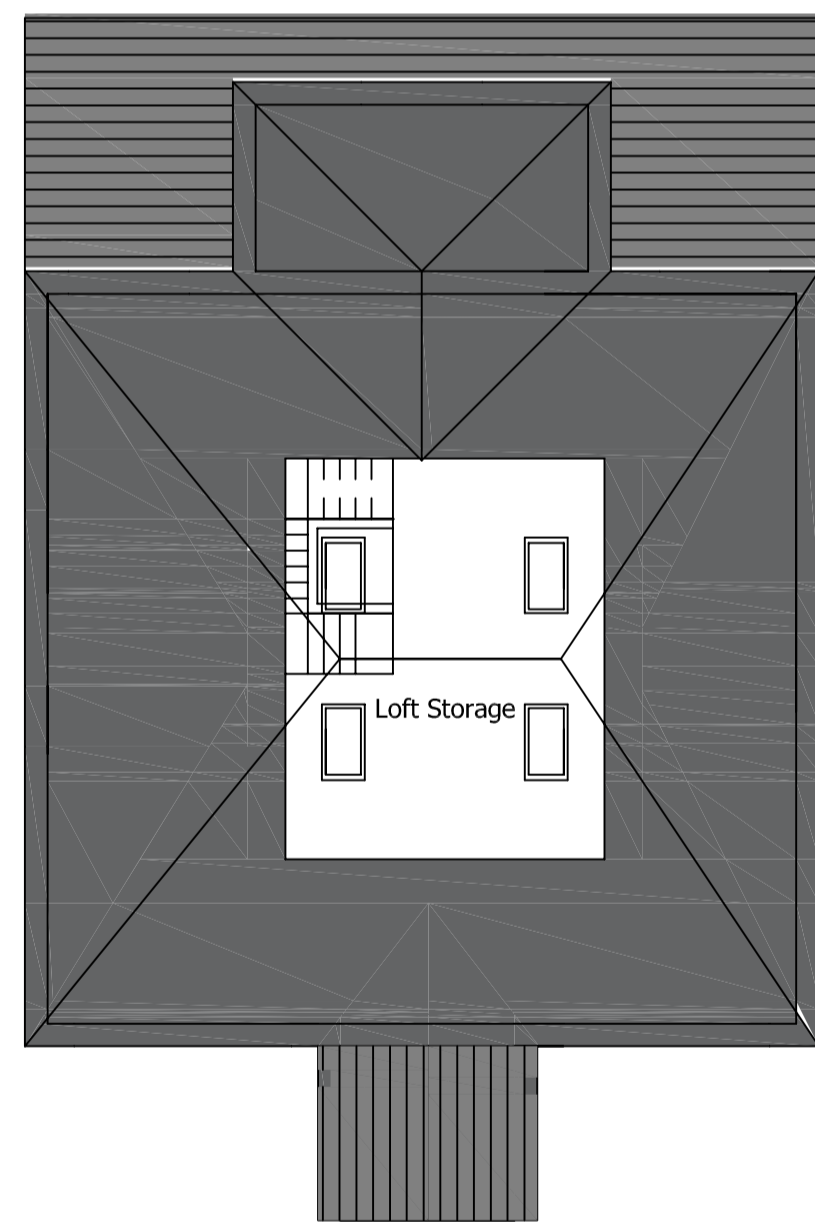


PROPOSED SIDE ELEVATION B

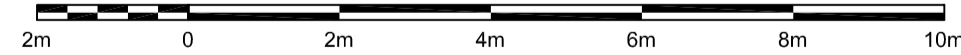
flat top to roof shown on previous approval Ref 58590 changed to single point

porch added to previous approval Ref 58590

ground floor windows to be obscure glazed (level 5) with restricted openings



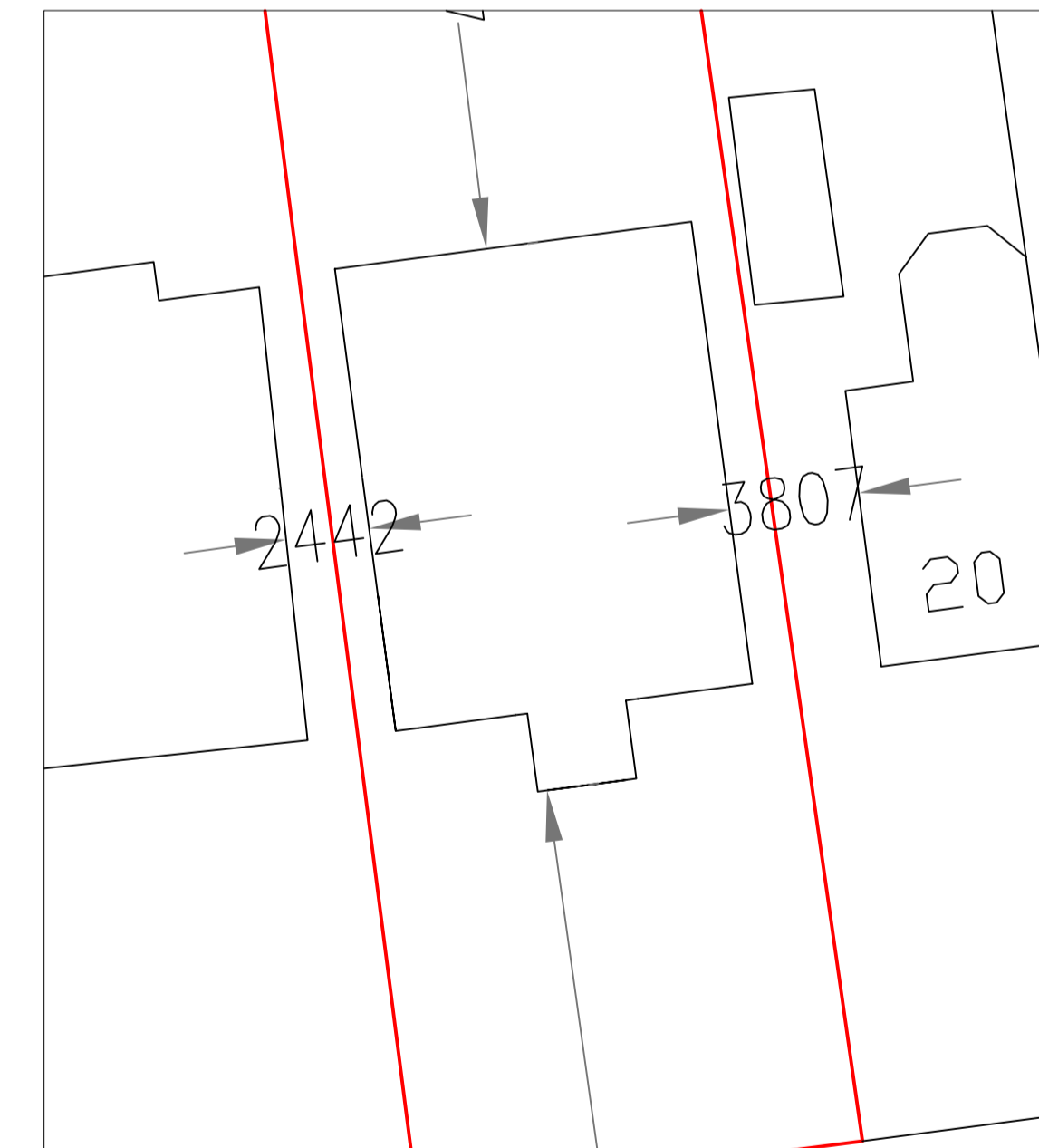
PROPOSED SECOND FLOOR PLAN



LOCATION PLAN (1:1250)
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Ordnance Survey 0100031673



