

Public Document Pack

AGENDA FOR

PLANNING CONTROL COMMITTEE



Contact: Michael Cunliffe
Direct Line: 0161 253 5399
E-mail: m.cunliffe@bury.gov.uk
Website: www.bury.gov.uk

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, 26 April 2022
Place:	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:	

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 MARCH 2022 *(Pages 3 - 6)*

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

4 PLANNING APPLICATIONS *(Pages 7 - 62)*

Reports attached.

5 DELEGATED DECISIONS *(Pages 63 - 76)*

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 77 - 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 REVIEW OF DEVELOPMENT MANAGEMENT VALIDATION CHECKLIST CRITERIA *(Pages 99 - 102)*

A report from the Head of Development Management outlines the review of the Council's local checklists that are required for the validation process of planning applications submitted.

8 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 March 2022

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

Also in attendance: None

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 J Lancaster declared a personal interest in planning application 68038 as she was a member of the Ainsworth Community Association.

Councillor Lancaster left the meeting during deliberation of the application.

PCC.3 MINUTES OF THE MEETING HELD ON THE 22ND FEBRUARY 2022

Delegated decision:

That the Minutes of the meeting held on the 22nd February 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 66993, 67597 and 68038.

The Committee heard supportive representations from one applicant in respect of an application 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:-

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

Erection of a detached dwelling (new layout)

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

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

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

3. That the Committee **Defer** the following application to allow Officers to discuss with the applicant the use of suitable materials and for the application to be determined at a later date:-

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

Erection of detached dwelling

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 8.05pm)

This page is intentionally left blank

Title	Planning Applications
To:	Planning Control Committee
On:	26 April 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: Prestwich - Holyrood	App No. 67257
	Location: 223A Bury Old Road, Prestwich, Manchester, M25 1JE	
	Proposal: Retrospective change of use from 1st floor residential flat (C3 use) to tattoo/beauty business (Class E)	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
02	Township Forum - Ward: Ramsbottom and Tottington - Ramsbottom	App No. 67553
	Location: Land adjacent 2 Tanners Street, Ramsbottom, BL0 9ES	
	Proposal: Erection of one dwelling with associated garage, parking/manoeuvring space and garden curtilage, to be accessed via Tanners Street	
	Recommendation: Approve with Conditions	Site Visit: Y
<hr/>		
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: Y
<hr/>		

This page is intentionally left blank

Ward: Prestwich - Holyrood

Item 01

Applicant: Mr Lewis Tudor

Location: 223A Bury Old Road, Prestwich, Manchester, M25 1JE

Proposal: Retrospective change of use from 1st floor residential flat (C3 use) to tattoo/beauty business (Class E)

Application Ref: 67257/Full

Target Date: 19/01/2022

Recommendation: Approve with Conditions

Description

The application, which is retrospective, relates to a small two storey commercial property at the corner of Bury Old Road and Upper Wilton Street, just to the north of Heaton Park Metro station. The application site is within an existing Local Shopping Centre.

The attached property on the south side is a sandwich shop at 223 Bury Old Road. There is a tattoo parlour at ground floor. There is a yard area at the rear, accessed from Upper Wilton Street, through the single storey rear extension. To the rear is a detached dwellinghouse fronting Upper Wilton Street. Across Upper Wilton Street, to the north, is a kitchen showroom. Across Bury Old Road to the east is Heaton Park. Parking is restricted on Bury Old Road and Upper Wilton Street in the form of double yellow lines. There is on-street parking further along Upper Wilton Street and on a public car park behind the kitchen showroom.

It is proposed to retain the beauty parlour above the tattoo shop on the ground floor. There would be first floor two treatment rooms and a small kitchen and toilet (approx 60sqm). Customer access would be from Bury Old Road with a second access at the side, from Upper Wilton Street. Refuse bins, which are shared with the tattoo parlour, would be stored in the rear yard and taken through the outrigger to Upper Wilton Street for collection. There are no hours of opening proposed.

Relevant Planning History

61274 - Change of use of dwelling to tattoo parlour - approved 22/08/2017.

18/0243 - Breach of condition no. 3 of approved planning permission 61274 - 10/08/2018

19/0061 - Breach of condition no. 3 of planning permission 61274 - 29/03/2019

21/0146 - Change of use of first floor from flat to healing and beauty parlour -

Publicity

Four objections received and summarised below.

- Increased anti-social behaviours that result from the presence of commercial bins.
- Clarification needed to show access to rear yard for bins.
- The land registry deeds for 223 Bury Old Road i.e. stipulation C2a: 'Not to use the property hereby conveyed for any purpose other than that of a Confectioner's shop café and Bakehouse without the previous consent in writing of the vendors'.
- The tattoo business was permitted, providing that refuse could be moved from the WAM business, through the tattoo parlour (application 61274). Instead, commercial bins are permanently placed on a public path. The property owners have been repeatedly reminded that bins need to be kept to the Bury Old Road side of the shutters.
- If the property owners wish to have a 3rd business running out of the same property, they have a 4th space ('Flat 223'). There also are traffic/ parking implications.
- The bins are already an eyesore more bins will result and i often see an elderly partially sighted man struggling to go around them at midday.

Objectors have been notified of the Planning Control Committee.

Statutory/Non-Statutory Consultations

Waste Management - No objection.

Environmental Health - No objection received.

Pre-start Conditions -N/A

Unitary Development Plan and Policies

EC4/1 Small Businesses

EC6/1 New Business, Industrial and Commercial

S1/4 Local Shopping Centres

S2/1 All New Retail Proposals: Assessment Criteria

NPPF National Planning Policy Framework

Issues and Analysis

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

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

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

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

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

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

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

due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Policy - Section 6 of the National Planning Policy Framework indicates that Local Planning Authorities should encourage and support economic growth and development.

Unitary Development Plan Policy EC4/1 Small Businesses. Proposals for small businesses will be acceptable when the scale of development is appropriate to, and the use is environmentally compatible with, the surrounding area in which it is to be located, and where they do not conflict with other policies and proposals of the Plan.

Policy S1/4 - Local Shopping Centres. The Council will seek to maintain and enhance local shopping centres and will encourage the provision of a range of shopping facilities required to serve purely local needs.

Policy S2/1 - All New Retail Proposals: Assessment Criteria. The Council will support new retail development proposals which accord satisfactorily with the following factors:

- a) are within or immediately adjoining the main shopping area of existing centres;
- b) sustain or enhance the vitality and viability of a centre;
- c) are accessible by and would encourage greater use of public transport;
- d) are in conformity with other policies and proposals of the Plan.

Having successfully established the principle of development, all retail proposals will be considered with regard to their environmental impact and must take account of the following factors:-

- e) they should have regard to their surroundings in terms of design, scale, height, bulk, use and colour of materials and landscaping;
- f) the effects on the environment of the area as a result of increased traffic generation and servicing;
- g) the design of the proposal with regard to safety and security for shoppers, workers, visitors and surrounding occupiers;
- h) the effects on the amenity of nearby residents or businesses by reason of noise, smell, litter or opening hours;
- i) access and, where appropriate through negotiation, facilities for the mobility impaired;
- j) the provision of associated facilities. Where applicable, proposals should attempt to provide an appropriate level of additional community benefit and/or offset the loss of or impact on any amenity or resource present on the site. The following facilities serve as examples; creche/children's play, baby changing and feeding, public conveniences (including provision for the disabled) and recycling facilities;
- k) the provision of adequate car parking and servicing.

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

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

Economy - The application site is within an existing Local Shopping Centre and therefore the use of the building for commercial use is acceptable in principle. The new business situated within the local shopping centre would improve its economic viability and vitality and provide a local service benefiting the local community. In terms of economy and retail development, the proposal is acceptable and complies with the NPPF and UDP Policies EC4/1 Small Businesses and S1/4 Local Shopping Centres.

Visual amenity and townscape - Other than signage, which would be covered by separate planning legislation, there are no significant alterations proposed to the building itself. Like the tattoo parlour, refuse bins would be stored in the rear yard area and would not be brought out until collection days. In terms of visual amenity, the proposal would not have a detrimental impact on the appearance or character of the streetscape and is therefore acceptable and complies with UDP Policy EN1/2 Townscape and Built Design.

Residential Amenity - Given the modest scale of the new business and restricted opening hours, to 6pm by a planning condition, there are no significant residential amenity issues arising from the proposal. The proposal is considered to be acceptable and complies with UDP Policy EC4/1 Small Businesses.

Bin storage and Response to objections

As the beauty parlour shares the refuse bins with the tattoo parlour, there are no additional bins generated by the new use. Given there is a route from Upper Wilton Street through the single storey outrigger to the bin store for both the tattoo parlour and the beauty parlour, the bins can be stored off the footway. A condition would be attached to any approval requiring this bin storage area, and route to Upper Wilton Street, to be retained. This would be similar to the condition that was attached when the tattoo parlour was approved in 2017.

The existing large yellow bin at the side of the property on Upper Wilton Street (see photo) is not used by either the tattoo or beauty parlour but the sandwich shop next door at No.223 Bury Old Road. As such any issues arising with this bin are not associated with this application and should not be used to refuse this application.

Issues with regard to stipulations in a lease are not planning matters but private legal issues and are not material to the determination of this application.

Given the scale of the use, the use of the first floor as a beauty parlour is unlikely to generate excessive traffic or cause serious parking problems over and above previous or 'permitted' uses.

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to revised location and site plans received 06/04/22 and floor plan received 17/01/22 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
2. The use hereby permitted shall not be open to customers outside the following times:
0830hrs to 1800hrs Monday to Saturday
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policies S1/4 Local Shopping Centres and S2/1

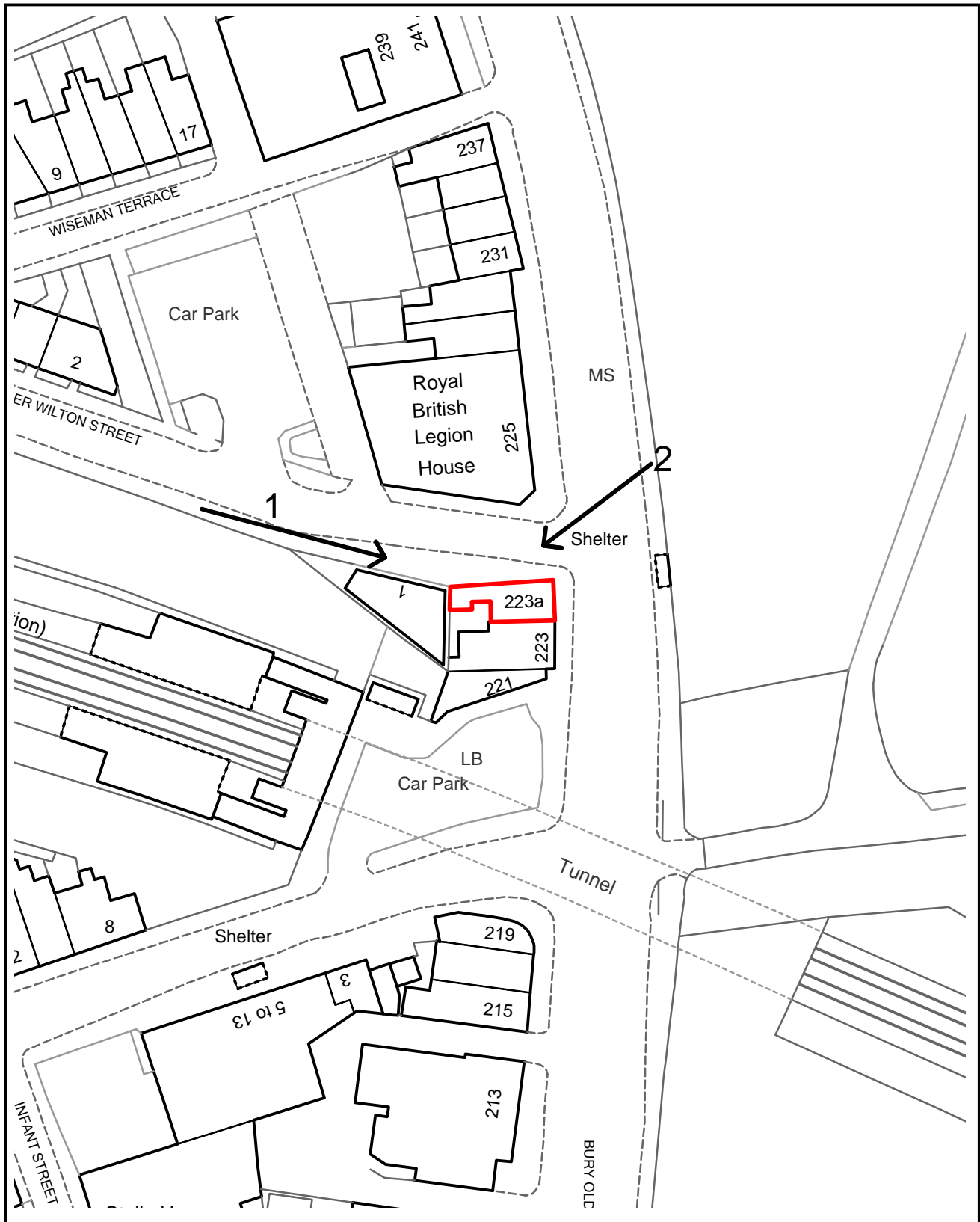
All New Retail Proposals.

3. The refuse storage arrangements within the rear yard, indicated on the approved site plan, shall remain available at all times.

Reason - In order to ensure that the development would maintain adequate facilities for the storage of refuse in the interests of amenity and pursuant to the following Unitary Development Plan Policy EC6/1 Assessing New Business, Industrial and Commercial Development.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 67257

**ADDRESS: 223A Bury Old Road
Prestwich**

Planning, Environmental and Regulatory Services

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



Bury
COUNCIL

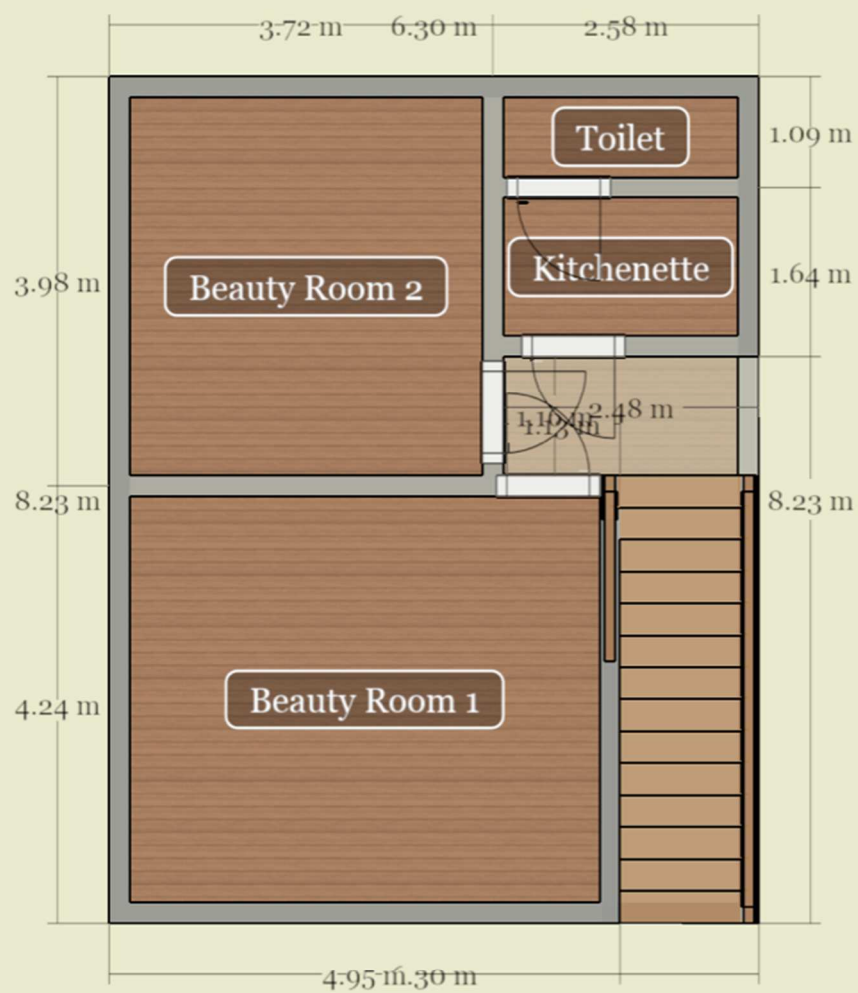
67257

Photo 1

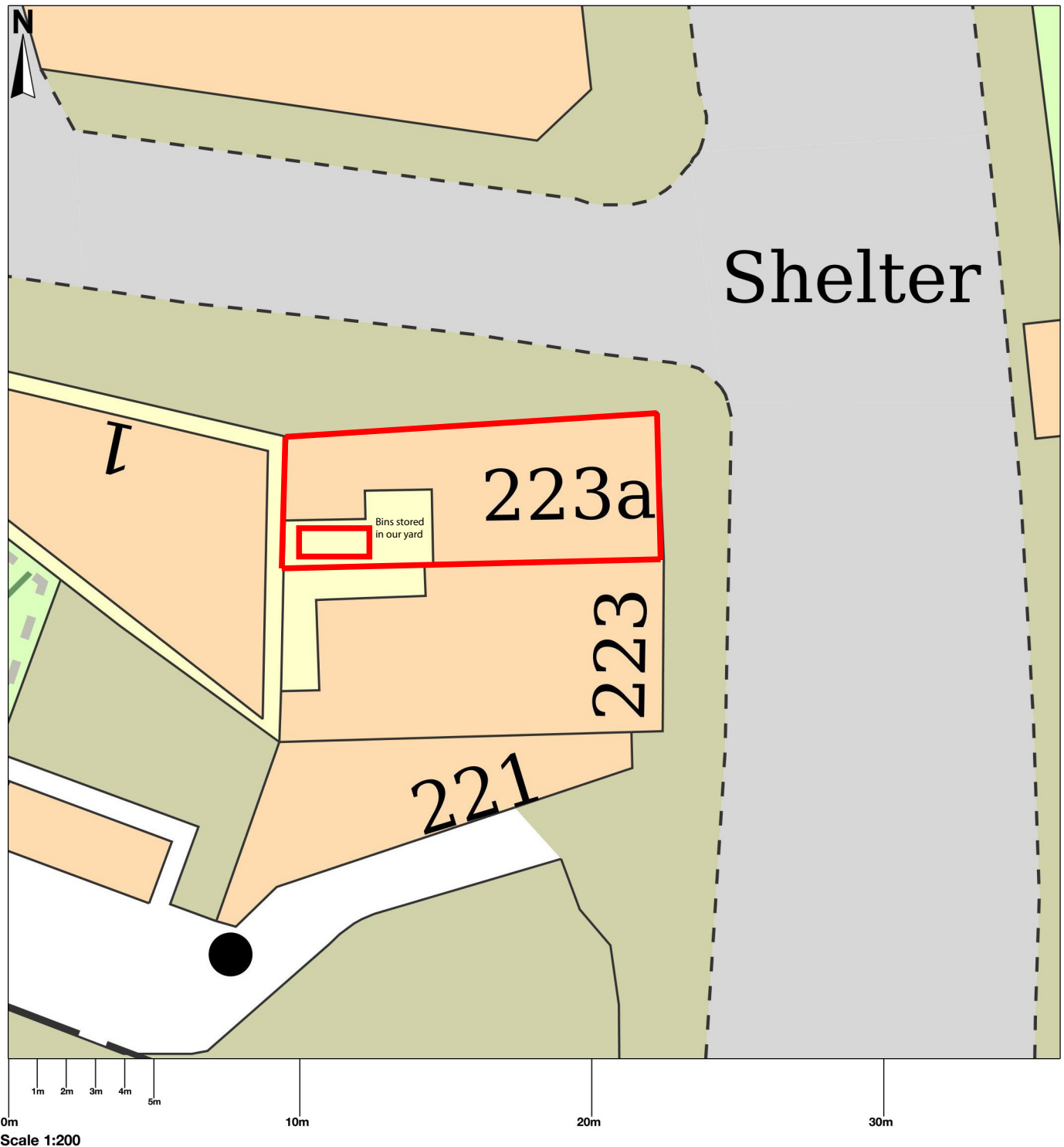


Photo 2

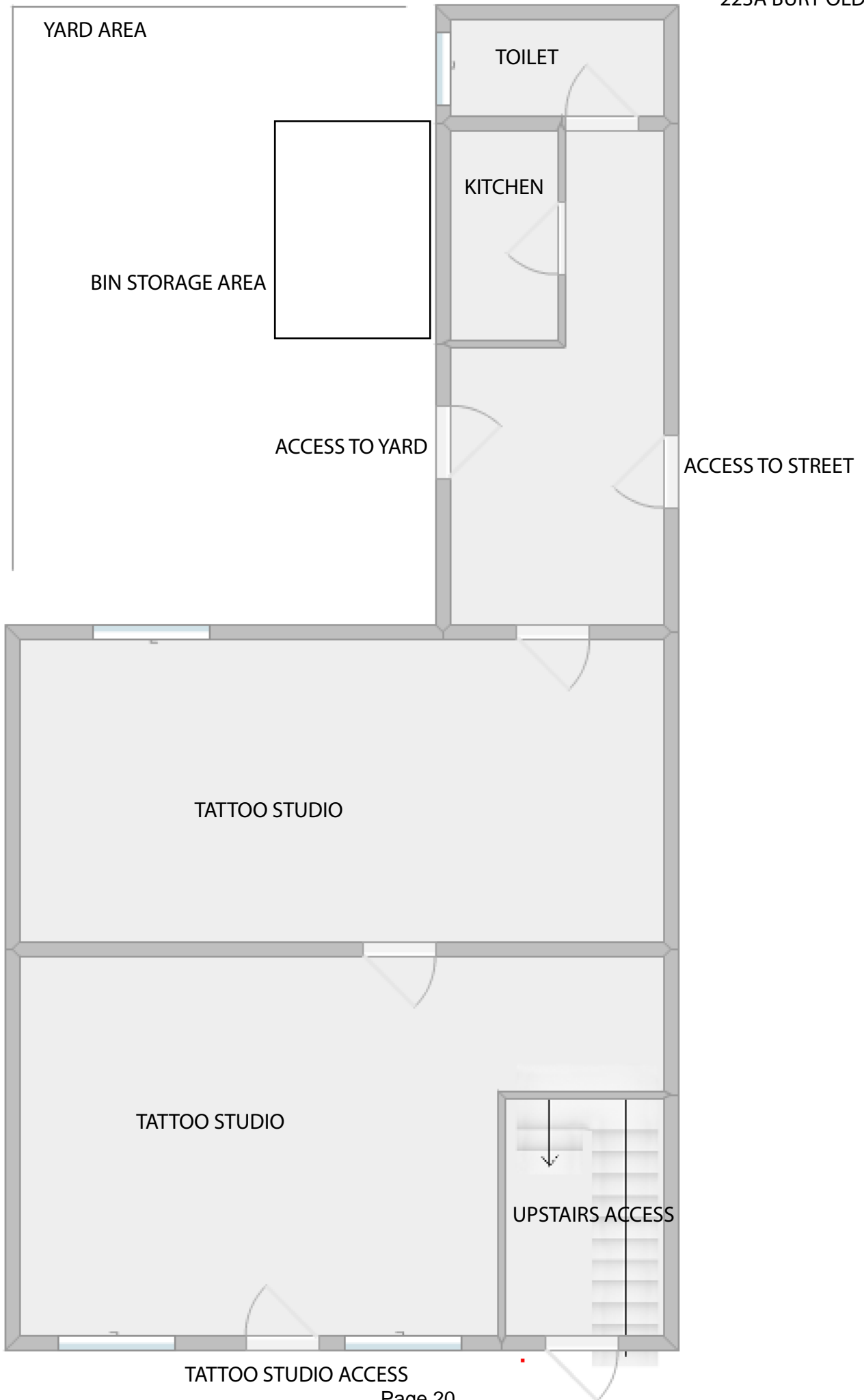




223a, Bury Old Road, Prestwich, Manchester, M25 1JE



Map area bounded by: 382426,403780 382462,403816. Produced on 11 January 2022 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2022. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: b36c/uk/736128/995724



Ward: Ramsbottom and Tottington -
Ramsbottom

Item 02

Applicant: Blakeman Design and Build

Location: Land adjacent 2 Tanners Street, Ramsbottom, BL0 9ES

Proposal: Erection of one dwelling with associated garage, parking/manoeuvring space and garden curtilage, to be accessed via Tanners Street

Application Ref: 67553/Full

Target Date: 12/11/2021

Recommendation: Approve with Conditions

The Head of Development Management has suggested a site visit be carried out for this scheme.

