

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), S Arif, C Boles, D Duncalfe, D Green, J Harris, M Hayes, D Quinn, S Thorpe, D Vernon and M Walsh

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, 28 June 2022
Place:	Learning Hub Room, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	https://councilstream.com/burycouncil

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

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

3 MINUTES OF THE MEETING HELD ON THE 31ST MAY 2022 (Pages 3 - 4)

Minutes of the meeting held on Tuesday the 31st May 2022 are attached.

4 PLANNING APPLICATIONS (Pages 5 - 36)

Reports attached.

5 DELEGATED DECISIONS (Pages 37 - 48)

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 49 - 56)

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

7 URGENT BUSINESS

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

Minutes of: PLANNING CONTROL COMMITTEE

Date of Meeting: 31 May 2022

Present: Councillor G McGill (in the Chair)
Councillors S Arif, C Boles, D Duncalfe, J Harris, M Hayes,
D Quinn, S Thorpe and M Walsh

Also in attendance: Councillors S Donnelly, T Pilkington and A Quinn

Public Attendance: 15 members of the public were present at the meeting.

Apologies for Absence: Councillor D Green and Councillor D Vernon

PCC.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors D Green and D Vernon.

PCC.2 DECLARATIONS OF INTEREST

Councillor Walsh declared a personal interest in planning application 67400 as she had attended school with the applicant.

Councillor Walsh would remain in the meeting during deliberation of the application.

PCC.3 MINUTES OF THE MEETING HELD ON THE 26TH APRIL 2022

Delegated decision:

That the Minutes of the meeting held on the 26th April 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 number 65844.

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

Delegated decisions:

1. That the Committee **Refused** the following application contrary to Officers recommendation as per the report and any supplementary information submitted, on the grounds of flood risks and highways issues with the road junction exceeding capacity:-

Former Mond/ Holcombe Mill, Bridge Street, Ramsbottom, Bury, BL0 0BS

Erection of 73 no. dwellings including the retention and conversion of 2 existing buildings to residential use (5 no. units), the retention of a chimney and the demolition of a derelict building, together with engineering operations to create a development platform and associated parking, landscaping, drainage, the layout of internal estate roads and footways and other associated works

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

Hollins House Farm, 247 Hollins Lane, Bury, BL9 8AS

Conversion of existing single storey barn to form 1 no. dwelling and replacement of two storey barn with an attached two storey 1 no. 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 and enforcement 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 8.20pm)

Title	Planning Applications
To:	Planning Control Committee
On:	28 June 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.

1 **Township Forum - Ward:** Prestwich - St Mary's **App No.** 67586

Location: 11 Highfield Road, Prestwich, Manchester, M25 3AW
Proposal: Change of use of existing residential dwelling (Class C3) to residential institution (Class C2) with associated internal and external alterations
Recommendation: Approve with Conditions **Site Visit:** N

2 **Township Forum - Ward:** Ramsbottom + Tottington - Tottington **App No.** 68286

Location: Cosalea, Walshaw Park House, Walshaw Road, Bury, BL8 1PY
Proposal: Variation of conditions following approval of applications 63857 & 66758 to change existing opening hours; Condition 5 - Extension to existing opening hours requested;
Monday - Thursday 07:30 - 11:00pm
Friday 07:30 - 00.00
Saturday 08:00 - 00:00
Sunday 08:00 - 11:30pm
Other bank and public holidays 12:00 - 11:30pm
Day proceeding a bank holiday 12:00 - 00:00
Recommendation: Approve with Conditions **Site Visit:** N

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Ward: Prestwich - St Mary's

Item 1

Applicant: Mosscafe St.Vincent's

Location: 11 Highfield Road, Prestwich, Manchester, M25 3AW

Proposal: Change of use of existing residential dwelling (Class C3) to residential institution (Class C2) with associated internal and external alterations

Application Ref: 67586/Full

Target Date: 03/06/2022

Recommendation: Approve with Conditions

Description

The proposal relates to a large 5 bedroom detached dwelling situated in a predominantly residential area, close to Prestwich town centre and Metrolink station. The site is flanked by 3 storey flats to the south and mature suburban housing to all other sides. The side and rear boundaries are formed by a mix of close boarded timber fencing and hedgerow and the front boundary by low walling with iron railings. There is a significant area of hardstanding that could accommodate at least 6 vehicles, accessed by two separate vehicular driveways off Highfield Road that are connected within the site.

The application proposes a change of use from a dwellinghouse (Class C3) to a residential respite centre for adults (Class C2).

Background

The identified end user of the facility would be Maytree Respite Centre, a national registered charity. It provides a residential service and offers befriending, support and comfort for people with mental well-being issues and in suicide crisis for 365 days of the year. Amongst other services, Maytree offer a residential service which offers free four-night/5-day stays for adults over the age of 18, aiming to provide a safe, confidential and non-medical environment for their guests.

The applicant was previously successful in gaining planning permission, on behalf of Maytree, for a similar proposal at 46 Rectory Lane, Prestwich (Ref. 64975). However, the purchase of the property could not proceed, resulting in alternative provision having to be sought.

Mental well-being has become increasingly acknowledged as a problem in today's society and the Manchester area has been identified as lacking such a facility. Despite the setback in relation to the site at Rectory Lane, the applicant and Maytree remain committed to the delivery of Greater Manchester's first facility of this type in Prestwich, to maximise the opportunity to join up with the range of mental health charities and facilities in the locality.

The property itself would provide the level of accommodation and space which would be required for a facility of this type and scale.

The proposal

The proposal is for the change of use of the residential dwelling (Class C3) to residential institution (Class C2) with associated internal and external alterations comprising the following detailed elements:

The property would accommodate a maximum of 4 guests at any one time, all of whom would be adults and who would be subject to a thorough assessment. Maytree Respite Centre has a strict no drugs or alcohol policy and does not offer accommodation to anyone who is currently misusing illegal substances and/or alcohol. Furthermore, the property would not be used as accommodation for anyone that is currently street homeless, experiencing a

psychotic episode or is diagnosed with acute mental health issues that require specialist medical support.

Guests would arrive on the same agreed day, stay four nights (five days) and leave on an agreed day.

The property would be staffed 24 hours a day, 7 days a week by paid and volunteer staff, operating a 24 hour shift system.

The property will be staffed from 8AM to 8PM by paid members of staff and will include 1 No. Co-ordinator (8AM-4PM) and 1 No. Co-ordinator (noon-8PM), 1 No. Team Assistant (9AM-5PM), and occasionally 1 No. Outreach Worker (9AM-5PM). There will also be volunteers covering a shift of 3.5 hours. It is also anticipated that there will be 2 volunteers per shift with 2 volunteers covering sleepover shifts (10PM-8AM).

The maximum number of people at the property (including staff, volunteers and guests) will be up to 12, during the handover of a shift, this would last for approximately 30 minutes.

There would be periods where there are no guests staying at the property, but staff would remain with the minimum of 2 staff being on-site.

Internally, the accommodation would be modified but not to significant degree. It is proposed to convert the garage space to habitable accommodation and overall there would be 1 No. counselling room, 1 No. Lounge, 5 No. guest bedrooms (including 1 at ground floor level in place of the existing integrated garage), 1 No. staff bedroom and 1 No. office room, as well as kitchen, dining, storage and utility space.

Externally, the garage door opening would be substituted with a window and door and access ramps would be installed to the front, side and rear elevations.

It is proposed to provide 3 parking spaces on the driveway (one dedicated disabled persons parking space and two further spaces to improve inclusivity for guests, staff and volunteers), having initially indicated that 6 cars would be accommodated.

A Transport and Parking Policy for the site has been submitted which emphasises the commitment to sustainability, criteria and procedure for allocating and managing parking spaces. There is a presumption that staff and volunteers will use sustainable transport unless they fulfil criteria that would enable them to request the use of a parking bay. To facilitate the use of sustainable travel the facility would provide changing and showering facilities, secure cycle locker, cycle to work scheme and loans for the purchase of travel tickets. By comparison, the London facility has no parking and the use of transport not involving personal vehicles is accepted practice.

Relevant Planning History

No relevant history

Publicity

The proposal has been advertised by direct neighbour notification letter. 8 representations have been received objecting to the proposal on the following grounds:

Traffic and highway safety

Highfield Road already has a traffic problem, being the location of a school and frequently used as a rat run and traffic flow is a severe problem that would be exacerbated with the additional vehicles visiting the property. There have been numerous hit and runs in the locality.

The proposed parking is not adequate for the number of guests, staff and visitors that would

be coming to the site. This would be worse at changeover times when there are likely to be 12 people on site. There would be overspill parking onto adjacent private car parks causing problems for existing residents (which would be exacerbated due to local on-street parking restrictions).

Amenity and safety

Clientele would not require peaceful and discrete accommodation which would not be possible on this very busy street, noise and disruption.

The change of use of such a large building would dominate and be overbearing in this residential street.

It is assumed that many of the 'guests' for this project will be drug/alcohol abusers and the location would therefore be unsuitable due to their lower inhibitions that can cause aggressive behaviour (to themselves and the public). The facility would be managed by a few non-medical staff supported by volunteers of unknown capabilities, and not at all after 8pm, and it is not apparent whether 'guests' would be subject to a curfew.

The proposal would impact on residential amenity and wellbeing contrary to Article 1 of the Human Rights Act due to the 24 hour operation, disruption, loss of privacy, noise and potential exposure to extreme events requiring emergency service intervention.

Other matters

The property is not suitable for the intended use as it falls within a residential area with resident families and a primary school. Young school children could potentially witness guests during a crisis which could be distressing.

The use would deprive existing residents of neighbours, which erodes the sense of community and fellowship that is brought by resident neighbours.

There could be 'mission creep' where the property could be used/extended for other purposes and housing more antisocial elements of society without further consultation.

The most impacted residents have not been advised or consulted of the application.

It is understood this company has had its previous application for Rectory Lane, Prestwich refused ?

The proposal would have a negative impact on residential values.

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

Statutory/Non-Statutory Consultations

Traffic Section: No objection in principle. Final comments will be provided in the supplementary report.

Greater Manchester Police - designforsecurity: No objection.

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
CF1	Proposals for New and Improved Community Facilities
CF1/1	Location of New Community Facilities
CF3	Social Services
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict

H3/1	Assessing Non-Conforming Uses
H4/2	Special Needs Housing
EN7/2	Noise Pollution
SPD11	Parking Standards in Bury

Issues and Analysis

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

Principle

The NPPF advocates the objectives to achieve sustainable development, one such objective is to support strong, vibrant and healthy communities by fostering well-designed and safe built environments with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

Chapter 8 - Promoting healthy and safe communities, states that policies and decisions should aim to achieve healthy, inclusive and safe places which, amongst things, promote social interaction, are safe and accessible and enable and support healthy lifestyles. Account should also be taken to support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

Policy CF1/1 - Location of Community Facilities gives regard to factors including impact on residential amenity, traffic generation and parking, scale and size of development, accessibility to shops and services, suitability of the chosen location, public transport and needs/requirements of those with a physical disability.

Policy CF3 - Social Services considers favourably proposals for the provision of new, and the improvement of, existing facilities for children, young and the elderly, those with mental health or physical and special needs, encouraged to live in the local community rather than in large institutions. Support for new and improved services is supported providing that there is no conflict with existing residential amenity and the environment.

Policy H4/2 - Special Needs Housing - seeks to support the provision of special needs housing recognising that specialist accommodation is needed for the most vulnerable members of society. Regard is given to factors including the convenience of location to shops, public transport and community facilities, location of health care facilities, gradient and accessibility to public transport, parking and amenity provision and high standards of design, layout and landscaping to achieve a satisfactory environment.

Policy H3/1 - Assessing Non-Conforming Uses in primarily residential areas assess proposals, including the change of use, in consideration of factors including noise, vibration, smell, visual intrusion, traffic generation, parking arrangements and hours of operation.

Objections refer to the proposal being inappropriate in a residential area and that the use would deprive existing residents of neighbours, eroding the sense of community and fellowship that is brought by resident neighbours.

The application proposes to provide short term respite accommodation for adults within a residential and community setting and would provide a safe, secure and positive environment for its occupiers.

The applicant is a registered charity and is a well established operator in this field of care.

It provides a safe and confidential support service offering short term respite accommodation to those in need in a secure and understanding environment.

Mental health and mental well-being is becoming increasingly recognised as a social issue in today's society and at the forefront of political and social agendas, and gaps exist in many areas to provide such facilities as proposed.

The project is a strategic housing priority for Bury Council who have clear aspirations to improving mental health and well-being.

As reported in relation to the assessment of the previously approved planning application at 46 Rectory Lane (64975), the applicant undertook a thorough site selection process, having identified a demand in the Manchester area for such a service. Discussions with National Suicide Prevention Strategy for England identified that there are no comparable services offered in this part of the region and the proposed facility would provide a valuable asset and worthwhile addition to support existing hospital and mental health services in the Borough. The area also has good connections to educational facilities and a pool of qualified staff. It was also recognised that such a facility should be located in safe suburban areas with good access to transport links.