BLOCK PLAN (1:500)



SITE PLAN (1:200)

Date	Rev.	Description	Initials
11/11/21	A.	Porch glazing reduced for stability reasons	RA
28/1/22	B.	Porch and hip pitch reduced	RA
10/3/22	C.	Side windows obscure glazed	RA

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Notes

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Project
22 COCKEY MOOR ROAD
BURY
BL8 2HB

Title
EXISTING AND PROPOSED PLANS

Client

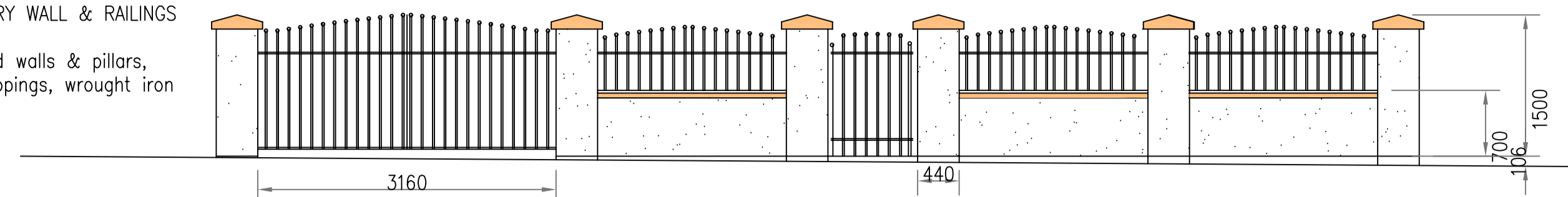
Drawn RA

Date JULY 2021

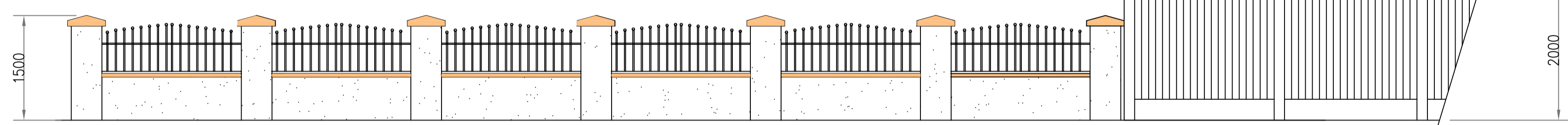
Scale 1:50 @ A1 / 1:100 @ A3

Drawing Number RAD/2289/20/5/RevC

BOUNDARY WALL & RAILINGS
Rendered walls & pillars, stone copings, wrought iron railings



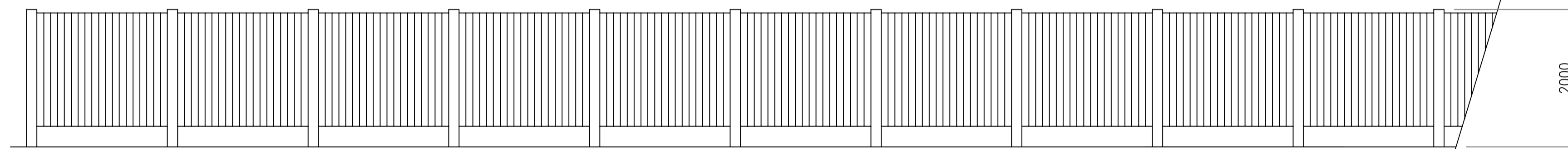
PROPOSED FRONT ELEVATION



PROPOSED FRONT/SIDE ELEVATIONS

BOUNDARY FENCE :

2m high close-boarded timber fence with concrete posts and base panel



PROPOSED ELEVATIONS (SIDE & REAR)



SITE PLAN (1:200)
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Ordnance Survey 0100031673



Date	Rev.	Inits

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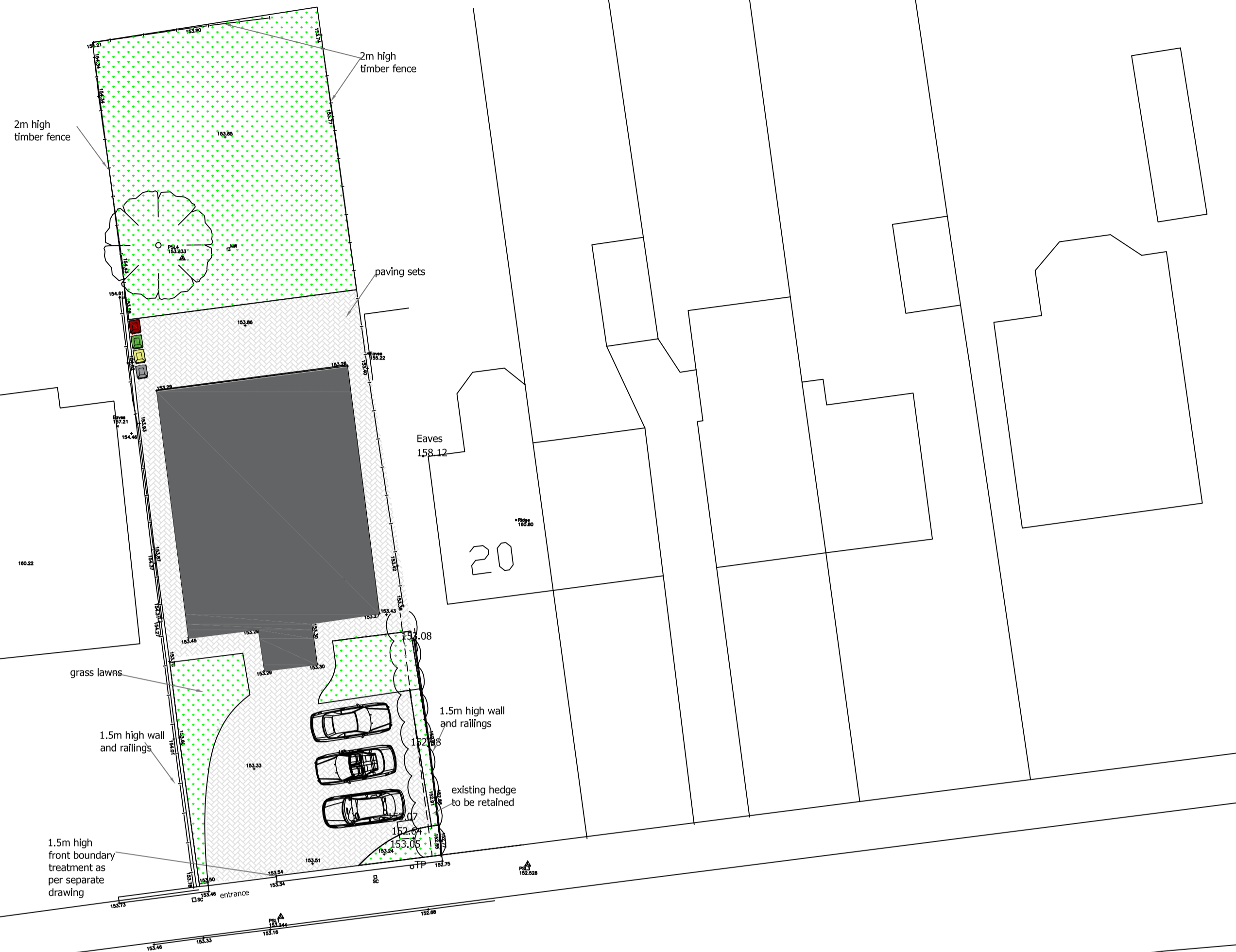
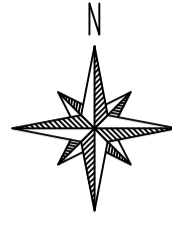
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Project 22 COCKEY MOOR ROAD
BURY
BL8 2HB
Title PROPOSED BOUNDARY TREATMENT