Description

The application relates to the former rear garden of Prospect House, on Tanners Street. Prospect House is well set back from Tanners Street by over 60m. The site relates to the part of the garden which fronts Tanner Street, close to the corner with Carr Street. Directly adjacent to the north are Nos 1 and 2 Carr Street which are Non-Designated Heritage Assets (NDHA's) and to the rear is Prospect House, also an NDHA. The site is close to Ramsbottom Town centre to the east and within the Ramsbottom Conservation Area.

The plot measures 1.2 hectares and has a frontage onto Tanners Street. The plot rises from Tanner Street towards the rear and comprises a vacant piece of land which has become overgrown and vegetated with shrubbery and which is largely hidden behind a stone wall and vegetation to the Tanner Street frontage. There are TPO trees along the southern boundary.

The application proposes the erection of a single dwelling and associated parking and landscaping.

Due to the rise and gradient of the land in a westwards direction, the development proposes a split level and stepped arrangement approach to design and siting to address the topography of the site.

The development would be located over 4 floors in a split level arrangement. The ground floor would comprise an integral garage and store areas, and at 1st floor there would be 4 bedrooms, above which would be a living accommodation and kitchen, with a mezzanine on the upper level.

The proposed dwelling would take a modern and contemporary approach with materials of natural coursed stone finish, slate, grey render and cladding and grey facing brickwork.

The development proposes a scheme for landscaping and the TPO trees to the south would be retained.

At the front, a new pedestrian and vehicular access would be formed from Tanners Street. In order to obtain the required visibility splays from the vehicular access, the existing wall/fence along Tanners Street will have an automated gate.

Relevant Planning History

45133 - Erection of 2 no.split level houses with integral garages and associated vehicular access - refused 2005 and dismissed at appeal 2006.
38850 - Residential development - 13 apartments - Refused 2002.
35744 - Outline Planning for 2 detached houses - Approved 1999

Publicity

The neighbouring properties were notified by means of a letter on 30 September 2021 and a press notice was published in the Bury Times on 7 October 2021. Site notices were posted on 19 October 2021.

21 letters were sent to occupiers in the vicinity namely
3,5,9, 11 Mount Street, Prospect House , Bury Business Centre , The Manor, Rose and Crown Hotel, Ramsbottom Heritage Centre, 85 Carr Street, 12-12a Tanners Street, 2 Prospect House , 12 & 12a Tanners Street, 96 Carr Street

11 responses received which have raised the following issues:

- The proposal would worsen the existing traffic and parking problems in the area by reducing on-street parking.
- The site is on a bend and would be hazardous to other vehicles and pedestrians.
- The proposal is out of keeping with the surrounding Conservation Area and listed buildings.
- The house is too big and inappropriate given the topography and geography of the site and surroundings.
- Approval would set a precedent for similar development in future.

Objectors have been informed of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objections, subject to inclusion of conditions for access.

Drainage Section - No objections

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

Environmental Health - Air Quality - No objections, subject to the inclusion of conditions relating to electric vehicle charging.

United Utilities - No objections

Public Rights of Way Officer - No objections

Conservation Officer - No objections

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to nesting birds, invasive species and landscaping.

The Coal Authority - No objections, subject to the inclusion of an informative relating to coal mining.

Environment Agency - No objections

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

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1	Built Environment
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2	Conservation and Listed Buildings
EN2/1	Character of Conservation Areas
EN6/3	Features of Ecological Value
EN5/1	New Development and Flood Risk

HT2/4	Car Parking and New Development
H4	Housing Need
HT4	New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD11	Parking Standards in Bury
SPD6	Supplementary Planning Document 6: Alterations & Extensions

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

Unitary Development Plan and Policies

Issues and Analysis

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

Policy - Government guidance within chapter 5 of the National Planning Policy Framework is supportive of new housing in appropriate locations and where it does not have an adverse impact on the streetscape, neighbour amenity or other issues such as traffic, flooding. Small, windfall sites, it states, can make an important contribution to meeting the housing requirements of an area.

The following Unitary Development Plan policies are considered relevant:

EN1/1 - Visual Amenity. Development will not be permitted where proposals would have a detrimental effect on or assesses development with regard to impact on historic interest and areas of environmental interest.

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

EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control policies only support proposals where it can be demonstrated that development would preserve or enhance the special character of the area.

H1/2 - Further Housing Development. The Council will have regard to the need to direct development in the urban area, availability of infrastructure and sustainability of a site in terms of location and surrounding uses. when assessing proposals for housing.

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

H2/2 - The Layout of New Residential Development

New residential development will be required to demonstrate acceptable standards of layout.

H2/6 - Garden and Backland Development

The Council will not permit proposals which will result in the loss of private gardens and backland for infill development unless such proposals can be shown not to adversely affect the character and amenity of the area.

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 site is within the urban area, of sufficient size to accommodate a dwelling and associated development with available infrastructure. The proposed development would therefore be acceptable in principle subject to siting and design criteria and its impact on the adjacent conservation area. The proposed development would therefore accord with Policy H1/2.

Heritage and Conservation Area

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

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

Policies 194 and 195 of the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise.

Policy 197 of the NPPF sets out the principles guiding the determination of applications for consent relating to heritage assets. This should take account of the desirability of sustaining and enhancing significance, the positive contribution that conservation of heritage assets can make to the establishment of sustainable communities and economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness.

EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control policies only support proposals where it can be demonstrated that development would preserve or enhance the special character of the area.

A Heritage Statement has been submitted with the application which describes the impact of the proposals on the significance within the Conservation Area and impact on the significance of the adjacent NDHA.

The proposal is located within the Ramsbottom Conservation area and close to Prospect House and Nos 1 and 2 Tanners Street which are NDHA's.

The proposed form, siting and massing of the dwelling would be such that as a split level and stepped arrangement, the dwelling would integrate into the topography of the land and taking advantage of the existing contours on site and considered to be respectful of the character of the Conservation area and NDHA's.

The dwelling would be built into the gradient of the land and in a stepped arrangement, the proposed dwelling would not appear as over dominant to the streetscape or the adjacent properties. Whilst a relatively modern approach and contemporary design, the use of natural coursed stone would sit comfortably within the local vernacular. Combined with grey render and grey brickwork, and dark panelling to frame the windows and upper levels the proposed dwelling would assimilate within the natural land form and surrounding

vegetation.

With this sensitive design approach it is considered that the proposed development would preserve the special character of the Conservation Area and the NDHA's in line with NPPF principles.

Heritage Conclusion

The heritage statement and design and access statement, submitted with the application, adequately identifies the significance of the conservation area and assesses the impact the proposal would have on its setting.

The proposed site is of sufficient size to accommodate a single dwelling with adequate separation, parking and amenity space without appearing to constitute overdevelopment or to be out of character within the locality comprising a mix of different house styles and densities, predominantly of stone facades.

With the natural stone and slate finish, it is considered to be appropriate within the streetscape and would not be out of character within the conservation area. It is therefore considered the proposed development would preserve the character and appearance of the conservation area and in terms of setting, would comply with the principles of the NPPF and UDP Policies EN1/1 Visual Amenity, EN1/2 Townscape and Built Design and EN2/1 The Character of Conservation Areas.

With regard to conditions of any approval, details and samples of the stone and type of coursing to be used should be submitted and approved in writing before commencement of any development. Coursing type and size of stone should be similar to that of the properties 12 to 24 Tanners Street.

Layout and Built Design - The design proposed is such that the site's topography has driven how the proposals have been set out. The land rises from Carr Street in a westerly direction and the site is in an elevated position rising from Tanner Street.

The site forms part of garden and backland development, is on a former garden of Prospect House and makes use of the site by developing a vacant plot with its own frontage. The plot is extensive and is capable of accommodating a separate development, whilst maintaining respectful distances to the surrounding built form. The underpinning character of the immediate locality comprises of dwellings which have been designed to integrate into the hillsides and steep slopes which define this area, and this would be similarly so for the built form of the proposed development.

The remaining area of the land would be used as garden and this would be landscaped with a mix of trees and shrubs. The proposed dwelling and associated built development would not affect the TPO trees which are located along the southern boundary of the site and which would be retained.

A new access would be formed off Tanners Street and lead to driveway to the front of the property and integrated garage at the lower level. With suitable conditions concerning visibility and provision of parking, the highway Section are satisfied the development would propose no access concerns.

The development proposes a contemporary approach with fenestrations incorporating traditional elements of the area by the use of coursed natural stone at the lower levels to reflect the surrounding built form. Dark render and the use of dark clad materials would ensure that the upper level would appear recessive and not strident in appearance or prominent within the streetscene.

The immediate frontage to Carr Street would have a traditional stone wall and this would be within keeping of the character and vernacular of the local area.

In this respect it is considered the design and built form would comply with policy H2/6 as it would ensure the effective use of the land without affecting or impacting on the the overall integrity of the Conservation area or residential amenity.

Given the nature and layout of the proposals, it is considered that the proposed development would appropriately respond to the immediate townscape, preserve the character of the Conservation Area and therefore be compliant with Policies H1/2, EN1/2, H2/6, EN2/1 and EN2/2.

Visual amenity and streetscape - The house would be split level due to the land level dropping down at the rear, but would appear three storey from Tanners Street. With existing boundary planting retained where possible along the frontage, behind a new stone wall and new planting augmenting this, the house would appear in keeping within the streetscape. From the rear, the house would appear more prominent at the higher level but it would be partly screened by existing and new planting and would be viewed against the backdrop of mature trees on land across Tanners Street.

The stepped design would reduce visual impact by the house being in different terraced levels. The impact on Prospect House will be reduced by the contours of the site and the terraced responsive design.

Given the siting of the house in the rear garden and the relationship to its neighbours and surroundings, it is considered appropriate to remove permitted development rights, thereby requiring any future extensions and alteration to require planning approval.

The proposal in terms of visual amenity and streetscape, would be acceptable and comply with the NPPF and UDP Policies EN1/1, EN1/2 and housing policies H2/1, H2/2 and H2/6.

Residential amenity - The Council's SPD6 provides guidance on the relationship of new development to existing properties. Whilst this document relates to extensions and alterations, when read in conjunction with H2/1 and H2/2, this provides a reasoned consideration around aspect distances.

Given the siting and alignment of the new dwelling on the Tanners Street frontage, the neighbours most impacted would be the Prospect House, the Rose and Crown Public House and 85 Carr Street.

With regard to Prospect House , although the new house would take up a significant area of the private garden, a reasonably large area of garden would be retained at the rear of the house to provide private amenity space for the existing house.

The new dwelling would sit within the garden area above the area at the rear of Prospect House that is used as 'remote' gardens for the residents. There would be increased overlooking of this remote area from the new house but the areas are already overlooked and given distances involved and the existing and proposed boundary planting at the rear, this would not be so serious as to warrant refusal of planning permission.

In terms of aspect distances, Prospect house would be significantly in excess of minimum distances and as such there would not be any undue impact upon residential amenity to this property.

The pub to the north shares only a frontage to the site. The main aspect of the new build is to face an easterly direction down Carr Street. As such the oblique relationship to the pub and the way that the development is set back in to the site is such that there would be no undue interrelationship between this property and the site.

In terms of relationship to No 85, this property is set at a lower level and side on to the site. It is also separated by Tanners Street and boundary fencing. Separation distance to this property would be in excess of 16m. Given the indirect relationship between the two

properties, intervening features and separation distance, it is considered that impacts on No. 85 would not be significantly harmful.

Given the above the proposals are considered to be compliant with policies H2/1, H2/2 and SPD6 in terms of residential amenity.

Ecology

Protected Species

The site was assessed for protected species. No evidence of any such species including badger (known to be present in the wider locality) was found. GMEU have no reason to doubt the findings of the report. No further information or measures are required.

Nesting Birds

The development will result in the loss of trees and scrub, potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU recommend a condition to restrict the time for vegetation removal.

There are a number of small and medium trees and shrubs on the site and it is the intention to remove these where the access would be formed and vehicle access and a car park.

Invasive Species

Himalayan balsam and monbretia were recorded on the site. Species such as Himalayan balsam and monbretia are included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. GMEU recommend a condition.

Contributing to and Enhancing the Natural Environment

Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development will result in the loss of a small number of trees, scrub and ruderal habitat. What appears to be an overgrown garden. Habitats of moderate ecological value. The majority of the trees and shrubs on site will be retained and re-landscaped. The proposals appear reasonable a mix of native and non-native which given the location are acceptable, though GMEU would prefer more locally native species and less non-native. GMEU would accept however that mitigation could be achieved on site. Nest boxes should however also be provided. The details can be conditioned.

Trees

The application has been submitted with an arboricultural report which considers that the trees both in terms of identified TPO's and conservation area importance.

The site stands within the Ramsbottom Conservation Area and tree T1, as well as the trees within groups G1 and G2, are protected by TPO number 91. As such, relevant notice of intention should be given to, or consent gained from, the LPA prior to scheduling or carrying out any tree works that are not directly related to the implementation of a detailed (i.e. full) planning permission.

As detailed in the arboricultural report, one tree and two groups of trees were categorised as moderate quality (i.e. 'B' category), three trees and four groups of trees were categorised as low quality (i.e. 'C' category), and two trees and one group were classed as unsuitable for long term retention (i.e. 'U' category) regardless of the development proposals.

The tree report identifies that six individual trees and seven groups of trees were surveyed in respect of the proposal. One tree and two groups of trees were categorised as moderate quality, three trees and four groups of trees were categorised as low quality and two trees and one group were classed as unsuitable for long term retention regardless of the development proposals.

The construction of the dwelling would require the removal of two trees and three groups categorised as low quality. In compensation, a landscape proposal plan has been produced which includes proposals for 13 new specimen trees and a variety of further trees and shrubs throughout the site which, in turn, is projected to adequately compensate for the identified necessary low quality tree losses.

A 25 metre visibility splay along Tanners Street is also proposed as a component of the site access, to include the repositioning and rebuilding of the existing stone retaining wall slightly further west within the site, with a resultant minor encroachment into the generic calculated root protection area (RPA) of the eastern tree in group G1, and that a new footpath is also proposed within the RPA of said this group

In this respect the proposed works to the retaining wall would be unlikely to have any detrimental effects on the applicable tree's physiological and/or structural condition. In order to ensure successful existing tree preservation over the long-term, it is essential that the retained trees are protected in strict accordance with current Government guidance and the recommendations included herein.

In this respect the appraisal also identified that the proposed footpath also has the potential to impact upon the RPAs of several retained trees in group G1. As such, a specially designed and constructed footpath with specialist working methods is proposed, in accordance with current government guidance, in order to minimise any potential damage to retained trees.

As such, it will subsequently be necessary to ensure that the trees under consideration are suitably protected in strict accordance with current government guidance through the use of special working, construction and protection measures, with measures and specific details conditionally controlled.

As new landscaping and tree planting would be required to compensate for the loss of the existing vegetation on the site and to screen the development, it is not considered that the proposal would have a seriously detrimental ecological impact. If approved, conditions would require a landscaping plan to be submitted and another would prevent vegetation clearance during bird nesting season and would be compliant with EN2/1, EN2/2 and EN8/1 of the Bury UDP.

Response to objections

- The development has clearly worked with the topography of the site and strived to reflect local vernacular. Conditions would ensure that materials remain appropriate and as proposed.
- The scheme has provided its own parking provision and would therefore comply with adopted policy. Given the location of the access, this area would not be readily available for on-street parking due to the 90 degree highway geometry / turn in relatively close proximity. There have been no objections received from the Highways Team on this matter and therefore it is considered that parking provision, siting of the access is acceptable and that on street parking would not be an issue.
- Each site and development must be considered on their own merits and therefore there would not be any precedent for development.
- The development plot would be more than suitable in scale for the plot/development proposed whilst maintaining a reasonable remaining plot for Prospect House and ensuring the development's own provision.

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 ref 10877-
Proposed site plan dimensioned L05 G; Proposed ground floor and site plan L06 G; Proposed mezzanine plan and site plan L07 F; Proposed first floor and site plan L08 F; Proposed second floor and site plan L09 F; Proposed ground floor and site plan - highways L15 B; Existing site plan L12; Proposed roof plan L13 B; Proposed ground floor plan P01 J; Proposed mezzanine plan P02 H; Proposed first floor plan P03 H; Proposed second floor plan P04 H; Proposed roof plan P05 B; Proposed front elevation E01 H; Proposed side elevation 1 E02 F; Proposed rear elevation E03 F; Proposed side elevation 2 E04 F; Proposed section A-A S01 E; Proposed section B-B S02 E; Existing site sections S04; Proposed site sections S05 B; Gate opening and position plan and 3D D01; Landscaping proposals YD2_TL_LP001; Green wall indicative details YD2_TL_LP200; Extended Phase 1 Habitat Survey by Rachel Hacking 2019-2021; Arboricultural Impact Assessment by Bowland, March 2021
and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the materials to be used in the external elevations, boundary walls and areas of hardstanding shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.
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. Prior to occupation the applicant shall provide 1 EV chargepoint (minimum 7kW*) for each dwelling.
*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2011 to be used (note this version is due to be replaced by BS EN 61851-1:2019 on 5 July 2022).
Reason. In accordance with the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.
7. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways to, and agreed with, the Local Planning Authority:
- Formation of the proposed site access onto Tanners Street to a specification to be agreed, incorporating the removal of the existing boundary wall, provision of a section of footway and footway crossing, demarcation of the revised limits of the adopted highway and all associated highway and highway drainage remedial works required as a result of the development;
 - Scheme of surface water drainage works/hardstanding materials to ensure that surface water will not be discharged from the site onto the adjacent adopted highway;
 - Foundation details for the new boundary wall abutting the revised limits of adoption on Tanners Street confirming no encroachment under the adjacent future adopted highway.
- The details subsequently approved shall be implemented to an agreed programme with all highway works completed prior to the development hereby approved being occupied.
Reason. Information not submitted at application stage. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, H2/6 - Garden and backland Development, HT6/2 - Pedestrian/Vehicular Conflict and EN5/1 - New Development and Flood Risk.
8. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
- Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development, works to the site boundary and as a

- result of statutory undertakers connections to the new dwelling;
- Access point(s) for construction traffic from the adopted highway and all traffic management and 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 speed signage in the vicinity of the site and its access;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
- Parking on site or on land within the applicant's control of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this;
- If proposed, site hoarding/gate positions clear of adequate visibility splays at the junction of the site access with Tanners Street;
- 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 turning/parking of vehicles and storage of construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented prior to the development hereby approved being brought into use.

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.

9. The car parking facilities indicated on the approved plans shall be surfaced and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
10. The turning facilities indicated on the approved plans shall be provided before the development is first occupied/access and parking facilities are brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times
Reason. To minimise the standing and turning movements of vehicles on the highway and ensure that the turning facilities are not obstructed by parked vehicles in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, H2/6 - Garden and backland Development, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict .
11. The visibility splays indicated on the approved plans shall be implemented to the satisfaction of the Local Planning Authority before the development is first occupied and subsequently maintained free of obstruction above the height of 0.6m.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, H2/6 - Garden and backland Development and HT6/2 - Pedestrian/Vehicular Conflict

12. The bin storage arrangements indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development hereby approved is first occupied 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 pursuant to Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, H2/6 - Garden and Backland Development and EN1/2 - Townscape and Built Design.

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

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

14. Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Himalayan Balsam and Monarda should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full.

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.

15. Notwithstanding the submitted landscaping plan and planting proposals on drawing YD2_TL_LP001, proper to implementation of the proposed landscaping, details of the mix of native and non-native tree and shrub planting shall be submitted to the Local Planning Authority for approval. The contents of the plan should include the provision of 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.