The applicant has confirmed there are a number of reasons why this property is a suitable site for the new facility:

- The nature of the neighbourhood is one of a peaceful and attractive character. One of the key requirements is that the facility appear as a 'normal' home within a 'normal' residential area and not one of a clinical or remote type or location.
- The proximity to outdoor spaces has proved to contribute to mental well-being. Its distance from busy and sometime hostile and threatening environment such as town or city centres, but its accessibility to public transport makes this an ideal location (from Prestwich Metrolink Station and main bus routes between Bury and Manchester).
- The size and layout of the property would meet the applicant's needs and would not require extensive works.
- Prestwich benefits from an established network of local mental health facilities and the facility would have the benefit of being a part of and contributing to this network.

The property would not require extensive works to facilitate its use and the occupation and living habitats would be commensurate with that of a home and residential dwelling. The property could only accommodate a maximum of 4 guests at a time, and apart from staff change over times, when there would be more movement to and from the property, activity at the site would be passively routine and it would function as a typical suburban dwelling would.

It is therefore considered that the principle and the scale of the proposed change of use would not have an adverse or detrimental impact on the character or amenity of the surrounding area.

Given the above, the proposed use would provide a valuable facility for more vulnerable members of society and as such would be compliant with the above UDP Policies and the principles of the NPPF.

Layout, design and visual amenity

The proposed layout would not fundamentally change from the current arrangements and physical amendments to the property would be minor in scale, appearance and substance.

Access to the property would continue to be provided via the 2 driveway entrances, which would lead to the main entrance of the building. Three parking spaces are proposed to be formally allocated, in substitute for the informal potential to park around 6 vehicles at the site and three access ramps introduced.

External alterations to the building would be limited to the substitution of the garage door for

a window and door.

Given the above, the building would continue to have the character and appearance of a passive suburban dwelling and that there would be no detrimental impact on the street scene or residential character of the locality.

As such, it is considered the proposed layout would comply with UDP Policies EN1/2, H4/2, CF3 and CF5.

Impact on residential amenity

As discussed above, it is considered that the character and the scale of the use would be consistent with that of a family household occupying the existing large 5 bedroom detached dwelling. The applicant has stated that one of the key objectives and ethos of the facility is to provide an environment which is not only safe and secure but would be consistent with 'normal' residential living conditions and the regularity of daily living. It is intended the facility would function discreetly within the neighbourhood.

The applicant is a registered charity and has been providing this type of support facility for over 20 years at their site in London, without a single high-risk incident having occurred. They have extensive experience and knowledge in the services they offer and the people they cater for.

Some of the objections allude to the 'type' of person who could be accommodated at the property and the potential risk or disruption this could bring to the area or threat this could pose for nearby residents and school children.

As noted above, the management of the facility is strictly controlled and the security of all the guests, staff and volunteers is paramount - and through this, the safety of the local community is protected. Every guest would be subject to a thorough assessment before they could stay at the facility and there is a strict no drugs and alcohol policy. Accommodation is not offered to those who are homeless or misusing illegal substances, or those with acute mental health problems which require specialist medical support. The residents would have 24 hour supervision and support from trained staff.

It is in the interests of the applicant that the facility integrate with neighbours and the community rather than be a cause of conflict. It would also be in the best interests of the applicant to ensure that the residents were able to live as part of the local community, functioning as a 'normal household' to offer stability and to be able to live as part of the community.

GM Police state that it is clear that this type of facility is best situated within the community.

It is therefore considered that the proposal would not conflict with the character of the area or have an adverse impact on the amenity of local residents. Given the above, the proposal would therefore comply with UDP Policies CF1/1, CF3, H3/1, EN1/2 and EN7/2.

Highways issues

There are no set standards in the guidance note SPD11 - Parking Standards in Bury for the type of C2 use proposed. Applications are to be assessed on their own merits and in consideration of their location and potential parking facilities.

Objections in relation to traffic, parking and highway safety are outlined above.

The main issue is the amount of parking which may be deemed to be required and which could be provided for the number of staff who would be visiting the site by private vehicle.

The applicant has provided a forecast of the breakdown of numbers of staff who would be at the site at any one time. For the most part, there would be between 5 and 6 staff at the premises during the day and between 2 and 3 earlier in the morning and later in the

evening. There would be a maximum of 2 staff on the overnight shift.

However, the organisation has a clear travel philosophy that prioritises sustainable modes of travel for staff, volunteers and guests and they note that the London facility operates without any car parking. The site is within 5 minutes walk of both the Prestwich Metrolink Station and high frequency bus routes between Bury and Manchester.

The property has a driveway and the proposed site layout would facilitate parking for 3 vehicles that would enable access/egress onto the adopted highway in forward gear. There are 2 access points into the driveway off Highfield Road and these would be retained.

The applicant has set out a clear parking management strategy that sets criteria and procedure for allocating and managing the three parking spaces.

By contrast, as a 5 bed dwelling, the property could quite reasonably be occupied by 4 or 5 car owners, plus any additional trips to the site by visitors, friends/family and from deliveries or servicing requirements associated with day to day living.

In such circumstances, it is not considered that the proposal would have unacceptable impacts on highway safety that would warrant or sustain an objection to the application. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Highway Officer does not object to the principle of the development, and his final comments on the proposal will be detailed in the supplementary report.

Response to objectors

- In relation to 'mission creep', the further extension of the property would require planning permission. Further, a condition limiting the use to residential respite care is recommended.
- Perceived impact on property values is not a material planning consideration in relation to the assessment and determination of the planning application.
- All other issues have been covered in the above report.

CONCLUSION

The proposed development would deliver a strategic housing priority where there is an identified demand in the Manchester area for such a service and where there are no comparable services offered in this part of the region.

The proposed facility would provide a valuable asset and worthwhile addition to support existing hospital and mental health services in the Borough and it would be located in a highly sustainable location in terms of access to public transport.

Whilst there are objections to the proposal, the development has been assessed as not having any unacceptable impacts upon the general amenity and safety of neighbours and guests, visual amenity or highway safety.

Given the above, the proposal would be compliant with the above stated UDP policies and the NPPF. Therefore, in accordance with the Section 38(6) of the Planning and Compulsory Purchase Act, the proposal merits approval.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised

sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

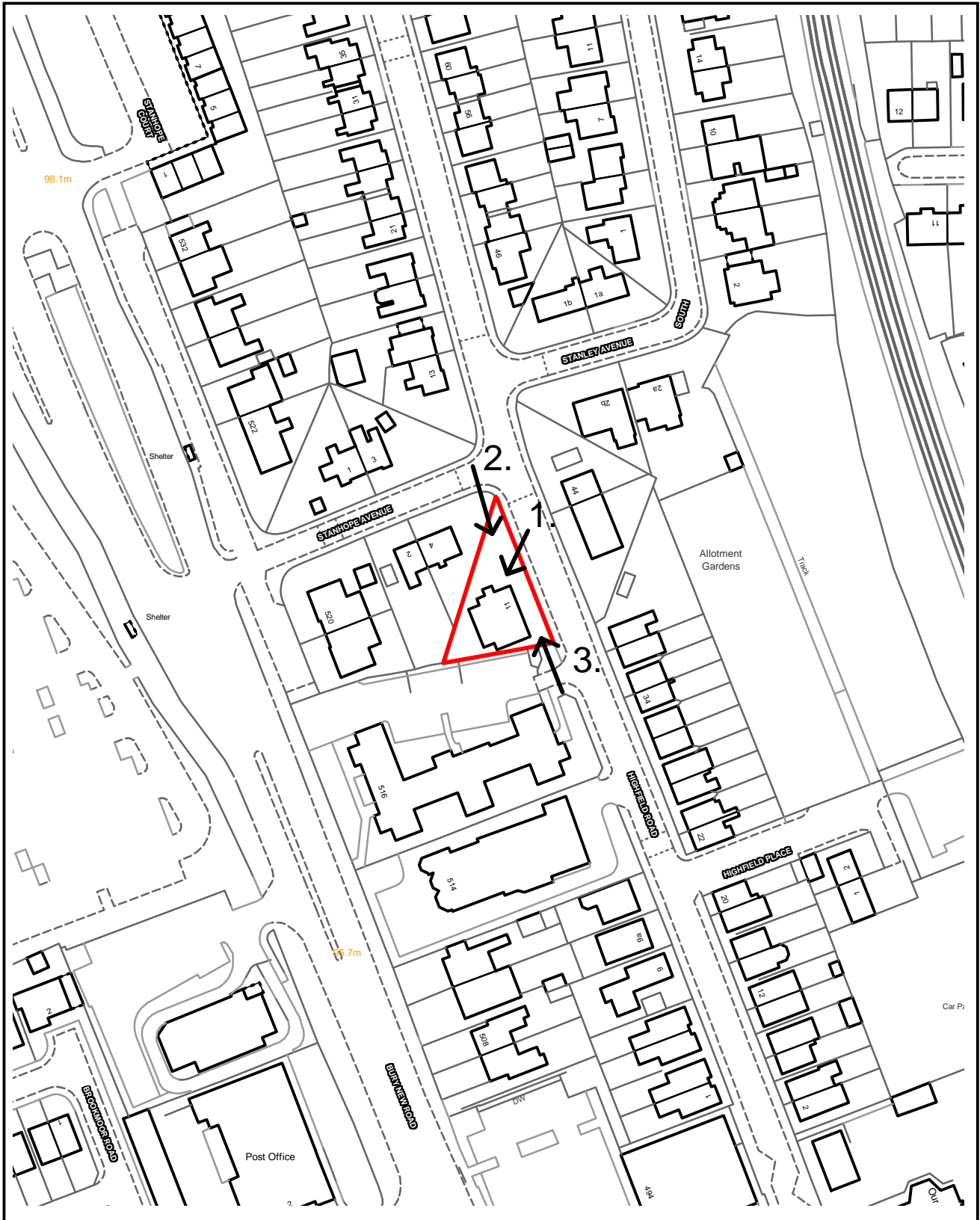
Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings - Site Location Plan (dated 24/09/2021), Existing and Proposed Site Plan (Dwg no. 002 Rev.A), Existing and Proposed Floor Plans and Elevations (Dwg no. 001), and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The premises to which this approval relates shall be used for residential respite accommodation and care only and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).
Reason. To ensure the intensification and scale of uses in the property does not extend beyond acceptable levels which could cause impact to residential amenity and highway safety in respect of the associated parking, access and servicing requirements or general activity and disturbance pursuant to policies EN1/2 - Townscape and Built Design, CF3 - Social Services, H4/2 - Special Needs Housing, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan.
4. The external finishing materials for the proposal hereby approved shall match those of the existing building.
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.

For further information on the application please contact **Dean Clapworthy** on **0161 253 5317**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 67586

**ADDRESS: 11 Highfield Road, Prestwich,
Manchester, M25 3AW**

Planning, Environmental and Regulatory Services

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67586

Photo 1



Photo 2



67586

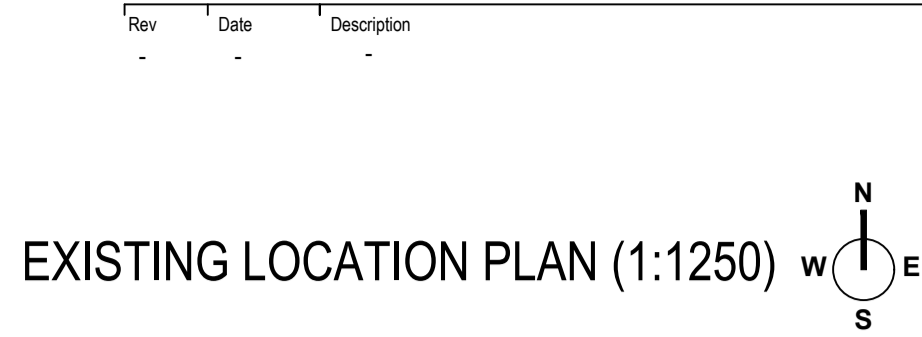
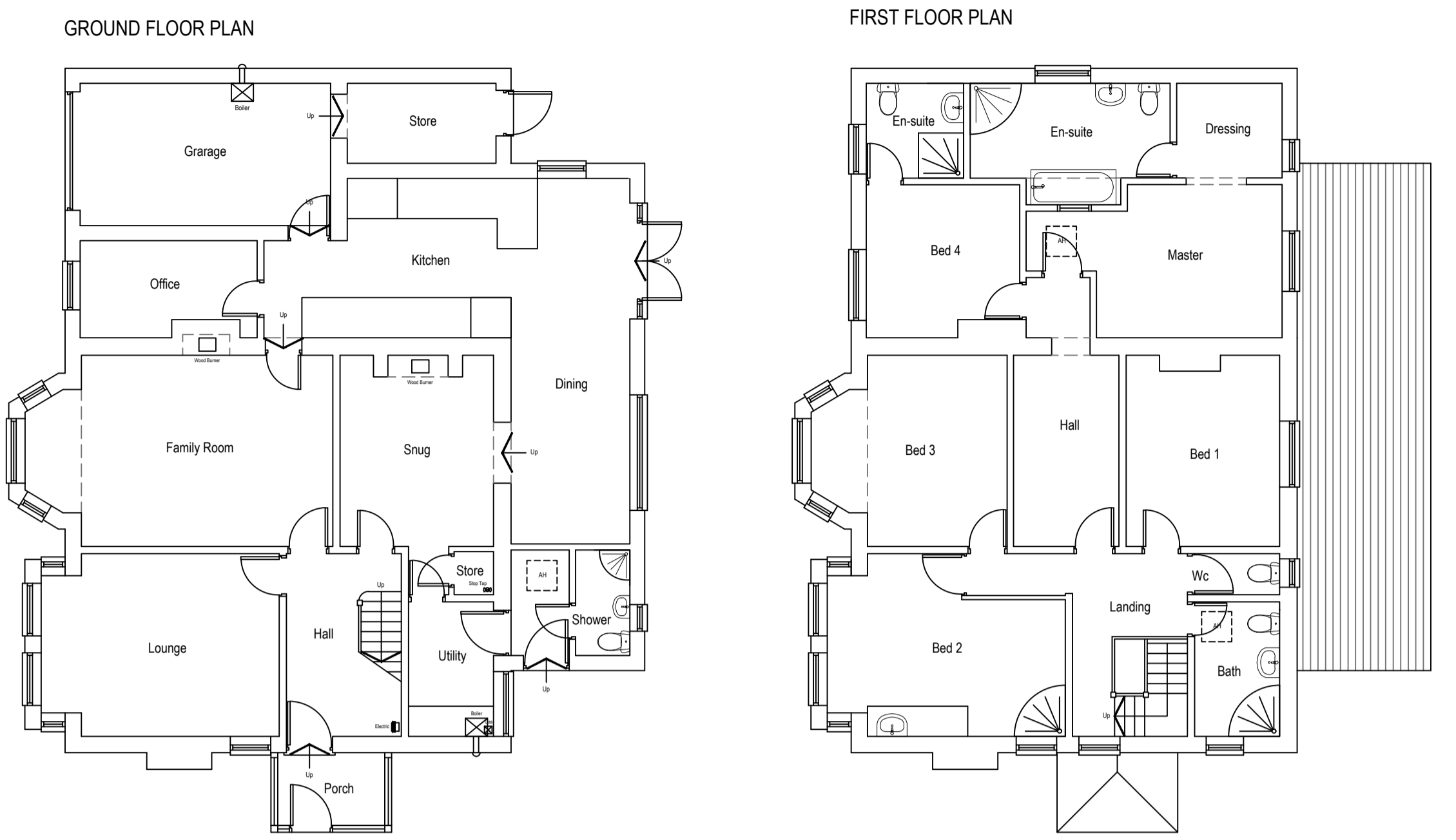
Photo 3