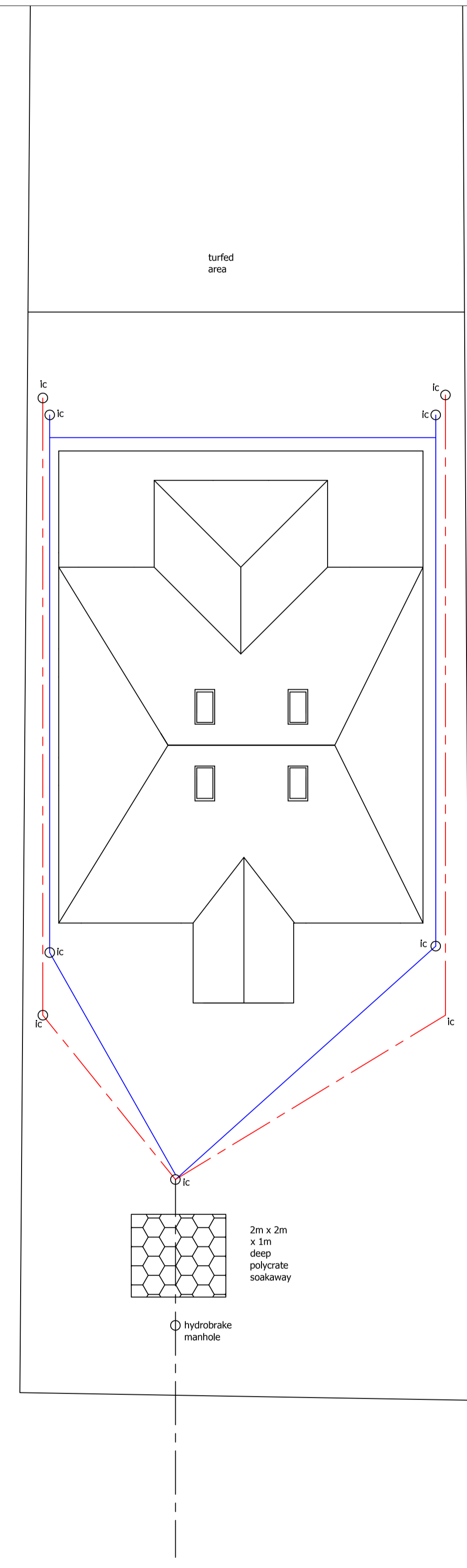
Client
Drawn RA
Date OCTOBER 2021
Scale 1:100 @ A1 / 1:200 @ A3
Drawing Number RAD/2289/20/6

LOCATION PLAN (1:1250)
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 Ordnance Survey 0100031673



COCKEY MOOR ROAD

SITE PLAN (1:200)



— 100mm surface water
 - - - 100mm soil water
 - - - 150mm combined drain
 ○ ic inspection chamber

DRAINAGE DESIGN (1:100)

Date	Rev.	Initials

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Project
 22 COCKEY MOOR ROAD
 BURY
 BL8 2HB
Title
 PROPOSED SITE PLAN

Client
 Drawn RA
 Date NOVEMBER 2021
 Scale 1:100 @ A1 / 1:200 @ A3
 Drawing Number RAD/2289/20/8

REPORT FOR NOTING

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

TRACKING/PROCESS**DIRECTOR:**

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

1.0 BACKGROUND

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

2.0 CONCLUSION

That the item be noted.

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

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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

**Planning applications decided using Delegated Powers
Between 14/02/2022 and 13/03/2022**



Ward: Bury East

Application No.: 67619 **App. Type:** FUL 09/03/2022 Approve with Conditions

Location: 82 Bolton Street, Bury, BL9 0LL

Proposal: Changes to elevations and glazing including- Replacement of glazing system with blue brickwork and anthracite aluminium frame glazing; Black plastic soffits and new dark coloured window frames on first floor; New access door to the front elevation

Application No.: 67795 **App. Type:** ADV 14/02/2022 Approve with Conditions

Location: B & Q Plc, Bridge Hall Lane, Bury, BL9 7PB

Proposal: 30 no. non illuminated fascia signs & 20 no. non illuminated signs

Application No.: 67828 **App. Type:** FUL 25/02/2022 Approve with Conditions

Location: The Bridles, 2 Riders Gate, Bury, BL9 7RD

Proposal: Single storey rear extension

Application No.: 67921 **App. Type:** LDCP 14/02/2022 Lawful Development

Location: Bury Grammar Girls School, Bridge Road, Bury, BL9 0HH

Proposal: Lawful development certificate for proposed demolition of the existing entrance porch to the Girl Junior school. The erection of a single storey new entrance and reception area, with mansard roof. New ramped access and low-level planter/seating.

Application No.: 68018 **App. Type:** GPDE 04/03/2022 Prior Approval Not Required - Extension

Location: 58 South Cross Street, Bury, BL9 0RS

Proposal: Prior approval for proposed single storey rear extension

Application No.: 68026 **App. Type:** TEL 11/03/2022 Prior Approval Not Required

Location: Lakeland Furnishings, York Street, Bury, BL9 7AR

Proposal: Prior approval for proposed upgrade to existing rooftop telecommunications equipment

Ward: Bury East - Moorside

Application No.: 67740 **App. Type:** GPDE 23/02/2022 Prior Approval Not Required - Extension

Location: 55 Arley Avenue, Bury, BL9 5HG

Proposal: Prior approval for proposed single storey rear extension

Ward: Bury East - Redvales

Application No.: 67649 **App. Type:** FUL 21/02/2022 Approve with Conditions

Location: Bury Sports Club, Radcliffe Road, Bury, BL9 9JX

Proposal: Construction of single storey extension to main clubhouse and external balcony

Application No.: 67813 **App. Type:** FUL 15/02/2022 Approve with Conditions
Location: 183 Parkhills Road, Bury, BL9 9AF
Proposal: First floor extension at front above existing porch; Balcony at rear

Application No.: 67814 **App. Type:** FUL 15/02/2022 Approve with Conditions
Location: 185 Parkhills Road, Bury, BL9 9AF
Proposal: Two storey front extension

Application No.: 67822 **App. Type:** FUL 14/02/2022 Approve with Conditions
Location: Derby High School, Radcliffe Road, Bury, BL9 9NH
Proposal: Conversion of former school gym to classrooms including external alterations