16. The development hereby approved shall be carried out in accordance with the recommendations and tree protection measures in the Arboricultural Impact assessment by Bowland dated March 2021.

All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". All protection measures required shall remain in situ until the development has been completed.

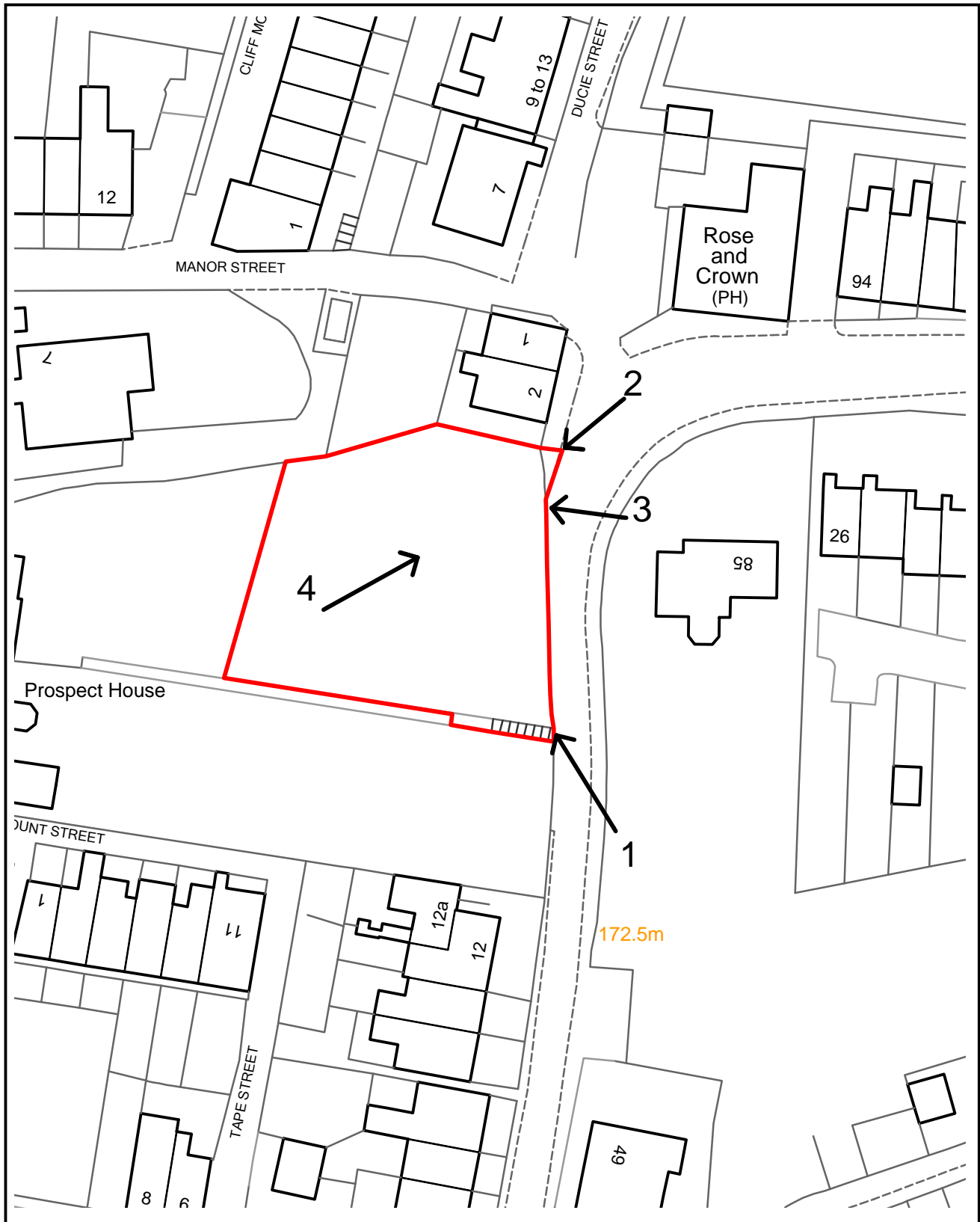
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree

Planting of the Bury Unitary Development Plan.

17. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application. Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
18. The development hereby approved shall be carried out in accordance with a Sustainable Drainage Scheme and the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The development shall be in accordance with sustainable drainage options in the NPPG. The scheme shall thereafter maintained.
Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

For further information on the application please contact **Ben Medlock** on **0161 253 5218**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 67553

ADDRESS: Land adjacent 2 Tanners Street
Ramsbottom

Planning, Environmental and Regulatory Services

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



Bury
COUNCIL

67553

Photo 1



Photo 2



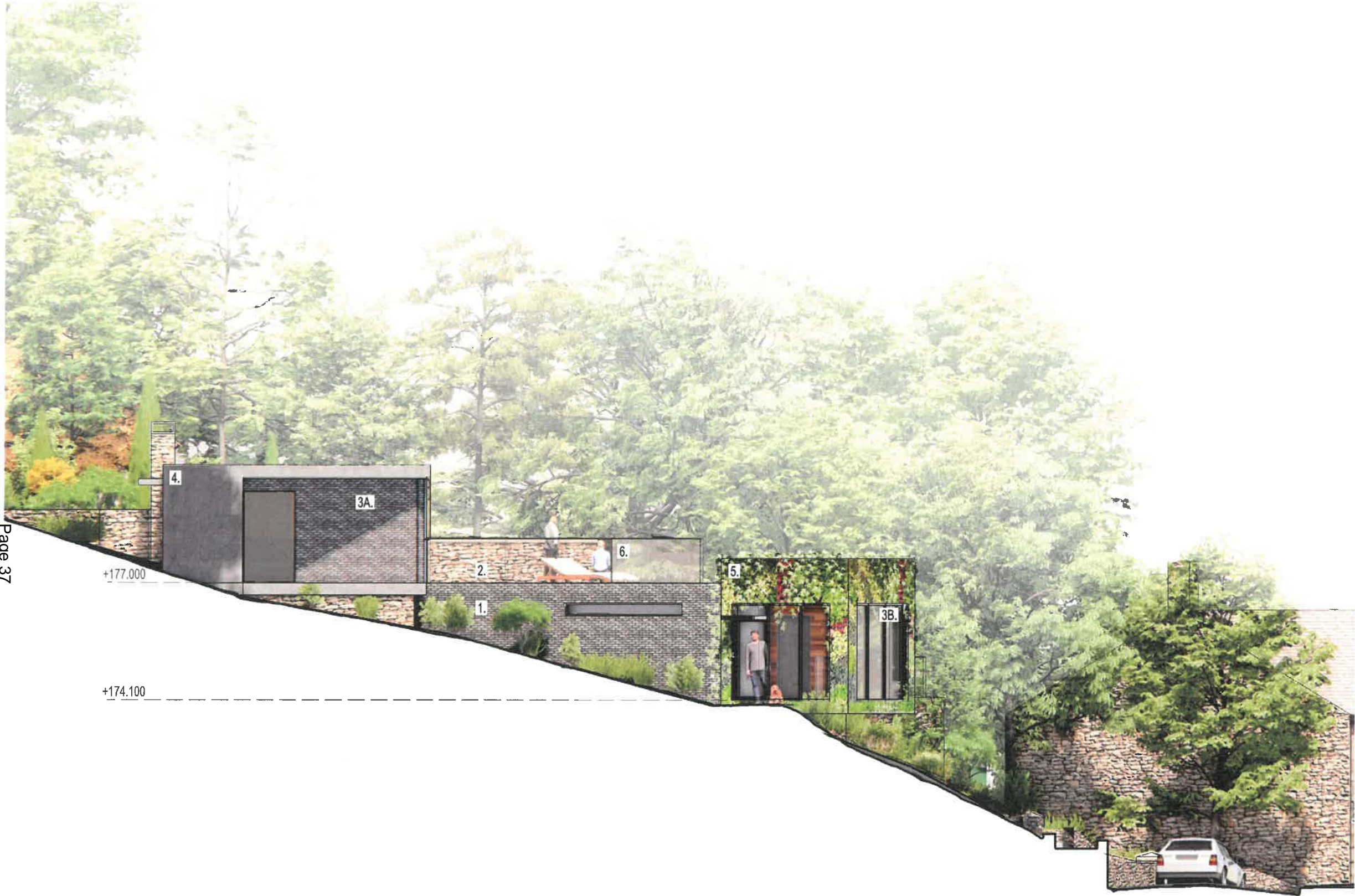
67553

Photo 3



Photo 4





THIS DRAWING IS PROTECTED BY COPYRIGHT AND MUST NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF R G PARTNERSHIP LIMITED. NO DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING. ALL DIMENSIONS AND SIZES TO BE CHECKED ON SITE. NORTH POINTS SHOWN ARE INDICATIVE. ©

SITE SPECIFIC HAZARDS

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

KEY OF MATERIALS:

1. STONE WALL WITH ARSTONE DETAILS
2. CHARCOAL GREY FACING BRICK
3. DOUBLE GLAZING ANTHRACITE UPVC WINDOWS & DOORS
A- DARK GREY GLAZING ON SECOND FLOOR
B- LIGHT GREY GLAZING ON OTHER FLOORS
4. GREY FINISH RENDER
5. GREEN WALL (SUSTAINABLE LIVING WALL SYSTEM)
6. GLASS BALUSTRADE
7. TIMBER DOOR
8. ANTHRACITE INSULATED GARAGE DOOR
9. TIMBER CLOSED BOARDED METAL FRAMED SLIDING GATE STAINED MEDIUM OAK

REV F. 18.02.22	UPDATED AS COMMENTED BY BURY MBC.	DB
REV E. 07.12.20	GENERAL UPDATE	SPL
REV D. 3.12.20	GENERAL UPDATE	SPL
REV C. 18.11.20	PLANNING	WNH
REV B. 19.03.20	UPDATED TO CLIENT AND LPA'S COMMENTS	AAS
REV A. 08.01.20	TREES ADDED	SPL
REV.	DATE	NOTES
		INIT.

CLIENT / PROJECT
BLAKEMAN DESIGN & BUILD
TANNERS STREET
RAMSBOTTOM

DRAWING TITLE
PROPOSED SIDE
ELEVATION 1

STATUS
PLANNING

DATE	DRAWN	SCALE @ A3
JAN 2020	WNH	1:100

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
----------------	--------------	---------------	---------------	-----------------

DRAWING NO.
10877 **E 02** **F**

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix, Colour	C

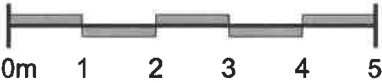
THE RATCLIFFE GROVES PARTNERSHIP

MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE BL9 0TD
T. 0161 797 6000 E. manchester@rgp.uk.com
www.rgp.uk.com

LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6866 E. london@rgp.uk.com



SCALE 1:100



THIS DRAWING IS PROTECTED BY COPYRIGHT AND MUST NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF R.G PARTNERSHIP LIMITED. NO DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING. ALL DIMENSIONS AND SIZES TO BE CHECKED ON SITE. NORTH POINTS SHOWN ARE INDICATIVE. ©

SITE SPECIFIC HAZARDS

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

KEY OF MATERIALS:

- 1. STONE WALL WITH ARSTONE DETAILS
- 2. CHARCOAL GREY FACING BRICK
- 3. DOUBLE GLAZING ANTHRACITE UPVC WINDOWS & DOORS
 - A- DARK GREY GLAZING ON SECOND FLOOR
 - B- LIGHT GREY GLAZING ON OTHER FLOORS
- 4. GREY FINISH RENDER
- 5. GREEN WALL (SUSTAINABLE LIVING WALL SYSTEM)
- 6. GLASS BALUSTRADE
- 7. TIMBER DOOR
- 8. ANTHRACITE INSULATED GARAGE DOOR
- 9. TIMBER CLOSED BOARDED METAL FRAMED SLIDING GATE STAINED MEDIUM OAK

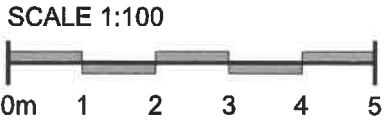
REV F.18.02.22	UPDATED AS COMMENTED BY BURY MBC.	DB
REV E.07.12.20	GENERAL UPDATE	SPL
REV D.03.12.20	GENERAL UPDATE	SPL
REV C.18.11.20	PLANNING	WNH
REV B.19.03.20	UPDATED TO CLIENT AND LPA'S COMMENTS	AAS
REV A.08.01.20	TREES ADDED	SPL
REV.	DATE	NOTES
		INIT.

CLIENT / PROJECT
BLAKEMAN DESIGN & BUILD
TANNERS STREET
RAMSBOTTOM
DRAWING TITLE
PROPOSED REAR
ELEVATION

STATUS		PLANNING		
DATE	DRAWN	SCALE @ A3		
JAN 2020	WNH	1:100		
PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
DRAWING NO.				
10877		E 03	F	
Site Location Plans	L	GA Plans	P	Elevations
Sections	S	Details	D	Prefix, Colour
				C

THE RATCLIFFE GROVES PARTNERSHIP
MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE BL9 0TD
T. 0161 797 6000 E. manchester@rgp.uk.com
www.rgp.uk.com

LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6866 E. london@rgp.uk.com



KEY OF MATERIALS:

- 1. STONE WALL WITH ARSTONE DETAILS
- 2. CHARCOAL GREY FACING BRICK
- 3. DOUBLE GLAZING ANTHRACITE UPVC WINDOWS & DOORS
 - A- DARK GREY GLAZING ON SECOND FLOOR
 - B- LIGHT GREY GLAZING ON OTHER FLOORS
- 4. GREY FINISH RENDER
- 5. GREEN WALL (SUSTAINABLE LIVING WALL SYSTEM)
- 6. GLASS BALUSTRADE
- 7. TIMBER DOOR
- 8. ANTHRACITE INSULATED GARAGE DOOR
- 9. TIMBER CLOSED BOARDED METAL FRAMED SLIDING GATE STAINED MEDIUM OAK

THIS DRAWING IS PROTECTED BY COPYRIGHT AND MUST NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF R.G. PARTNERSHIP LIMITED. NO DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING. ALL DIMENSIONS AND SIZES TO BE CHECKED ON SITE. NORTH POINTS SHOWN ARE INDICATIVE. ©

SITE SPECIFIC HAZARDS

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



REV F.18.02.22	UPDATED AS COMMENTED BY BURY MBC.	DB
REV E.03.12.20	GENERAL UPDATE	SPL
REV D.03.12.20	GENERAL UPDATE	SPL
REV C.18.11.20	PLANNING	WNH
REV.	DATE	NOTES
		INIT.

CLIENT / PROJECT
BLAKEMAN DESIGN & BUILD
TANNERS STREET
RAMSBOTTOM

DRAWING TITLE
PROPOSED SIDE
ELEVATION 2

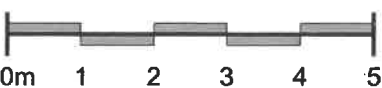
STATUS				
PLANNING				
DATE		DRAWN		SCALE @ A3
JAN 2020		WNH		1:100
PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
DRAWING NO.				
10877			E 04	F
Site Location Plans	L	GA Plans	P	Elevations
Sections	S	Details	D	Prefix; Colour
				E

THE RATCLIFFE GROVES PARTNERSHIP
MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE BL9 0TD
T. 0161 797 6000 E. manchester@rgp.uk.com
www.rgp.uk.com

LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6666 E. london@rgp.uk.com



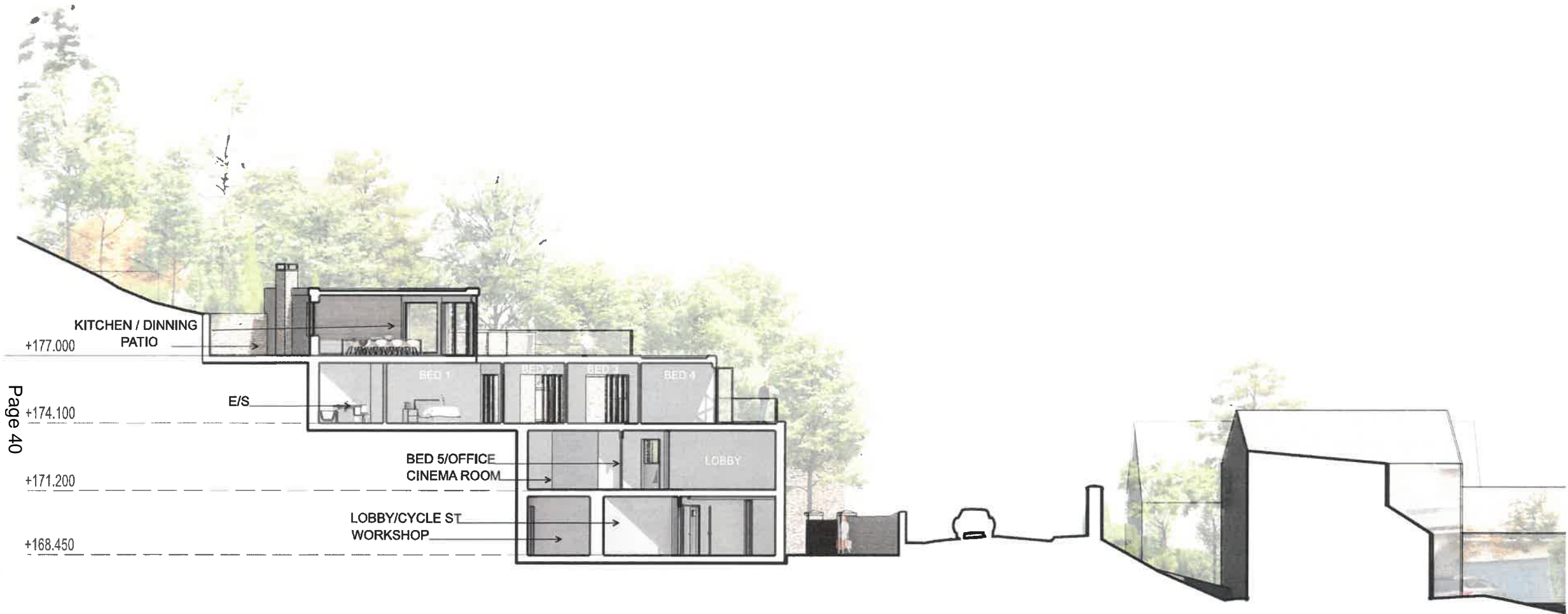
SCALE 1:100



THIS DRAWING IS PROTECTED BY COPYRIGHT AND MUST NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF R G PARTNERSHIP LIMITED. NO DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING. ALL DIMENSIONS AND SIZES TO BE CHECKED ON SITE. NORTH POINTS SHOWN ARE INDICATIVE. ©

SITE SPECIFIC HAZARDS

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



REV E.18.02.22	UPDATED AS COMMENTED BY BURY MBC.	DB
REV D.03.12.20	GENERAL UPDATE	SPL
REV C.18.11.20	PLANNING STATUS	WNH
REV B.19.03.20	UPDATED TO CLIENT AND LPA'S COMMENTS	AAS
REV A.08.01.20	TREES ADDED	SPL
REV.	DATE	NOTES
		INIT.

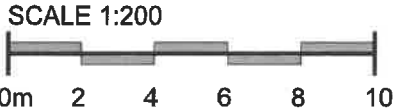
CLIENT / PROJECT
BLAKEMAN DESIGN & BUILD
TANNERS STREET
RAMSBOTTOM

DRAWING TITLE
PROPOSED SECTION A-A

STATUS				
PLANNING				
DATE	DRAWN		SCALE @ A3	
JAN 2020	WNH		1:200	
PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
DRAWING NO.				
10877			S 01	E
Site Location Plans	L	GA Plans	P	Elevations
Sections	S	Details	D	Prefix, Colour

THE RATCLIFFE GROVES PARTNERSHIP
MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE BL9 0TD
T. 0161 797 6000 E. manchester@rgp.uk.com
www.rgp.uk.com

LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6666 E. london@rgp.uk.com



THIS DRAWING IS PROTECTED BY COPYRIGHT AND MUST NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF R G PARTNERSHIP LIMITED. NO DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING. ALL DIMENSIONS AND SIZES TO BE CHECKED ON SITE. NORTH POINTS SHOWN ARE INDICATIVE. ©

SITE SPECIFIC HAZARDS

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



REV E.18.02.22	UPDATED AS COMMENTED BY BURY MBC.	DB
REV D.03.12.20	GENERAL UPDATE	SPL
REV C.18.11.20	WORKSHOP	WNH
REV B.19.03.20	UPDATED TO CLIENT AND LPA'S COMMENTS	AAS
REV A.08.01.20	TREES ADDED	SPL
REV.	DATE	NOTES
		INIT.