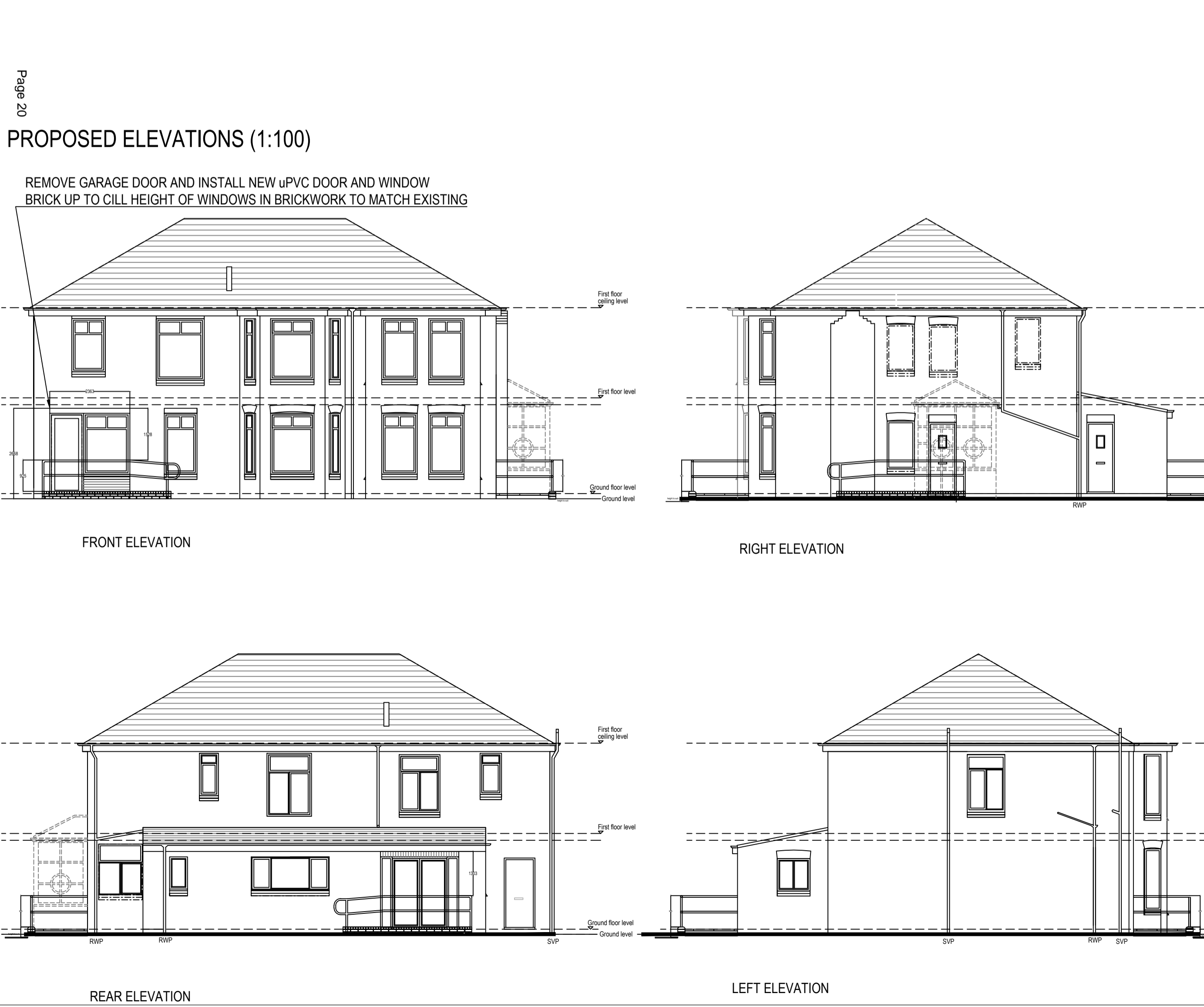
EXISTING ELEVATIONS (1:100)



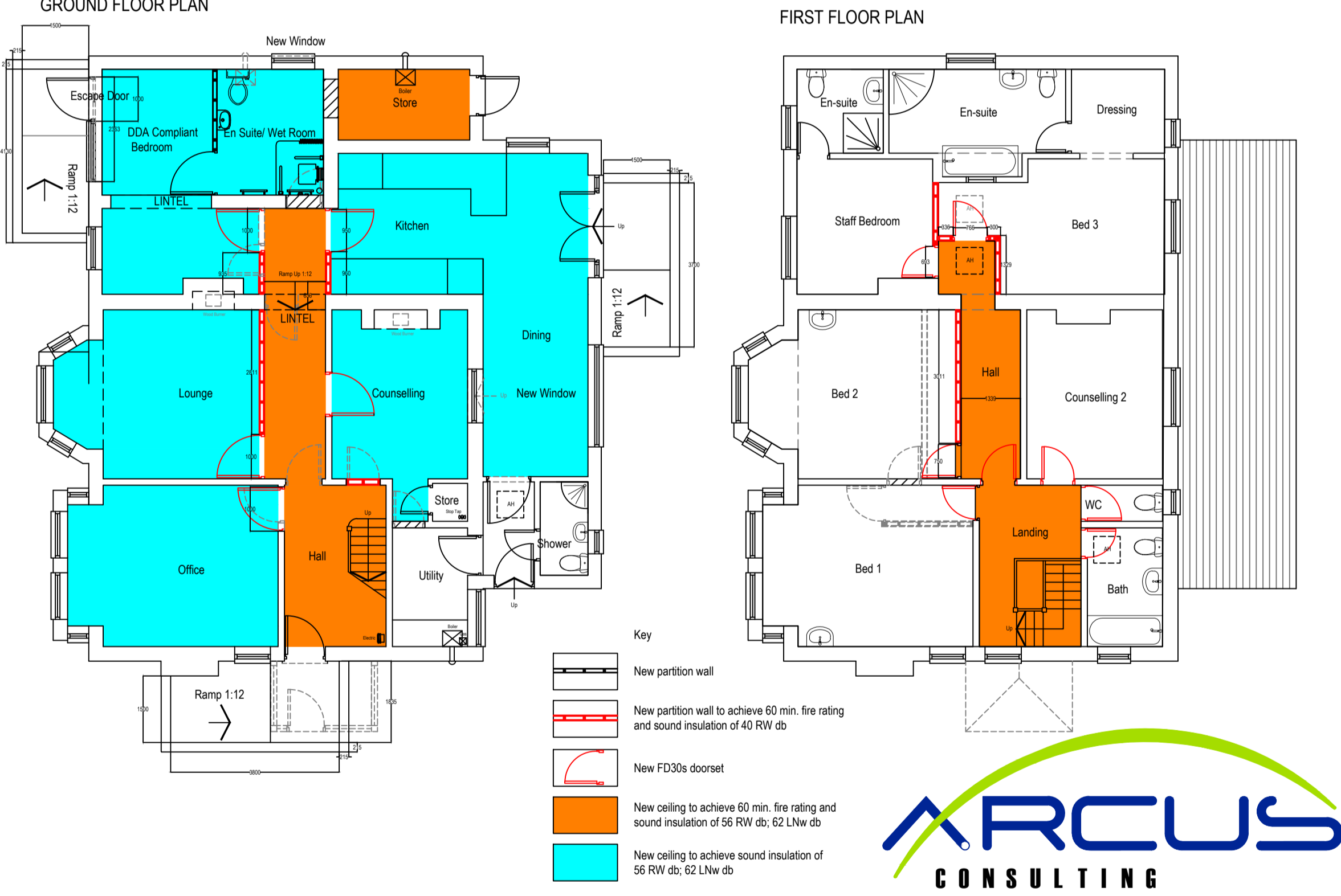
EXISTING PLAN LAYOUTS (1:100)



PROPOSED ELEVATIONS (1:100)



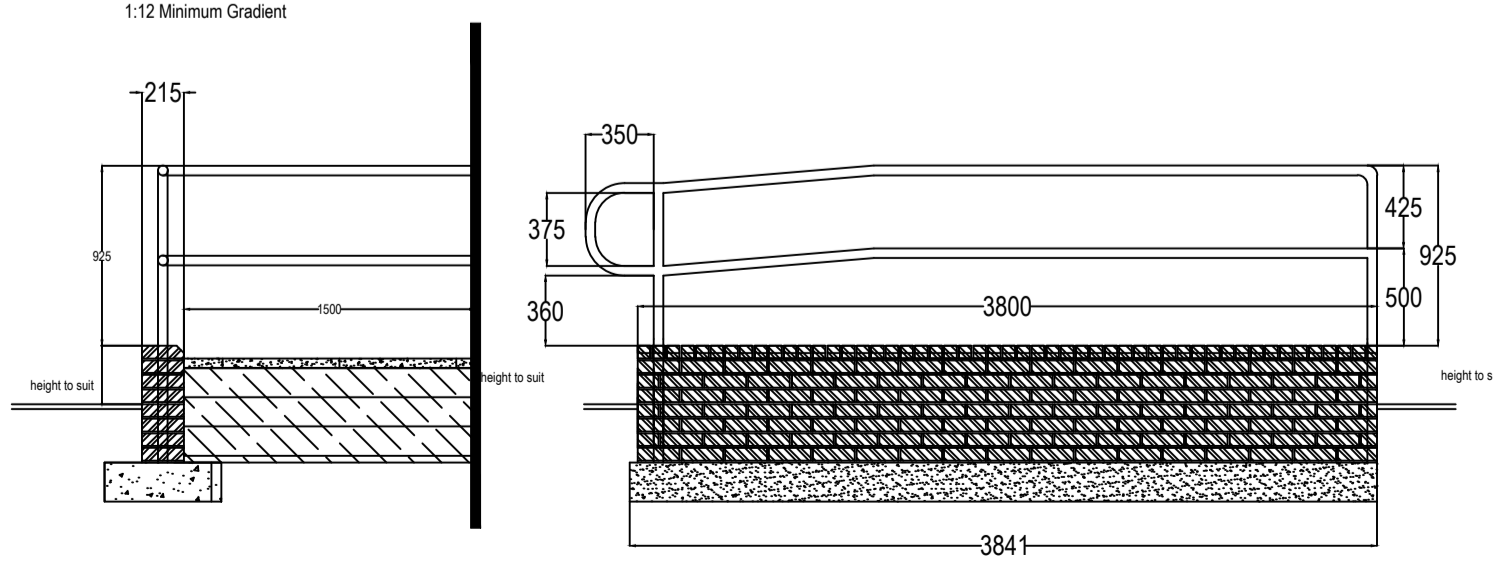
PROPOSED PLAN LAYOUTS (1:100)



SCHEDULE OF WORKS FOR ALTERATIONS TO 11 HIGHFIELD RD

- 1.0 GENERAL
 - a. All works to be carried out in accordance with good building practice and shall comply with all current regulations, british standards, relevant codes of practice and manufacturers recommendations. The contractor is advised to familiarise himself with the scope of work.
 - b. The contractor is to allow for carting all debris away from the site.
 - c. The contractor is to allow for all necessary making good to the works specified hereunder.
- 2.0 ACCESS RAMPS
 - a. Take up existing concrete flags in affected area and cart away.
 - b. Excavate as required and provide 600 x 200mm strip foundation in grade C30 concrete. Left ready for brickwork.
 - c. Provide level bed and build up flank walls in 215mm facing brickwork to match existing (no frogs). Walls to be finished 100mm above level of ramp/landing using suitable Cant brick as indicated by the 'Typical ramp Detail'. Provide bituthene tanking between new flank wall and existing building as indicated on drawing.
 - d. Make up level in max 150mm layers well compacted clean brick or crusher run hardcore to match profile of ramp and landings. Provide 25mm sand blinding to finish.
 - e. Finish ramp and landing in 900 x 600mm concrete flags. Joints to be pointed on completion. Finished level of final landing to line through with property.
 - f. Provide and fix new handrails to a height of 925mm above flank wall as drawings.
 - g. Contractor to allow for differential in levels.