Application No.: 67916 **App. Type:** FUL 01/03/2022 Approve with Conditions
Location: 39 Derwent Drive, Bury, BL9 9LS
Proposal: Two storey side extension; Single storey rear extension

Ward: **Bury West - Church**

Application No.: 67858 **App. Type:** FUL 23/02/2022 Approve with Conditions
Location: 4 Bank Hall Close, Bury, BL8 2UL
Proposal: Two/single storey side extension

Application No.: 68078 **App. Type:** LDCP 04/03/2022 Refused
Location: 31 Ainsdale Avenue, Bury, BL8 2RW
Proposal: Lawful development certificate for proposed single storey rear extension to extend 3m from the rear of the property and to be built from materials to match the existing dwelling

Ward: **Bury West - Elton**

Application No.: 67760 **App. Type:** FUL 04/03/2022 Approve with Conditions
Location: 17 Whitelegge Street, Bury, BL8 1SW
Proposal: Single storey rear extension

Ward: **North Manor**

Application No.: 67708 **App. Type:** FUL 14/02/2022 Approve with Conditions
Location: 9 Riverside Drive, Summerseat, Ramsbottom, Bury, BL9 5QX
Proposal: Two storey side extension; Single storey front extension

Application No.: 67793 **App. Type:** FUL 28/02/2022 Approve with Conditions
Location: 4 Crag Avenue, Summerseat, Ramsbottom, Bury, BL9 5NZ
Proposal: Single storey side extension to provide porch, shower room and utility

Application No.: 67912 **App. Type:** FUL 14/02/2022 Approve with Conditions
Location: 6 Crown Mews, Bolton Road, Tottington, Bury, BL8 4JW
Proposal: First floor rear extension; Extend rear balcony full length; Change rear first floor window to double door

Application No.: 67919 **App. Type:** FUL 09/03/2022 Approve with Conditions
Location: 36 Sandringham Drive, Tottington, Bury, BL8 4DJ
Proposal: Two storey side extension; Front dormer extension; Flat roof extension at rear; demolition of existing garage to be replaced with new garage; New driveway at front extending existing dropped kerb; Raised patio at rear; New fencing to boundaries

Application No.: 67949 **App. Type:** FUL 01/03/2022 Approve with Conditions
Location: 42 Kendal Road West, Ramsbottom, Bury, BL0 9SY
Proposal: Single storey side and rear extension

Application No.: 67970 **App. Type:** LDCP 08/03/2022 Lawful Development
Location: 45 Springside Road, Bury, BL9 5JB
Proposal: Lawful development certificate proposed - converting part of existing garage into additional living accommodation (kitchen) - Modification works to rear elevation by removing 2no. existing external doors and replacing with new window - Replacing existing patio doors to rear elevation with new bi-folding doors

Application No.: 67981 **App. Type:** LDCP 09/03/2022 Lawful Development
Location: 3 Greenmount Close, Tottington, Bury, BL8 4HN
Proposal: Lawful development certificate for proposed single storey rear extension - extending less than 4m - detached property

Application No.: 68008 **App. Type:** FUL 11/03/2022 Approve with Conditions
Location: 36A Longsight Road, Ramsbottom, Bury, BL0 9SN
Proposal: Demolition of existing conservatory and replace with single rear storey extension

Application No.: 68019 **App. Type:** FUL 11/03/2022 Approve with Conditions
Location: 7 Brookside Crescent, Tottington, Bury, BL8 4BG
Proposal: Demolish side garage, replace with two storey side/rear extension with 2.no first floor side windows & rear juliette balcony; Single storey rear extension

Ward: **Prestwich - Holyrood**

Application No.: 67774 **App. Type:** FUL 17/02/2022 Approve with Conditions
Location: 6 Beeston Grove, Whitefield, Manchester, M45 6UF
Proposal: Two storey extension at side/rear and front porch alterations

Application No.: 67920 **App. Type:** FUL 01/03/2022 Approve with Conditions
Location: Parrenthorn High School, Heywood Road, Prestwich, Manchester, M25 5GR
Proposal: Rear elevation, open sided metal powder coated frame with opal polycarbonate roof plus rainwater goods

Application No.: 67927 **App. Type:** FUL 08/03/2022 Approve with Conditions
Location: 67 Poppythorn Lane, Prestwich, Manchester, M25 3BY
Proposal: Single storey side extension; Single storey rear extension

Application No.: 67955 **App. Type:** LDCE 04/03/2022 Lawful Development
Location: 156 Heys Road, Prestwich, Manchester, M25 1QL
Proposal: Certificate of lawful development for existing single storey rear extension

Application No.: 67963 **App. Type:** FUL 23/02/2022 Approve with Conditions
Location: 524 Bury Old Road, Prestwich, Manchester, M25 3DF
Proposal: Demolish existing single storey side extension and erection of two storey side and single storey rear extension

Application No.: 68017 **App. Type:** FUL 21/02/2022 Approve with Conditions
Location: 19 Willingdon Drive, Prestwich, Manchester, M25 1PA
Proposal: Single storey extension at rear and elevational changes; change from door to window to side (south) elevation

Application No.: 68051 **App. Type:** GPDE 07/03/2022 Prior Approval Not Required - Extension
Location: 253 Heywood Old Road, Rochdale, Manchester, M24 4QR
Proposal: Prior approval for proposed single storey rear extension

Ward: Prestwich - Sedgley

Application No.: 67692 **App. Type:** FUL 18/02/2022 Refused
Location: 1 Hereford Drive, Prestwich, Manchester, M25 0JY
Proposal: Provision of new 2-storey, 2-bedroom corner dwelling with associated site works including soft landscaping, cycle and refuse storage.

Application No.: 67835 **App. Type:** FUL 18/02/2022 Approve with Conditions
Location: 71 Bishops Road, Prestwich, Manchester, M25 0AS
Proposal: Two storey side extension

Application No.: 67869 **App. Type:** FUL 21/02/2022 Approve with Conditions
Location: 16 Wilton Avenue, Prestwich, Manchester, M25 0HD
Proposal: Single storey rear extension; First floor rear extension; First floor obscure side window

Application No.: 67898 **App. Type:** FUL 07/03/2022 Approve with Conditions
Location: 22 George Street, Prestwich, Manchester, M25 9WS
Proposal: Loft conversion with rear dormer

Application No.: 67905 **App. Type:** FUL 03/03/2022 Refused
Location: 8 Dellcot Close, Prestwich, Manchester, M25 0GX
Proposal: Raise roof ridge height/hip to gable roof extension with loft conversion and dormers at front/rear to form second floor living accommodation; Single storey extension at side/rear and single storey extension at side

Application No.: 67915 **App. Type:** FUL 18/02/2022 Approve with Conditions
Location: 10 Mowbray Avenue, Prestwich, Manchester, M25 0LP
Proposal: Two storey side and rear extension

Application No.: 67923 **App. Type:** FUL 25/02/2022 Approve with Conditions
Location: 71 Kings Road, Prestwich, Manchester, M25 0LQ
Proposal: Single/two storey side extension with bay windows to front & side elevations; Single/two storey rear extension