CLIENT / PROJECT
BLAKEMAN DESIGN & BUILD
TANNERS STREET
RAMSBOTTOM

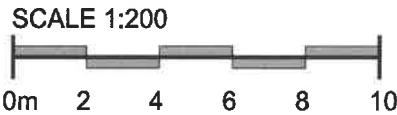
DRAWING TITLE
PROPOSED SECTION B-B

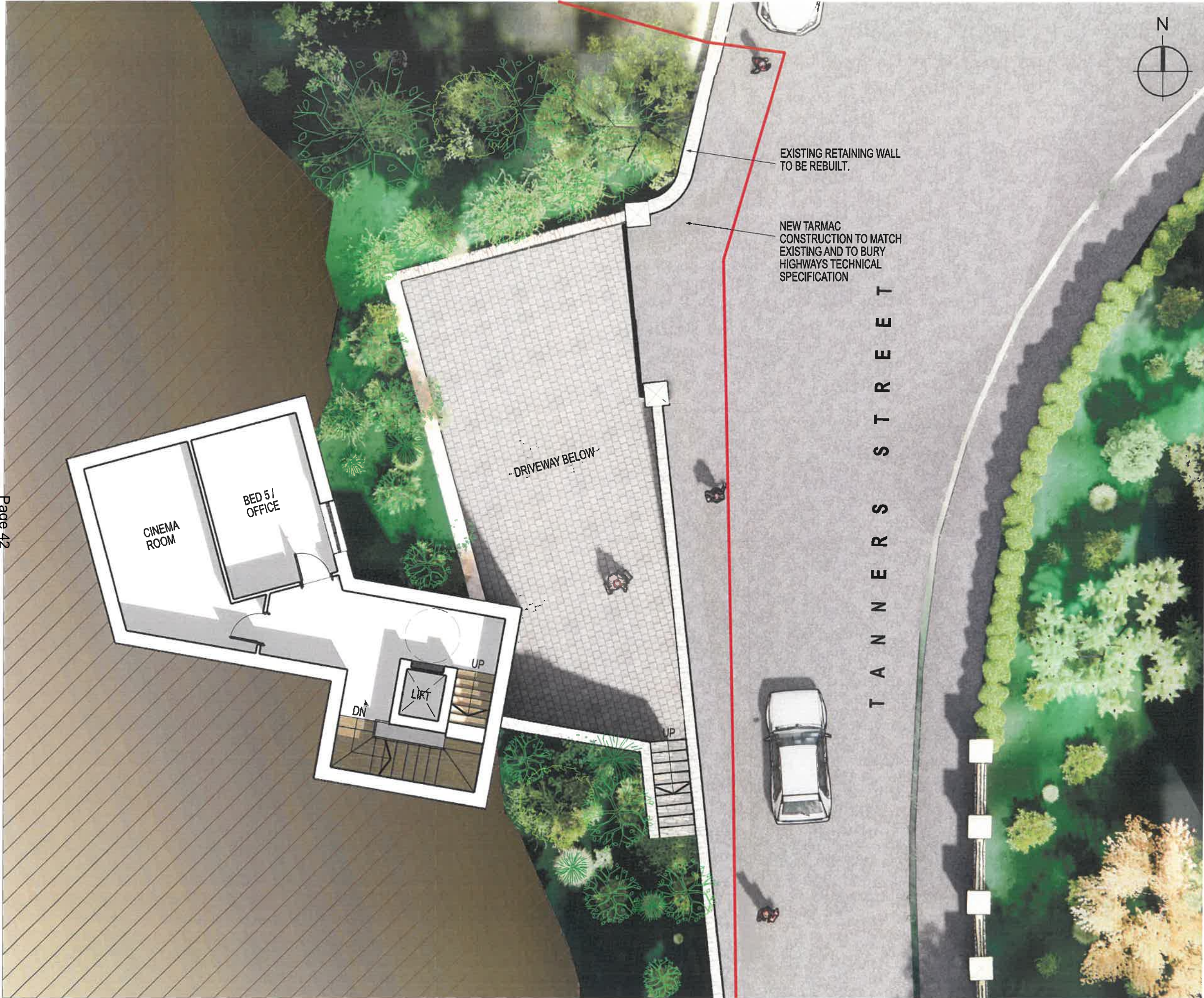
STATUS				
PLANNING				
DATE	DRAWN		SCALE @ A3	
JAN 2020	WNH		1:200	
PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
DRAWING NO.				
10877			S 02	E
Site Location Plans	L	GA Plans	P	Elevations
Sections	S	Details	D	Prefix, Colour

THE RATCLIFFE GROVES PARTNERSHIP

MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE BL9 0TD
T. 0161 797 6000 E. manchester@rgp.uk.com
www.rgp.uk.com

LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6666 E. london@rgp.uk.com



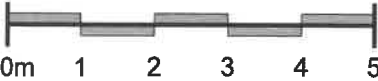


THIS DRAWING IS PROTECTED BY COPYRIGHT AND MUST NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF R G PARTNERSHIP LIMITED. NO DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING. ALL DIMENSIONS AND SIZES TO BE CHECKED ON SITE. NORTH POINTS SHOWN ARE INDICATIVE. ©

SITE SPECIFIC HAZARDS

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

SCALE 1:100



KEY:

- GROUND CROSS SECTION
- OWNERSHIP BOUNDARY

REV H.18.02.22	UPDATED AS COMMENTED BY BURY MBC.	DB
REV G.07.01.22	GENERAL UPDATE	DB
REV F.07.12.20	GENERAL UPDATE	SPL
REV E.03.12.20	GENERAL UPDATE	SPL
REV D.18.11.20	DRIVEWAY RETAINING WALL	WNH
REV C.21.04.20	UPDATED TO HIGHWAYS ENGS COMMENTS	WNH
REV B.19.03.20	UPDATED TO CLIENT AND LPA'S COMMENTS	AAS
REV A.08.01.20	TREES ADDED	SPL
REV. DATE	NOTES	INIT.

CLIENT / PROJECT
BLAKEMAN DESIGN & BUILD
TANNERS STREET
RAMSBOTTOM

DRAWING TITLE
PROPOSED MEZZANINE
PLAN

STATUS
PLANNING

DATE
JAN 2020

DRAWN
WNH

SCALE @ A3
1:100

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
----------------	--------------	---------------	---------------	-----------------

DRAWING NO.
10877

P 02

H

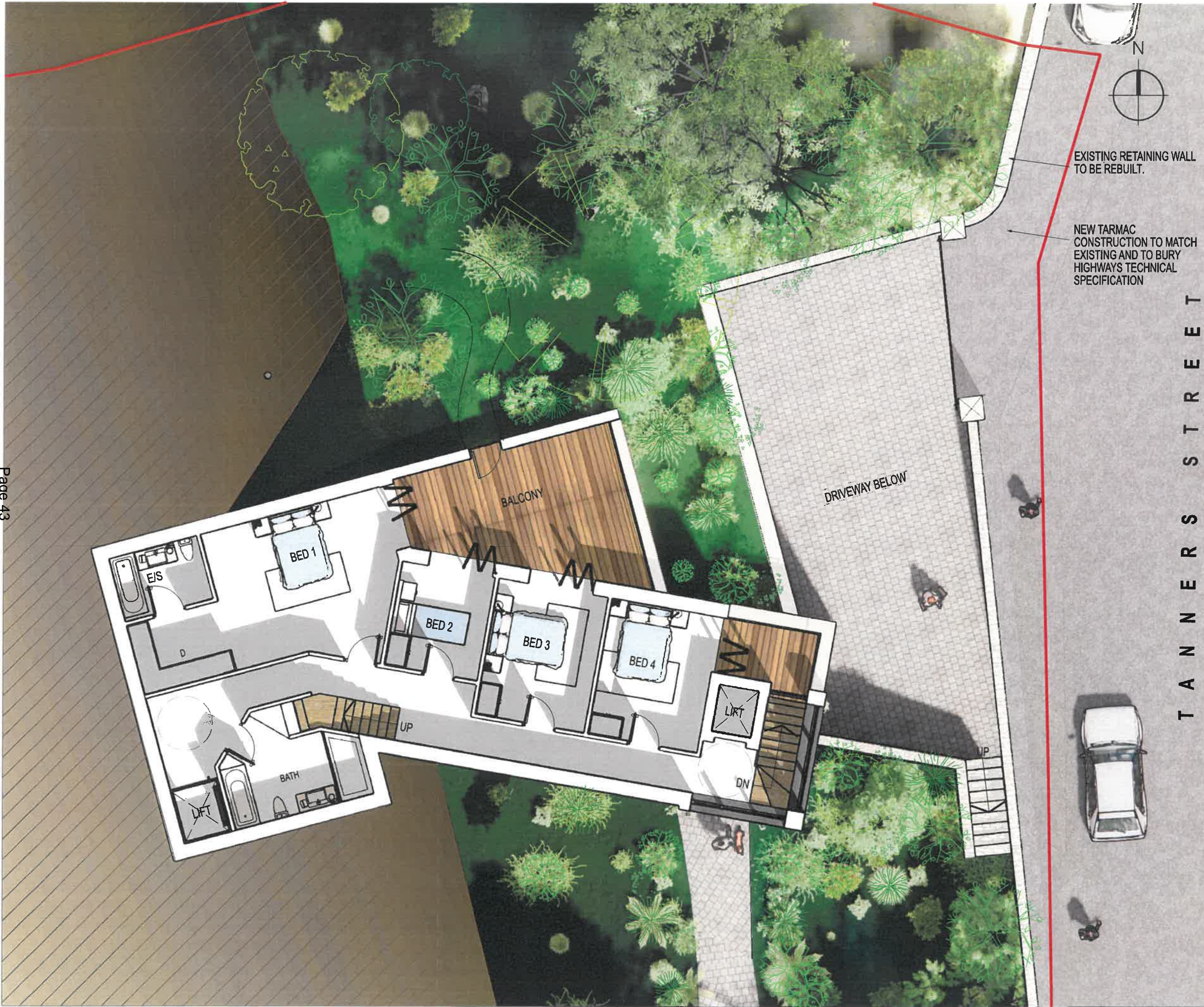
Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix; Colour	C

THE RATCLIFFE GROVES PARTNERSHIP

MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE BL9 8TD
T. 0161 797 6000 E. manchester@rgp.uk.com
www.rgp.uk.com

LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6666 E. london@rgp.uk.com

RGp architects

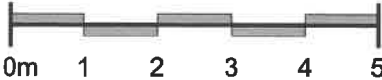


THIS DRAWING IS PROTECTED BY COPYRIGHT AND MUST NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF R.G. PARTNERSHIP LIMITED. NO DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING. ALL DIMENSIONS AND SIZES TO BE CHECKED ON SITE. NORTH POINTS SHOWN ARE INDICATIVE. ©

SITE SPECIFIC HAZARDS

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

SCALE 1:100



KEY:

- GROUND CROSS SECTION
- OWNERSHIP BOUNDARY

REV H.18.02.22	UPDATED AS COMMENTED BY BURY MBC.	DB
REV G.07.01.22	GENERAL UPDATE	DB
REV F.07.12.20	GENERAL UPDATE	SPL
REV E.03.12.20	GENERAL UPDATE	SPL
REV D.18.11.20	DRIVEWAY RETAINING WALL	WNH
REV C.21.04.20	UPDATED TO HIGHWAYS ENGS COMMENTS	WNH
REV B.19.03.20	UPDATED TO CLIENT AND LPA'S COMMENTS	AAS
REV A.08.01.20	TREES ADDED	SPL
REV. DATE	NOTES	INIT.

CLIENT / PROJECT
BLAKEMAN DESIGN & BUILD
TANNERS STREET
RAMSBOTTOM

DRAWING TITLE
PROPOSED 1ST FLOOR
PLAN

STATUS				
PLANNING				
DATE	DRAWN	SCALE @ A3		
JAN 2020	WNH	1:100		
PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
DRAWING NO.				
10877		P 03	H	
Site Location Plans	L	GA Plans	P	Elevations
Sections	S	Details	D	Prefix, Colour

THE RATCLIFFE GROVES PARTNERSHIP
MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE BL9 0TD
T. 0161 797 6000 E. manchester@rgp.uk.com
www.rgp.uk.com

LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6666 E. london@rgp.uk.com





THIS DRAWING IS PROTECTED BY COPYRIGHT AND MUST NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF RG PARTNERSHIP LIMITED. NO DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING. ALL DIMENSIONS AND SIZES TO BE CHECKED ON SITE. NORTH POINTS SHOWN ARE INDICATIVE. ©

SITE SPECIFIC HAZARDS

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



SCALE 1:100



KEY:

 OWNERSHIP BOUNDARY

REV H 18.02.22	UPDATED AS COMMENTED BY BURY MBC.	DB
REV G 07.01.22	GENERAL UPDATE	DB
REV F 07.12.20	GENERAL UPDATE	SPL
REV E 03.12.20	GENERAL UPDATE	SPL
REV D 18.11.20	DRIVEWAY RETAINING WALL	WNH
REV C 21.04.20	UPDATED TO HIGHWAYS ENGS COMMENTS	WNH
REV B.19.03.20	UPDATED TO CLIENT AND LPA'S COMMENTS	AAS
REV A.08.01.20	TREES ADDED	SPL
REV. DATE	NOTES	INIT.

CLIENT / PROJECT

BLAKEMAN DESIGN & BUILD
TANNERS STREET
RAMSBOTTOM

DRAWING TITLE
PROPOSED 2ND FLOOR
PLAN

STATUS

PLANNING

DATE	DRAWN	SCALE @ A3
JAN 2020	WNH	1:100

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
-------------------	-----------------	------------------	------------------	--------------------

DRAWING NO.

10877 P 04 H

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix: Colour	C

THE RATCLIFFE GROVES PARTNERSHIP

MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE BL9 0TD
T. 0161 797 6000 E. manchester@rgp.uk.com
www.rgp.uk.com

LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6666 E. london@rgp.uk.com



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

Given the deferral of this item by the Planning Control Committee last month, the Development Control Manager has requested a site visit.

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 largely remain as existing with a new boundary wall across the front.

The planning Control Committee deferred the item last month in order to request that the applicant reconsider proposed finishing materials, most notably the stone finish to the house.

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 - No objection.

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 - Paragraph 149 states that local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, 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.

This proposal would fall within the exemption set out in Paragraph (g) as it constitutes "limited infilling or the partial or complete redevelopment of previously developed land" – subject to it not having a greater impact on the openness of the Green Belt than the existing development.

There are a number of factors to be considered within the context of any individual assessment of 'Openness'. Prominent among these will be factors relevant to how built up the Green Belt is, how built up it would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt presents.

With regard to the impact of the development on the openness of the Green Belt in this particular area, whilst the property would be larger than the previous building on the site, the impact is not considered to be significant given the nature of the existing built development along Cockey Moor Road. Therefore with regard to sub-section g), it is considered that the applicant has demonstrated that the proposed new house would not have a materially greater impact on the openness of the Green Belt than the previous development. The proposal is therefore compliant with Green Belt Policy.

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 largely remain unchanged. Initial concerns regarding pedestrian visibility out of the site have been overcome by the introduction of an improved visibility splay at the entrance. The proposed driveway and parking area to the front is considered sufficient for three cars to park. A condition would be attached to require all areas of hardsurfacing to be made permeable. The proposal is acceptable to the Traffic team and complies with UDP Policies H2/3 extensions and Alterations and HT2/4 Car Parking and New Development and associated guidance in SPD6 and SPD11 in terms of access and parking.

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.

With regard to finishing materials, the applicant wants to retain the proposed finishes as per the plan apart from the boundary wall which would be retained and repaired in red brick as existing. The site visit should allow committee to consider the impact of the scheme on the streetscape.

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/A 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 obscenity 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.

11. 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/boundary treatment and as a result of any statutory undertakers connections to the new dwelling;

- Access point for construction traffic from the adopted highway;
- Site hoardings (if proposed) clear of the adopted highway;
- 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 (or on land under the applicant's control) of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highway 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 demolition/construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied.

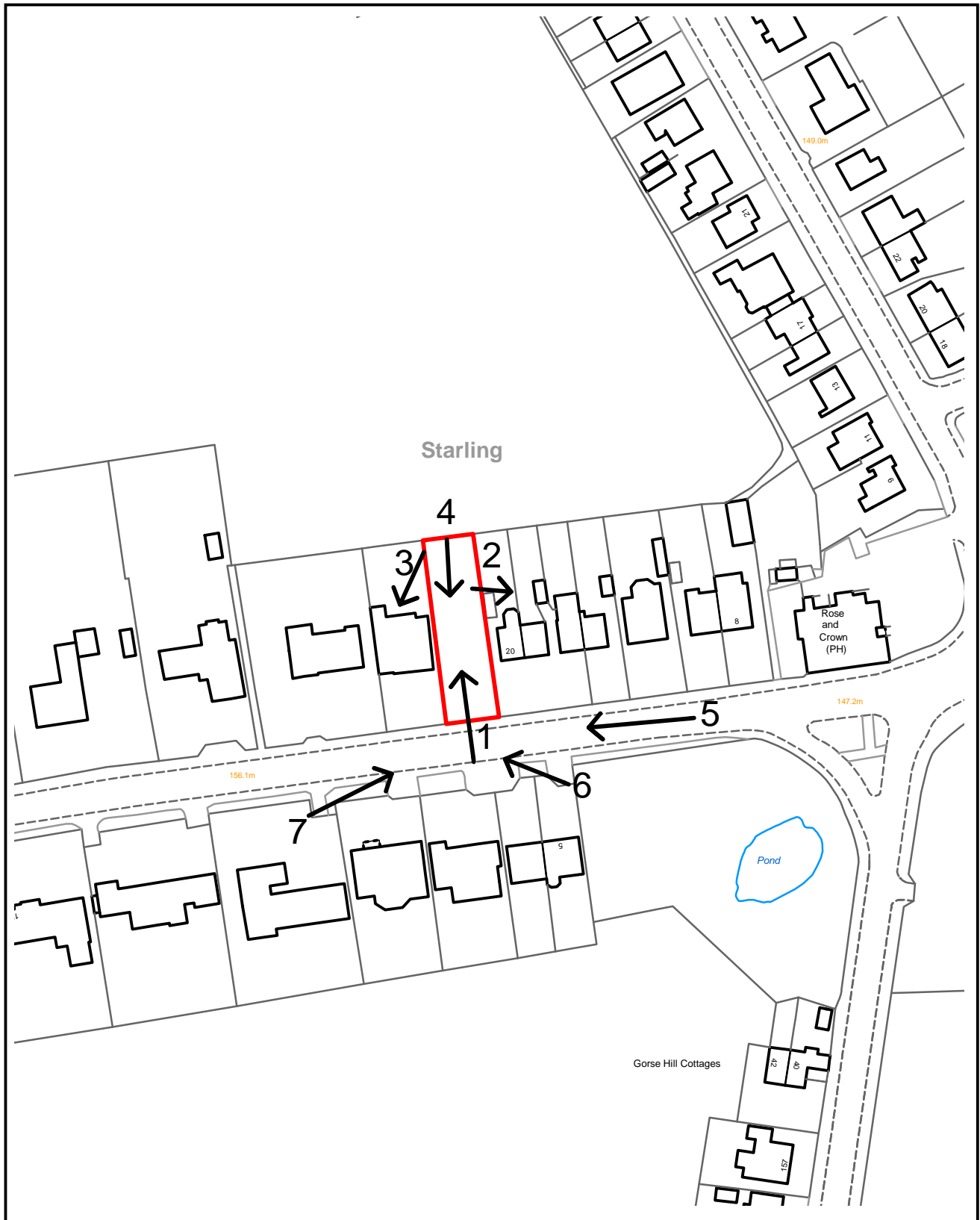
Reason. To maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the adjacent adopted highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and ensure that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

12. The development hereby approved shall not be first occupied unless and until the car parking, driveway and boundary wall alterations and bin storage arrangements indicated on approved plan reference RAD/2289/20/8 Revision A, incorporating the extension of the existing footway crossing, splayed boundary walls as shown with foundations that do not encroach under the adjacent adopted highway, inward opening vehicular and pedestrian gates, hardstanding in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway, demarcation of the limits of the adopted highway and all associated footway remedial works required to reinstate the footway to its former condition prior to commencement of the development, have been implemented in full to an agreed specification and to the written satisfaction of the Local Planning Authority.

Reason. To ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway' in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

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

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



Bury
COUNCIL

68038

Photo 1



Photo 2



68038

Photo 3



Photo 4



68038

Photo 5



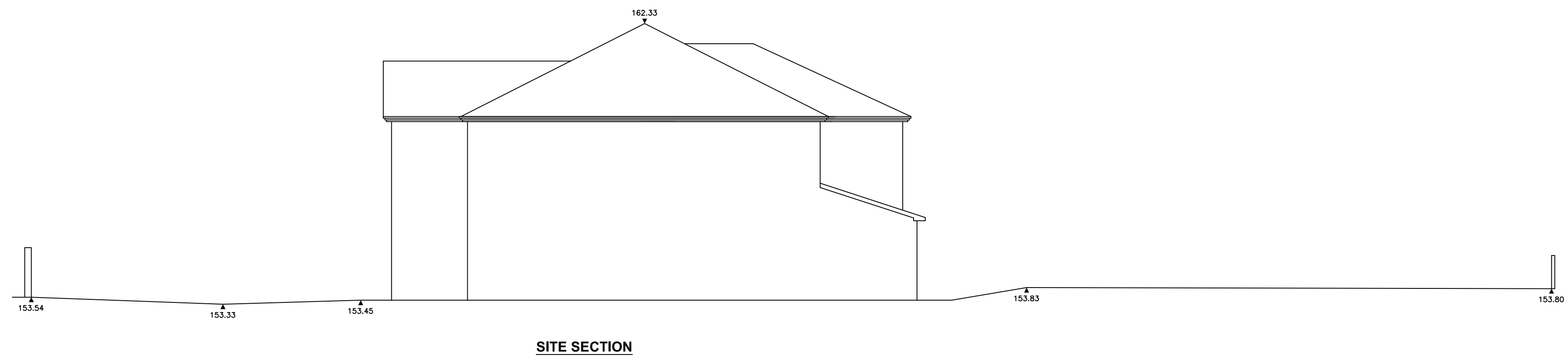
Photo 6



68038

Photo 7





STREETSCENE



STREETSCENE

[illegible]

This drawing is subject to copyright and is not to be reproduced in part or whole without approval.

Figured dimensions take precedence over scaled measurements from the drawing. All dimensions and drawings to be checked by Client and Contractor and discrepancies clarified with the Client prior to commencement.

The whole of the works to comply with Planning Approval & Conditions and current Building Regulations. No work to commence without Planning & Building Regulations approval.

The client must ensure the project complies with the Construction Design and Management Regulations 2015.