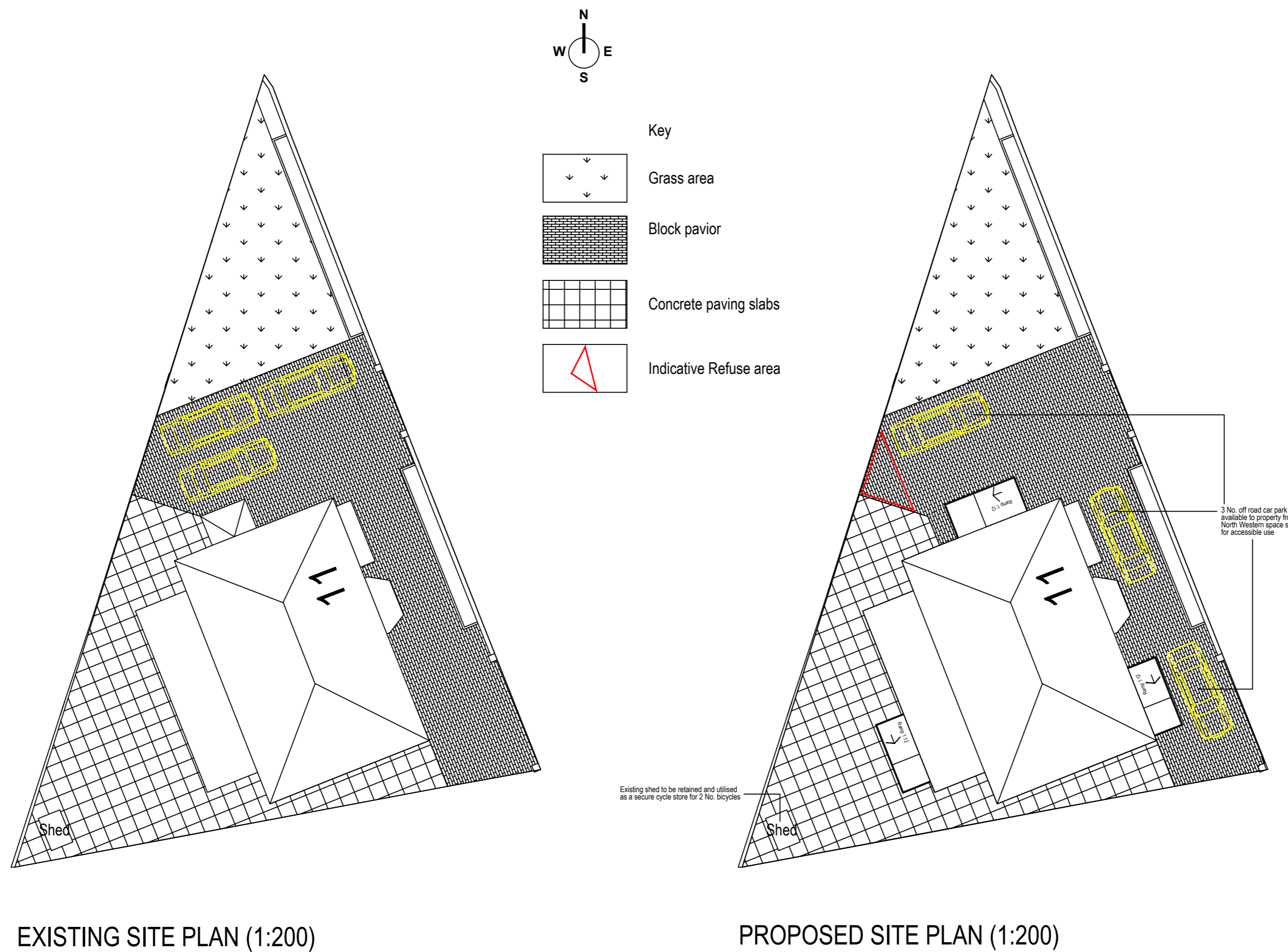
Typical Ramp Detail (NOT TO SCALE)



Arcus Consulting LLP
 Wakefield 0192 466 9000 Manchester 0161 905 3222 London 0208 8742 2512
 Liverpool 0151 708 1080 Newcastle 0191 272 5781 Rugby 01788 297 127
 info@arcus.uk.com www.arcus.uk.com

Client MOSSCARE ST. VINCENTS HOUSING		
Project 11 HIGHFIELD ROAD, PRESTWICH - REFURBISHMENT WORKS		
Title EXISTING AND PROPOSED FLOOR PLANS AND ELEVATIONS		
Scale AS SHOWN @ A1	Date SEPTEMBER 2021	Stage PLANNING
Job No P6538	Drawing No 001	Rev -
Drawn LN	Approved MB	

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 info@arcus.uk.com www.arcus.uk.com

Client
 MOSSCARE ST. VINCENT'S HOUSING

Project
 11 HIGHFIELD ROAD, PRESTWICH - REFURBISHMENT WORKS

Title
 EXISTING AND PROPOSED SITE PLANS

Scale	Date	Stage
1:200 @ A2	DECEMBER 2021	PLANNING
Job No	Drawing No	Rev
P6538	002	A
Drawn	Approved	
LN	MB	

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Ward: Ramsbottom + Tottington - Tottington

Item 2

Applicant: Cosalea

Location: Cosalea, Walshaw Park House, Walshaw Road, Bury, BL8 1PY

Proposal: Variation of conditions following approval of applications 63857 & 66758 to change existing opening hours; Condition 5 - Extension to existing opening hours requested;
Monday - Thursday 07:30 - 11:00pm
Friday 07:30 - 00:00
Saturday 08:00 - 00:00
Sunday 08:00 - 11:30pm
Other bank and public holidays 12:00 - 11:30pm
Day proceeding a bank holiday 12:00 - 00:00

Application Ref: 68286/Full

Target Date: 27/05/2022

Recommendation: Approve with Conditions

Description

The application site relates to a former industrial building which is located in an area of a mix of uses and premises.

To the west and separated from the site by a parking area is a nursery building which is set back from the main road in front of which is a row of commercial units. To the rear (north) adjacent to the site is a large hardstanding area which is used as a car park and is outside the application area. To the east is a 2 storey mill type building in a mixed use, which is separated from the site by an access road which leads to Bolholt Terrace and a row of residential terraced properties and some large detached houses beyond. Opposite the site are houses on Walshaw Road and a residential estate beyond.

The site fronts Walshaw Road with the building (known as Walshaw Park House) set back from the frontage by approximately 10m.

The building has an unusual footprint shape and is split level comprising of 2 and 3 storeys. It is 2 storey at the front when viewed from Walshaw Road and 3 storey due to the drop in level. The building extends towards the rear on its western side and wraps back round to create a courtyard area.

The building is on the Council's Draft Local List of buildings of local importance.

An application was approved by Planning Committee in November 2019 for the change of use to a mixed use development comprising offices, leisure and cafe. The development also included repairs and restoration of the building, new access ramp and steps to the front.

In terms of parking, the development proposed re-configuration of the parking areas and increase to provision to provide a total of 24 spaces which included 9 spaces along the side of the access road to the east which the applicant secured by agreement with the owner of the land and which was conditioned as part of the consent.

The applicant has since obtained an informal agreement with the adjacent day nursery to utilise their parking spaces in the weekday evenings from 6.30pm onwards and at weekends when the nursery is not open.

The building as a whole is known as Walshaw Park House. This application relates to

Cosalea, the cafe use only which is located in the ground floor.

Since the opening, the cafe has been successful, and proved popular in the locality, attracting a high level of custom.

To enable the business to expand and cater for early morning and evening trade, a planning application (ref 66758) for the extension of opening hours was approved in June 2021 to facilitate breakfast and evening restaurant trade and to host local events/meets.

The approved hours were -

Monday to Thursday - 07.30 to 22.30

Friday - 07.30 to 23.30

Saturday - 08.00 to 23.30

Sunday - 08.00 to 23.00.

The applicant states that the evening trade is turning out to be popular and is finding that the current opening hours are restricting trade and preventing them meeting the needs of the customers who have provided positive feedback on the business. The current opening hours also do not align with the licensing hours which have been granted.

The application therefore seeks to extend the approved hours for the cafe/restaurant.

Proposed hours

Monday to Thursday - 07.30 to 23.00

Friday - 07.30 to 00.00

Saturday - 08.00 to 00.00

Sunday - 08.00 to 23.30

Other Bank and public holidays - 12.00 to 23.30

Day proceeding a Bank Holiday 12.00 to 00.00

To clarify, a cafe/restaurant falls within the same use class, Class E of the Use Class Order 1987 (as amended).

The proposed hours (above) have since been reduced by the applicant since the submission of the planning application.

Relevant Planning History

66758 - Variation of conditions following approval of planning application 63857: Condition 1 - approved drawings updated to refer to : - 19/1214/200E - Proposed site plan - 19/1214/202D - Proposed ground floor plan Condition 6 - opening hours to ground floor cafe use updated to: The uses hereby approved for the development hereby approved shall only be open/operate at the following times: Cafe (Class A3) - Monday to Thursday 07.30 to 22.30, Friday 07:30 to 23:30, Saturday 08:00 to 23:30, Sunday 08.00 to 23:00.

65238 - Variation of condition no. 2 (approved plans), no.3 (car & cycle parking) and no. 5 (access ramp) of planning permission 63857: Condition 2: Updated proposed site plan. Condition 3: Varied to - With the exception of the lower ground floor and the pilates/yoga and fitness studio uses, the car & cycle parking and turning facilities accessed off Walshaw Road and indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the uses hereby approved commencing and thereafter maintained available for use at all times. Condition 5: Varied to - With the exception of the lower ground floor and the pilates/yoga and fitness studio uses, the access ramp to the front of the building shall be provided and made available for use prior to occupation and first use of the development hereby approved. - Approve with Conditions 03/04/2020

63857 - Change of use of existing business and general industry use (Class B1 & B2) to mixed use leisure (Class D2), cafe (Class A3), partial retention of office use (Class B1) and pedestrian access and parking works. - Approve with Conditions 13/11/2019

Publicity

Letters sent to 31 properties on 21/4/22.

Site notice posted 22/4/22

Press advert 28/4/22

5 objections and 31 support.

Objection comments -

- As a resident close to Cosalea I strongly object to the proposed extension of opening. No one can honestly claim that the business has adequate parking spaces. Already cars of customers regularly park outside our property, often blocking our driveway and there are always cars double parking again restricting our access. Visitors to our property (incl workmen and delivery drivers) often have to park well away from us. During the night we are regularly awoken by customers leaving, either shouting their "goodnights" loudly and slamming their car doors outside our property. Furthermore, since Cosalea opened, our front garden wall has been damaged. Ridge tiles have either been damaged or stolen on 3 separate occasions. Although I can't prove cafe customers have done this, we had no such problems prior to it's opening. Extending the opening hours is only going to exacerbate the problems we are experiencing.
- Thank you notice of this application as all previous ones pertaining to the business never arrived to residents opposite and we found out by default via advertisements in the Bury Times.
- Can I remind the council this is a residential area. I anticipate an increase in noise, litter. I've already witnessed one patron leaving the premises with an open bottle of alcohol hot footed by a bar person in uniform. As a resident I don't have the means to afford a Barrister to demonstrate the further deterioration and enjoyment of our properties and quality of life, most of use are still working. I am not looking forward to three hours sleep prior to going on duty! I strongly oppose this application.
- I have family and friends that live in close proximity to the business and I strongly object to the application! It appears that this was always the owners intention to convert a cafe (A3 Class) a into a bar (A4 Class). Surely common sense will prevail and the application will be rejected. Why does a cafe need to operate till 11pm and then secure a licence to sell alcohol? It was always the owners long term business plan to have another pub/bar (A4 Class) with her portfolio to sit alongside The Victoria. The business sits within a residential area and will create further noise, nuisance, litter and parking issues for the residents. Please Reject!
- This is a residential area - the opening hours suggested would be a noise nuisance to the residents
- The service road alongside Walshaw Park House to our property is already in significant bad repair and any further traffic would exacerbate the situation.
- There is insufficient parking for further traffic on the site.