Application No.: 67930 **App. Type:** FUL 03/03/2022 Approve with Conditions
Location: 36 Bury Old Road, Prestwich, Manchester, M25 0FT
Proposal: 1st floor extension at rear

Application No.: 67933 **App. Type:** FUL 21/02/2022 Approve with Conditions
Location: Singleton Court, Bury Old Road, Prestwich, Manchester, M25 8FX
Proposal: Conversion of existing lower ground floor garages to 4 no. flats

Application No.: 67935 **App. Type:** FUL 09/03/2022 Approve with Conditions
Location: 11 Harrogate Avenue, Prestwich, Manchester, M25 0LT
Proposal: Single/two storey rear extension; Single/two storey extension at front & side side; Single storey front extension; Loft Conversion with rear dormer and side windows; Raising the ridge height

Application No.: 67956 **App. Type:** FUL 03/03/2022 Refused
Location: 69 Richmond Avenue, Prestwich, Manchester, M25 0LW
Proposal: Loft conversion with hip to gable roof extension; Front and rear dormers

Ward: Prestwich - St Mary's

Application No.: 67536 **App. Type:** FUL 22/02/2022 Approve with Conditions
Location: Denewood, St Anns Road, Prestwich, Manchester, M25 9LD
Proposal: The infilling of the undercroft car port, removal of existing porch and addition of chimney to west elevation, insertion of new windows, doors and rear canopy along with over cladding brickwork (side and rear)

Application No.: 67756 **App. Type:** FUL 14/02/2022 Split Decision
Location: 61 Prestwich Hills, Prestwich, Manchester, M25 9PY
Proposal: Single storey front porch; Single storey rear extension; Conversion of loft with 1 rear dormer and 2 front dormers; Raising roof ridge height

Application No.: 67807 **App. Type:** FUL 16/02/2022 Approve with Conditions
Location: 36 Duckworth Road, Prestwich, Manchester, M25 9QH
Proposal: Single storey rear extension and decking area with steps to garden level; Loft conversion with rear dormer; Alterations to driveway/vehicular access and installation of boundary fence/gate at front/side and 4 bin storage unit at front

Application No.: 67832 **App. Type:** FUL 16/02/2022 Approve with Conditions
Location: 75 Carr Avenue, Prestwich, Manchester, M25 9TW
Proposal: Replace existing conservatory with two/single storey rear extension

Application No.: 67940 **App. Type:** FUL 28/02/2022 Approve with Conditions
Location: 5 School Grove, Prestwich, Manchester, M25 9RJ
Proposal: Demolition of garage and outbuilding; Single/two storey side extension; Single storey rear extension

Application No.: 67947 **App. Type:** FUL 22/02/2022 Approve with Conditions
Location: 8 Barnhill Road, Prestwich, Manchester, M25 9NH
Proposal: Two storey front extension; Roof alterations including pitched roof to the existing two storey flat roof side/rear extension; garage conversion

Application No.: 67950 **App. Type:** FUL 22/02/2022 Approve with Conditions
Location: 68 Sandy Lane, Prestwich, Manchester, M25 9NB
Proposal: Two/single storey extension at side/rear; Single storey rear extension

Application No.: 67962 **App. Type:** FUL 07/03/2022 Approve with Conditions
Location: 161 Bury New Road, Prestwich, Manchester, M25 9PJ
Proposal: Single storey rear/side extension; Hip to gable loft conversion with rear dormer, side window and Juliette balcony; Installation of rear first floor and second floor Juliette balcony; Formation of parking area at front; New boundary fencing

Ward: **Radcliffe - East**

Application No.: 66697 **App. Type:** FUL 16/02/2022 Approve with Conditions
Location: Land at Hutchinson's Goit, Bury Road, Radcliffe
Proposal: Construction of an earth embankment approximately 37m in length which will raise the ground level to 71.9mAOD. Erection of a concrete step 200mm in height raising the ground level to 71.77mAOD. Installation of two 8mm weathering plates at the upstream face of Hutchinsons goit culvert.

Application No.: 67848 **App. Type:** FUL 22/02/2022 Approve with Conditions
Location: 78 Riverside Road, Radcliffe, Manchester, M26 2PZ
Proposal: First floor side extension

Application No.: 67893 **App. Type:** FUL 25/02/2022 Approve with Conditions
Location: 41 Blackburn Street, Radcliffe, Manchester, M26 1NR
Proposal: Variation of condition 5 following approval of planning application 66208- Amend existing opening hours (08:00-00:00 Monday to Sunday) to 11:00-01:00 daily

Application No.: 67931 **App. Type:** FUL 01/03/2022 Approve with Conditions
Location: 439 Bury And Bolton Road, Radcliffe, Manchester, M26 4LJ
Proposal: Single storey rear extension and patio regrading.

Ward: **Radcliffe - North**

Application No.: 67693 **App. Type:** FUL 18/02/2022 Approve with Conditions
Location: Middle Lees, 33 Knowsley Road, Ainsworth, Bolton, BL2 5PY
Proposal: Replace existing conservatory with two storey side extension with front dormer

Application No.: 67703 **App. Type:** FUL 14/02/2022 Approve with Conditions
Location: 37 Salisbury Road, Radcliffe, Manchester, M26 4GD
Proposal: Retrospective single storey rear extension

Application No.: 67880 **App. Type:** FUL 14/02/2022 Approve with Conditions
Location: 15 Cobden Street, Radcliffe, Manchester, M26 4HR
Proposal: Single storey rear extension

Application No.: 67964 **App. Type:** LDCP 09/03/2022 Lawful Development
Location: 37 Lowercroft Road, Bury, BL8 2EX
Proposal: Lawful development certificate for proposed hip to gable end conversion and a rear facing dormer roof extension to class C3 semi detached private family dwelling

Application No.: 68001 **App. Type:** FUL 18/02/2022 Approve with Conditions
Location: 46 Boundary Drive, Radcliffe, Bolton, BL2 6RU
Proposal: First floor side extension

Ward: Radcliffe - West

Application No.: 67661 **App. Type:** FUL 14/02/2022 Deemed Withdrawn
Location: 49 Harper Fold Road, Radcliffe, Manchester, M26 3RU
Proposal: Two storey side extension

Application No.: 67851 **App. Type:** TEL 16/02/2022 Prior Approval Required and Granted
Location: Island at junction of Pilkington Way/Mill Street/Outwood Road, Radcliffe, Manchester, M26 1LD
Proposal: Prior approval for proposed telecommunications installation comprising of a 17 metre high, monopole tower, associated radio-equipment cabinets and ancillary development hitherto

Application No.: 67974 **App. Type:** GPDE 23/02/2022 Prior Approval Not Required - Extension
Location: 12 Jubilee Avenue, Radcliffe, Manchester, M26 1LX
Proposal: Prior approval for proposed single storey rear extension

Application No.: 68035 **App. Type:** FUL 01/03/2022 Approve with Conditions
Location: 18 Greendale Drive, Radcliffe, Manchester, M26 1UQ
Proposal: Two storey rear extension; Single storey front extension

Ward: Ramsbottom + Tottington - Tottington

Application No.: 67614 **App. Type:** FUL 14/02/2022 Refused
Location: Rapallo Ristorante, High Street, Walshaw, Bury, BL8 3AG
Proposal: Single storey side extension

Application No.: 67866 **App. Type:** FUL 03/03/2022 Split Decision
Location: Birchen Bower Farm, Harwood Road, Tottington, Bury, BL8 3PT
Proposal: A: Replace conservatory with single storey rear extension
B: Double garage with room above and link corridor to house

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.: 67527 **App. Type:** FUL 01/03/2022 Approve with Conditions
Location: 32 Manchester Road, Ramsbottom, Bury, BL0 0DH
Proposal: Change of use from agricultural land to residential garden; Single storey rear extension; Loft conversion with balcony at rear; 2no. juliet balconies at rear

Application No.: 67606 **App. Type:** FUL 11/03/2022 Approve with Conditions
Location: Red Hall, Manchester Road, Ramsbottom, Bury, BL9 5NA
Proposal: Change of use of open land to form wedding garden with pergola and storage hut

Application No.: 67853 **App. Type:** FUL 11/03/2022 Refused
Location: 176 Bolton Road West, Ramsbottom, Bury, BL0 9PE
Proposal: Change of use of former public house to daycare/nursery/creche (Class E) with erection of 1.8 metre high railings to wall along Bolton Road West

Application No.: 67877 **App. Type:** ADV 21/02/2022 Approve with Conditions
Location: 62 Bridge Street, Ramsbottom, Bury, BL0 9AG
Proposal: 1 No.non-illuminated fascia sign

Application No.: 67906 **App. Type:** FUL 11/03/2022 Approve with Conditions
Location: 43 Ripon Hall Avenue, Ramsbottom, Bury, BL0 9RE
Proposal: Two storey side extension; Single storey rear extension

Application No.: 67967 **App. Type:** FUL 18/02/2022 Approve with Conditions
Location: 95 Ripon Hall Avenue, Ramsbottom, Bury, BL0 9TQ
Proposal: Single storey side extension and new chimney stack

Application No.: 67971 **App. Type:** FUL 09/03/2022 Approve with Conditions
Location: 4 Emerald Cottages, Boothwood Stile, Ramsbottom, Bury, BL8 4NE
Proposal: Relocation of existing gated access and re-building of existing boundary wall to allow for off street parking within residential curtilage

Ward: **Whitefield + Unsworth - Besses**

Application No.: 67630 **App. Type:** FUL 17/02/2022 Approve with Conditions
Location: 385 Parr Lane, Bury, BL9 8PH
Proposal: Change of use from ground floor shop to residential unit with single storey front extension

Application No.: 67739 **App. Type:** GPDE 23/02/2022 Prior Approval Not Required - Extension
Location: 18 Dudley Avenue, Whitefield, Manchester, M45 6BS
Proposal: Prior approval for proposed single storey rear extension

Application No.: 67872 **App. Type:** FUL 25/02/2022 Approve with Conditions
Location: 25 Regal Close, Whitefield, Manchester, M45 8NR
Proposal: Two/single storey extension at side

Ward: Whitefield + Unsworth - Pilkington Park

Application No.: 67763 **App. Type:** FUL 01/03/2022 Approve with Conditions
Location: 120 Park Lane, Whitefield, Manchester, M45 7PT
Proposal: Garage conversion and link to existing house and pitched roof

Application No.: 67850 **App. Type:** FUL 22/02/2022 Approve with Conditions
Location: 23 The Square, Whitefield, Manchester, M45 7UL
Proposal: Single storey rear extension

Application No.: 67856 **App. Type:** FUL 11/03/2022 Approve with Conditions
Location: 12 Ten Acre Drive, Whitefield, Manchester, M45 7LP
Proposal: Demolition of existing dwelling and erection of replacement dwelling with front boundary wall and gate together with associated landscaping works

Application No.: 67865 **App. Type:** FUL 21/02/2022 Approve with Conditions
Location: 8 Park Lane, Whitefield, Manchester, M45 7PB
Proposal: Single storey side extension; Render to the front

Application No.: 67873 **App. Type:** FUL 23/02/2022 Approve with Conditions
Location: 332 Stand Lane, Radcliffe, Manchester, M26 1JB
Proposal: Single storey side/rear extension; Conversion of garage to living accommodation; Raised patio with steps into rear garden

Application No.: 67929 **App. Type:** FUL 11/03/2022 Approve with Conditions
Location: 78 Nuttall Avenue, Whitefield, Manchester, M45 6QA
Proposal: Single storey rear extension; Horizontal board cladding to front and rear dormers to replace existing small vertically hung slates

Application No.: 67983 **App. Type:** GPDE 09/03/2022 Prior Approval Not Required - Extension
Location: 297 Bury New Road, Whitefield, Manchester, M45 7SE
Proposal: Prior approval for proposed single storey rear extension

Ward: **Whitefield + Unsworth - Unsworth**

Application No.: 67511 **App. Type:** FUL 22/02/2022 Approve with Conditions

Location: 282A & 282B Hollins Lane, Bury, BL9 8AY

Proposal: Single storey extension to front of shop with seating area outside; Flat roof dormer with juliet balcony to the rear of dwelling; new window to the 1st floor rear elevation

Application No.: 67827 **App. Type:** FUL 09/03/2022 Approve with Conditions

Location: 8 Stokesay Close, Bury, BL9 8DB

Proposal: Two/single storey extension at rear (amended layout) and patio with glazed balustrade and steps to garden level; Timber cladding to front; Widening of existing driveway

Application No.: 67910 **App. Type:** FUL 07/03/2022 Approve with Conditions

Location: Cranswick Continental Foods, Roach Bank Road, Bury, BL9 8RQ

Proposal: Proposed temporary portacabin to be on site for a period of 2 years

Application No.: 68030 **App. Type:** FUL 25/02/2022 Approve with Conditions

Location: McDonald's, Park 66, Pilsworth Road, BL9 8RD

Proposal: Installation of 2 no. electric vehicle charging stations including parking bays

Total Number of Applications Decided: 86

REPORT FOR NOTING

Agenda Item	6
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DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	22 March 2022
SUBJECT:	PLANNING APPEALS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>Planning Appeals:</p> <ul style="list-style-type: none"> - Lodged - Determined <p>Enforcement Appeals</p> <ul style="list-style-type: none"> - Lodged - Determined
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

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

1.0 BACKGROUND

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

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

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-

Contact Details:-

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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

**Planning Appeals Decided
between 14/02/2022 and 13/03/2022**



Application No.: 66513/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr & Mrs Sanders

Location: Davises Farm, Mather Road, Bury, BL9 6TJ

Proposal: Refurbishment of existing timber storage building including replacing existing timber doors with new timber doors, alterations to fenestration to include 2 no. doors and 2 no. windows in relation to a cattery area and incorporating the existing open storage area within the footprint of the building by the provision of additional cladding to match existing

Appeal Decision: Allowed

Date: 22/02/2022

Appeal type: Written Representations

Application No.: 67300/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr Nadeem Younis

Location: 117 Prestwich Hills, Prestwich, Manchester, M25 9PY

Proposal: Installation of 1.8 metre high timber fence with concrete post and base

Appeal Decision: Dismissed

Date: 02/03/2022

Appeal type: Written Representations



Appeal Decision

Site visit made on 8 February 2022

by Nigel Harrison BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 February 2022

Appeal Ref: APP/T4210/W/21/3284889
Davises Farm, Mather Road, Bury, BL9 6JT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs G Sanders against the decision of Bury Metropolitan Borough Council.
 - The application Ref: 66513 dated 31 January 2021, was refused by notice dated 21 April 2021.
 - The development proposed is: *"Refurbishment of existing timber storage building including replacing existing timber doors with new timber doors, alteration to fenestration to include 2 No doors and 2 No windows in relation to a cattery area and incorporating the existing open storage area within the footprint of the building by the provision of additional cladding to match the existing"*.
-

Decision

1. The appeal is allowed and planning permission is granted for: *"Refurbishment of existing timber storage building including replacing existing timber doors with new timber doors, alteration to fenestration to include 2 doors and 2 windows in relation to a cattery area and incorporating the existing open storage area within the footprint of the building by the provision of additional cladding to match the existing"*, at Davises Farm, Mather Road, Bury, BL9 6JT in accordance with the terms of the application, Ref: 66513 dated 31 January 2021.

Procedural Matter

2. The proposal is retrospective, as the development has already taken place. Therefore, I intend to consider the appeal on the basis of the proposal being for the retention of the development. However, the development has not been carried out exactly in accordance with the submitted plans insofar as one elevation is concerned. As built, the style of the timber 'cattery' section doors are to a slightly different pattern and the associated windows are slightly smaller and positioned away from the corresponding doors.
3. Section 79(1)(b) of the Town and Country Planning Act 1990 as amended enables me to deal with the application as if had been made to me 'in the first instance'. I am satisfied that the minor elevational changes described above would not prejudice the interests of interested parties and I have considered the appeal on the basis of the development as now built.

Main Issues

4. The main issues in this appeal are:
 - i) Whether the proposal would be inappropriate development in the Green Belt having regard to National planning policy and relevant development plan policies; and
 - ii) The effect of the proposal on the character and appearance of the surrounding countryside.

Reasons

5. The appeal proposal is an amended scheme following a previous refusal, with the materials for the doors altered and the openings in relation to the cattery section altered. The large timber shed/store was originally approved on a temporary basis, but permission was subsequently granted to retain it, together with the addition of corrugated steel lean-to extensions. A condition attached to this permission says it must be used for storage purposes ancillary to the main dwelling (Davises Farm).
6. The appellants propose to make alterations to the building to accommodate their hobbies, and the proposal involves the enclosure of a previously open-fronted section running the length of the building with new timber garage doors, other doors and windows, and areas of shiplap boarding. Part of this newly enclosed area would be used for a domestic cattery with the remainder of the main section being used to house the appellant's collection of classic cars, and to store logs, cat food and other domestic paraphernalia. The lean-to section would be used for other domestic storage (motorcycles and bicycles). The appellant has confirmed the cattery is for private use only and is not a facility which can be used by the general public.

Whether inappropriate development in the Green Belt

7. The site is within the Green Belt and National policy on Green Belt development is set out in Section 13 of the *National Planning Policy Framework* (the Framework), and paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Development in the Green Belt is inappropriate (and only permissible under very special circumstances) unless it falls within the closed lists of exceptions set out in paragraphs 149 and 150.
8. One of these exceptions, set out in paragraph 149c) is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The term 'original building' is defined in the Framework as a building as it existed on 1 July 1948 or, if constructed after that date, as it was built originally.
9. The Framework does not make any specific reference to ancillary outbuildings, such as the appeal building. However, taking into account the 'ancillary storage purposes' condition, I am satisfied that it can be regarded as a normal domestic adjunct and be considered under the aegis of paragraph 149c).
10. Saved policies OL1 and OL1/2 of the *Bury Unitary Development Plan* (UDP), adopted 1997, are generally consistent with the Framework in terms of the permitted exceptions to inappropriate development in the Green Belt. It adds

that development proposals should have regard to any supplementary planning documents approved by the Council.

11. The Council says the proposed changes to the appearance of the building would lead to inappropriate development in the Green Belt. However, there would be no increase in volume or footprint compared with the building as permitted. Even if the enclosure of the open area under the roof was considered to represent extension of the building rather than an alteration, the enclosed area would still be less than the increase of up to a third in volume which the Council's *Supplementary Planning Document 9: 'Conversion and Re-use of Buildings in the Green Belt* says may be permitted.
12. The concerns in respect of the loss of openness are noted. However, there is no requirement to consider the effect upon openness when assessing a proposal against paragraphs 145 c) and 145 d) of the Framework.
13. Therefore, I find that the proposal would not be inappropriate development in the Green Belt and would accord with the provisions of paragraph 149 c) of the Framework. With respect to openness and the purposes of the Green Belt, given my findings that the proposal would not be inappropriate development, the proposal would, by definition, not have an adverse impact on the openness of the Green Belt or the purposes of including land within it. As such it would accord with saved UDP Policies OL1, OL1/2, and SPD9.
14. As the proposal does not amount to inappropriate development in the Green Belt, there is no requirement to assess if there are other considerations that amount to very special circumstances to justify it.

Effect on character and appearance of the surrounding countryside

15. Saved UDP Policy EN1/1 says development will not be permitted where it would have a detrimental effect on visual amenity within or viewed from areas of environmental interest such as the Green Belt, and Policy H2/3 seeks to achieve a high standard of design that complements the original building. Although I have been referred to Supplementary Planning Document 8, this concerns new buildings in the Green Belt and is not therefore directly relevant to the appeal proposal which is for alterations to the design and materials of an existing building.
16. The council says the appeal building was originally permitted as a replacement for unsightly storage containers and was designed to resemble a row of stables. It says the appearance of the building (as approved) presents that of an agricultural building not out of place in a rural setting, and that the changes to its appearance would alter its overall character to a that of a large domestic garage and would introduce an urban element into this Green Belt setting.
17. However, although the proposal would remove a design feature that attempts to replicate the style of a traditional timber stables building, I do not find this factor to be necessarily harmful in itself. The use of timber doors and windows, the retention of overhanging eaves, and timber detailing still afford the building a degree of rural character which sets it apart from a more conventional urban garage or outbuilding. Furthermore, the appellant has introduced significant screening since the original permission was obtained, and the building is only easily visible to the public from the adjacent part of Mather Road to the east of the site. As such, I consider its impact on the surrounding landscape is limited.

18. Paragraph 130 of the Framework says planning decisions should ensure that developments add to the overall quality of the area and are sympathetic to local character and the surroundings. I am satisfied that the proposal represents an acceptable design employing sympathetic materials that would not materially harm the character and appearance of the surrounding countryside. As such, I find no conflict with saved UDP Policies EN1/1, H2/3, or the provisions of the development plan taken as a whole.

Other Matters

19. The appellants have stated that they wish to downsize and move from the barn conversion (Davises Farm) to the existing garage block for which has the benefit of permission for conversion to a dwelling. Therefore, should the appellants wish to use the appeal building for residential use ancillary to their proposed residential accommodation, they would need to apply to the Council to vary the condition that effectively links the appeal building to the barn conversion. This is not a matter that is before me.
20. An objection has been received concerning the possible intensification in use of the access track/bridleway used to access the site from Halsall Close. However, as the private cattery/classic car storage uses of the building are not stated to be commercial activities, there should be no material increase in traffic using this access arising from the development.