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

Notes

RAD

The White House,
42-44 Chorley New Road,
Bolton
BL1 4AP

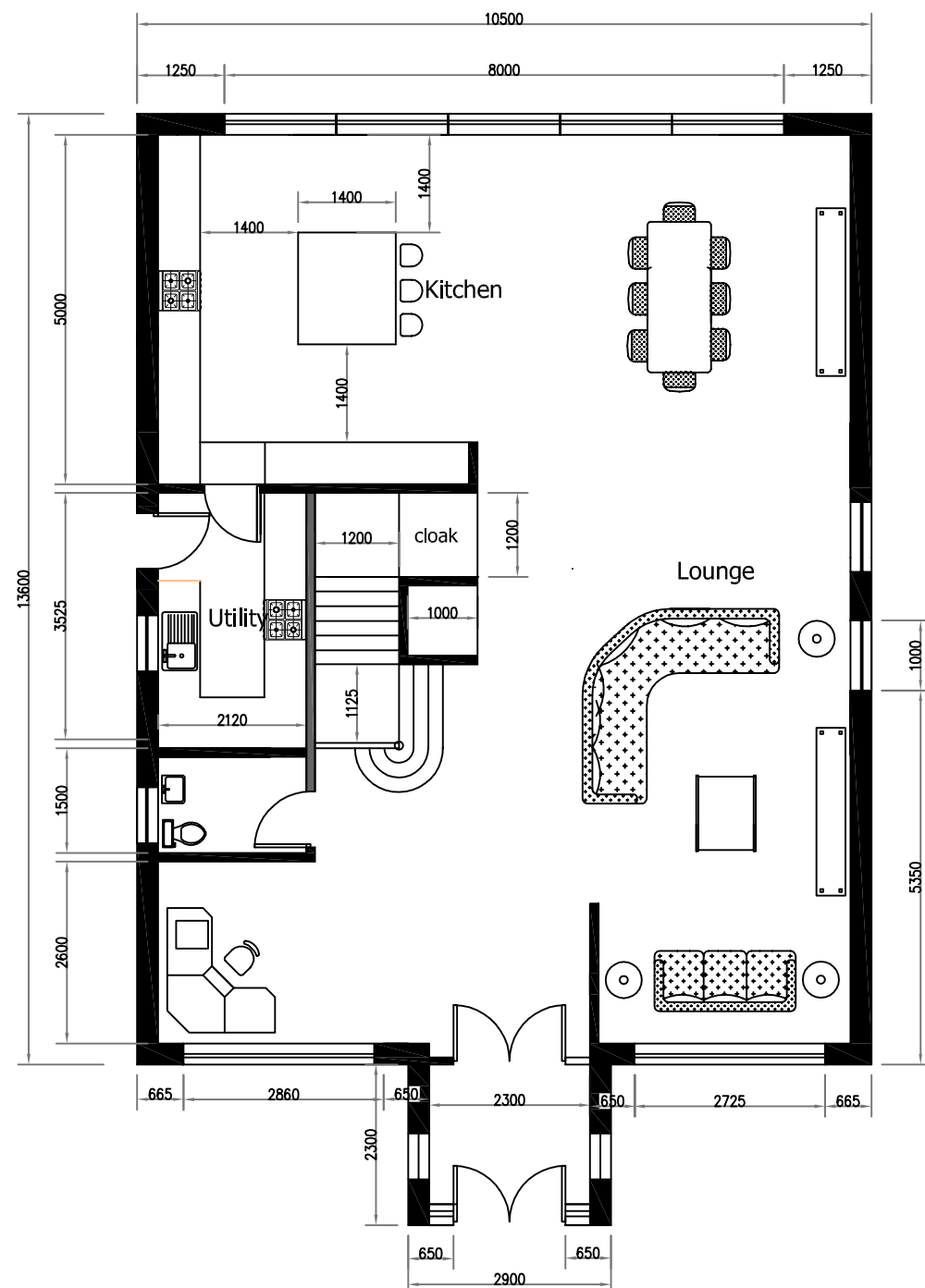
Tel : 01204 322196
Fax : 01204 214110
Mob: 07790 361104
Email: info@radesignprojects.co.uk

Project

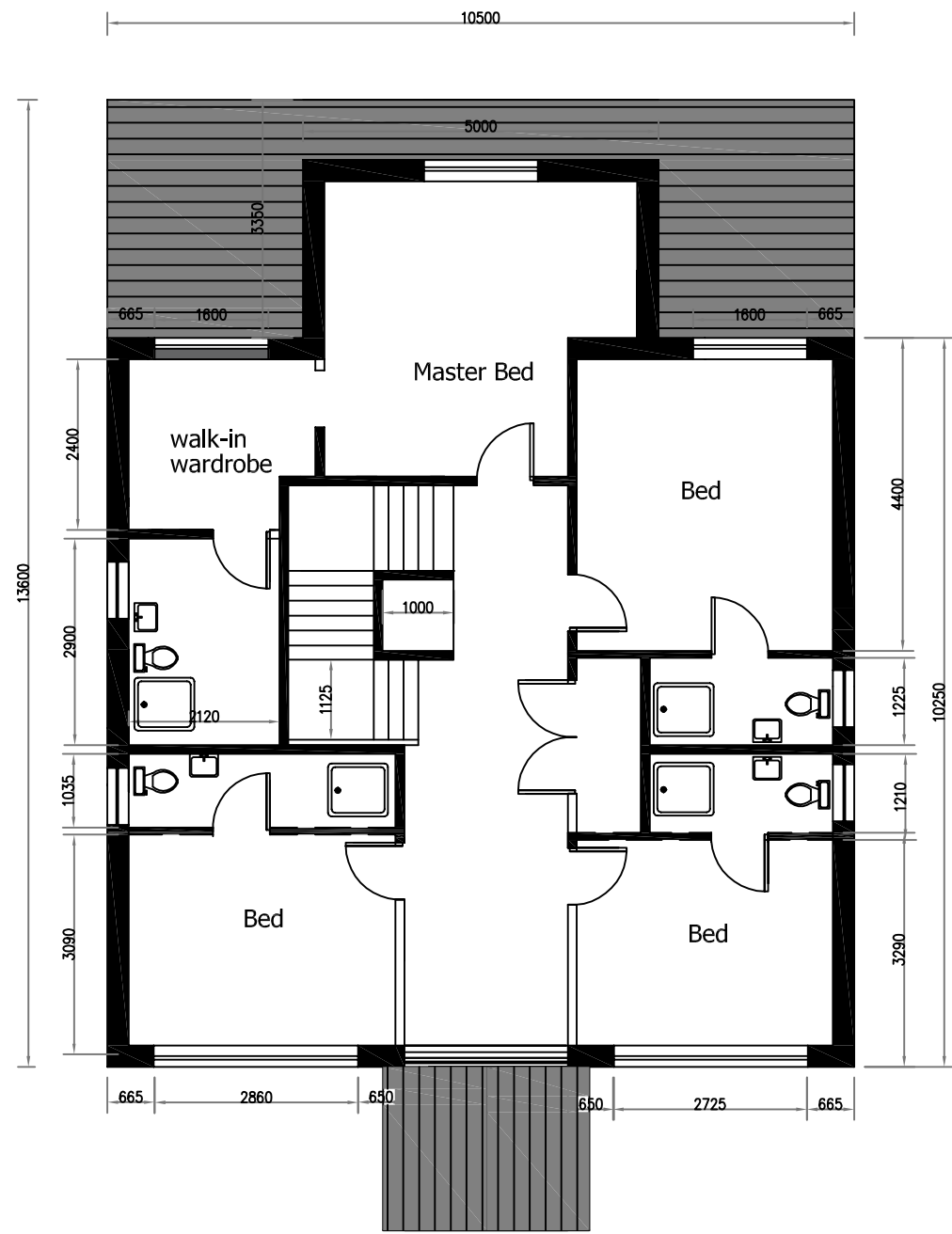
22 COCKEY MOOR ROAD
BURY
BL8 2HB

Title

Client	
Drawn	RA
Date	NOVEMBER 2021
Scale	1:100 @ A1 / 1:200 @ A3
Drawing Number	RAD/2289/20/7/RevA

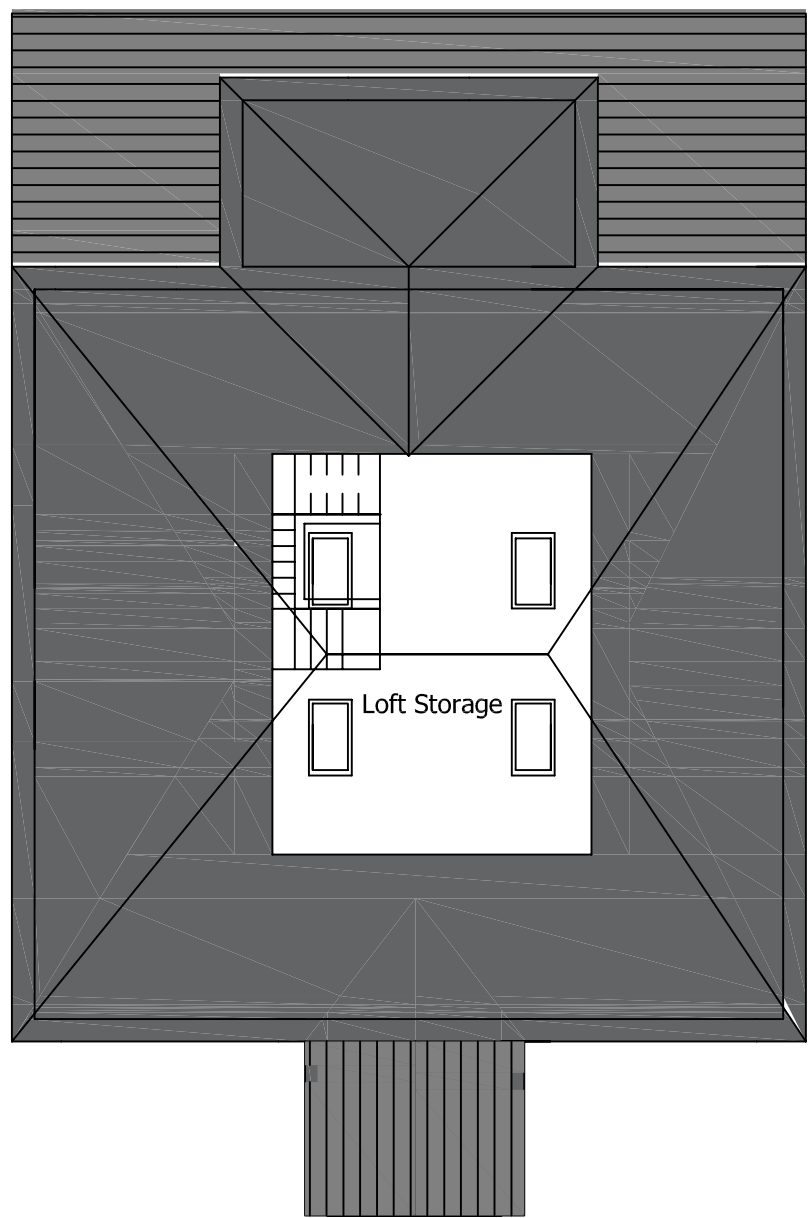


PROPOSED GROUND FLOOR PLAN

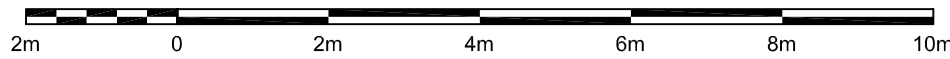


PROPOSED FIRST FLOOR PLAN

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



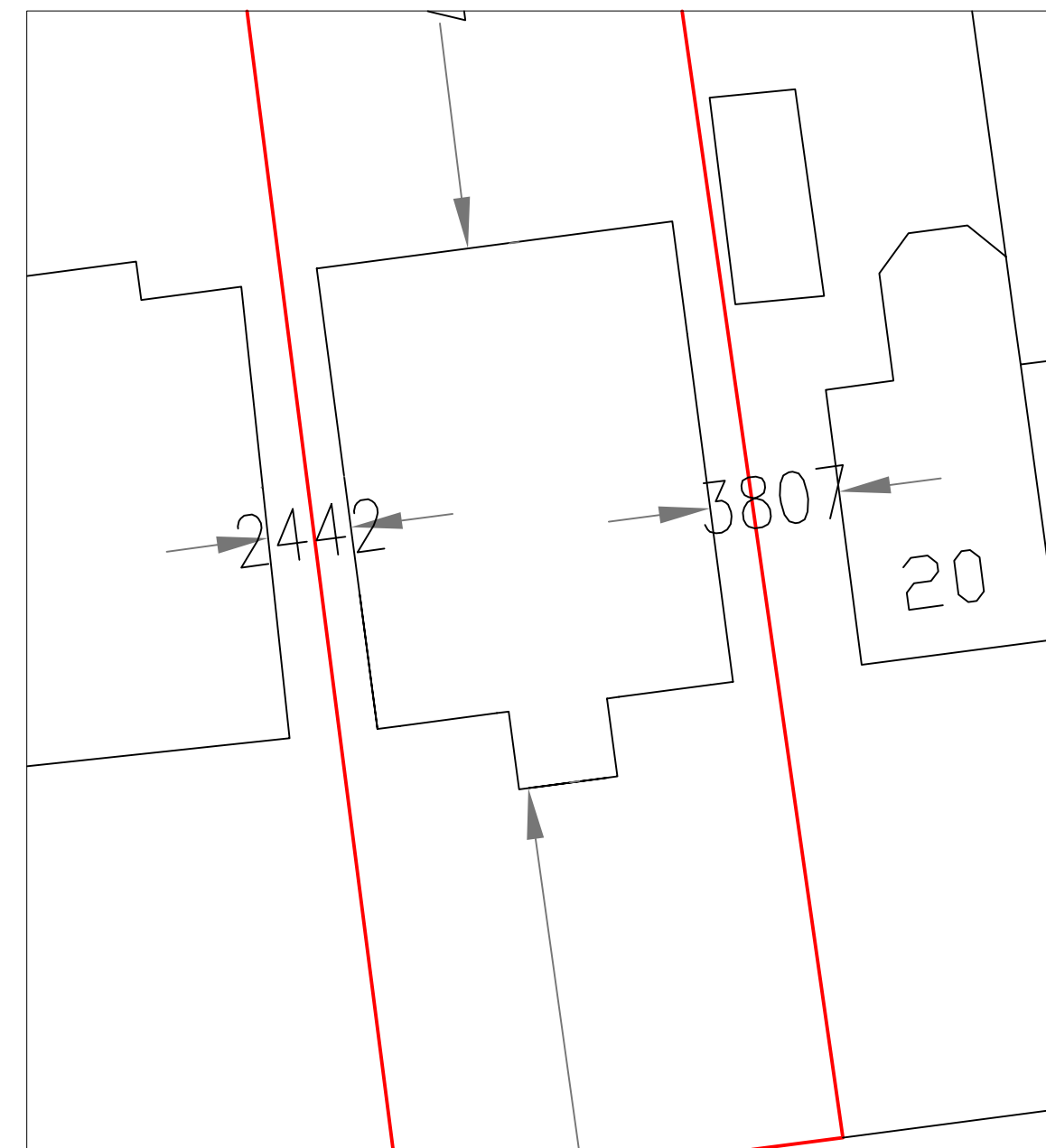
PROPOSED SECOND FLOOR PLAN



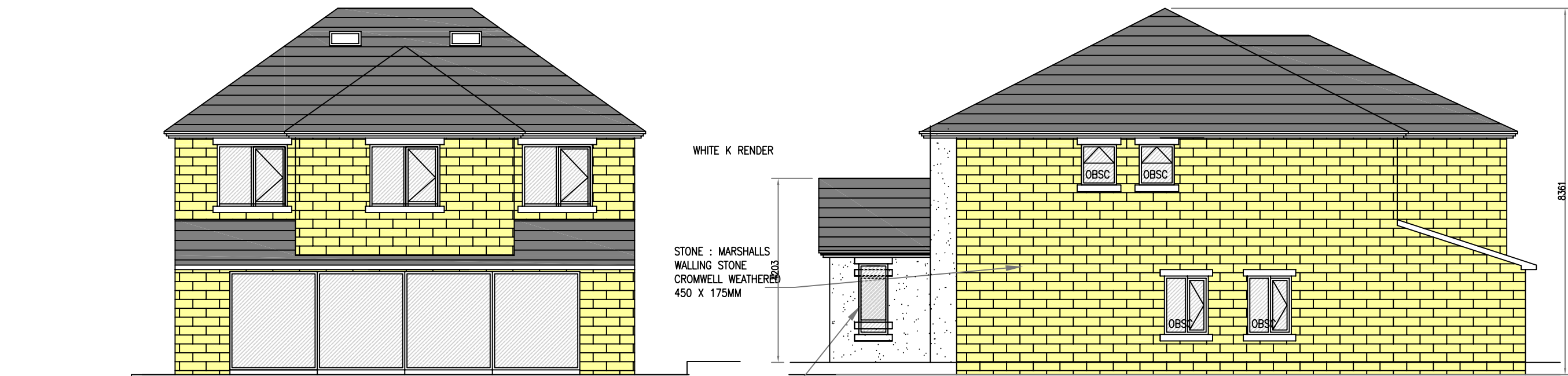
LOCATION PLAN (1:1250)
© Crown copyright and database rights 2021
Ordnance Survey 0100031673



BLOCK PLAN (1:500)



SITE PLAN (1:200)



PROPOSED REAR ELEVATION

PROPOSED SIDE ELEVATION A



PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION B

Date	Rev.		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

This drawing is subject to copyright and is not to be reproduced in part or whole without approval.
Figured dimensions take precedence over scaled measurements from the drawing. All dimensions and drawings to be checked by Client and Contractor and discrepancies clarified with the Client prior to commencement.
The whole of the works to comply with Planning Approval & Conditions and current Building Regulations. No work to commence without Planning & Building Regulations approval.
The client must ensure the project complies with the Construction Design and Management Regulations 2015
The Client should ensure consent from any landowner or interested party is obtained, as well as compliance with Party Wall Act 1996

Notes

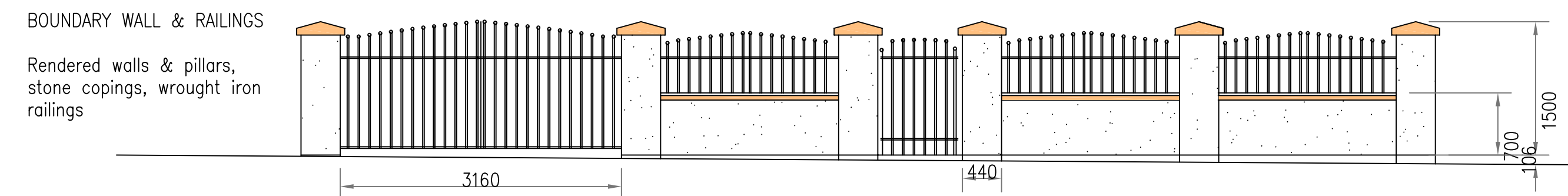
RAD

The White House,
42-44 Chorley New Road,
Bolton
BL1 4AP
Tel : 01204 322196
Fax : 01204 214110
Mob: 07790 361104
Email: info@radesignprojects.co.uk

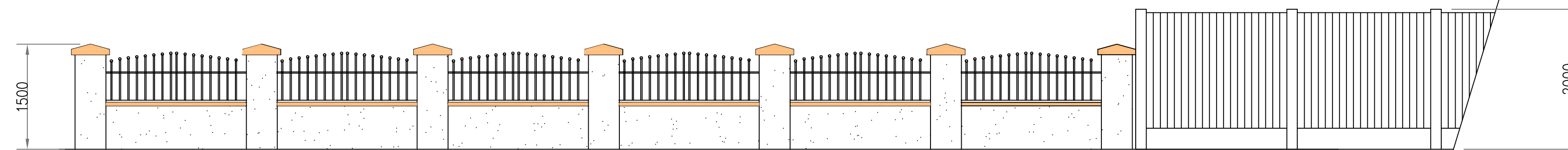
Project
22 COCKEY MOOR ROAD
BURY
BL8 2HB

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



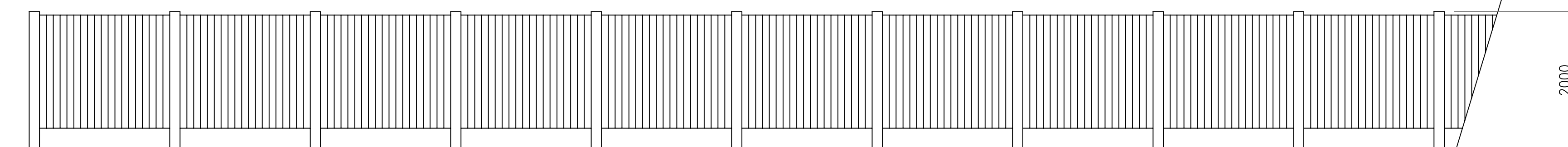
PROPOSED FRONT ELEVATION



PROPOSED FRONT/SIDE ELEVATIONS

BOUNDARY FENCE :

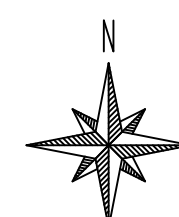
2m high close-boarded timber fence with concrete posts and base panel



PROPOSED ELEVATIONS (SIDE & REAR)



SITE PLAN (1:200)
© Crown copyright and database rights 2020
Ordnance Survey 0100031673

[illegible]

This drawing is subject to copyright and is not to be reproduced in part or whole without approval.

Figured dimensions take precedence over scaled measurements from the drawing. All dimensions and drawings to be checked by Client and Contractor and discrepancies clarified with the Client prior to commencement.

The whole of the works to comply with Planning Approval & Conditions and current Building Regulations. No work to commence without Planning & Building Regulations approval.

The Client must ensure the project complies with the Construction Design and Management Regulations 2015.

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

Notes

RAD

The White House,
42-44 Chorley New Road,
Bolton
BL1 4AP

Tel : 01204 322196
Fax : 01204 214110
Mob: 07790 361104
Email: info@radesignprojects.co.uk

Project	22 COCKEY MOOR ROAD BURY BL8 2HB
---------	----------------------------------------

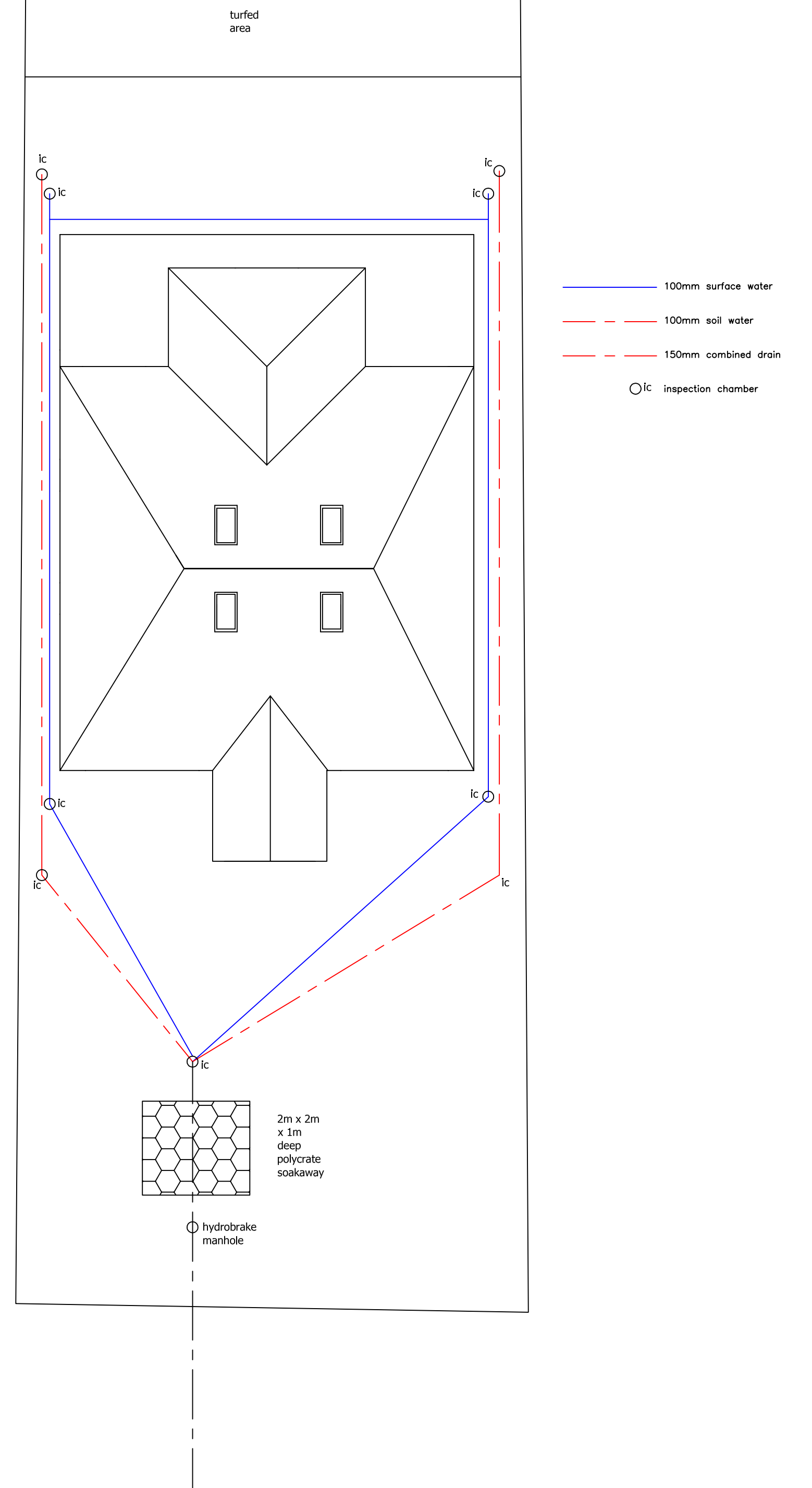
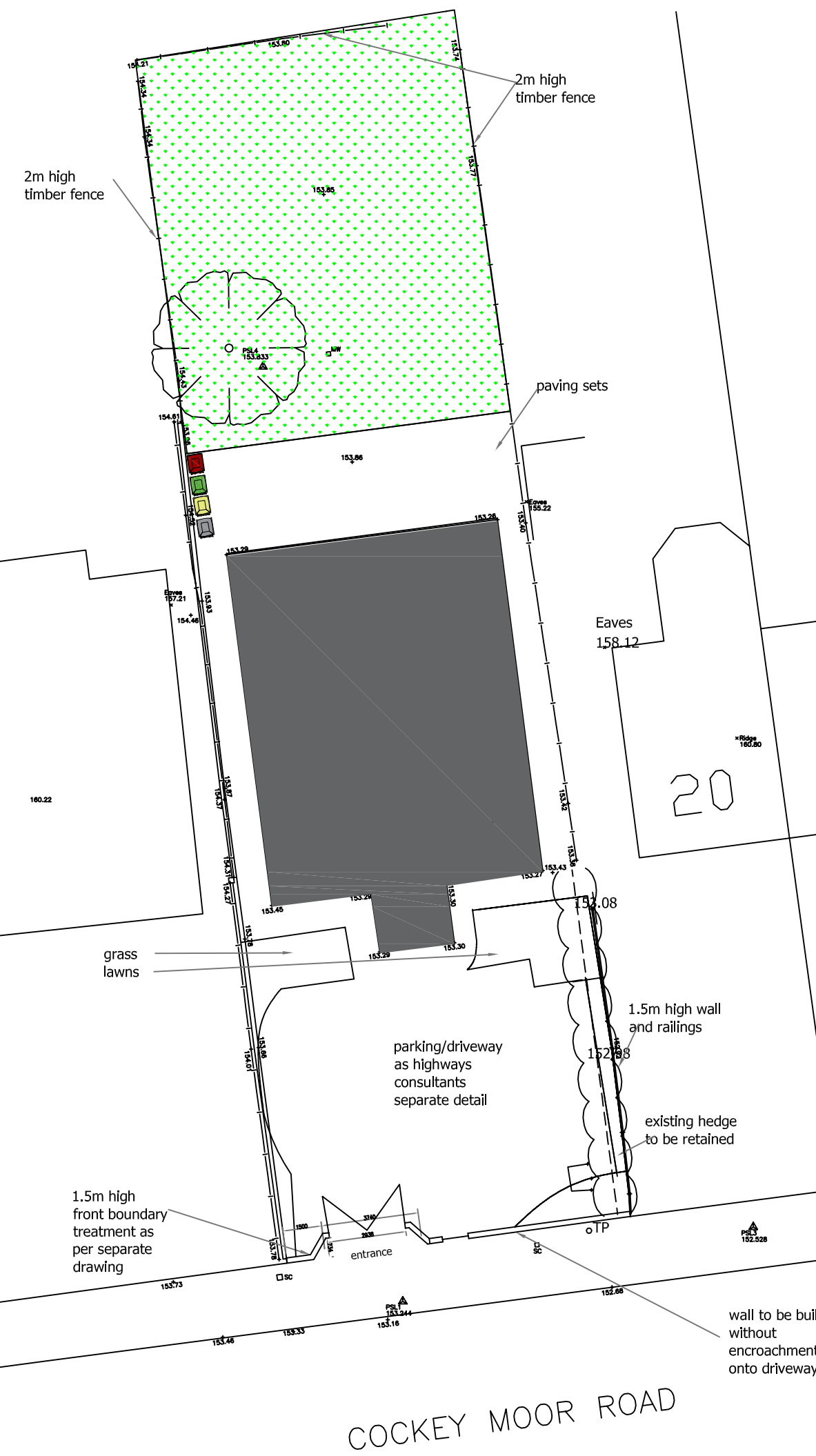
Title	PROPOSED BOUNDARY TREATMENT
-------	-----------------------------

Client	
--------	--

Drawn RA

Date	OCTOBER 2021
------	--------------

Scale	1:100 @ A1 / 1:200 @ A3
Drawing Number	RAD/2289/20/6



DRAINAGE DESIGN (1:100)

[illegible]

This drawing is subject to copyright and is not to be reproduced in part or whole without approval.

Figured dimensions take precedence over scaled measurements from the drawing. All dimensions and drawings to be checked by Client and Contractor and discrepancies clarified with the Client prior to commencement.

The whole of the works to comply with Planning Approval & Conditions and current Building Regulations. No work to commence without Planning & Building Regulations approval.

The client must ensure the project complies with the Construction Design and Management Regulations 2015

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

Notes

RAD

The White House,
42-44 Chorley New Road,
Bolton
BL1 4AP

Tel : 01204 322196
Fax : 01204 214110
Mob: 07790 361104
Email: info@radesignprojects.co.uk

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/RevA
----------------	--------------------

This page is intentionally left blank

REPORT FOR NOTING

Agenda Item 5

Bury
COUNCIL

**Agenda
Item**

5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	26 April 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 **14/03/2022** and **14/04/2022**



Ward: **Bury East**

Application No.: 67503 **App. Type:** FUL 30/03/2022 Approve with Conditions
Location: 5-9 The Rock, Bury, BL9 0YB

Proposal: Change of use from offices to 9 no. apartments at 1st floor to 4th floor levels; Ground floor to be retained as existing office use; external alterations

Application No.: 67954 **App. Type:** FUL 17/03/2022 Approve with Conditions
Location: 13 Timberhurst, Bury, BL9 7NZ

Proposal: Single storey extension to side and rear; Landscaping including new driveway at front

Application No.: 68004 **App. Type:** LBC 29/03/2022 Approve with Conditions
Location: Derby Hall, Market Street, Bury, BL9 0BW

Proposal: Listed building consent for installation of photovoltaic solar panels to the rear roof of the building

Application No.: 68005 **App. Type:** FUL 29/03/2022 Approve with Conditions
Location: Derby Hall, Market Street, Bury, BL9 0BW

Proposal: Installation of photovoltaic solar panels to the rear roof of the building

Application No.: 68020 **App. Type:** ADV 24/03/2022 Approve with Conditions
Location: Marks & Spencer, Unit C The Rock, Bury, BL9 0JL

Proposal: 5 no. Vinyl graphic signs applied to existing external windows; 1 no. static internally illuminated fascia sign

Application No.: 68034 **App. Type:** FUL 05/04/2022 Approve with Conditions
Location: Unit B, Moorgate Retail Park, Bury, BL9 7AQ

Proposal: Removal of condition 2 of planning permission 58449, to allow the unit to be used as a 'health & fitness club' within use class E

Application No.: 68074 **App. Type:** GPDE 23/03/2022 Prior Approval Not Required - Extension
Location: 27 Walnut Avenue, Bury, BL9 7LZ

Proposal: Prior approval for proposed single storey rear extension

Application No.: 68114 **App. Type:** GPDE 24/03/2022 Prior Approval Not Required - Extension
Location: 48 South Cross Street, Bury, BL9 0RS

Proposal: Prior approval for proposed single story rear extension

Ward: **Bury East - Redvales**

Application No.:	67588	App. Type:	FUL	16/03/2022	Approve with Conditions
Location:	88 Valley Mill Lane, Bury, BL9 9BY				
Proposal:	Two storey rear extension; First floor side extension; Conversion of existing garage to living accommodation				

Application No.:	67862	App. Type:	FUL	15/03/2022	Approve with Conditions
Location:	St Gabriels RC High School, Bridge Road, Bury, BL9 0TZ				
Proposal:	Roof replacement works and new 2.4m fence installed to the front boundary				

Application No.:	67960	App. Type:	FUL	05/04/2022	Approve with Conditions
Location:	51 Dorset Drive, Bury, BL9 9DN				
Proposal:	Change of use from education centre (F1) to 1 no. dwelling (C3)				

Ward: **Bury West - Church**

Application No.:	67341	App. Type:	P3JPA	23/03/2022	Prior Approval Required and Refused
Location:	69-87 Bolton Road, Bury, BL8 2AH				
Proposal:	Prior approval for proposed change of use from upper floor office space to 5 no. residential apartments				

Application No.:	67798	App. Type:	FUL	23/03/2022	Approve with Conditions
Location:	37 Bolton Road, Bury, BL8 2AB				
Proposal:	Change of use from mixed use shop/flat to C3 residential forming 2 no. flats; Alterations to front and rear elevations				

Application No.:	67895	App. Type:	FUL	16/03/2022	Approve with Conditions
Location:	2 Elton Vale Road, Bury, BL8 2SA				
Proposal:	Hip to gable roof extension with loft conversion and rear dormer				

Application No.:	67943	App. Type:	FUL	23/03/2022	Approve with Conditions
Location:	15 Turton Close, Bury, BL8 2EE				
Proposal:	Single storey rear extension; Two storey side extension				

Application No.:	67969	App. Type:	FUL	18/03/2022	Approve with Conditions
Location:	73 Lowercroft Road, Bury, BL8 2EP				
Proposal:	Two storey side extension; Single storey rear extension				

Application No.:	68003	App. Type:	FUL	16/03/2022	Approve with Conditions
Location:	82 Watling Street, Bury, BL8 2TG				
Proposal:	Dormer extension across the front elevation				

Application No.:	68032	App. Type:	FUL	17/03/2022	Refused
Location:	561 Bolton Road, Bury, BL8 2DJ				
Proposal:	First floor hip to gable loft conversion with rear dormers				

Application No.:	68072	App. Type:	FUL	24/03/2022	Approve with Conditions
Location:	2 Mile Lane, Bury, BL8 2DS				
Proposal:	Single storey rear/side extension; Single storey front porch				

Application No.:	68086	App. Type:	OUT	07/04/2022	Approve with Conditions
Location:	The Nurseries, Leigh Lane, Bury, BL8 1RL				
Proposal:	Outline planning consent for demolition of existing dwelling and outbuildings and construction of replacement dwelling (all matters reserved) (Resubmission)				

Application No.:	68088	App. Type:	OUT	07/04/2022	Approve with Conditions
Location:	The Nurseries, Leigh Lane, Bury, BL8 1RL				
Proposal:	Outline planning consent for demolition of existing bungalow and outbuildings and erection of new bungalow (all matters reserved) (Resubmission).				

Application No.:	68305	App. Type:	LDCP	08/04/2022	Lawful Development
Location:	31 Ainsdale Avenue, Bury, BL8 2RW				
Proposal:	Lawful development certificate for single storey rear extension				

Ward: **Bury West - Elton**

Application No.:	67439	App. Type:	FUL	30/03/2022	Approve with Conditions
Location:	19 Throstle Grove, Bury, BL8 1EB				
Proposal:	Two storey extension to front and rear; New roof with raised ridge height; Detached garage at the front				

Application No.:	67826	App. Type:	FUL	07/04/2022	Approve with Conditions
Location:	1 Holbeach Close, Bury, BL8 1XA				
Proposal:	Two storey extension at side and single storey extension at side/rear				

Application No.:	68000	App. Type:	FUL	24/03/2022	Approve with Conditions
Location:	40 Trimmingham Drive, Bury, BL8 1JW				
Proposal:	Single storey front/rear extension; First floor side extension				

Ward: **North Manor**

Application No.:	67875	App. Type:	FUL	18/03/2022	Approve with Conditions
Location:	16 Mayfield Road, Ramsbottom, Bury, BL0 9TB				
Proposal:	Two storey side extension; Single storey rear extension; Garage conversion				

Application No.:	67925	App. Type:	FUL	16/03/2022	Approve with Conditions
Location:	Top O Th Brow, Two Brooks Lane, Tottington, Bury, BL8 4LA				
Proposal:	Demolition of single storey extensions to front and rear of main house and cottage. Erection of single storey rear extension with roof terrace. Erection of two storey annexe with two storey link extension to connect to main house. Creation of terrace at first floor level to the annexe. Installation of solar panels to front roof plane.				

Application No.:	67961	App. Type:	FUL	25/03/2022	Approve with Conditions
Location:	19 Tor Avenue, Tottington, Bury, BL8 4HG				
Proposal:	Demolition of existing garage/greenhouse and erection of two storey extension at side and rear and new front bay window; Widening of existing driveway and external landscaping works to front and rear garden				

Application No.:	67985	App. Type:	FUL	16/03/2022	Approve with Conditions
Location:	378 Holcombe Road, Tottington, Bury, BL8 4DT				
Proposal:	Two storey side extension				

Application No.:	68009	App. Type:	FUL	30/03/2022	Approve with Conditions
Location:	37 Walmersley Old Road, Bury, BL9 6SD				
Proposal:	Two storey/first floor side extension; Single storey rear extension				

Application No.:	68042	App. Type:	FUL	13/04/2022	Refused
Location:	12 Cliff Avenue, Summerseat, Ramsbottom, Bury, BL9 5NT				
Proposal:	Loft conversion with side dormers				

Application No.:	68068	App. Type:	FUL	24/03/2022	Approve with Conditions
Location:	14 Crosfield Avenue, Summerseat, Ramsbottom, Bury, BL9 5NX				
Proposal:	Demolition of existing conservatory and erection of single storey rear extension				

Application No.:	68100	App. Type:	FUL	13/04/2022	Approve with Conditions
Location:	8 Greenmount Drive, Tottington, Bury, BL8 4HA				
Proposal:	Infilling with brickwork to side elevations with extension of roof to existing rear extension				

Application No.:	68161	App. Type:	FUL	13/04/2022	Approve with Conditions
Location:	Land at junction of Walmersley Road & Mather Road, Bury, BL9 5JA				
Proposal:	Proposed installation of a base station consisting of a 23m monopole supporting 3 no antenna, 2 no 300mm dishes, 2 no cabinets with ancillary development thereto.				

Ward: **Prestwich - Holyrood**

Application No.:	68052	App. Type:	FUL	13/04/2022	Approve with Conditions
Location:	11 Malvern Close, Prestwich, Manchester, M25 1PH				
Proposal:	Single storey rear extension; external alterations including new first window to side elevation and brick detail to side door				

Application No.:	68101	App. Type:	FUL	25/03/2022	Approve with Conditions
Location:	32 Kenilworth Avenue, Whitefield, Manchester, M45 6TG				
Proposal:	Erection of a part single and part two storey side extension. Demolition of front porch and erection of a canopy.				

Ward: **Prestwich - Sedgley**

Application No.:	67791	App. Type:	FUL	31/03/2022	Refused
Location:	20 Castle Hill Road, Prestwich, Manchester, M25 0FR				
Proposal:	First floor rear extension; Hip to gable roof extension; Front and rear dormer extensions, Raise roof ridge				
Application No.:	67831	App. Type:	FUL	18/03/2022	Approve with Conditions
Location:	4 Windsor Road, Prestwich, Manchester, M25 0DZ				
Proposal:	Hip to gable roof extension, including raised ridge with loft conversion and rear dormer				
Application No.:	67890	App. Type:	FUL	25/03/2022	Approve with Conditions
Location:	70 Heywood Road, Prestwich, Manchester, M25 1FN				
Proposal:	Extension to existing front porch; demolition of rear garage and erection of outbuilding for home office / games room in rear garden				
Application No.:	67902	App. Type:	FUL	25/03/2022	Approve with Conditions
Location:	6 & 8 Mowbray Avenue, Prestwich, Manchester, M25 0LP				
Proposal:	Raising of roof ridge height with hip to gable roof extension, loft conversion and dormers at front/rear				
Application No.:	67934	App. Type:	FUL	16/03/2022	Approve with Conditions
Location:	5 Woodhill Drive, Prestwich, Manchester, M25 0BF				
Proposal:	Hip to gable roof extension; Loft conversion and rear dormer extension				
Application No.:	67945	App. Type:	FUL	05/04/2022	Approve with Conditions
Location:	2 Northurst Drive, Prestwich, Manchester, M8 4LS				
Proposal:	Retrospective planning permission for the construction of an outbuilding at the rear of the property.				
Application No.:	67999	App. Type:	FUL	31/03/2022	Approve with Conditions
Location:	9 Tewkesbury Drive, Prestwich, Manchester, M25 0HR				
Proposal:	Front porch; single storey extension at rear and external alterations; change from door to window to right hand side elevation				
Application No.:	68028	App. Type:	FUL	08/04/2022	Approve with Conditions
Location:	26 Bury New Road, Prestwich, Manchester, M25 0LD				
Proposal:	Single storey rear extension to provide a Use Class E unit; Single storey side extension for new external stair to access the basement; Change of use of basement store to Use Class E unit; Change of window and door fenestration to side elevation.				
Application No.:	68029	App. Type:	FUL	08/04/2022	Approve with Conditions
Location:	35 Sedgley Park Road, Prestwich, Manchester, M25 0BJ				
Proposal:	Two storey side extension				
Application No.:	68039	App. Type:	FUL	05/04/2022	Approve with Conditions
Location:	41 Bland Road, Prestwich, Manchester, M25 9WG				
Proposal:	Proposed granny annexe				

Application No.:	68048	App. Type:	FUL	18/03/2022	Approve with Conditions
Location:	5 Tewkesbury Drive, Prestwich, Manchester, M25 0HR				
Proposal:	Single storey rear extension; Front porch				
Application No.:	68063	App. Type:	FUL	07/04/2022	Approve with Conditions
Location:	126 Albert Avenue, Prestwich, Manchester, M25 0HE				
Proposal:	Front dormer; rear dormer, raised decking to the rear, additional windows to the gable				
Application No.:	68110	App. Type:	FUL	13/04/2022	Approve with Conditions
Location:	5 Marton Grange, Prestwich, Manchester, M25 0EL				
Proposal:	First floor extension at front/side				
Application No.:	68149	App. Type:	GPDE	07/04/2022	Prior Approval Not Required - Extension
Location:	12 Newington Avenue, Prestwich, Manchester, M8 4LT				
Proposal:	Prior approval for proposed single storey rear extension				
Ward:	Prestwich - St Mary's				
Application No.:	67472	App. Type:	FUL	23/03/2022	Approve with Conditions
Location:	162 Hilton Lane, Prestwich, Manchester, M25 9QZ				
Proposal:	Outbuilding in rear garden; Raised decking (retrospective)				
Application No.:	67926	App. Type:	FUL	17/03/2022	Approve with Conditions
Location:	1 Wordsworth Gardens, Prestwich, Manchester, M25 9LQ				
Proposal:	Single storey side extension.				
Application No.:	67951	App. Type:	FUL	16/03/2022	Approve with Conditions
Location:	14 Ringstone Close, Prestwich, Manchester, M25 9PZ				
Proposal:	Single storey rear extension				
Application No.:	67988	App. Type:	FUL	17/03/2022	Approve with Conditions
Location:	130 Prestwich Hills, Prestwich, Manchester, M25 9PY				
Proposal:	Single storey extensions at side and rear				
Application No.:	67994	App. Type:	FUL	23/03/2022	Approve with Conditions
Location:	Blocks 1-7 Rectory Green, Prestwich, Manchester, M25 1BQ				
Proposal:	Conversion of existing flat roofs to pitched roofs				
Application No.:	68023	App. Type:	FUL	07/04/2022	Approve with Conditions
Location:	449A Bury New Road, Prestwich, Manchester, M25 1AF				
Proposal:	Refurbishment of existing cafe/bar; Installation of new flue at rear; Alterations to shop front; New fencing to the rear				

Application No.: 68024 **App. Type:** ADV 07/04/2022 Approve with Conditions
Location: 449A Bury New Road, Prestwich, Manchester, M25 1AF
Proposal: 1 No. Externally lit sign by trough led lighting

Application No.: 68054 **App. Type:** FUL 24/03/2022 Approve with Conditions
Location: 503-505 Bury New Road, Prestwich, M25 7AJ
Proposal: New shop front windows/door and relocating main entrance into premises. (Retrospective)

Application No.: 68065 **App. Type:** FUL 18/03/2022 Approve with Conditions
Location: 3 Sandy Meade, Prestwich, Manchester, M25 9PR
Proposal: Single storey rear extension; Decking to the rear

Application No.: 68085 **App. Type:** ADV 24/03/2022 Approve with Conditions
Location: 503-505 Bury New Road, Prestwich, M25 7AJ
Proposal: Change of advertisement sign to the shop. (Retrospective)

Application No.: 68129 **App. Type:** FUL 07/04/2022 Approve with Conditions
Location: 59 Mountside Crescent, Prestwich, Manchester, M25 3JH
Proposal: Proposed single storey rear extension, hip to gable roof extension and rear dormer extension.

Ward: **Radcliffe - East**

Application No.: 67521 **App. Type:** FUL 24/03/2022 Approve with Conditions
Location: Former Ashworth, Miller Street, Radcliffe, Manchester, M26 4AF
Proposal: Demolition of 2 no. small industrial units and the development of 1 no. infill warehouse unit

Application No.: 67938 **App. Type:** FUL 13/04/2022 Approve with Conditions
Location: 7 Deansgate, Radcliffe, Manchester, M26 2SH
Proposal: Change of use of first floor (Class E) to (C3) residential; new external rear staircase and elevation alterations.

Application No.: 68076 **App. Type:** FUL 29/03/2022 Approve with Conditions
Location: Esso Garage, 55 Bury Road, Radcliffe, Manchester, M26 2UT
Proposal: Construction of a replacement roof, installation of a new shopfront and relocation of the existing external ATM

Ward: **Radcliffe - North**

Application No.: 67823 **App. Type:** FUL 07/04/2022 Approve with Conditions
Location: Openshaw Fold Farm, Bury And Bolton Road, Radcliffe, Manchester, M26 4EP
Proposal: Demolition of a range of dilapidated agricultural buildings and the erection of a new agricultural livestock building and bale store

Application No.: 67989 **App. Type:** FUL 07/04/2022 Approve with Conditions
Location: 74 Boundary Drive, Radcliffe, Bolton, BL2 6RU
Proposal: Two storey/first floor side extension; Single storey rear extension; Front porch with canopy to front elevation; New 1.8m high boundary fencing

Ward: Radcliffe - West

Application No.: 67977 **App. Type:** FUL 13/04/2022 Approve with Conditions
Location: Land adjacent to 34 James Street North, Radcliffe, Manchester, M26 1LL
Proposal: Erection of 4 no. dwellings

Application No.: 67997 **App. Type:** FUL 23/03/2022 Approve with Conditions
Location: 1 Meadow View, Ringley Road West, Radcliffe, M26 1DL
Proposal: Single storey extension at front / side

Application No.: 68058 **App. Type:** FUL 18/03/2022 Approve with Conditions
Location: 15 Wood Hey Close, Radcliffe, Manchester, M26 3XN
Proposal: Single storey rear extension

Application No.: 68061 **App. Type:** FUL 13/04/2022 Approve with Conditions
Location: 37 Bull Hill Crescent, Radcliffe, Manchester, M26 1BR
Proposal: Two storey extension at side; Front porch; Canopy to front to extend across either side of porch

Application No.: 68178 **App. Type:** GPDE 13/04/2022 Prior Approval Not Required - Extension
Location: 29 Jubilee Avenue, Radcliffe, Manchester, M26 1LX
Proposal: Prior approval for proposed single storey rear extension

Ward: Ramsbottom + Tottington - Tottington

Application No.: 67830 **App. Type:** OUT 07/04/2022 Approve with Conditions
Location: Land at 12 Holthouse Road, Tottington, Bury, BL8 3JP
Proposal: Outline application for 1 no. dwelling

Application No.: 67992 **App. Type:** FUL 16/03/2022 Approve with Conditions
Location: 8 Cheviot Close, Bury, BL8 1RA
Proposal: Single storey extension at rear

Application No.: 68077 **App. Type:** LDCP 11/04/2022 Lawful Development
Location: 12 Linden Avenue, Ramsbottom, Bury, BL0 0AW
Proposal: Lawful development certificate for proposed garden building

Application No.:	68108	App. Type:	FUL	13/04/2022	Approve with Conditions
Location:	230 Whittingham Drive, Ramsbottom, Bury, BL0 9NY				
Proposal:	Single storey side extension				

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.:	67716	App. Type:	FUL	17/03/2022	Approve with Conditions
Location:	Hollingrove Barn, Redisher Lane, Ramsbottom, Bury, BL8 4HX				
Proposal:	Erection of agricultural livestock and storage building				

Application No.:	67868	App. Type:	FUL	05/04/2022	Approve with Conditions
Location:	7 Chiltern Close, Ramsbottom, Bury, BL0 9LH				
Proposal:	Two storey side extension				

Application No.:	67984	App. Type:	FUL	08/04/2022	Approve with Conditions
Location:	28 Cheviot Close, Ramsbottom, Bury, BL0 9LL				
Proposal:	Single storey front porch extension				

Application No.:	67998	App. Type:	FUL	07/04/2022	Approve with Conditions
Location:	12 Raylees, Ramsbottom, Bury, BL0 9HW				
Proposal:	First floor side extension; Single storey rear extension; Canopy to front elevation				

Application No.:	68025	App. Type:	FUL	30/03/2022	Approve with Conditions
Location:	154 Scobell Street, Tottington, Bury, BL8 3ED				
Proposal:	Demolition of outbuilding; Two storey side extension				

Application No.:	68109	App. Type:	AG	13/04/2022	Prior Approval Required and Granted
Location:	Land S of Lower Gollinrod Farm, Walmersley, BL9 5NB				
Proposal:	Prior approval for proposed agricultural storage building				

Ward: **Whitefield + Unsworth - Besses**

Application No.:	67894	App. Type:	FUL	23/03/2022	Refused
Location:	195 Parr Lane, Bury, BL9 8JW				
Proposal:	First floor side extension; Garage conversion				

Application No.:	67966	App. Type:	FUL	24/03/2022	Approve with Conditions
Location:	18 Furness Avenue, Whitefield, Manchester, M45 6DT				
Proposal:	First floor rear extension				

Application No.: 67976 **App. Type:** FUL 05/04/2022 Approve with Conditions
Location: Land adjacent to 1 Lancaster Avenue, Whitefield, Manchester, M45 6DX
Proposal: Erection of 1 no. two storey dwelling with off street parking

Application No.: 68047 **App. Type:** FUL 31/03/2022 Approve with Conditions
Location: 4 Prestfield Court, Kensington Street, Bury, M45 6FH
Proposal: Improvements to communal access including dropped kerb and extension to access ramp

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

Application No.: 67573 **App. Type:** FUL 01/04/2022 Refused
Location: 34 Hillingdon Road, Whitefield, Manchester, M45 7QN
Proposal: Demolition of existing dwelling and erection of 1 no. replacement dwelling

Application No.: 68007 **App. Type:** FUL 18/03/2022 Approve with Conditions
Location: 14 Fairhaven Avenue, Whitefield, Manchester, M45 7QG
Proposal: Two storey front/side extension; Replacement of conservatory roof from glazed to tiled

Application No.: 68040 **App. Type:** FUL 05/04/2022 Approve with Conditions
Location: 8 Leyburn Close, Whitefield, Manchester, M45 7UE
Proposal: Raise ridge height of garage roof with dormers to existing detached garage

Application No.: 68044 **App. Type:** FUL 13/04/2022 Approve with Conditions
Location: 10 Parkstone Avenue, Whitefield, Manchester, M45 7QH
Proposal: Single storey rear extension

Application No.: 68134 **App. Type:** FUL 07/04/2022 Approve with Conditions
Location: 15 Lower Croft, Whitefield, Manchester, M45 7NS
Proposal: First floor extension at front; new porch

Ward: **Whitefield + Unsworth - Unsworth**

Application No.: 67859 **App. Type:** FUL 16/03/2022 Approve with Conditions
Location: Unsworth Academy, Parr Lane, Bury, BL9 8LP
Proposal: Siting of a 6 no. classroom modular building with associated landscape works including relocated car parking, playground and athletics facility

Application No.: 67901 **App. Type:** FUL 16/03/2022 Approve with Conditions
Location: 311 Hollins Lane, Bury, BL9 8BD
Proposal: Loft conversion and rear dormer with juliet balcony

Application No.:	68036	App. Type:	FUL	30/03/2022	Approve with Conditions
Location:	30 Brookdene Road, Bury, BL9 8ND				
Proposal:	Single storey front extension; Garage conversion				

Application No.:	68053	App. Type:	FUL	04/04/2022	Approve with Conditions
Location:	57 Sandown Road, Bury, BL9 8HW				
Proposal:	Single storey rear and side extension				

Application No.:	68070	App. Type:	FUL	07/04/2022	Approve with Conditions
Location:	3 Bowlee Close, Bury, BL9 8NQ				
Proposal:	Increased height to single storey side extension roof and part conversion of garage to living space				

Total Number of Applications Decided:	95
----------------------------------------------	-----------

This page is intentionally left blank

REPORT FOR NOTING

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	24 April 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:	Planning Appeals: <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 14/03/2022 and 14/04/2022**



Application No.: 66444/FUL

Decision level: COM

Recommended Decision: Approve with Conditions

Applicant: Mr Nicholas Mordin

Location: Brookhouse Farm, 218 Holcombe Road, Tottington, Bury, BL8 4BQ

Proposal: Demolition of existing garages/stables and erection of 1 no. dwelling

Appeal Decision: Allowed

Date: 12/04/2022

Appeal type: Written Representations

Application No.: 67263/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr & Mrs Rose

Location: 5 Holmfield Avenue, Prestwich, Manchester, M25 0BH

Proposal: Demolition of existing dwelling and erection of 1 no. dwelling

Appeal Decision: Allowed

Date: 18/03/2022

Appeal type: Written Representations



Appeal Decision

Site visit made on 4 April 2022

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th April 2022

Appeal Ref: APP/T4210/W/21/3287711

218 Holcombe Road, Tottington, BL8 4BQ

- 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 Nicholas Mordin against the decision of Bury Metropolitan Borough Council.
 - The application Ref 66444, dated 16 January 2021, was refused by notice dated 11 November 2021.
 - The development proposed is a single dwelling following the demolition of garages and stables.
-

Decision

1. The appeal is allowed and planning permission is granted for a single dwelling following the demolition of garages and stables at 218 Holcombe Road, Tottington, BL8 4BQ in accordance with the terms of the application, Ref 66444, dated 16 January 2021, subject to the conditions set out in Annex A.

Applications for costs

2. An application for costs was made by Mr Nicholas Mordin against Bury Metropolitan Borough Council. This application is the subject of a separate Decision.

Background and Main Issues

3. The appeal site lies in the Green Belt. In addition, the barn on the site is a Grade II Listed Building and the farmhouse and cottage attached to the barn are considered to be non-designated heritage assets. I take as my starting point the proposal's Green Belt location and the relevant policy context set out in the development plan and the *National Planning Policy Framework* (the Framework). It is necessary firstly to establish whether it represents inappropriate development in the Green Belt which requires consideration of its effect on the openness of the Green Belt, before going on to consider its effects on the setting of the Listed Buildings and other nearby heritage assets as well as the natural environment. In dealing with the effect on the setting of the Listed Buildings, I have had regard to the special duty placed on decision makers in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
4. Therefore the main issues in the appeal are;
 - Whether or not the proposal would be inappropriate development in the Green Belt for the purposes of the development plan and the Framework

having regard to the effect of the proposal on the openness of the Green Belt;

- The effect of the proposal on the setting of nearby heritage assets;
- The effect of the proposal on the natural environment; and
- if the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether inappropriate development and openness

5. Policy OL1/2 of the *Bury Unitary Development Plan (adopted August 1997)* (UDP) indicates that the construction of new buildings in the Green Belt is inappropriate development unless it is for one or more of a limited number of criteria listed in the policy.
6. Similarly, paragraph 149 of the Framework indicates that the construction of new buildings should be regarded as inappropriate development unless it is for one of the exceptions listed. This includes limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt than the existing development (paragraph 149 g)).
7. Whilst the proposed dwelling would not be for any of the forms of development listed in Policy OL1/2, this policy is not in full accordance with the Framework, as amongst other things, it does not include the provisions outlined above in paragraph 149 g).
8. It is not disputed by any party that the site forms previously developed land, and from my own observations, I would agree with this conclusion. However, to accord with this exception the proposal should not have a greater impact on the openness of the Green Belt. Openness is an essential characteristic of the Green Belt. It can be considered as meaning the absence of built, or otherwise urbanising, development.
9. The appeal site consists of a complex of buildings associated originally with a farm. These include a large stone building which comprises a barn, farmhouse and a cottage, together with a number of outbuildings located across the site. It is proposed to demolish the 5 outbuildings that comprise garages, stable blocks and a shed/woodstore and replace them with a split-level dwelling with a detached garage to the front. This would be located in a similar position to the existing garages.
10. The undisputed figures provided by the appellant indicate that the appeal scheme would result in a decrease in the footprint of buildings on the site of around 35%. Whilst the volume would increase by approximately 33%, the above ground volume would decrease by around 5%.
11. The width of the dwelling would be comparable to that of the garage block located in a similar position at present. Due to the screening provided by the hedge along the front boundary, the increase in the height of the building,

which like the garages would appear as a single storey building at the front, would not be readily discernible.

12. The rear of the dwelling would include a basement level. However, I observed that due to the topography and vegetation, there is minimal visibility of this part of the site from the footpaths to north-east and east of the site, even in winter. In addition, the removal of the stable blocks to the rear of the barn, at the south-western end of the site, would mean that the proposal would help to concentrate the built development on the site.
13. Whilst it is not possible to precisely compare the effect on openness of one building with that of several smaller buildings, taking into account the factors outlined above, I consider that both spatially and visually the proposal would not have a greater impact on the openness of the Green Belt.
14. Therefore, I consider that the appeal scheme would represent the partial redevelopment of a previously developed site which would not have a greater impact on the openness of the Green Belt. Consequently, although it would be contrary to Policy OL1/2 of the UDP, it would accord with the more recent national policy in the Framework. This is a material consideration of significant weight which outweighs the conflict with the development plan. Thus, I consider the proposal would not be inappropriate development in the Green Belt.
15. The Council have suggested that as the dwelling would be 2m higher than the existing garages it would be materially larger than the building it replaces and so would be inappropriate development. However, whether a new building is materially larger is the test in paragraph 149 d) of the Framework which relates to the replacement of buildings within the same use. This is not the case here. Similarly in Policy OL1/2 the test of whether a development is materially larger relates to a replacement of an existing dwelling by another dwelling. As such, whether the proposal is materially larger is not a relevant test to apply in the case.

Heritage assets

16. The existing barn, which is currently unused, is a Grade II Listed Building. The farmhouse and cottage which are attached to the barn and retain their residential use are considered to be non-designated heritage assets. The appeal site's location, to the north-east of the house, means that it forms part of the setting of these assets.
17. The barn, which dates from the mid-18th century, retains a number of key architectural features such as the cart entry on the elevation facing the road, the threshing floor and some stone flag stall dividers. The farmhouse has local historical significance due to its links with the Quaker Henry Wood.
18. Whilst the land where the house would be built previously formed part of the farm complex, it currently exhibits little in the way of agricultural character. Due to the intervening farmhouse and vegetation in its rear garden, there is minimal intervisibility between the site where the house would be built and the barn itself. Therefore, the contribution this part of the site makes to the significance of the heritage assets is limited.
19. The existing brick built garage building has a stone garage attached towards the rear of its side elevation. The material and design of the brick garage

- building detracts from the setting of the adjacent farmhouse as does the overgrown and neglected land and poor quality shed/log store to the rear of it.
20. The stable buildings are wooden structures with corrugated roofs located to the rear and the side of the barn. They are in a poor state of repair and are visible in views of the barn and across the site from Holcombe Road and Brookhouse Mill Lane. They too detract from the setting of the listed barn and the non-designated heritage assets. As such, the removal of the various outbuildings would have a positive impact on the setting of the heritage assets and would improve views of the barn from the south and south-west.
21. The proposed dwelling would be built from stone and would use natural stone roofing tiles. In addition, the design incorporates architectural detailing found on the farmhouse such as quoins, and stone mullions, sills and lintels. The eaves and ridge height of the building would be lower than those on the adjacent farmhouse and cottage, which together with the distance that would be maintained between them would ensure the proposed dwelling would not compete with them. Landscaping around the site can be controlled by condition to ensure it creates an appropriate rural character. As a result, I consider that the proposed dwelling would be sympathetic to the adjacent heritage assets.
22. In addition, as part of the appeal scheme it is proposed to complete a schedule of works to the barn. These have been agreed with the Council's Conservation Officer and would improve its condition.
23. Thus overall, I consider the appeal scheme would have a positive impact on the setting of the Listed Building and the non-designated heritage assets. Accordingly, there would be no conflict with UDP Policy EN2/3 which requires that developments safeguard the character and setting of Listed Buildings. Nor would it be contrary to the Framework which seeks to conserve and enhance the historic environment.

Natural Environment

24. The application was accompanied by a bird and bat report which concluded that both the buildings that are to be demolished, and the existing trees offered negligible bat roost potential, although the trees would provide valuable foraging/commuting habitat. It also concluded that the proposal would not have any impact on specially protected bird species such as Barn Owls. The site would however provide nesting habitat for common species, so the report recommends that a condition be used to prevent sensitive works during the nesting season.
25. The proposed development would not result in the loss of any trees on the site. Whilst part of the front boundary hedge would be lost to enlarge the existing vehicular access, the rest of the hedge would be retained and reinforced by additional native planting. The report also recommends a variety of other biodiversity measures including the provision of bat, bird and invertebrate features and a hedgehog home to compensate for the loss of scrub and provide biodiversity enhancement. The provision of these can be controlled by condition.
26. The Council has not disputed the findings of this report, nor have they provided any evidence as to why the proposed mitigation measures would be unacceptable. In the absence of any evidence to the contrary, I consider that

subject to various conditions, the proposed development would not have a detrimental impact on the natural environment and would be likely to enhance biodiversity on the site.

27. The reason for refusal also refers to sustainable building measures. However, the Council's appeal statement only mentions the lack of evidence from the appellant relating to mitigation measures for the loss of trees and scrub and any biodiversity enhancement. As such, it provides no further indication of what they consider is required in this respect. The proposed dwelling would be required to be built according to the current Building Regulations which require any new dwelling to incorporate a range of sustainability measures to address climate change. In the absence of any specific policies in the development plan requiring anything above this, I am satisfied that the proposal would not have a detrimental impact on the natural environment in this regard.
28. All in all, I am satisfied that, subject to conditions, the proposed development would have a beneficial impact on the natural environment. Consequently, I consider that the proposed development would not conflict with the Framework which seeks to ensure the protection and enhancement of the natural environment and improvements to biodiversity.

Other Matters

29. Third parties have suggested that the appeal scheme could set a precedent for further developments on adjoining land. However, each application and appeal must be determined on its individual merits and any future application would have to be determined on the basis of relevant development plan and national policies at the time. Therefore, a generalised concern of this nature does not justify withholding permission in this case.
30. I note the various concerns raised by local residents regarding highway and pedestrian safety issues that may result from the proposal. However, I note that subject to conditions, there is no objection to the proposed development from the Highway Engineer. In the light of this, and observations made during my site visit, I am satisfied that the proposed scheme would not have an unacceptable impact on highway and pedestrian safety in the area. In addition, there are no persuasive reasons to believe that the proposed development would have any detrimental impact on flooding in the area.

Conclusion and Conditions

31. The proposed development would not be inappropriate development in the Green Belt and so there is no need to demonstrate very special circumstances. Moreover, it would have a beneficial impact on the nearby heritage assets and the natural environment. I therefore conclude that the appeal should be allowed.
32. In addition to the standard implementation condition, to provide certainty it is necessary to define the plans with which the scheme should accord. In the interest of the character and appearance of the area conditions are required to control the external appearance of the development, the finished floor levels, the removal of the specified outbuildings and the landscaping of the site. I have altered the suggested wording of the latter to ensure it incorporates more of the measures outlined in the Bat and Bird report. The condition relating to the removal of the other outbuildings is a pre-commencement condition as the

acceptability of the development in the Green Belt is based on their removal from the site.

33. As the site is previously developed land, and given the sensitive nature of the end use, conditions to assess the potential for contamination and to outline measures of how any contamination would be dealt with are necessary. The first of these needs to be a pre-commencement condition as it relates to works that have to be undertaken before the start of construction.
34. For highway safety reasons conditions are necessary to ensure the work to the access and the provision of the visibility splays and the parking and turning facilities are all done before the dwelling is first occupied, and to prevent the subsequent conversion of the garage. For succinctness I have combined the provision of the parking and turning facilities into one condition. However, as the development is for a single dwelling, I am not persuaded that a condition requiring a Construction Traffic Management Plan is necessary. The provision of electric vehicle charging points will be required under the Building Regulations from June this year. Nevertheless, in advance of this to assist in the change to low emission vehicles a condition for the provision of an electric vehicle charging point is necessary.
35. To ensure the adequate drainage of the site a condition is required to ensure it is carried out in accordance with the approved plans. In the interests of nature conservation and ecology conditions to control the removal of invasive species, to prevent certain works during the bird nesting season and to ensure adequate protection to the retained trees and shrubs, are required. The first and last of these need to be pre-commencement conditions as the first relates to ground clearance works and the other needs to ensure adequate protection is provided during the construction phase.
36. The Planning Practice Guidance makes clear that conditions to restrict permitted development rights should only be used in exceptional circumstances. However, in this case as the acceptability of development in the Green Belt is related to its size in relation to the buildings being removed on the site, I consider a condition to control certain of these rights on the approved house is necessary to protect the openness of the Green Belt. However, I have altered the wording as removing such rights on the existing houses is not justified.
37. For conservation and heritage reasons a condition to ensure the works to the Listed Building on the site are carried out before the development is occupied is necessary.
38. Where necessary and in the interests of precision and enforceability I have altered the wording of the suggested conditions. In accordance with Section 100ZA of the Town and Country Planning Act 1990, the appellant has provided written agreement to the pre-commencement conditions.

Alison Partington

INSPECTOR

Annex A

Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Drg. No. 20-06-01; Existing Site Survey Plan Drg. No. 20-06-05A; Existing Garages Roof Plan & Elevations Drg. No. 14-06-06; Proposed Block Plan and Building Plan Drg. No. 20-06-27 B; Proposed Elevations 1 of 2 Drg. No. 20-06-28 B; Proposed Elevations 2 of 2 Drg. No. 20-06-29; and Proposed Street Elevation and Section Drg. No. 20-06-19 D.
- 3) No development above ground level shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall commence unless and until:
 - a) a contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site has been submitted to, and approved in writing by, the local planning authority.
 - b) where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment has been submitted to, and approved in writing by, the local planning authority;
 - c) where remediation/protection measures is/are required, a detailed Remediation Strategy has been submitted to, and approved in writing by, the local planning authority.
- 5) If remediation of the site is required, it shall be carried out in accordance with the approved Remediation Strategy and 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 first occupation of the development hereby permitted.
- 6) The development hereby permitted shall not be first occupied unless and until the access improvements and bin storage arrangements indicated on approved plan Drg. No. 20-06-27 B, incorporating the widening of the footway abutting the site, all necessary alterations to the existing footway crossing, demarcation of the limits of the adopted highway as a result of the highway works, relocating the 450mm high boundary wall, relocating the pedestrian gate pillars behind the visibility splay shown, inward opening gates set back from the adopted highway and new driveway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway, have been implemented in full.
- 7) The visibility splays shown on approved plan Drg No. 20-06-27 B shall be implemented before the first occupation of the development hereby

permitted and they shall subsequently be maintained free of obstruction above the height of 0.6m.

- 8) The parking and turning facilities, including the garage space, indicated on approved plan Drg. No. 20-06-27 B shall be provided before the first occupation of the development hereby permitted and they shall thereafter be kept available at all times for those purposes.
- 9) The garage associated with the development hereby permitted shall not be converted to additional living accommodation.
- 10) The development hereby permitted shall not be first occupied until an electric vehicle charging point has been installed. The charge point shall be chosen from the Electric Vehicle Home Charge Scheme approved charge point model list.
- 11) The drainage for the development hereby approved, shall be carried out in accordance with principles set out in approved plan Drg. No. 20-06-27 B. For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Furthermore, foul and surface water shall be drained on separate systems.
- 12) No works to trees or shrubs shall occur between 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance.
- 13) Prior to any vegetation clearance, earthworks or demolition a survey for invasive plant species, including Himalayan Balsam shall be undertaken and submitted to the local planning authority. If any invasive species are found to be present a method statement detailing avoidance, control and eradication measures should be submitted to, and approved in writing by, the local planning authority, prior to the commencement of any earthworks.
- 14) No development above ground level shall take place until full details of both hard and soft landscape works with an associated implementation plan, have been submitted to, and approved in writing by, the local planning authority. The hard landscape details shall include proposed finished levels or contours; means of enclosure and hard surfacing materials. The soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of native plants and trees, noting species, plant/tree sizes and proposed numbers/densities and the implementation programme. The scheme shall also include the provision for bats, birds and invertebrates and a hedgehog home as set out in the "Inspection and Assessment in relation to Bats and Breeding Birds" document dated December 2020.

The approved scheme shall thereafter be implemented not later than 12 months from the date the development hereby permitted 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.

- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order

revoking and re-enacting that Order with or without modification), no development shall be carried out within the terms of Classes A to E of Part 1 of Schedule 2 of the Order, at the dwelling hereby permitted.

- 16) The finished floor levels shall be as indicated on approved plan Drg. No. 20-06-27 B.
- 17) No development shall take place until the buildings indicated in pink on submitted plan Drg. No. 20-06-05-A have been demolished and all arising materials have been removed from the site (or the arising materials re-used or retained in a position on site to be agreed by the local planning authority and thereafter so retained).
- 18) Prior to the first occupation of the development hereby permitted, the Proposed Works Schedule ref WS1 dated 14/09/2021 for the carrying out of the works to the Listed Barn Building shall be carried out and completed by a suitably experienced and qualified person and following completion, evidence shall be provided within 1 month of the completion date to the local planning authority that the works have been carried out and completed in accordance with the approved Works Schedule.
- 19) All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

Costs Decision

Site visit made on 4 April 2022

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12th April 2022

Costs application in relation to Appeal Ref: APP/T4210/W/21/3287711 218 Holcombe Road, Tottington, BL8 4BQ

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Nicholas Mordin for a partial award of costs against Bury Metropolitan Borough Council.
 - The appeal was against the refusal of planning permission for a single dwelling following demolition of garages and stables.
-

Decision

1. The application for a partial award of costs is allowed in the terms set out below.

Reasons

2. The *Planning Practice Guide* (PPG) advises that parties will normally be expected to meet their own costs in relation to appeals, and that costs may only be awarded against a party who has acted unreasonably, and thereby caused the party applying for costs to incur unnecessary, or wasted, expense in the appeal process.
3. The partial award of costs relates to the second and third reason for refusal which relate to the effect of the proposal on the natural environment and on the setting of the Listed Building and the non-designated heritage assets on the site.
4. The application is made on substantive grounds. It is argued that in refusing the application the Council has made vague, generalised assertions about the proposal's impact, which are unsupported by objective analysis. In addition, it is claimed that, in relation to the second reason for refusal, the Council have refused planning permission on a ground capable of being dealt with by condition. The PPG indicates that, in such circumstances, costs may be awarded against an authority.

Natural environment

5. The second reason for refusal relates to the impact of the proposal on the natural environment and sets out the parts of the *National Planning Policy Framework* (the Framework), to which the Council consider the scheme would be contrary. The Council's appeal statement indicates that as no details were provided on mitigation measures for the loss of trees and scrub or any biodiversity enhancement measures it was not possible to assess whether adequate mitigation would be provided.

6. However, the application was accompanied by an "Inspection and Assessment in relation to Bats and Breeding Birds" report. This not only assessed the impact of the proposal on protected species but set out a range of recommended biodiversity enhancement measures. Whilst I accept this does not give full details of the measures, both the Officer's report and the comments of the Council's ecological advisors, which are recorded in the Officer's report, indicate in the light of this evidence and subject to conditions the proposal would be acceptable and in accordance with the Framework.
7. Whilst the Committee of the Council responsible for determining planning applications is not required to accept the recommendations of its Officers, in circumstances where the professional advice of Officers is not followed, it is reasonable to expect the authority to be able to produce relevant evidence on appeal to support the decision.
8. However, no evidence has been provided in the Council's appeal statement as to why it was considered the mitigation and enhancement measures suggested would not be able to provide adequate mitigation and enhancement on the site. Nor does it indicate why, as advised by its technical advisors, conditions would not be able to satisfactorily deal with any outstanding matters of detail.
9. Whilst the PPG does advise that the use of pre-commencement conditions and those requiring the submission of outstanding details should be limited, it qualifies this as other than where they would clearly assist with the efficient and effective delivery of the development, such as would be the case here.
10. I note the Council has declared a climate emergency and that it gives great weight to this but there is no indication on how this is affecting the determination of planning applications in general. More specifically, at appeal no evidence has been provided on why this scheme should incorporate sustainable building measures over and above the requirements of the Building Regulations.
11. Given this, I consider that with regard to this reason for refusal the Council have acted unreasonably in not providing evidence underpinned by objective analysis to support their decision and in refusing a matter that could have been dealt with by a condition. This unreasonable behaviour has resulted directly in the need to contest this reason for refusal at appeal.

Heritage Assets

12. The application was accompanied by a Heritage Statement that concluded that the appeal proposal would have a beneficial impact on the setting of both the Listed Building and the non-designated heritage assets and the Officer's report noted that the Council's Conservation officer raised no objections to the scheme.
13. As indicated above, whilst the Committee of the Council responsible for determining planning applications is not bound by the technical advice given by its Officers and can give different weight to matters in the planning balance, it is reasonable to expect evidence to support their decision at any appeal.
14. Whilst the Council's appeal statement indicates the siting close to the east of the non-designated heritage asset would not preserve its setting no objective analysis has been provided to support this assertion. Nor is there any substantive evidence on how it is considered the appeal scheme would harm

the listed building and its setting. Moreover, in the appeal statement no account appears to have been taken of the benefits that would arise through the removal of the outbuildings that currently detract from the setting of the heritage assets.

15. In the light of this, I consider that with regard to the third reason for refusal the Council have acted unreasonably in not providing evidence underpinned by objective analysis to support their decision. This unreasonable behaviour has resulted directly in the need to contest this reason for refusal at appeal.

Conclusion

16. I therefore find that unreasonable behaviour resulting in unnecessary and wasted expense, as described in the PPG, has been demonstrated and that a partial award of costs is justified.

Costs Order

17. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Bury Metropolitan Borough Council shall pay to Mr Nicholas Mordin, the costs of the appeal proceedings described in the heading of this decision limited to those costs incurred in dealing with matters relating to the second and third reasons for refusal; such costs to be assessed in the Senior Courts Costs Office if not agreed.
18. The applicant is now invited to submit to Bury Metropolitan Borough Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

Alison Partington
INSPECTOR



Appeal Decision

Site visit made on 22 February 2022

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2022

Appeal Ref: APP/T4210/W/21/3283822

5 Holmfield Avenue, Prestwich M25 0BH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Rose against the decision of Bury Metropolitan Borough Council.
 - The application Ref 67263, dated 7 July 2021, was refused by notice dated 2 September 2021.
 - The development proposed is the demolition of the existing dwelling and erection of a new detached single dwelling house.
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing dwelling and erection of a new detached single dwelling house at 5 Holmfield Avenue, Prestwich M25 0BH in accordance with the terms of the application, Ref 67263, dated 7 July 2021 subject to the conditions in the attached schedule.

Applications for costs

2. An application for costs was made by Mr and Mrs Rose against Bury Metropolitan Borough Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site consists of a detached dwelling which is situated towards the end of a short cul-de-sac. Other properties are mainly semi-detached with a short terrace row at the head of the cul-de-sac. Some of the properties have been subject to alterations but there is a strong degree of uniformity in the character of the area provided by the two storey bays with gable features above, the hipped roof arrangements and the use of brick as the facing material.
5. The central part of the proposed dwelling's front elevation would retain the simple appearance of the existing dwelling in that it would incorporate a two-storey bay feature with the main entrance doorway replicating the appearance of the existing front entrance. The single storey garage to the side of the existing dwelling would be replaced by a two-storey element that would be set

back at first floor level from the main front elevation. The front dormer proposed would also in itself appear as a modest addition.

6. However, the proposed dwelling would have a splayed element on its western side which, despite being setback from the front elevation, would not reflect the regular layout of properties in the area. Furthermore, the roof of the proposed dwelling would not respect the hipped roof form of the existing dwelling or the majority of the properties in the vicinity of the site. Rather, the confluence of differing roof heights at various angles, as well as the unusual plan layout of the proposed dwelling would result in it having a disjointed appearance.
7. As a result, I conclude that the proposed development would have an adverse effect on the character and appearance of the area. As such, it would be contrary to Policies H2/1, H2/2 and EN1/2 of the Bury Unitary Development Plan, which seek, amongst other matters, for all new residential development to make a positive contribution to the form and quality of the surrounding area. It would also conflict with the National Planning Policy Framework, which seeks, at paragraph 130, for development to add to the overall quality of an area.
8. The appellant has set out that the existing dwelling has been granted planning permission¹ for various extensions and alterations that would result in an identical development to the appeal proposal. The Council do not dispute that the appeal development would replicate the previously approved scheme but have indicated that it may not be possible to structurally construct the fallback scheme. There is nothing before me that indicates any structural matters would prevent the extensions to the existing house and the appellant has stated the rationale for the appeal proposal is that it would be more cost effective. As such, I have no reason to doubt the likelihood of it being implemented if this appeal was to fail.
9. The Council has also referenced the lack of pre-application engagement and the planning history of the site, including the use of permitted development rights as fallback positions. Be that as it may, and whilst noting the references to high design expectations in national guidance as set out in one of the referenced appeals, the end result of the appeal proposal would be the same as the referenced fallback position. Consequently, and unlike the approach in one of the referenced appeals, the proposal would have the same effect on the character and appearance of the area as the fallback position and not cause greater harm.
10. I appreciate that with the proposed demolition of the existing dwelling, there was an opportunity to design an entirely new property rather than replicating the appearance of the older dwelling with extensions. Nevertheless, I am required to determine the appeal before me on its own merits.
11. I have also considered the representations by interested parties, including concerns in relation to parking and the effect on living conditions. As the proposal would result in the same end development as the fallback scheme, it would have no greater impact in these regards. None of the other comments made would outweigh my overall conclusion.

¹ LPA Ref: 66765

Conditions

12. I have considered the conditions suggested by the Council and other parties, having regard to the six tests set out in the Framework. For the sake of clarity and enforceability, I have amended the wording of the suggested conditions as appropriate.
13. A condition is necessary requiring the submission of materials in the interests of the character and appearance of the area and for car parking and refuse storage facilities to be provided to ensure adequate such provision is provided within the site. Although the development is for a single dwelling, a Construction Traffic Management Plan (CTMP) is required given the proposal involves the demolition of the existing dwelling and the location of the site on a narrow cul-de-sac. This condition can incorporate details in relation to asbestos to ensure that any such material on site is disposed appropriately. It is essential for details relating to the CTMP to be a pre-commencement condition to ensure there are no adverse effects arising on highway safety or on living conditions.
14. As the appeal site is already occupied by a dwelling and that it was previously open land, I do not consider the suggested conditions relating to contaminated land are necessary. I am also not persuaded that conditions are required in relation to landscaping or sustainable drainage as the site already accommodates a dwelling which has a garden. A further condition has been put forward requiring the provision of an electric vehicle charging point. From the information before me, there is no local policy justification and I can only see this as an aspirational matter. The development would not be unacceptable without it.

Conclusion

15. For the reasons given above, having considered the development plan as a whole, the approach in the Framework and all other relevant material considerations, the appeal is allowed.

F Rafiq

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site – Location and Block Plan (DA19130.3. 001. Rev 2), Existing GA Plans and Elevations (DA19130.3. 002. Rev 1), Landscaping Plan – Existing (DA19130.3. 004. Rev 1), Proposed GA Plans and Elevations (DA19130.3. 003. Rev 4), Landscaping Plan – Proposed (DA19130.3. 005. Rev 1) and Streetscene Elevations (DA19130.3. 206).
- 3) No above ground works shall take place until samples of all external facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
- 4) No demolition/construction shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority in writing and shall confirm/provide the following:
 1. Hours of operation and number of vehicle movements;
 2. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 3. Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials;
 4. 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; and
 5. An asbestos survey undertaken by an appropriately qualified person to include details of any asbestos identified and the method of disposal.

The approved CTMP 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.
- 5) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use.
- 6) The refuse storage facilities indicated on the approved plans reference DA19130.3. 005 Rev 1 (date 07/12/2020) shall be implemented and made available for use prior to the development hereby approved becoming first occupied and shall thereafter remain available at all times.

The Ombudsman's final decision

Summary: We will not investigate Mr X's complaint about the Council's handling of his concerns about his neighbour's development constructed under 'permitted development'. This is because there is not enough evidence of fault by the Council.

The complaint

1. The complainant, Mr X, complains the Council has decided his neighbour's development does not require planning permission, Mr X disagrees with the Council's decision as he says the development does not comply with local and national planning policies.

The Ombudsman's role and powers

2. We investigate complaints about 'maladministration' and 'service failure', which we call 'fault'. We must also consider whether any fault has had an adverse effect on the person making the complaint, which we call 'injustice'. We provide a free service, but must use public money carefully. We may decide not to start an investigation if the tests set out in our Assessment Code are not met. (*Local Government Act 1974, section 24A(6), as amended*)
3. We cannot question whether a council's decision is right or wrong simply because the complainant disagrees with it. We must consider whether there was fault in the way the decision was reached. (*Local Government Act 1974, section 34(3), as amended*)

How I considered this complaint

4. I considered information provided by Mr X and the Ombudsman's Assessment Code.

Background

5. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows certain development without the need for planning permission. This is known as 'permitted development'. Permitted development rights are subject to limitations and exclusions, but when a proposal falls within the parameters of development allowed by the Order it will not require planning permission. Where development fails to comply with the limitations of permitted development or the plans approved as part of an application for planning permission it can be described as a breach of planning control.

-
6. Building control deals with the process of inspecting work for compliance with the Building Regulations. The Building Regulations set standards for the design and construction of buildings to ensure the health and safety of people in and about those buildings.

My assessment

7. Mr X refers to various planning policies which set standards for the design of new development and limits on issues including its impact on neighbour amenity and the character and appearance of an area. But these issues are not relevant to Mr X's neighbour's development as it does not require planning permission and the policies do not therefore apply.
8. Mr X disagrees with the Council's view on this point but I have seen no basis to question it. His complaint suggests that because the development involves changes to an existing flue or soil/vent pipe it cannot be considered permitted development under Class B of the 2015 Order. But the Council has explained the changes to the flue or soil/vent pipe are themselves permitted development under Class G and the government's technical guidance confirms that while such changes "*are not permitted development under Class B of Schedule 2 to the Order, they may be permitted development under Class G.*" I cannot therefore accept Mr X's statement that Class G is irrelevant to his neighbour's development and there is no basis for me to criticise the Council's interpretation on this point or to show the development requires planning permission.
9. Mr X also suggests his neighbour's failure to comply with planning policies show the development breaches the Building Regulations, but this is an entirely separate issue as set out at Paragraph 6 above. Building control does not take account of the design or appearance of a development and the Council's building control function is not engaged in this matter as Mr X's neighbour has decided to instruct a private company to monitor compliance with the Regulations. The private company will consider the construction methods and safety of the development constructed but cannot look at issues such as the impact of the development on neighbour privacy.

Final decision

10. We will not investigate this complaint. This is because there is not enough evidence of fault by the Council.

Investigator's decision on behalf of the Ombudsman

This page is intentionally left blank

REPORT FOR NOTING

Agenda Item 7

Bury
COUNCIL

**Agenda
Item**

7

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	26th April 2022
SUBJECT:	REVIEW OF DEVELOPMENT MANAGEMENT VALIDATION CHECKLIST CRITERIA
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 outlines the review of the Council's local checklists that are required for the validation process of planning applications submitted.
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to note the report.
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 N/A
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	N/A
Considered by Monitoring Officer:	N/A
Wards Affected:	ALL
Scrutiny Interest:	N/A

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

1.0 Background

- 1.1 There are national requirements setting out what information is required to make a valid application for planning permission but a local planning authority may also publish a local validation checklist specifying its own local requirements for the supporting information required to make a valid application for planning permission. Local information requirements have no bearing on whether a planning application is valid unless they are set out on such a list.
- 1.2 Information included on local validation checklists should be:-
 - reasonable having regard, in particular, to the nature and scale of the proposed development; and
 - about a matter which it is reasonable to think will be a material consideration in the determination of the application.
- 1.3 The Government advises that local validation checklists should be reviewed every two years.
- 1.4 Bury's checklists were updated in March 2020? and updated in September 2020? to incorporate Sustainable Urban Drainage Systems information to bring a uniform approach across the whole of Greater Manchester.
- 1.5 This report sets out the required review process that has been undertaken.

2.0 Bury's Checklists

- 2.1 Bury has always acted in a reasonable way in terms of validating applications and it has not insisted on reports being submitted for submitting sake, simply because an item is on a checklist. Instead, the Local Planning Authority has always been reasonable, and always considered what a development is and whether the proposals can reasonably be consulted upon and determined with the submitted information. Where it was considered that information was required, this is requested. Where an agent or applicant disagreed, an application will be validated and will be considered on its merits, taking on board the representations made by an applicant or their agent.
- 2.2 It is reasonable that all participants in the planning process are operating on a level playing field with no ambiguity over what is needed to accompany a development proposal, so that all who are involved, including the public during consultation, can see and understand a development proposal.

- 2.3 The validation checklist criteria adopts a Greater Manchester wide standard by which information accompanying planning applications can start and ensure that applications are reasonably standardised when submitted.
- 2.4 It must be noted that the process of validation is not a judgement on the merits of a scheme. Validation is about whether there is sufficient information to understand a proposal and consult upon it. The assessment process is then carried out by the team, who then determines the acceptability of a proposal, following the usual steps of consultation and consideration and where required, referral to the planning committee for determination.
- 2.5 It must be noted that the process of validation is not a judgement on the merits of a scheme. Validation is about whether there is sufficient information to understand a proposal and consult upon it. The assessment process is then carried out by the team, who then determines the acceptability of a proposal, following the usual steps of consultation and consideration and where required, referral to the planning committee for determination.

3.0 Conclusion

- 3.1 The validation checklists (link below) have been checked and are considered to reflect the current requirements for planning applications, in light of legislation, guidance and updates from the NPPF, no changes are proposed.
- 3.2 If Committee agree with the report that no changes are necessary, an announcement to this effect will be published on the Council's website and the local validation checklists will be republished without any changes.

List of Background Papers:-

SI. 2015 - No. 595 - Town & Country Planning (Development Management Procedure)(England) Order 2015

Validation checklists – <https://www.bury.gov.uk/index.aspx?articleid=10770>

Contact Details:-

David Marno

Head of Development Management

Department for Business, Growth and Infrastructure

3 Knowsley Place

Bury

BL9 0EJ

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

This page is intentionally left blank