31 support received with the following comments -

- Outside are notices asking people to respect local residents when leaving the premises.
- The cafe/bar is a great asset to the area in which there are no other such facilities. It is well used by local families of all ages. It also offers space for local community and fund raising events.
- Extending the opening hours would provide opportunities for a greater range of activities throughout the week.
- Cosalea is an asset to the local area and community.
- This is a high end cafe bar, which attracts customers who enjoy a relaxed environment.
- Cosalea is also very active in supporting the community. The extension to the hours will not have any effect on parking, as many people walk to Cosalea, plus there is more than enough parking in the nursery car park. Which I believe can be used in the evening and weekends.
- This is a well run business, in which local people should be supporting. My family and I have no problem in supporting this application.
- I would imagine that extended opening hours may increase the opportunity of further local employment.

- I am not aware of any anti-social behaviour or loud noise relating to Cosalea.
- Cosalea is a community gem with a safe and pleasant atmosphere and as an evening user of the establishment, we find that get together's are curtailed due to the current opening hours. The opening times are an important factor when meeting friends and family on a bank holiday or to see the New Year in. Approving the extended opening hours would be a boost for the business, community and for those visiting.
- Staying open slightly later will not cause any problems as Cosalea is a lovely dining place that people come to for a relaxed night for food and a few cocktails / fine wine.
- In addition to Cosalea already being a calm, respectable environment, even more measures have been put in place by the owners such as a porch area and electric doors to make sure there's no noise.
- Litter has not been tolerated and the staff have been seen cleaning up regularly, not only from their customers but also from the school pupils who leave litter in the surrounding area.
- Cosalea, their owners and staff have engaged with the local community and many people use them regularly day and night, it would be nice to support them with further opportunities whatever they may be.

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection

Environmental Health - Pollution Control - No response received.

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

NPPG	National Planning Policy Guide
EC2/2	Employment Land and Premises
EC6/1	New Business, Industrial and Commercial
EC4/1	Small Businesses
EN1/2	Townscape and Built Design
EN1/11	Public Utility Infrastructure
EN7/2	Noise Pollution
EN7/2	Noise Pollution
EN1/3	Landscaping Provision
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
SPD11	Parking Standards in Bury

Issues and Analysis

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

Applicant's Case for the amended hours

The Applicant has submitted a Statement in support of the proposal for the later hours. It is stated that the business under a long term lease and investment has been made by the lessee to create a high quality facility in the community.

Since the grant of permission in 2021 to amend the originally approved opening hours, the

business has become increasingly more successful and proved popular, attracting custom to the premises as well as being a place for local people to gather and meet. The Applicant has also engaged with the local community to provide support to local initiatives and charities.

The Applicant states that feedback from customers has been positive and there is the consensus that later opening times would allow the business to offer more flexibility to provide customers with an extended service at night. The business has also been granted a later premises license and Cosalea would like the hours allowed by the planning permission to align with the license.

Planning Policy EC4/1 - Small Businesses supports the expansion of local business, providing the scale of the development would be compatible with the surrounding area which includes any impacts on residential amenity and demands for parking.

These issues are discussed below.

Impact on residential amenity - The nearest properties are those on Bolholt Terrace to the north approximately 50m away and there are houses opposite the site to the south which form part of a larger residential estate.

The area is also characterised by other business premises, including a nursery and row of commercial premises to the west and a converted mill building in mixed use to the east.

The proposed extension to the opening hours would introduce activity and comings and goings to and from the premises at later time of the evening, until 11pm Monday to Thursday, midnight on Friday's, Saturday's and day preceding Bank Holiday and 11.30pm on Sundays and Bank Holidays at 11.30pm.

The use itself occupies only part of the ground floor building and noise from within the premises would likely be minimal. Disturbance would more likely be from customers arriving and leaving the premises.

Uses such as cafes and eateries tend to have staggered custom whereby patrons would visit at different times thereby limiting comings and goings and levels of activity in and around the premises. A percentage of the customers would also be local and would walk to the establishment, thereby not creating noise from car engines starting and doors slamming. The cafe would occupy part but not all of the ground floor and the cumulative floor area would not be of a size which could accommodate significantly large numbers of customers to be able to operate on a large scale.

The proposed extension to the opening hours would also not conflict with the opening times of the other uses in the building and as such there would be an insignificant cumulative increase in noise and activity from the building.

In addition, the proposed extension to the hours would not be dissimilar to other similar type of cafe/restaurant establishments, which open until the later evening and nighttime and which are also located in areas of either mixed uses or close to residential properties.

It is therefore considered that the proposed extension of hours would not have a detrimental harm or impact on residential amenity and would therefore be acceptable and comply with Policies EC4/1, EN1/2 and S2/6.

Parking assessment

There are currently 15 parking spaces within the ownership/rights of the applicant which are available for the combined leisure, office and cafe uses with an additional 9 spaces along the side access road which have been secured by agreement with the owner.

The applicant has also obtained an informal agreement with the adjacent children's nursery to have use of their 11 parking spaces in the evening and at weekend when the nursery is closed.

The applicant states that parking demand in the evening is much reduced after 18.30 and is

also well outside school pick up times and also when adjacent businesses are closed. A significant number of customers are expected to be local, as has been the experience from the daytime trade.

Cumulatively, the uses within the building have operated for a period of time since the original grant of planning permission for the mixed use development and in respect of the proposed increase in hours to the cafe use, this would not conflict with the opening of any of the other uses in the building. Therefore, the 'status quo' in terms of parking provision for the whole site would remain the same as currently exists.

It is therefore considered that there would be an acceptable level of parking to facilitate the increase in the opening times for the cafe as there would be no conflict of use with any other the other business, either those within the building or other businesses in the locality.

The proposed development would therefore comply with Policies EC4/1, EN1/2, HT2/4 and HT6/2.

Response to objections

The issues raised by the objectors with regards to noise and disturbance and parking and traffic related issues have been covered in the above report.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to drawings numbered -
Location plan 19/19/1214/100C
Revised proposed site plan 19/1214/200E
Proposed lower ground floor 19/1214/201C
Proposed ground floor plan 19/1214/202D
Proposed first floor plan 19/1214/203A
Proposed elevations 19/1214/204C
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 car and cycle parking and turning facilities accessed off Walshaw Road and indicated on the approved plan 19/1214/200E shall be available and maintained for use at all times.
Reason. To ensure adequate off street car parking provision and to minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to policies EC4/1 - Small Businesses, EN1/2 - Townscape and Built Design and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
3. On first implementation of the extended evening opening hours hereby approved, the additional car parking indicated and as shown on approved plan reference 19/1214/200E - Proposed site plan - shall be available for use from 18.30 to 00.00 (midnight) daily.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies EC4/1 - Small Businesses, EN1/2 - Townscape and Built Design and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
4. The bin store details shown on approved plan 19/1214/200E shall be maintained and available for use at all time.
Reason. To ensure adequate bin storage facilities are provided for all occupiers

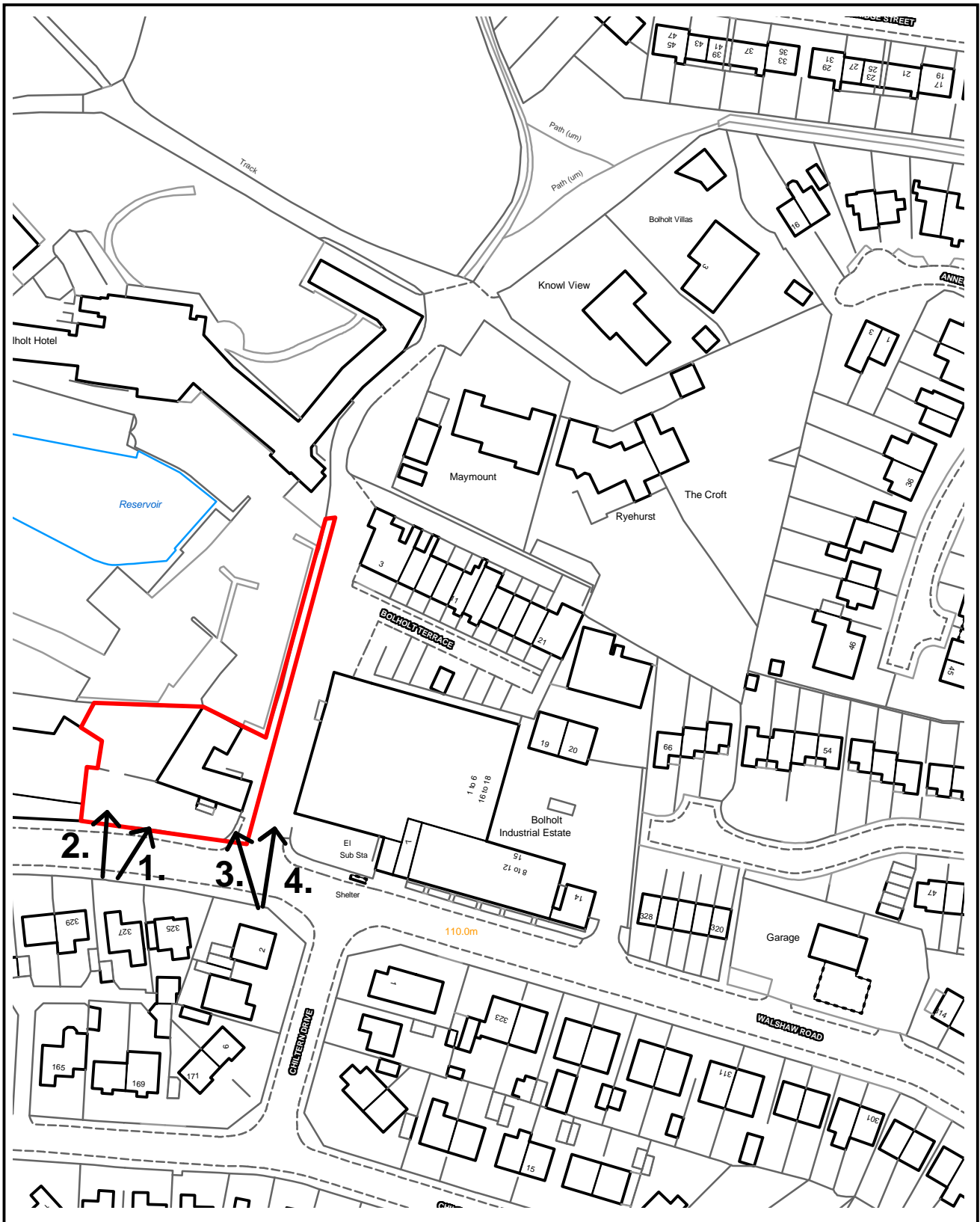
of the building in the interests of highway safety and visual amenity pursuant to Bury unitary Development plan Policies EN1/2 - Townscape and Built Design and HT2/4 - Car parking and New Development.

5. The use hereby permitted shall not be open to customers outside the following times:
Leisure (Class E) - Monday to Saturday 08.30 to 20.30 and Sunday 09.00 to 17.00
Cafe (Class E) - Monday to Thursday 07.30 to 23.00, Friday 07.30 to 00.00 (midnight), Saturday 08.00 to 00.00 (midnight), Sunday 08.00 to 23.30; Other Bank and Public Holidays 12.00 to 23.30; Day proceeding a Bank Holiday 12.00 to 00.00 (midnight).
Office (Class E) - Monday to Friday 08.30 to 18.30, Saturday 08.30 to 14.00
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation and commercial premises pursuant to Policies EC4/1 - Small Businesses, EN1/2 - Townscape and Built Design and S2/6 – Food and Drink of the Bury Unitary Development Plan.