Conditions

21. I have considered the Council's suggested conditions in the light of the advice in the Government's *Planning Practice Guidance*. The condition requiring the development to be begun within 3 months of the date of the permission does not apply as the development has already taken place.
22. The Council suggests there is a requirement for the applicant to alter the building to match the details to those shown on the submitted plans. However, given the very minor change in the details of the cattery doors and windows, I consider that no useful planning purpose would be served by any conditional requirement to alter these details to those shown on the submitted plans.
23. For clarity, the appeal is allowed on the basis of the building 'as built' which is in accordance with the submitted plans except in respect of the 'cattery doors and windows on the northern side elevation shown on Drawing Nos 05 Rev. 2021 and 06 Rev. dated January 2021, received by the Local Planning Authority on 23 February 2021.

Conclusion

24. I have found that the proposal does not amount to inappropriate development in the Green Belt and that there would be no other harm. I find no conflict with the development plan policies referred to, or National planning policy in the Framework. Therefore, for the reasons given above and taking into account all other matters raised, I conclude that the appeal should be allowed.

Nigel Harrison

INSPECTOR



Appeal Decision

Site visit made on 8 February 2022

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 MARCH 2022

Appeal Ref: APP/T4210/D/21/3284545 117 Prestwich Hills, Prestwich M25 9PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Nadeem Younis against the decision of Bury Council.
 - The application Ref 67300, dated 14 July 2021, was refused by notice dated 8 September 2021.
 - The development proposed is installation of 1.8 metre high timber fence with concrete post and base.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of development in the banner heading above from the Council's Decision Notice as it is a more precise description to the one provided in part 4 of the planning application form. The appellant has adopted this description in their appeal form confirming it is the development they are seeking planning permission for.
3. I saw from my site visit that the works described above have been completed and the planning application was made retrospectively. Accordingly, I have considered the appeal on that basis.

Main Issues

4. The main issues in this appeal are the effect of the development on:
 - The character and appearance of the streetscene, the St Mary's Conservation Area and the Prestwich Hills Reservoir gate pier and commemorative stone.
 - Highway safety, with regard visibility at the Prestwich Hills and Butterstile Lane junction.

Reasons

Character and appearance

5. No.117 Prestwich Hills (No.117) is a detached, chalet bungalow that fronts Prestwich Hills. It is located on a corner plot with its side garden adjoining Prestwich Hills and its rear garden extending to the back edge of the pavement

on Butterstile Lane. The timber fence with concrete posts and base has been erected on these boundaries. There is a second fence with horizontal close boarding visible above this boundary fence which forms a second enclosed area within the garden of No.117.

6. I saw from my site visit that this part of Butterstile Lane is characterised by houses set well back from the road (and at a higher level), typically with open frontages and gardens and low boundary walls or hedges. These open frontages on the southern side of Butterstile Lane form the boundary of the St Mary's Conservation Area (CA). The St Mary's CA Map shows that the Butterstile Lane frontage of No.117 forms part of this CA boundary. Therefore, in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I am required to pay special attention to the desirability of preserving or enhancing the character and appearance of the CA. Further, paragraph 199 of the National Planning Policy Framework (the Framework) advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
7. The openness of this location, the highest part of the CA, with views down over Eagles Nest Crest Wood towards St Mary's Church, positively contributes to the character and appearance of the CA, the significance of which is derived, to some degree, from the large open, wooded spaces.
8. Although the fence panels are around 1.8m in height separated by concrete posts, they are set on a concrete base at the top of an existing stone wall. The resulting height, and location hard on the corner of Prestwich Hills and Butterstile Lane, means that the open aspect of the frontage of No.117 is entirely lost. I recognise that the area, particularly Prestwich Hills, is characterised by suburban development and that fencing on less sensitive side and rear boundaries are typically timber, with concrete bases and posts. However, in this very prominent corner location, the fence is an unsympathetic and incongruous addition that appears unduly harsh and dominant in the streetscene, and detracts from the overall open character and appearance of the CA.
9. The back edge of the pavement on the corner of Prestwich Hills and Butterstile Lane was originally formed by the low stone wall of the Prestwich Hills Reservoir. This wall steps down Prestwich Hills towards the corner, with a stone gate pier set back around 8m from Butterstile Lane. Whilst not identified on the Council's draft list, the gate pier and commemorative stone has nonetheless been identified as a non-designated heritage asset by the Council in the decision-making process. They identify the original entrance to the Prestwich Hills Reservoir, dating from 1867, and therefore have an historical significance. The guidance at paragraph 203 of the Framework is that in weighing applications that directly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
10. The vertical close boarded timber fence panels have been set on a stone effect concrete base that abut this original commemorative stone wall. The contrasting materiality results in an uncomfortable visual relationship, and the pier, which would originally have been viewed in isolation, is now largely obscured. The timber and concrete post boundary fence to the house on the

opposite side of Prestwich Hills to No.117 stops before the stone pier so that it can be seen in its original context with the stone walling. In contrast, by continuing the fencing the full length of the eastern boundary of No.117, this original composition of the stone wall and pier is largely lost, as is the ability to view the two piers on either side of Prestwich Hill as a pair. I find this would cause harm, albeit limited, to the significance of the non-designated heritage asset.

11. In conclusion on the this main issue, I have found the proposal would cause harm to the character and appearance of the streetscene and CA. The scale of development and localised nature of the impact means that I find the harm to the CA would be less than substantial. Paragraph 202 of the Framework advises 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. In the absence of any public benefits given in this case, there is nothing to outweigh the harm I have found. I have also found some, limited, harm to the significance of the non-designated heritage asset which further weighs against the proposal.
12. Consequently, the proposal conflicts with saved Policy EN2/1 and EN2/2 of the Bury Unitary Development Plan (1997) (UDP) because it fails to preserve or enhance the character and appearance of the Borough's Conservation Areas. It also conflicts with saved UDP Policy EN1/2 which states that the Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the townscape of the Borough's settlements. Finally, by failing to respect the character of the surrounding area and streetscene it would also conflict with saved UDP Policy H2/3 and the guidance on boundary enclosures in the Council's *Supplementary Planning Document 6: Alterations and Extensions to Residential Properties (2004, updated 2010)*.

Highway safety

13. Although the fence it located on the back edge of the pavement on the Prestwich Hills, Butterstile Lane junction, the position of the give way markings and relatively straight section of carriageway on Butterstile Lane means that visibility is good to the west (over a length of around 47m). The fence does not materially alter this and I found that visibility at the junction when travelling from Prestwich Hills to Butterstile Lane is sufficient to observe both pavement users and traffic travelling in both directions.
14. Consequently, I find that the development would not be to the detriment of highway safety and would be consistent with the guidance in the SPD and saved UDP Policy H2/3 because it provides suitable visibility for pedestrians, cyclists and drivers. In that saved UDP Policy EN1/2 refers to townscape and built design considerations, I do not find it relevant here to highway safety.

Conclusions

15. Notwithstanding my conclusions regarding the acceptability of the visibility at the junction of Prestwich Hills and Butterstile Lane, I have found harm to the character and appearance of the streetscene, the CA and a non-designated heritage asset. The proposal therefore conflicts with the development plan and there are no other considerations that justify setting aside that conflict.
16. For the reasons given above, the appeal is dismissed.

R Jones

INSPECTOR

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