6. The details on shown on approved site plan 19/1214/200E for signage and designation of parking spaces annotated as 'es' shall be available and maintained for use at all times.
Reason. To ensure adequate off street car parking provision and to minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to policies EC4/1 - Small Businesses, EN1/2 - Townscape and Built Design and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 68286

ADDRESS: Cosalea Walshaw Park House
Walshaw Road Bury

Planning, Environmental and Regulatory Services

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68286

Photo 1



Photo 2



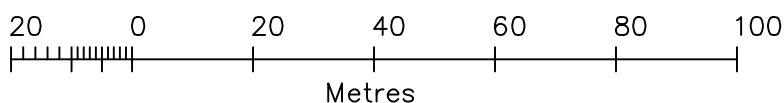
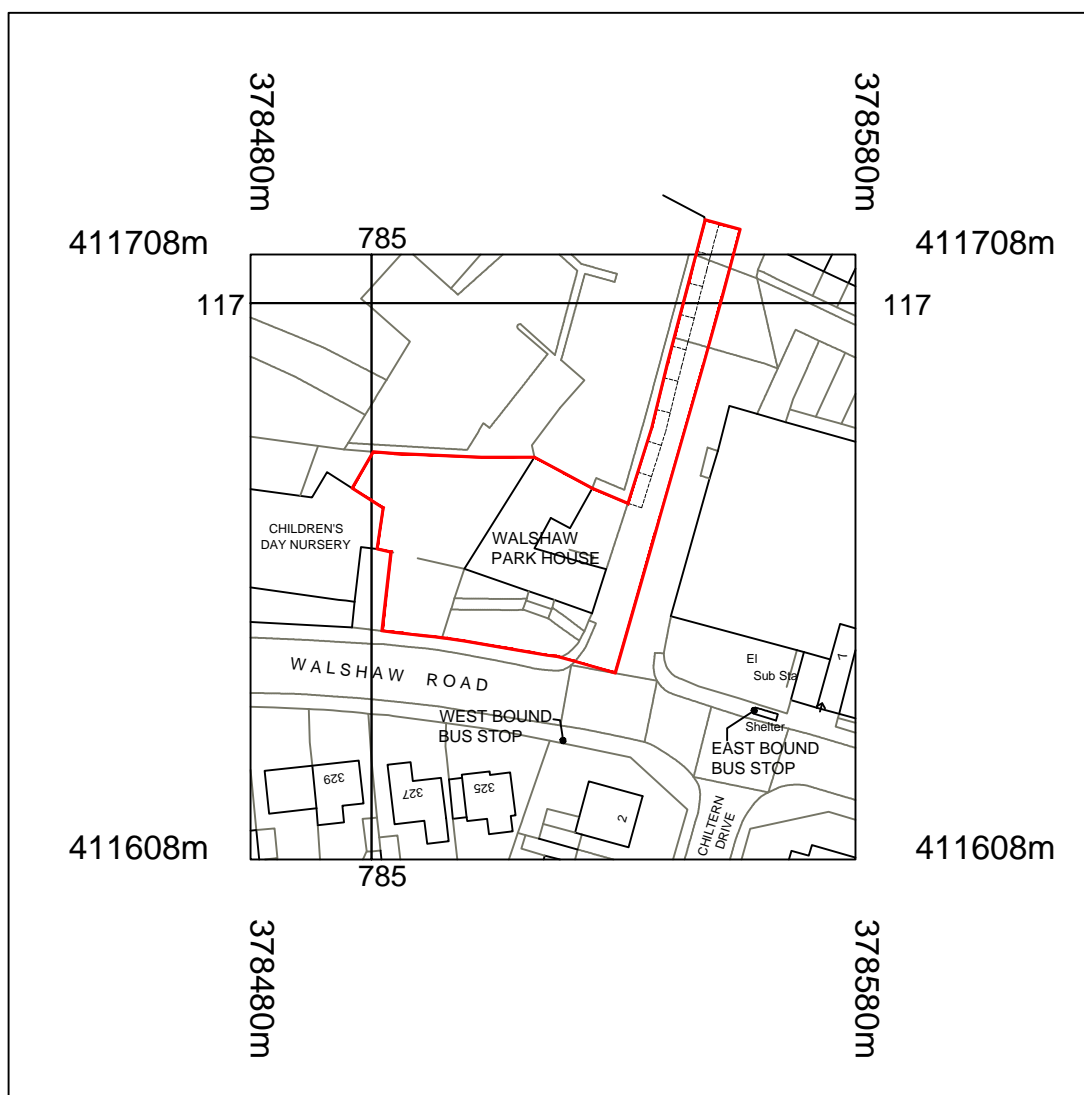
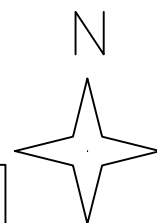
68286

Photo 3



Photo 4





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Title: GROUND FLOOR PREMISES OF COSALEA, WALSHAW PARK HOUSE,
 WALSHAW ROAD, WALSHAW, BURY, BL8 1PL~

Dwg. No. 19/1214/100C – LOCATION PLAN

Client: COSALEA

Date: 11.02.2019

Scale: A4@1:1250

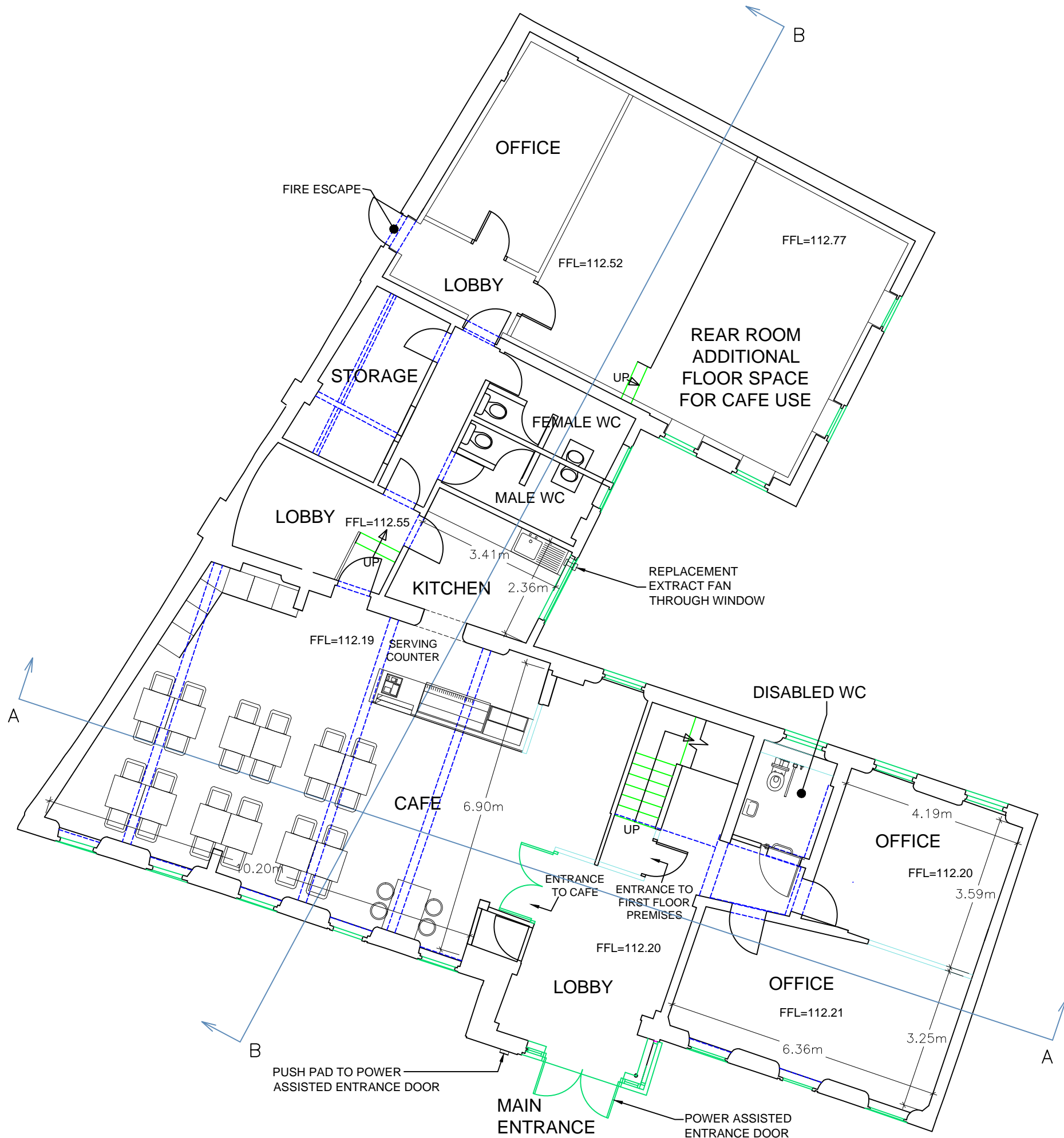
Drawn by: JPE

Status: ISSUE

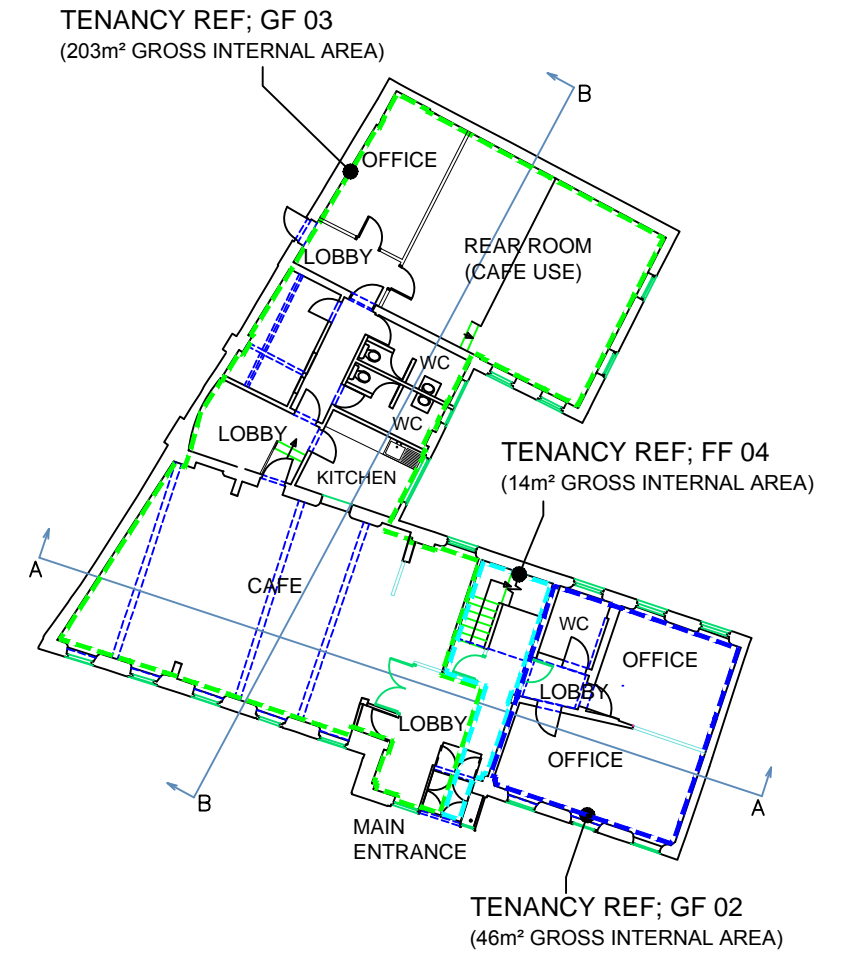
JPE CONSULTANCY LIMITED
ARCHITECTURAL DESIGN & PLANNING

9 Woodend Drive, Stalybridge, Cheshire, SK15 2SF
 Telephone 07875 627 988 jim@jpeconsultancy.co.uk

A	17.05.19	JPE	RED EDGED BOUNDARY AMENDED TO INCLUDE RIGHT OF ACCESS TO PARKING AREA AND SIDE ACCESS DOOR.
B	05.09.19	JPE	RED EDGED BOUNDARY AMENDED TO INCLUDE EXISTING PARKING TO SIDE ACCESS ROAD.
C	14.03.21	JPE	RED EDGED BOUNDARY AMENDED TO INCLUDE CAR PARK TO ADJACENT CHILDREN'S DAY NURSERY.



PROPOSED GROUND FLOOR PLAN (1:100)



PROPOSED GROUND FLOOR TENANCY AREA (1:250)

A	02.04.19	JPE	PROVISION OF REPLACEMENT EXTRACT FAN TO KITCHEN CONFIRMED.
B	24.06.19	JPE	PROPOSAL FOR SALES AREA (A1 USE CLASS) REMOVED FROM CAFE AREA, PROPOSAL FOR FUNCTION ROOM REMOVED AND REAR ROOM RETAINED AS B1 OFFICE USE.
C	23.10.19	JPE	TOILET FACILITIES UPDATED TO TENANCY PLAN TO MATCH PROPOSED FLOOR PLAN.
D	23.03.21	JPE	PLAN UPDATED TO SHOW LOBBY, OFFICE AND REAR ROOM FOR USE AS AN ADDITIONAL AREA FOR THE CAFE.

Amendments

Title EXTENSION OF APPROVED OPENING HOURS TO COSALEA CAFE USE TO GROUND FLOOR PREMISES OF WALSHAW PARK HOUSE, WALSHAW ROAD, WALSHAW, BURY~

Client COSALEA

Dwg. No. 19/1214/202D - PROPOSED GROUND FLOOR PLAN

Date	Plot Scale	Drawn by	Status
11.02.2019	A3@1:100	JPE	ISSUE

JPE CONSULTANCY LIMITED
 ARCHITECTURAL DESIGN & PLANNING
 9 Woodend Drive, Stalybridge, Cheshire, SK15 2SF
 Telephone 07875 627 988 jim@jpeconsultancy.co.uk

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REPORT FOR NOTING

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	28 June 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 21/05/2022 and 17/06/2022**



Ward: **Bury East**

Application No.: 68111 **App. Type:** FUL 17/06/2022 Approve with Conditions
Location: 1 The Rock, Bury, BL9 0JP
Proposal: Change of use of basement, rear of ground floor, 1st/2nd/3rd floors from commercial (Class E) to 7 no. flats with external alterations

Application No.: 68112 **App. Type:** LBC 17/06/2022 Approve with Conditions
Location: 1 The Rock, Bury, BL9 0JP
Proposal: Listed building consent for change of use of basement, rear of ground floor, 1st/2nd/3rd floors from commercial (Class E) to 7 no. flats with external alterations

Application No.: 68117 **App. Type:** FUL 27/05/2022 Approve with Conditions
Location: The Old Court House, Unit 3, Tenterden Street, Bury, BL9 0AL
Proposal: Change of use from offices (Class E) to 1no. dwelling (Class C3)

Application No.: 68197 **App. Type:** FUL 25/05/2022 Approve with Conditions
Location: 16 Bolton Street, Bury, BL9 0LQ
Proposal: Proposed replacement of 3No dilapidated windows

Application No.: 68211 **App. Type:** FUL 27/05/2022 Approve with Conditions
Location: 2 Cherry Avenue, Bury, BL9 7NA
Proposal: Part single/Part two storey extension at rear and Front porch

Application No.: 68227 **App. Type:** FUL 09/06/2022 Approve with Conditions
Location: 86 Topping Fold Road, Bury, BL9 7NS
Proposal: Two/single storey extension at rear

Application No.: 68273 **App. Type:** FUL 08/06/2022 Approve with Conditions
Location: Unit 1, Britannia Mill, 1 Croft Street, Bury, BL9 7BG
Proposal: Addition of first floor office extension to existing offices, internal remodelling, addition of entrance canopy and Photo Voltaic Solar Panels to west facing roof pitch.

Application No.: 68362 **App. Type:** ADV 06/06/2022 Approve with Conditions
Location: Unit F1, The Rock Shopping Centre, Bury, BL9 0NN
Proposal: 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign

Ward: **Bury East - Moorside**

Application No.: 67993 **App. Type:** FUL 26/05/2022 Approve with Conditions
Location: Britannia Mill, Samuel Street, Bury, BL9 6PG
Proposal: Demolition of existing industrial unit and erection of replacement industrial unit; Widening of access with height restriction gantry and sliding gates

Application No.: 68123 **App. Type:** FUL 23/05/2022 Approve with Conditions
Location: Former Tetlo and Hutchinson Ltd, Regent Street, Bury, BL9 5AT
Proposal: Construction of new single storey offices (Use Class E) following demolition of existing works

Application No.: 68147 **App. Type:** FUL 07/06/2022 Approve with Conditions
Location: 36-40 Walmersley Road, Bury, BL9 6DP
Proposal: Change of use of first floor store to form self-contained flat at 36 Walmersley Road; new shop front and roller shutters to 40 Walmersley Road and single storey extension at rear (38/40 Walmersley Road); provision of bike store and waste bin area at rear of 40 Walmersley Road

Ward: **Bury East - Redvales**

Application No.: 68045 **App. Type:** FUL 06/06/2022 Approve with Conditions
Location: Bury College Woodbury Centre, Market Street, Bury, BL9 0BG
Proposal: Erection of a freestanding timber lodge to be used for teaching purposes and associated works including pedestrian access and external lighting

Application No.: 68195 **App. Type:** FUL 31/05/2022 Approve with Conditions
Location: 174 Parkhills Road, Bury, BL9 9AW
Proposal: Part single/Part two storey at rear and Two storey extension at side.

Application No.: 68204 **App. Type:** FUL 31/05/2022 Approve with Conditions
Location: 11 Redmere Drive, Bury, BL9 9GB
Proposal: Two storey extension at side; Front porch

Application No.: 68240 **App. Type:** FUL 27/05/2022 Approve with Conditions
Location: 98 Wellington Road, Bury, BL9 9BQ
Proposal: Two storey extension at side/rear and single storey extension at rear; Front porch; Rebuild wall to rear and addition of sliding gates

Application No.: 68254 **App. Type:** FUL 26/05/2022 Approve with Conditions
Location: 179 Parkhills Road, Bury, BL9 9AF
Proposal: Two storey extension at front; Two storey extension at side; Part single/Part two storey extension at rear and juliet balcony at rear

Ward: **Bury West - Elton**

Application No.: 68308 **App. Type:** LDPC 31/05/2022 Lawful Development
Location: 9 Arundel Close, Bury, BL8 1YB
Proposal: Lawful development certificate for proposed single storey extension to a domestic dwelling

Application No.: 68309 **App. Type:** LDCP 31/05/2022 Lawful Development
Location: 15 Rushmere Drive, Bury, BL8 1DW
Proposal: Lawful development certificate for proposed demolition of existing conservatory and erection of single storey rear extension

Ward: **Bury West - West**

Application No.: 67922 **App. Type:** FUL 23/05/2022 Approve with Conditions
Location: Chantlers County Primary School, Foulds Avenue, Bury, BL8 2SF
Proposal: Single storey infill extension to front elevation corner including canopy; Entrance road to be altered to cater for new extension plus 5 new parking spaces; Store to be replaced with new cycle shelter.

Application No.: 68272 **App. Type:** FUL 09/06/2022 Approve with Conditions
Location: 37 Newington Drive, Bury, BL8 2NE
Proposal: Two Storey Extension At Rear; Front Porch

Application No.: 68282 **App. Type:** FUL 31/05/2022 Approve with Conditions
Location: 15 Mitton Close, Bury, BL8 2LD
Proposal: First floor extension at rear.

Ward: **North Manor**

Application No.: 67808 **App. Type:** RES 01/06/2022 Approve with Conditions
Location: Land adjacent to 6 Bentley Lane, Bury, BL9 6RZ
Proposal: Application for reserved matters approval (access, appearance, landscaping, layout and scale) for the erection of 3 no.dwellings and associated works

Application No.: 68201 **App. Type:** FUL 26/05/2022 Approve with Conditions
Location: 12 Caldj Drive, Ramsbottom, Bury, BL0 9TY
Proposal: Two storey extension at side; single storey extension at front and dormer roofs replaced with pitched lean-to roofs.

Application No.: 68245 **App. Type:** PMBPA 10/06/2022 Prior Approval Required and Refused
Location: Tottington Manor Farm, Turton Road, Bury, BL8 3QQ
Proposal: Prior approval for the change of use from agricultural building to dwellinghouse

Application No.: 68278 **App. Type:** FUL 06/06/2022 Approve with Conditions
Location: 9 Larkfield Close, Tottington, Bury, BL8 4QJ
Proposal: Part single/Part two storey extension with Juliet balcony at rear; Single storey extensions at front

Application No.: 68377 **App. Type:** AG 16/06/2022 Prior Approval Required and Granted
Location: Goosefield Farm, Springside Road, Bury
Proposal: Prior approval for proposed agricultural storage building

Ward: **Prestwich - Holyrood**

Application No.: 67765 **App. Type:** FUL 25/05/2022 Approve with Conditions
Location: 4 Hill Top Avenue, Prestwich, Manchester, M25 1LL
Proposal: Demolition of existing side garage and replace with single storey side/front extension with living accommodation; Rear bay window

Application No.: 68016 **App. Type:** FUL 01/06/2022 Approve with Conditions
Location: 377 Middleton Road, Prestwich, Manchester, M24 4QZ
Proposal: Single storey side and rear extension

Application No.: 68168 **App. Type:** FUL 16/06/2022 Approve with Conditions
Location: 254 Heywood Road, Prestwich, Manchester, M25 2GR
Proposal: First floor extension at rear; bay window extension at front and loft conversion / rear dormer extension

Application No.: 68255 **App. Type:** FUL 09/06/2022 Approve with Conditions
Location: 34 Brooklawn Drive, Prestwich, Manchester, M25 2GS
Proposal: Single storey extension at side

Application No.: 68259 **App. Type:** LDCP 23/05/2022 Lawful Development
Location: 12 Birch Grove, Prestwich, Manchester, M25 3DP
Proposal: Lawful development certificate for proposed single storey side extension

Application No.: 68321 **App. Type:** FUL 08/06/2022 Approve with Conditions
Location: 84 Tamworth Avenue, Whitefield, Manchester, M45 6UA
Proposal: Single storey front/rear and side extension

Ward: **Prestwich - Sedgley**

Application No.: 67886 **App. Type:** FUL 31/05/2022 Approve with Conditions
Location: 23 Breeze Mount, Prestwich, Manchester, M25 0AH
Proposal: Garage conversion to living accommodation with door and window (frosted glazing); First floor side extension (Retrospective) with hipped roof.

Application No.: 67918 **App. Type:** LBC 25/05/2022 Approve with Conditions
Location: Flat 53, Charlton Court, Charlton Avenue, Prestwich, Manchester, M25 0BE
Proposal: Listed building consent for removal of a 30 year old back boiler and gas fire in lounge; Removal of hot water cylinder and pipework; Installation new combi boiler in office/store room; External combi boiler flue to be situated on outside wall

Application No.: 68140 **App. Type:** FUL 26/05/2022 Approve with Conditions
Location: 10 Bury Old Road, Prestwich, Manchester, M25 0EX
Proposal: First floor infill extension at front / side with supporting brick piers; elevational changes; part conversion of garage together with addition of windows / doors to form succah

Application No.: 68171 **App. Type:** FUL 27/05/2022 Approve with Conditions
Location: 8 Chandos Road, Prestwich, Manchester, M25 9WW

Proposal: Single storey extension at front; Single storey extension at side; Single storey extension at rear; Hip to gable roof extension; Dormer extensions at front and rear to form loft conversion.

Application No.: 68179 **App. Type:** LDCP 15/06/2022 Lawful Development
Location: 77 Downham Crescent, Prestwich, Manchester, M25 0BR

Proposal: Lawful development certificate for proposed single storey rear extension

Application No.: 68258 **App. Type:** FUL 15/06/2022 Approve with Conditions
Location: 15 Ravens Close, Prestwich, Manchester, M25 0FU

Proposal: Part single/Part two storey extension at rear; Front porch

Application No.: 68350 **App. Type:** GPDE 26/05/2022 Prior Approval Not Required - Extension
Location: 32 Lichfield Drive, Prestwich, Manchester, M25 0HX

Proposal: Prior approval for proposed single storey rear extension

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

Application No.: 68345 **App. Type:** FUL 08/06/2022 Approve with Conditions
Location: 38 Scott Road, Prestwich, Manchester, M25 9GN

Proposal: Part single storey/Part first floor extension at rear

Ward: **Radcliffe - East**

Application No.: 68093 **App. Type:** FUL 31/05/2022 Approve with Conditions
Location: 52-54 Water Street, Radcliffe, Manchester, M26 4DF

Proposal: Change of use from dental surgery E(e) to dwelling house C3(a), removal of roller shutters and security bars, with first floor rear extension, additional rear door for storage, new bay windows and porch to the front.

Application No.: 68185 **App. Type:** FUL 26/05/2022 Approve with Conditions
Location: 15 Eastbrook Avenue, Radcliffe, Manchester, M26 2RT

Proposal: Two storey extension at side; Single storey extension at rear; Front porch; New driveway/pavement crossing

Application No.: 68247 **App. Type:** FUL 16/06/2022 Approve with Conditions
Location: 6 Kingston Road, Radcliffe, Manchester, M26 2XN

Proposal: Single storey extension at rear

Application No.: 68316 **App. Type:** FUL 16/06/2022 Approve with Conditions
Location: 2 Bury And Bolton Road, Radcliffe, Manchester, M26 4LD

Proposal: Two storey extension at side; First floor extension at rear and erection of detached outbuilding at front

Application No.: 68329 **App. Type:** FUL 07/06/2022 Approve with Conditions
Location: Bealey Industrial Estate, Hallam Street, Radcliffe, Manchester, M26 2BD
Proposal: Cladding to various buildings

Application No.: 68355 **App. Type:** LDCP 16/06/2022 Lawful Development
Location: 7 Wilton Gardens, Radcliffe, Manchester, M26 2UP
Proposal: Lawful development certificate for proposed single storey extension at rear and detached outbuilding at rear

Ward: **Radcliffe - North and Ainsworth**

Application No.: 67864 **App. Type:** FUL 16/06/2022 Approve with Conditions
Location: Former Tarmac Building Materials Ltd, Stopes Road, Radcliffe, Bolton, BL3 1NR
Proposal: Removal of condition no. 2 (to remove the requirement for the submission of a reserved matters application prior to commencement of works); and variation to condition 5 (coal), condition 6 (drainage), condition 7 (highways), condition 8 (construction traffic management plan) of p/p 66064 (Reserved Matters for means of access to the site (Bury Council) and outline planning application for the demolition of the existing structures on the site, and redevelopment of the site for a future residential development of up to 132 no. dwellings and associated public open space, with all matters reserved except for access (Bolton Council))

Application No.: 68339 **App. Type:** FUL 17/06/2022 Approve with Conditions
Location: 1 Clyde Terrace, Radcliffe, Manchester, M26 4PL
Proposal: Removal of existing fence at front and erection of 1.5 metres high brick wall with pillars at front

Ward: **Radcliffe - West**

Application No.: 68180 **App. Type:** FUL 07/06/2022 Approve with Conditions
Location: Mcdonalds Ltd, Pilkington Way, Radcliffe, Manchester, M26 0SB
Proposal: Refurbishment of the restaurant for alterations to shop front and entrance door, reconfiguration of parking bays and kerb lines; associated works to the site.

Application No.: 68191 **App. Type:** FUL 31/05/2022 Approve with Conditions
Location: 24 Clough Meadow Road, Radcliffe, Manchester, M26 3RY
Proposal: Part single/Part two storey extension at side and Single storey extension at rear

Ward: **Ramsbottom + Tottington - Tottington**

Application No.: 68126 **App. Type:** FUL 07/06/2022 Approve with Conditions
Location: Gorsey Clough Farm, Harwood Road, Tottington, BL8 3PT
Proposal: Erection of an agricultural building

Application No.: 68253 **App. Type:** FUL 08/06/2022 Approve with Conditions
Location: 56 Kirklees Street, Tottington, Bury, BL8 3NY
Proposal: Single storey extension at rear.

Application No.: 68256 **App. Type:** FUL 13/06/2022 Approve with Conditions
Location: 3 Oakwood Close, Bury, BL8 1DD
Proposal: Single storey extension at rear; Garage conversion

Application No.: 68313 **App. Type:** LDCP 01/06/2022 Lawful Development
Location: 27 Quakers Field, Tottington, Bury, BL8 4AZ
Proposal: Lawful development certificate for proposed loft conversion with rear dormer

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.: 67569 **App. Type:** FUL 16/06/2022 Approve with Conditions
Location: Holcombe Moor Training Centre, Spen Leach Lane, Hawkshaw, Bury, BL8 4JJ
Proposal: Construction of standalone storage building

Application No.: 67711 **App. Type:** FUL 27/05/2022 Approve with Conditions
Location: St John Shuttleworth, Whalley Road, Ramsbottom, BL0 0EF
Proposal: Conversion of existing church into single dwelling

Application No.: 68097 **App. Type:** FUL 27/05/2022 Approve with Conditions
Location: 21 Marlborough Close, Ramsbottom, Bury, BL0 9YU
Proposal: Increase in roof height, First floor side extension over garage and single storey rear extension

Application No.: 68199 **App. Type:** FUL 09/06/2022 Approve with Conditions
Location: 10 Beechwood Avenue, Ramsbottom, Bury, BL0 0BH
Proposal: Two storey extension at side; alterations to driveway and new vehicular access

Application No.: 68218 **App. Type:** FUL 16/06/2022 Approve with Conditions
Location: 129 Manchester Road, Ramsbottom, Bury, BL9 5NL
Proposal: Single storey extension at front/side; Two storey extension at rear; Front Porch

Application No.: 68270 **App. Type:** FUL 27/05/2022 Approve with Conditions
Location: Greystones, Redisher Lane, Ramsbottom, Bury, BL8 4HX
Proposal: Demolition of existing outbuilding; Single storey rear extension; Porch with canopy at rear; New window opening/replacement windows to corridor to east elevation; New french door opening (dining room) to west elevation

Application No.: 68343 **App. Type:** FUL 15/06/2022 Approve with Conditions
Location: 2 Croftlands, Ramsbottom, Bury, BL0 9SD
Proposal: Front porch; Fenestration amendment to front elevation and extended driveway

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

Application No.: 68198 **App. Type:** FUL 01/06/2022 Approve with Conditions
Location: 103 Bury New Road, Whitefield, Manchester, M45 7EG
Proposal: Installation of two rapid electric vehicle charging stations within the car park of McDonald's. (Three existing parking spaces will become two EV charging bays, along with associated equipment).

Application No.: 68209 **App. Type:** FUL 15/06/2022 Approve with Conditions
Location: 26 Hillingdon Road, Whitefield, Manchester, M45 7QN
Proposal: Replacement detached house, detached summer house in rear garden, boundary fence and new driveway

Application No.: 68229 **App. Type:** FUL 10/06/2022 Approve with Conditions
Location: 100 Park Lane, Whitefield, Manchester, M45 7PT
Proposal: Landscaping changes to allow for two parking spaces at the front garden as well as a shared stair with adjoining property, removal of side door, plus relocation of one door at rear, and enlarged garage

Application No.: 68328 **App. Type:** FUL 15/06/2022 Approve with Conditions
Location: 60 Marle Croft, Whitefield, Manchester, M45 7NB
Proposal: Single storey front extension

Application No.: 68349 **App. Type:** GPDE 26/05/2022 Prior Approval Not Required - Extension
Location: 10 Ross Avenue, Whitefield, Manchester, M45 7FH
Proposal: Prior approval for proposed single storey rear extension

Ward: **Whitefield + Unsworth - Unsworth**

Application No.: 68079 **App. Type:** FUL 15/06/2022 Approve with Conditions
Location: Former Castlebrook High School, Parr Lane, Bury, BL9 8LP
Proposal: Erection of Two storey special education needs and disability school (SEND) including hard and soft landscaping, multi use games area (MUGA), creation of on-site car parking and creation of new vehicular access on Parr Lane with a pick up and drop off area

Application No.: 68225 **App. Type:** FUL 07/06/2022 Approve with Conditions
Location: Moss View, 4 Killy Lane, Bury, BL9 8GA
Proposal: Proposed single storey out-building to accommodate a hot tub, changing room and store.

Application No.: 68296 **App. Type:** TEL 25/05/2022 Prior Approval Not Required
Location: Multiwood Products Ltd, Roach Bank Road, Bury, BL9 8RQ
Proposal: Prior approval for proposed installation of 99.94kWp solar panels (99.94kWp system) to be installed on the roof of Multiwood Products

Application No.: 68318 **App. Type:** LDPC 31/05/2022 Lawful Development
Location: 26 Wilton Drive, Bury, BL9 8BG
Proposal: Lawful development certificate for proposed loft conversion and rear dormer

Application No.: 68379 **App. Type:** LDCP 16/06/2022 Lawful Development

Location: 22 St Georges Road, Bury, BL9 8JG

Proposal: Lawful development certificate for proposed single storey rear extension

Total Number of Applications Decided: 71

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REPORT FOR NOTING

Agenda Item	6
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DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	28 June 2022
SUBJECT:	PLANNING APPEALS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>Planning Appeals:</p> <ul style="list-style-type: none"> - Lodged - Determined <p>Enforcement Appeals</p> <ul style="list-style-type: none"> - Lodged - Determined
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

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

1.0 BACKGROUND

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

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

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-

Contact Details:-

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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

**Planning Appeals Lodged
between 21/05/2022 and 17/06/2022**



Application No.: 67368/FUL

Appeal lodged: 09/06/2022

Decision level: DEL

Appeal Type:

Recommended Decision: Refuse

Applicant: Philip Rothwell Development Services

Location The Coach House, Former Ainsworth Nursing Home, Knowsley Road, Ainsworth, Radcliffe, Bolton, BL2 5PT

Proposal Demolition of existing building to be replaced with 2 no. dwellings

Application No.: 67554/FUL

Appeal lodged: 23/05/2022

Decision level: DEL

Appeal Type:

Recommended Decision: Refuse

Applicant: Mr Abdullah Naveed

Location 73 Brierley Street, Bury, BL9 9HW

Proposal Change of use from dwelling (Class C3) to residential institution (Class C2) for proposed children's care home (for up to 4 children with a minimum of 2 full time carers overnight, 1 sleeping, 3 full time carers during the day and living together as a single household)

Total Number of Appeals Lodged: 2

**Planning Appeals Decided
between 21/05/2022 and 17/06/2022**



Application No.: 66800/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: mr sivvery

Location: Hague Hall Farm, Mather Road, Bury, BL9 6TJ

Proposal: Change of use of a building to additional living accommodation; Two storey side extension and single storey front extension

Appeal Decision: Dismissed

Date: 27/05/2022

Appeal type: Written Representations



Appeal Decision

Site visit made on 16 March 2022

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 May 2022

Appeal Ref: APP/T4210/W/21/3284471

Hague Hall Farm Mather Road, Bury BL9 6TJ

- 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 Stewart Sivvery against the decision of Bury Metropolitan Borough Council.
 - The application Ref 66800, dated 31 March 2021, was refused by notice dated 1 September 2021.
 - The development proposed is described as: 'Change of use of a building to additional living accommodation; two storey side extension and single storey front extension'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Additional elevation drawings have been provided at the appeal stage in response to the Council's second reason for refusal relating to the inaccuracy of the plans and inability to determine the effect of the proposed porch on the character and appearance of the area.
3. These elevation drawings show a porch extension projecting out 1.2 metres as opposed to the 3 metres shown on the original plans. This brings the proposed elevation in line with the proposed floor plans as originally submitted and considered by the Council. As this would correct an error on the plans I am therefore satisfied that no party would be prejudiced if I were to take these into account. I am therefore considering the appeal on the basis of this revised plan.
4. Further drawings have also been provided showing a range of materials superimposed on the proposed development. Given that such materials could be controlled through planning condition regardless, I have not taken these plans into account.
5. On the site visit I saw a two storey extension was under construction and had replaced the pre-existing workshop and kitchen structures to the side. Furthermore, a single storey extension to the front elevation, in a similar position to the proposed porch had also been constructed. These were in addition to a single storey extension that I saw had been carried out to the rear as part of a previous approval¹. In its appeal statement, the Council states that due to the works that have been carried out it considers the application to have

¹ Planning application reference 65232.

been made under Section 73A. Nevertheless, I have determined the appeal on the basis of what is before me having regard to the proposed plans.

Main Issues

6. The main issues are:

- Whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
- The effect of the development on the openness of the Green Belt;
- The effect of the development on the character and appearance of the area; and,
- Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

7. The appeal property is a detached two storey farmhouse accessed via a driveway from Mather Road. The site is bounded by open fields. The building is of a traditional appearance with a distinctive linear character comprising of a wide frontage and a comparatively narrow gable. The building includes a two storey wing with a dual pitched roof set forward of the main elevation.
8. Paragraph 147 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances. Paragraph 149 makes it clear that, other than in specified circumstances, new buildings are inappropriate development. One of the exceptions of this is 149. 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. Similarly, saved Policy OL1/2 of the Council's Unitary Development Plan (1997) (UDP) follows the same principles, whilst the justification states that such proposals should have regard to any supplementary planning guidance issued by the Council.
9. Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt (2007) (the SPD) sets out that in general terms, the Council may allow an extension to be up to a third of the volume of the original dwelling. However, it notes that each proposal will be considered on its own merits and even an increase up to a third may not be appropriate in certain situations, giving the example of a site being in a particularly sensitive area or if there are other amenity issues.
10. The Framework does not define 'disproportionate' and makes no reference to the effect on openness of the Green Belt in relation to this particular exception. However, the appellant has calculated that the current scheme alongside the extension approved by 65322 would amount to a 30.21% increase in volume over and above the original building. This has not been disputed by the Council and would fall within the SPD guideline of a third.

11. The Council states in its delegated report that incorporating the existing buildings into the dwelling is acceptable and would not create any additional volume in the Green Belt. This is in reference to the single storey workshop and kitchen that have now been incorporated into the two storey structure that exists on site. Nothing I have seen or read would lead me to conclude otherwise in this respect. These structures are shown on the existing drawings and photographs provided by the appellant and occupy a comparatively small floor area at the end of farmhouse.
12. However, permission is sought to extend the buildings to two storeys above the volume of those pre-existing single storey structures, creating an additional volume at first floor level. Nonetheless, given the wide frontage of the building, and the setback proposed to the front wing, this addition at the end of the building would appear subservient. Furthermore, given the setback, the footprint would actually be decreased compared to the pre-existing workshop and kitchen buildings.
13. A porch is also proposed to the front elevation. However, this would be of a modest scale, projecting out 1.2 metres from this elevation. The single storey rear extension approved by 65232 is also modestly sized, projecting out for around half the width of the gable of the existing dwelling and occupying less than half the width of the rear elevation.
14. Having regard to the linear nature of the existing dwelling and the subservient nature of the extensions, their modest scale, and the fact that that together they fall within the guidelines for extensions in the SPD, I am satisfied that the scheme would not result in a disproportionate addition to the existing building.
15. Therefore, I find that the scheme before me would not be inappropriate development in the Green Belt and would accord with the provisions of paragraph 149 c) of the Framework. With respect to openness and the purposes of the Green Belt, given my findings that it would not be inappropriate development, the development would, by definition, not have an adverse impact on the openness of the Green Belt or the purposes of including land within it. As such it would accord with saved UDP Policies OL1/2 and OL1/4 and the SPD in this regard.
16. As the scheme does not amount to inappropriate development in the Green Belt, there is no requirement to assess if there are other considerations that amount to very special circumstances to justify it.

Character and Appearance

17. The farmhouse is visible at a distance from a public right of way which skirts around the adjacent fields. The two storey side extensions and the porch would be visible from here at various points, however in comparison to the current size and appearance of the appeal building, the increase in bulk would be small and the proposed extensions would not appear as dominant additions.
18. Whilst the Council has raised concerns over stonework, this appears to be primarily related to the development that has been carried out on the site. However, if I were to allow the appeal, details such as the style of stonework could be secured by condition.
19. Having regard to the existing plans and the photographs provided, and consistent with the traditional appearance of the building, both gable elevations

had a high solid to void ratio. Indeed, aside from a window and door on the kitchen building that has since been incorporated into the structures that currently exist on site, these were both blank. Windows in the rest of the building tend to be modestly sized.

20. It is proposed to install large windows serving the lounge, office, bedroom 2 and bedroom 3 in the pair of gables forming the side elevation of the extension. These comparatively wide window openings would not be reflective of the existing fenestration in the building. This elevation would also be at odds with the aforementioned high solid to void ratio that is characteristic of the existing building. The resulting harm arising to the host building from the proposed fenestration would be easily visible from the public right of way.
21. For these reasons I therefore conclude that the scheme before me, namely the window arrangement, would result in harm to the character and appearance of the area. The proposal would therefore conflict with saved UDP Policies H2/3 and EN1/1 insofar as they seek to ensure new development preserves character and appearance.

Conclusion

22. For the reasons given above, having considered the development plan as a whole, the approach in the Framework and all other relevant material considerations, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR