

# Public Document Pack

## AGENDA FOR

## PLANNING CONTROL COMMITTEE



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**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:-

<b>Date:</b>	Tuesday, 30 August 2022
<b>Place:</b>	Council Chamber, Bury Town Hall
<b>Time:</b>	7.00 pm
<b>Briefing Facilities:</b>	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
<b>Notes:</b>	<a href="https://councilstream.com/burycouncil">https://councilstream.com/burycouncil</a>

## **AGENDA**

### **1 APOLOGIES FOR ABSENCE**

### **2 DECLARATIONS OF INTEREST**

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

### **3 MINUTES OF THE MEETING HELD ON THE 26TH JULY 2022** *(Pages 3 - 4)*

Minutes of the meeting held on Tuesday the 26<sup>th</sup> July 2022 are attached.

### **4 PLANNING APPLICATIONS** *(Pages 5 - 96)*

Reports attached.

### **5 DELEGATED DECISIONS** *(Pages 97 - 110)*

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 111 - 134)*

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:** 26 July 2022

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

**Also in attendance:** Councillor C Birchmore

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

**Apologies for Absence:** None

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**PCC.1 APOLOGIES FOR ABSENCE**

There were no apologies received.

**PCC.2 DECLARATIONS OF INTEREST**

Councillor McGill declared a personal interest in Item 4 of the Agenda, Planning Applications, in relation to Planning Application number 66947 – as he lives in proximity to the site but far enough way for it not to be prejudicial.

**PCC.3 MINUTES OF THE MEETING HELD ON 28TH JUNE 2022**

**Delegated decision:**

That the Minutes of the meeting held on the 28 June 2022 be approved as a correct record and signed by the Chair.

**PCC.4 PLANNING APPLICATIONS**

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

There was supplementary information to add in respect of application numbers 66947 and 67965.

The Committee heard representations from applicants and a ward Councillor in respect of applications submitted.

**Delegated decisions:**

1. That the Committee be **Minded to Approve** the following application in accordance with the reasons put forward by the Development Manager in the report and any supplementary information submitted

**Land to east of M66 motorway, connecting Rochdale Road, Edenfield to Woodgate Hill WTW Compound, Bury**

Proposed works for and use of replacement section of aqueduct, including earthworks and ancillary infrastructure including: new valve house buildings and kiosk with permanent vehicular access provision; installation of tunnel shafts and open cut connection areas within a temporary construction compound, to include site access, storage areas, plant and machinery, drainage infrastructure and a residents' parking area. In addition, mine grouting works, to facilitate main tunnelling 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 any supplementary information submitted with additional conditions for the installation of appropriate landscaping and the installation of a cycle store and subject to the conditions included:-

**East Lancs Paper site, land between Cockclod Street/Cunliffe Street/Howard Street/Pollitt Street, Radcliffe Manchester, M26 9PG**

Residential development of 27 no. houses and apartments with car parking, landscaped areas and associated works.

**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 7.10 pm and ended at 8.10 pm)**



<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>30 August 2022</b>
<b>By:</b>	<b>Development Manager</b>
<b>Status:</b>	<b>For Publication</b>

### **Executive Summary**

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

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

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

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

**Policy:** Identified in each case.

**Resources:** Not generally applicable.

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

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

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

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

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

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

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

## **Development Manager**

### **Background Documents**

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

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

<b>01</b>	<b>Township Forum - Ward:</b> Whitefield + Unsworth - Pilkington Park	<b>App No.</b> 67109
	<b>Location:</b> Land off Kirkman Street, Bury	
	<b>Proposal:</b> Proposed new residential development for 9 no. dwellings with associated infrastructure	
	<b>Recommendation:</b> Minded to Approve	<b>Site Visit:</b> N
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<b>02</b>	<b>Township Forum - Ward:</b> Radcliffe - North and Ainsworth	<b>App No.</b> 67658
	<b>Location:</b> Land to west of Radcliffe Moor Road/Bury New Road, Radcliffe	
	<b>Proposal:</b> Change of use of the land for use as outdoor sports pitches including engineering operations to form 4 pitches, the construction of a clubhouse, ancillary storage structures, creation of access from Radcliffe Moor Road, parking, landscaping, drainage and associated works.	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> Y
<hr/>		
<b>03</b>	<b>Township Forum - Ward:</b> Radcliffe - North and Ainsworth	<b>App No.</b> 68261
	<b>Location:</b> Rose And Crown, Cockey Moor Road, Radcliffe, Bury, BL8 2HB	
	<b>Proposal:</b> To form new beer garden to east elevation of public house comprising a new covered pergola; 12no. 2.5m high posts to carry new festoon lighting to the boundary of the new beer garden and amended car park layout.	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
<hr/>		
<b>04</b>	<b>Township Forum - Ward:</b> North Manor	<b>App No.</b> 68528
	<b>Location:</b> 10 Springside Road, Bury, BL9 5JE	
	<b>Proposal:</b> First floor side extension; Single storey side and rear extension; Alterations to driveway to create additional parking	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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<b>05</b>	<b>Township Forum - Ward:</b> North Manor	<b>App No.</b> 68572
	<b>Location:</b> 11 Mayfield Close, Ramsbottom, Bury, BL0 9TL	
	<b>Proposal:</b> Single storey garage and porch extension at side; Alterations to existing windows to front and side elevations	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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**Ward:** Whitefield + Unsworth - Pilkington Park

**Item** 01

**Applicant:** Property Capital PLC

**Location:** Land off Kirkman Street, Bury

**Proposal:** Proposed new residential development for 9 no. dwellings with associated infrastructure

**Application Ref:** 67109/Full

**Target Date:** 15/08/2022

**Recommendation:** Minded to Approve

**It is recommended that this application is Minded to Approve subject to the signing and completion of a Section 106 agreement for off site ecological mitigation in accordance with Chapter 15 - Conserving and enhancing the natural environment of the NPPF and Policy EN6/3 of the Unitary Development Plan and for provision of resident parking pursuant to Policies H2/2 - The Layout of New Residential Development and HT 2/4 - Car Parking and New Development.**

#### **Description**

The site relates to 0.47 hectares of land which is a backland site between established residential development to the north, east and south with woodlands to the western boundary. Directly adjacent to the site are two bungalows, Nos 1 and 2 Kirkman Street.

The site comprises an open field and formed part of the landholding of No 2 Kirkman Street. The land is accessed via Kirkman Street, a short unadopted and unmade road which runs between 2 terraced properties, Nos 818 and 820 Manchester Road.

Kirkman Street serves as an access to the rear of the row of the houses on Manchester Road and Nos 1 and 2 Kirkman Street and is also used by local residents to park.

Kirkman Street is also signalled with the junction to Manchester Road and Sunnybank Road.

The site has become overgrown and contains a number of trees, mainly along the boundary, and there is a change in level across the site of approximately 4m between the western edge and eastern side.

The application seeks redevelopment of the site for a residential development for 9 no. dwellings with associated access and landscaping.

The proposed dwellings would be arranged around an internal road formed in a cul de sac type arrangement through the site. The existing access to the field would be utilised and modified, re-graded and would be wide enough to enable cars to pass at one time.

Five different house types are proposed in a mix of 4 and 5 beds.

All the properties would have driveway parking for at least 2 cars and a garage space, either integral to the house or detached. Rear gardens and patios would provide outside amenity space which would be bounded by 1.8m high fences.

In terms of appearance, the dwellings would be of a typical suburban character, comprising brick elevations and contrasting colour bricks for the heads and cills of windows. Plots 7,8 and 9 would be double fronted and incorporate additional coloured panelling to the front elevations.

Internally, living areas would be a ground floor with bedrooms and bathrooms at first floor.

A cut and fill operation to level off part of the site would be required.

The site would be accessed via Kirkman Street which has a signalised junction to Manchester Road. Works to this access would be carried out including a new stop line, staged traffic lights, resurfacing works, new pedestrian footpaths. A Traffic Regulation Order (TRO) on both sides of Kirkman Street would be implemented to prohibit parking. It is also proposed to provide a turning lane direction off Manchester Road from the north into Kirkman Street.

Parking for 7 cars for existing residents would be re-provided in a parcel of land behind the rear of Nos 808 and 816 Manchester Road to compensate for the loss of residents parking along Kirkman Street.

#### Layout of No 2 Kirkman Street (The Bungalow)

It is proposed to form a new access to this property which would be taken directly from the new cul de sac into the site close to the site entrance.

The planning application was originally validated June 2021.

It thereon followed that the LPA were made aware the incorrect certification of land ownership had been signed on the application. The LPA also identified issues with the application proposals which needed to be addressed.

The application was made invalid July 2021 and the applicant advised to enter into pre-application discussions to which they agreed.

The application was subsequently revalidated on receipt of the amended certification and set of revised plans and information in June 2022.

#### **Relevant Planning History**

02634 - E - Pre-application enquiry - 6/9/21

#### **Publicity**

Letters sent on 25/6/21 to adjacent properties. .

On notification of the initial planning application, 12 objections received with issues raised relating to impacts on ecology, access and parking, increase in traffic, road safety, character, scale and design of proposed dwellings, access for deliveries, loss of existing residents parking, increase in air pollution, safety, ownership rights of associated land and access, poor layout, construction problems, overlooking to adjacent properties.

The application was made invalid on 29/7/21 as it transpired that all land necessary for the development was not within the applicant's ownership and incorrect certification had been completed on the application.

The application was subsequently made valid 20/6/22 following receipt of the appropriate and correct certification and a set of revised plans and information.  
42 neighbours were re-notified by letter on 4/7/22.

12 objections received with the following issues raised:

- Kirkman Street is an unadopted road that has been repaired time after time by the residents of Manchester Road, it is the only parking for all the houses 802-836.
- We also use Kirkman Street for our bin collection as the bin truck can't get behind 802-818 so all the bins are sorted at Kirkman St .
- The traffic lights are offset so anyone trying to drive up Sunnybank Rd from Kirkman St will have the oncoming traffic driving across their path I have seen this happen for the past 26 years and many accidents.
- Kirkman St is not a viable access road for 9 houses
- I have been told the site has a knotweed issue and directly behind my house the site has a 8 foot high retaining wall that could become weakened if houses are built as close

as the plans suggest,

- This is a congested area with traffic issues and additional cars would cause further traffic and endanger pedestrians.
- Although the lights into Manchester Road are on a cycle, we have issues forcing our way through the standing traffic and other vehicles do not see us trying to leave the small street as they don't realise this is an exit point. A cyclist died at this junction last year while turning on from Sunnybank road.
- Kirkman Street is an unadopted road. When we purchased the house we were advised by solicitors that a freeholder owns it. I can't see supporting documents that the developer has the right to access Kirkman street and use it as an access point.
- In terms of construction of the development, concerned how long this would take to construct as 9 houses on a field is a potentially long project. Concerned about the noise impact of the construction, pollution, and increase of construction traffic which may affect residents and our lives while the houses are built.
- Street lighting is non-existent on the access road behind Manchester Road. An additional 27 cars (3 per house in the proposed development) would exacerbate the safety issue for pedestrians and congest the small area further.
- In the proposals, the developer has shown in maps the access road behind the terrace houses on Manchester Road has two exit points and both could be used by the residents in the new resident spaces. This is not the case as the end terrace house on the far right (number 802) has placed a storage container behind their house which blocks access. Regardless, a vehicle would not be able to exit as the corner is too tight and narrow. Therefore all resident cars, totalling 12, plus additional 27 vehicles on the new development, would be turning left and using the same narrow stretch of road to access and leave,
- The properties are not in keeping with the area and none are affordable housing.
- Strain on the drainage system currently in place which struggles during periods of heavy weather - we have massive amounts of water coming down our garden in the winter already and collecting.
- The plans do not provide details regarding expected time period for the project or how they are going to access the site. As a lot of residents work from home, there is going to be a lot of noise pollution.
- The plan suggests Kirkman St, which has minimum of 8 cars parked on it, will become restricted and no longer allow parking for residents. The suggestion of providing 7 spaces on the access road behind the existing terraced houses does not take into account the further vehicles parked behind the houses and seems to suggest you can leave via two exits which is not the case and the only exit will be Kirkman St. The road behind the houses is very tight. The suggestion of not allowing parking on Kirkman St punishes existing residences and adds to the issues caused by the restrictions to Highbank St a few years ago. I am also interested how you put parking restrictions on an unadopted road - Is this even possible legally when they do not own it?
- We have lived on Manchester Road for 3 years now and bought the house under the provision that Kirkman Street was an unadopted road that we were able to park on, likewise, we use the narrow lane at the back of our house to park a car. Neither of these roads are viable to be used to access a new estate multiple times a day. Not only is the size and condition of these roads not viable for that but it completely changes the environment and privacy of our home allowing cars to frequently pass the back of our house. With a main road at the front this gives residents absolutely no consideration at all.
- The design of the houses have now changed from the original planning application. Plots 2, 3 and 4 are now 5 bedroom houses with a first floor balcony at the rear of the buildings. These balconies look down directly into the neighbouring properties which is a invasion of privacy.
- Rat problem which will get bad again
- The Air Ambulance used this plot to land after a serious accident on Manchester Road, yards from the proposed Kirkman Street access point.
- Only a couple of years ago there was a fatal accident in the same area.
- Putting extremely large houses with multiple occupants and cars in such proximity to

this black spot is putting profit before safety and lives.

- Object to the lack of privacy from such large houses and windows in very close proximity to the existing bungalows, peering into the back bedrooms, kitchens and gardens. The lack of natural daylight is also a problem.
- Surely some architect can be creative and design a more environmental and non intrusive use of this land.
- The objections lodged against the last application still stand.
- It is hard for older people to access and comprehend these plans when you have 10 Middleton Drive stated twice on the same row of houses. Why? Explanation please.
- There appears to have been little notice taken of the previous comments and objections - the current plans appear to have done little to alleviate the issues highlighted.
- The land is a landing place for the Air Ambulance as the previous site used in the fork of Sunnybank Road and Manchester Road is now unsuitable following the inept installation of a Mobile Telecommunications Mast on the Manchester Road side

A total of 16 objections have been received to the application.

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

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

**Traffic Section** - No objection subject to conditions and S106 Agreement for the provision of residents parking.

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

**United Utilities (Water and waste)** - No objection subject to a condition for a sustainable drainage scheme.

**Waste Management** - No objection

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

**TfGM** - No objection subject to conditions

**Greater Manchester Ecology Unit** - No objection subject to conditions and a S106 Agreement for off site ecological mitigation

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

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

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN5/1	New Development and Flood Risk
EN1/3	Landscaping Provision
EN6/3	Features of Ecological Value
HT2/4	Car Parking and New Development
HT2/1	The Strategic Route Network
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
HT4	New Development

### **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 National Planning Policy Framework (NPPF) should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. The Framework maintains the emphasis on identifying a rolling five year supply of deliverable housing land.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore this needs to be treated as a material factor when determining applications for residential development.

Therefore, in relation to the proposed dwelling, paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

Therefore, in this case the 'titled balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

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

The site is located within the urban area and surrounded by established residential development and there would be no conflict with surrounding land uses. The site is located in a highly accessible and sustainable area and there would be existing infrastructure in place to facilitate the development.

Thus, the principle of a residential development in this location is considered to be acceptable and comply with the principles of the NPPF and UDP Policy H1/2.

Consideration of scale, layout, design, access and impacts on the surrounding area are considered below.

**Layout** - The proposed development has sought to respond to the challenge of the irregular shaped site and the constraints of the relationship to the existing residential development. These factors have determined the layout and number of properties proposed.

The 9 dwellings would be formed around a new cul de sac leading directly off Kirkman Street and each dwelling would sit within its own plot.

The streetscape and pattern of development would be reflective of similar small scale residential developments which are formed around cul de sac type arrangements and for this backland site, the proposed layout is considered to be a suitable and acceptable solution.

In terms of the topography, some engineering works would be required to address the changes of level on the site and the dwellings would be arranged in a slight stepped pattern as the land slopes from the east to the western boundary, which is a similar arrangement to that of the bungalows to the north which are also formed on an incline. Retaining walls would be constructed between each plot.

Each plot would provide sufficient levels of garden amenity space and driveway parking for at least 2 cars, with the added benefits of integral or detached garages.

There would be removal of 3 trees and vegetation within the site but the rest of the trees located along the boundary would be retained. There are TPO trees to the northern boundary but these are outside the site and would not be affected.

In terms of access this would be taken from the unadopted Kirkman Street with improvement works to change the staged signalisation of the junction, provide a stop line and incorporate parking restrictions on Kirkman Street. These are discussed more fully in the highway section below but for the purposes of serving the development, these improvements would satisfy both TfGM and the Highway Authority.

Acknowledging that the development would result in the loss of residents parking on Kirkman Street and along the gable ends of Nos 818 and 820 Manchester Road, the development proposes a new parking area for 7 cars which would be located off the back street behind the site which would be required to be retained for such purposes within a legal agreement.

In light of the above, it is considered that the scale of the proposed development for 9 dwellings would be commensurate with the land available and able to provide all associated facilities and infrastructure and in respect to the relationship of the adjacent residential properties.

It is therefore considered the proposed development would comply with policies H1/2, H2/1, H2/2 and H2/6.

**Design and appearance** - The proposed development proposes 5 different house types to account for the irregular shaped site and seek to maintain satisfactory separations to the adjacent houses as well as providing the associated infrastructure and new road.

The dwellings would be 2 storey detached types, with relatively standard principal elevations for a suburban type development such as incorporating gable pike projections and porched frontages.

Materials would comprise brick elevations with interest added by the use of contrasting brick cills and headers to windows. Plots 8 and 9 would be double fronted and the fenestration broken up by a coloured render.

Adjacent properties and houses in the area are mixed, with traditional 2 storey red brick terraces fronting Manchester Road to the east, and bungalows to the north and south and 2 story semis located further away but within the locality. It is therefore considered the proposed design and appearance would not detrimentally conflict with the character of the housing stock in the surrounding area.

As such, the proposed development would be considered acceptable and comply with policies H2/1, H2/6 and EN1/2.

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

To the north, the bungalows on High Bank Road are elevated above the site by approximately 2m. There would be a distance of 12m from the rear elevation of plots 8 and 9 to the rear boundary and 20m to the rear elevations of the bungalows on High Bank Road and as such aspect standards in this respect are considered to be acceptable.

The dwelling on plot 7 has now been amended to House type HT4 and given it would be set back into the plot, there would be no direct views or a direct interface between the proposed dwelling and the rear elevation of No 5 High Bank Road.

There would be single garages to each of plots 7, 8 and 9 but these would be single storey in height and given their size and position on site there would not be concerns of impact on neighbours.

To the south of the site, there would be a 9m rear garden depth to plots 2, 3 and 4 and 8m rear garden to plot 1 which would satisfy SPD6. Distances to the rear boundary of these houses would be circa 20m.

To the west there would be a minimum distance of 7m from the rear of plots 5, 6 and 7 to the boundary with the woodlands which would be acceptable.

From the side elevation of plot 9 to Nos 814-816 Manchester Road, there would be a distance of 17.5m which would comply with policy.

To No 1 Kirkman Street, aspect standards would be compliant. To No 2 Kirkman Street, The Bungalow, separation to Plot 5 would be less than generally accepted. However, there would be intervening landscaping, boundary treatment and an internal road which would give a sense of space and separation.

It is therefore considered that the proposed development would not have a detrimental impact on the residential amenity of adjacent occupiers and the proposed development would comply with H2/1 and SPD6.

### **Highways issues**

The site would take its access off Kirkman Street which is a short unadopted and unmade street. There is an existing entrance to the site, which would be modified to provide the new access and internal road which would have a cul de sac type arrangement with turning heads at the furthest point.

Each property would have driveway parking for at least 2 cars and a garage and as such it is considered that the level of parking for the development would be acceptable.

To facilitate the development, works would be required to Kirkman Street itself and on the main highway, Manchester Road. Transport for Greater Manchester (TfGM) have been consulted on the proposal and provided the following comments:

- A stop line should be provided on Kirkman Street.
- There should be traffic parking restrictions (TRO) on both sides of Kirkman Street for at least 15 metres from the stop line to ensure that the exit is kept clear.
- Kirkman Street and Sunny Bank Road should be separately staged - they currently run together - this will need Urban Traffic Control (UTC) to change the operation of the

traffic signals, to ensure safe operation of the junction and its users.

- Manchester Road (from the north) currently has a straight on arrow only in lane 2 - this should be amended to a right and straight on arrow.

All these requirements would be a condition of the application to which the applicant has agreed.

As the development would result in the loss of existing parking on Kirkman Street which is used by local residents, the applicant proposes to re-provide 7 parking spaces for these residents. The spaces would be located in a row along the north eastern part of the site accessed via the back street behind houses on Manchester Road.

The maintenance and general availability of this parking area in perpetuity would be secured in a S106 legal agreement.

It is therefore considered that existing residents would not be compromised by the proposed development.

New footways along Kirkman Street would improve pedestrian safety and access for future occupiers and existing residents. Waste collections for existing residents would not be affected as there would be collection points on the pavement for Manchester Road residents.

Both the Highways Authority and TfGM have raised no objection subject to the inclusion of the above conditions and S106 legal agreement and as such, the proposed development is considered to be acceptable and comply with H2/1, H2/2, HT2/4, HT4 and HT6/2.

### **Air Quality**

Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, the EH Section recommends a condition to be placed on any grant of permission that the applicant shall provide electric vehicle (EV) charging points for each residential unit.

### **Ecology**

#### Summary

Greater Manchester Ecology Unit (GMEU) have been consulted on the application. The developer's ecological consultant identified no significant ecological issues. Issues relating to badgers, nesting birds, Japanese knotweed and biodiversity enhancement measures can be resolved via condition and or informative.

#### Protected Species

No evidence of any protected species was found during the ecological assessment of the site, carried out by a suitably experienced consultant. Given the location the only species that would potentially be at risk would be badger given the proximity of the woodland to the west and the earthworks proposed on the site. As badger have been found in the wider area, GMEU recommend a condition that prior to commencement of earthworks a survey of the site and within 30m of the western boundary for badger setts are required and the findings supplied to and agreed in writing by the LPA with appropriate mitigation as required.

#### Nesting Birds

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

#### Invasive Species

Japanese knotweed is located on the site and would be impacted upon by the development. Himalayan balsam is known to be widespread in the woodland along the River Irwell to the

west, though none was found during the ecological survey. GMEU therefore recommend a condition for a method statement for invasive species.

#### Contributing to and Enhancing the Natural Environment

Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development would result in the loss of around 0.4ha of garden a low ecological value habitat, some trees and associated bird nesting habitat. This will be replaced by new garden, tree planting and built development. There will, under the current proposal be a net loss of biodiversity.

Given the scale of the development and low ecological value of the site, the level of mitigation required would be unsustainable if created on site. ie the area of species rich grassland that would be required to achieve mitigation would be too small to be sustainable. Off-site compensation would be the preferred approach with a contribution towards the Friends of Springwater Park for grassland management the best solution.

The nett loss of around 0.3ha of amenity grassland would be values at 0.6BU, valued by the Environment Bank at around £6k. This would be secured by a s106 legal agreement.

Mitigation on site for loss of bird nesting habitat, could be provided on site through provision of bird boxes on the new build or retained trees. This detail could be conditioned.

**Drainage** - United Utilities have been consulted on the development proposals and raise no objection in principle, subject to condition on the submission of a drainage plan together with evidence the drainage hierarchy has been fully investigated.

#### **Planning Obligations**

A S106 agreement would secure off-site mitigation for ecological enhancement would be provided and for securing residents parking in perpetuity.

#### **Response to objectors -**

- The appropriate certification and notice has been served by the applicant.
- Any environmental issues arising from the construction of the development would be covered by other Environmental legislation.
- Nine dwellings would not trigger the requirement for Affordable Housing
- No balconies to the properties are proposed.
- In the event of an emergency in the locality, Air emergency services would find alternative sites to land or alternative means to attend an emergency. There would be no planning policy reason to prevent the redevelopment of this private land.
- All other issues raised, including objections to impacts on highway safety, traffic generation, parking, impacts on residential amenity, drainage and waste collection have been covered in the above report.

#### **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:** Minded to Approve

#### **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-  
All plans reference number A2016-PS-  
Site location plan SLP02 B; Proposed site plan SP01 D; Plot boundary treatment SP02 C; Site lighting layout SP03C; Site access upgrade SP04B; Residents parking area SP05 A; Existing site topo and tree survey plan TS01 B; Proposed streetscapes SS01 C; Constraints site plan CO01 D; Detached garages GAR01 A; Existing site sections ES01  
House type 1 1757-A201; House type 2 1757-A202; House type 3 1757-203; House type 4 1757-A204; House type 5 1757-A205  
Planning Statement June 2022; Design and Access Statement rev B; Highway and Drainage layout 129-21-D100 D; Existing site/topo survey CPLS (201120JC-01); Phase 1 Preliminary Risk assessment LK Group; Phase 2 Risk Assessment and Remediation strategy LK Group; Tree survey and constraints report - Amenity Street Care Ltd; Ecology Survey (Biodiversity survey/report) Amenity tree care Ltd Version 1 21.4.21  
and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. No development shall commence unless and until:-
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
  - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.  
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
5. Prior to occupation the applicant shall provide electric vehicle (EV) charging points for each residential unit. EV chargepoints shall be chosen for the Electric Vehicle Homecharge Scheme approved chargepoint model list.  
Reason. In accordance with the principles of the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.

6. Prior to commencement of earthworks a survey of the site and within 30m of the western boundary for badger setts shall be carried out and the findings supplied to and agreed in writing by the Local Planning Authority.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
7. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.  
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
8. Prior to any earthworks a method statement detailing eradication and/or control for japanese knotweed should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full.  
Reason. The scheme does not provide full details of the actual extent of invasive species in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
9. A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include native tree and shrub planting and the provision of bird boxes on the new build or retained trees. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.  
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
10. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.  
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
11. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
  - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
  - (ii) A restricted rate of discharge of surface water agreed with the local planning

authority (if it is agreed that infiltration is discounted by the investigations);  
(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter.

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

12. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.  
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan H2/2 and H2/3.
13. Details/Samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.  
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design and H2/1 - The Form of New Residential Development.
14. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the traffic signal works required by the Urban Traffic Control Unit of Transport for Greater Manchester, to a scope and specification and programme of implementation to be agreed, have been submitted to and agreed with the Local Planning Authority. The works shall include:
  - Provision of a stopline on Kirkman Street, the exact position of which is to be determined at detailed design stage.
  - Provision of parking restrictions/Traffic Regulation Order on both sides of Kirkman Street for at least 15 metres from the stopline to ensure that the exit is kept clear, to a scope and specification to be agreed with the Highway Authority and subject to the necessary public consultation exercise.
  - Measures to separately stage Kirkman Street and Sunny Bank Road and change the operation of the traffic signals in order to ensure the safe operation of the junction.
  - Measures to amend the Manchester Road signal from the north from the current straight on arrow only in Lane 2 to a right and straight on arrow in order to ensure the safe operation of the junction.
  - Provision of 'above ground' vehicle detection on Kirkham Street.
  - Re-validation of 'MOVA' and upgrade to the latest version of 'MOVA' at the junction so that the traffic signals are optimised.



The details subsequently approved shall be implemented to the agreed programme with all changes to the signalised junction taking place before the first house is occupied.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New residential development, EN1/2 - Townscape and Built Design, HT4 - New Development and HT6/2 - Pedestrian/Vehicular Conflict.

15. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways (as appropriate) to the Local Planning Authority:

- Reconstruction of the carriageway and footways on Kirkman Street, change of priority at the junction of Kirkman Street with the un-named back street and associated footway crossings, demarcation of the limits of the adopted highway, provision of tactile paving at the junction with Manchester Road and all associated highway and highway drainage remedial/accommodation works required as a result of the development, all to a scope and specification to be agreed;
- Measures and scheme of works to ensure that surface water from Kirkman Street and the private access road is not discharged onto the adopted highway;
- Notwithstanding the details indicated on approved plan reference A2016-PS-SP03 C, provision of a street lighting assessment of the intensified junction of Kirkman Street with Manchester Road and proposed private estate road and subsequent scheme of improvements to existing street lighting on the adopted/unadopted highways;
- Refuse collection arrangements for the existing properties fronting Manchester Road shall be provided within the curtilage of the site in accordance with Waste Management's requirements, clear of the footways to be used to access the new development.

The details subsequently approved shall be implemented to an agreed programme with all highway works completed prior to the development hereby approved being occupied.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New residential development, EN1/2 - Townscape and Built Design, HT4 - New Development and HT6/2 - Pedestrian/Vehicular Conflict.

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

- Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of statutory undertakers connections to the site;
- Access route for all vehicles to the site from the Key Route Network;
- Access point(s) for construction traffic from the adopted/unadopted highway and all temporary works required to facilitate access for ground works/construction vehicles;
- If proposed, details of site hoarding/gate positions clear of required visibility splays onto the adjacent access roads and access routes to adjacent

residential properties;

- The provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted/unadopted highway;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Manchester Road
- Confirmation of hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
- Parking on site or on land within the applicant's control of adjacent residents vehicles affected by the site access routing;
- Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

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

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

17. The visibility splays indicated on the approved plans shall be implemented before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New residential development, EN1/2 - Townscape and Built Design, HT4 - New Development and HT6/2 - Pedestrian/Vehicular Conflict.

18. No development shall commence unless and until details of the proposed arrangements for future management and maintenance of the proposed estate road and street lighting within the development have been submitted to and approved by the local planning authority. The estate road shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

Reason. To ensure that the unadopted estate road serving the development is maintained to an acceptable standard in the interests of residential/highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New residential development, EN1/2 - Townscape and Built Design, HT4 - New Development and HT6/2 - Pedestrian/Vehicular Conflict

19. The vehicular and pedestrian access arrangements, turning facilities and bin storage/collection arrangements for the new dwellings within the curtilage of the site indicated on the approved plans shall be provided before the development is

first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

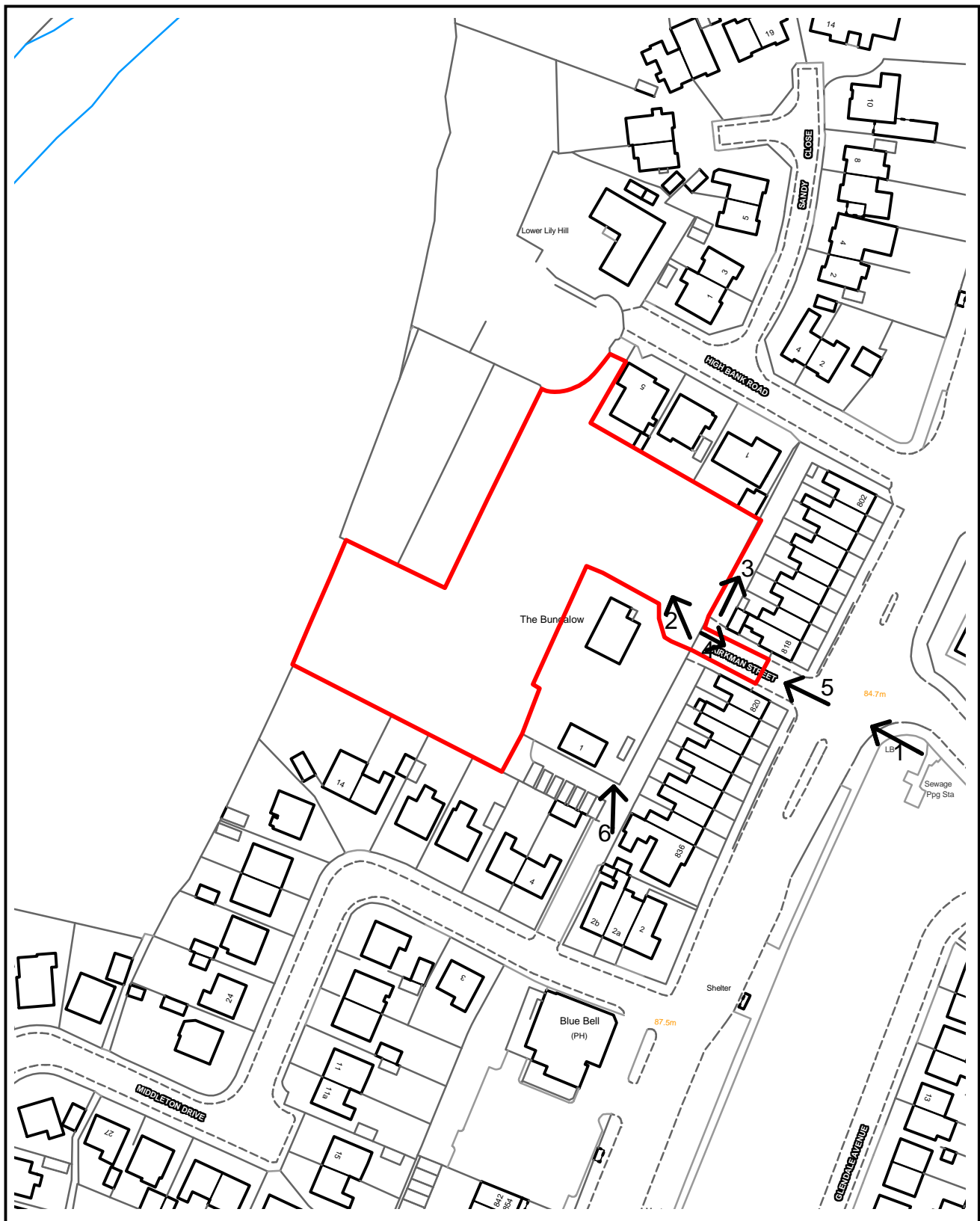
Reason. In the interests of highway safety and to minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New residential development, EN1/2 - Townscape and Built Design, HT4 - New Development and HT6/2 - Pedestrian/Vehicular Conflict.

20. The car parking for the new dwellings and replacement parking for the adjacent residents indicated on the approved plans, incorporating minimum in-cutillage parking hardstanding/parking space lengths of 5.0m and measures to prevent the discharge of surface water onto the adjacent highways, shall be surfaced, demarcated (as appropriate) and made available for use prior to the development hereby approved being occupied and thereafter maintained at all times.

Reason. To ensure adequate off-street car parking and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to policies H2/2 - The Layout of New residential development, 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 67109**

**ADDRESS:** Land off Kirkman Street  
Bury

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL



67109

Photo 1



Photo 2





67109

Photo 3



Photo 4





67109

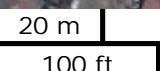
Photo 5



Photo 6







Production Date: 15 Aug 2022

Scale 1500 when printed at A4

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Notes



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# REVISIONS

<b>A</b>	Application boundary extended. Driveway added to bungalow.	10.08.21
<b>B</b>	Scheme redrawn. Planning Issue	01.06.22

# KEY -



Kirkman Street to be re-surfaced to match new Estate road



New 5.5m wide Estate road with 2m wide footways



Shared surface raised 'table' in contrasting surface material to act as a traffic calming measure



Shared & private driveways in contrasting surface material



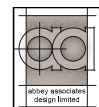
Brickwork retaining walls between plots to suit site levels with timber fencing above



1.8m high 'Venetian' style timber fencing to all plot boundaries with gated access to rear of properties



Suggested new trees and ground cover planting to verges



Lancashire Office:  
18 Pickering Close  
Bury  
Lancashire  
BL8 1UE  
Tel: 079555 69385  
Email: chris.shiels@aa-d.co.uk

Proposed housing development:  
Land off Kirkman Street, Bury

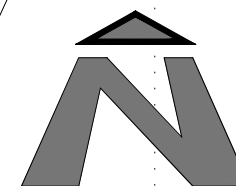
Property Capital PLC

PROPOSED SITE PLAN

**A2016-PS-SP01 B**

Scale 1:500 @ A3 (1:250 @ A1)

0 | 1 | 5 | 10 | 15 | 20 | 25m

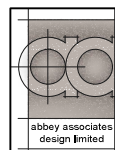
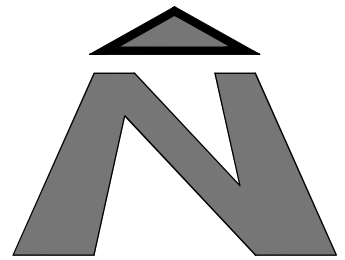


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#### REVISIONS

<b>A</b>	Application boundary extended.	10.08.21
<b>B</b>	Boundaries revised. Planning Issue	13.06.22



Lancashire Office:  
18 Pickering Close  
Bury  
Lancashire  
BL8 1UE  
Tel: 079555 69385  
Email: chris.shiels@aa-d.co.uk

Proposed housing development:  
Land off Kirkman Street, Bury

Property Capital PLC

SITE LOCATION PLAN

**A2016-PS-SLP02 B**

Scale 1:1250 @ A4

0 | 10 | 20 | 30 | 40 | 50 | 60m

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# REVISIONS

A Scheme redrawn, Planning Issue 01.06.22

# KEY -



Parcel of land to be 'gifted' to residents of Manchester Road as private vehicular parking area to compensate loss of parking along Kirkman Street



25x2.4m visibility splays to be provided & maintained for egress from Bungalow



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Lancashire  
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Email: chris.shiels@aa-d.co.uk

Proposed housing development:  
Land off Kirkman Street, Bury

Property Capital PLC

SITE PLAN - RESIDENTS PARKING AREA

A2016-PS-SP05 A

Scale 1:200 @ A3 (1:100 @ A1)

0 1 2 3 4 5 6 7 8 9 10m

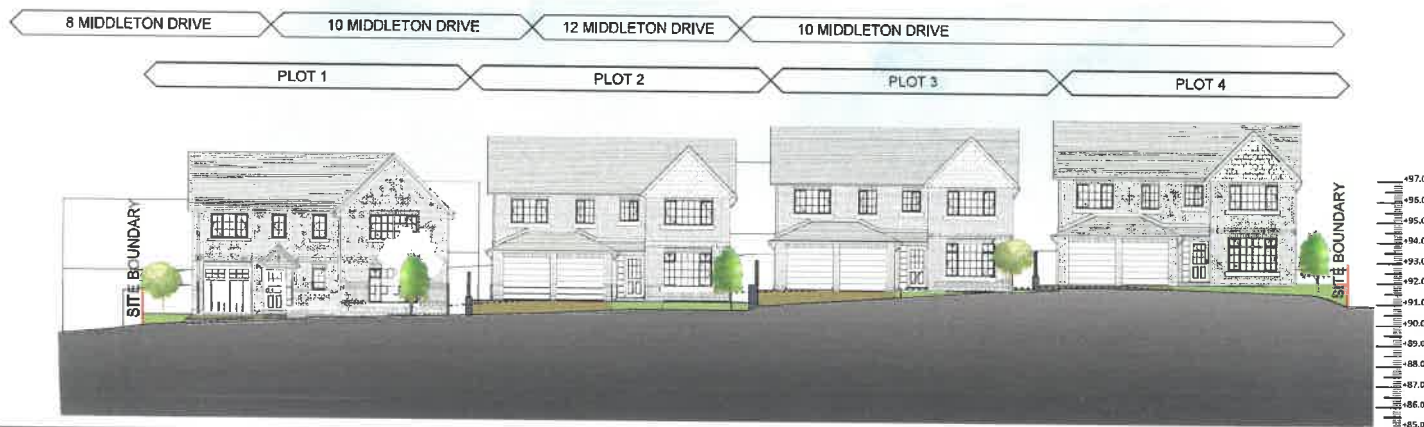
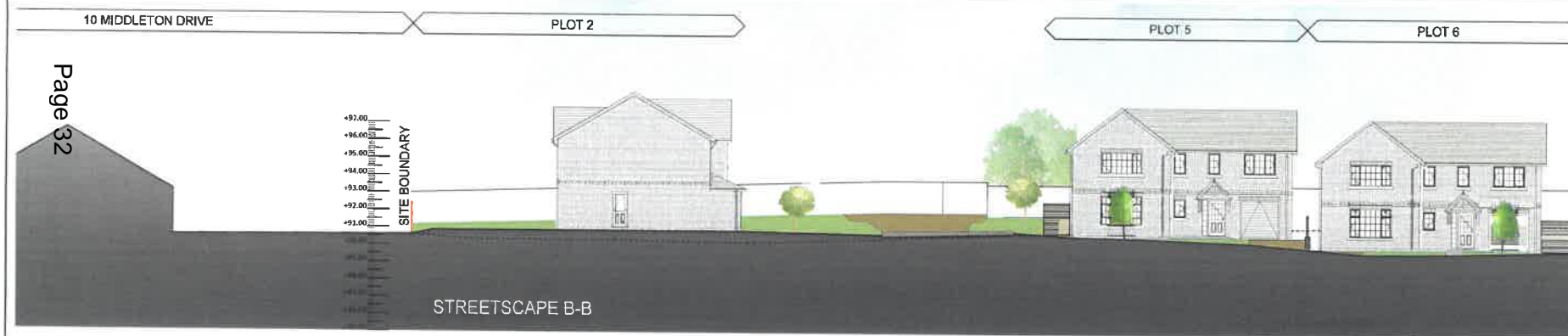


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## REVISIONS

A Scheme redrawn, Planning Issue 13.06.22



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Bury  
Lancashire  
BL8 1UE  
Tel: 079555 69385  
Email: chris.shiels@aa-d.co.uk

Proposed housing development:  
Land off Kirkman Street, Bury

Property Capital PLC

PROPOSED STREETSCAPES

**A2016-PS-SS01 A**

Scale 1:250 @ A3 (1:125 @ A1)

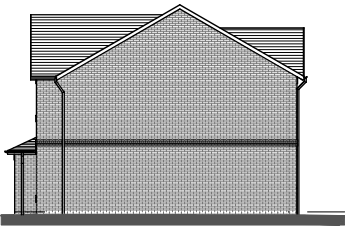
0 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 12.5m



Front Elevation  
1 : 100



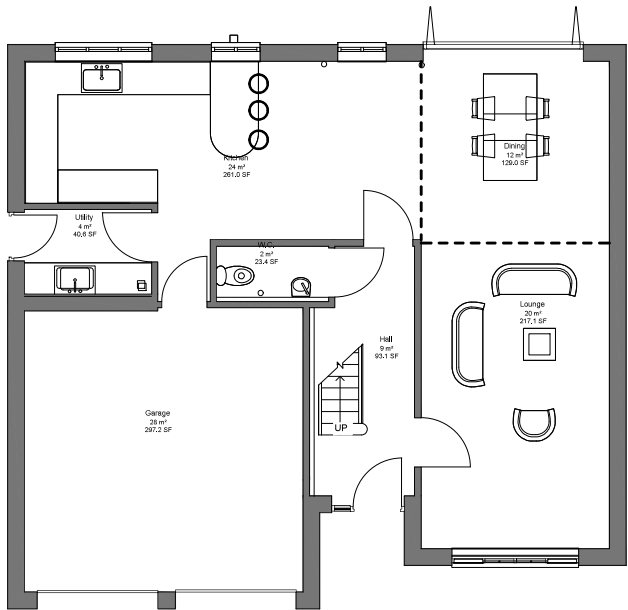
Rear Elevation  
1 : 100



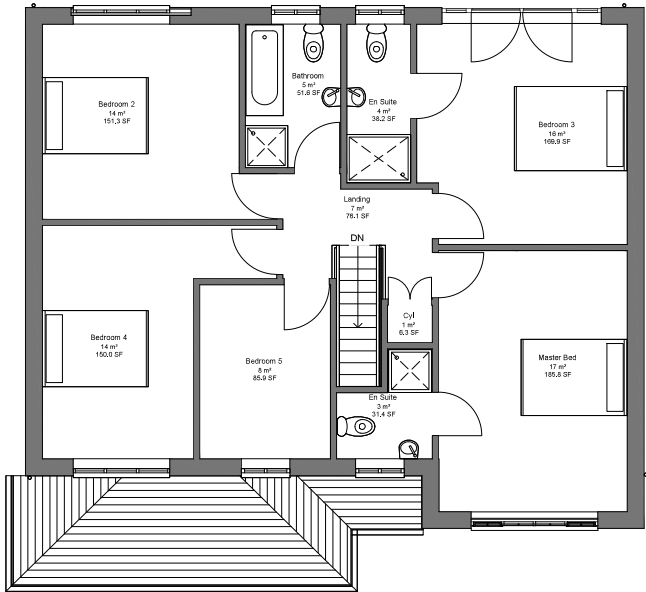
Side Elevation A  
1 : 100



Side Elevation B  
1 : 100



Ground Floor Plan  
1 : 50



First Floor  
1 : 50

Area Schedule (GIA)		
Level	Name	Area
Ground Floor Layout	Ground Floor	73 m²
Ground Floor Layout	Garage	27 m²
First Floor	First Floor	93 m²
Grand total 3		193 m²

The Contractor is responsible for checking all dimensions, tolerances and references. Any discrepancy is to be notified to JIG before proceeding with the work.

Where an item is covered by drawings to different scales, the larger scale drawing is to take precedence.

Do not scale drawings. Stated dimensions are to be worked to in all cases.

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No.	Made by	Date	Checked	Description

**JIG** RIBA Chartered Practice  
**Architects**

Studio 16, Mold Business Park, Wrexham Road Mold H7 1XP  
Tel: 01352 700 7991 Fax: +44 (0)1352 700 7991 E: admin@jigarchitects.com

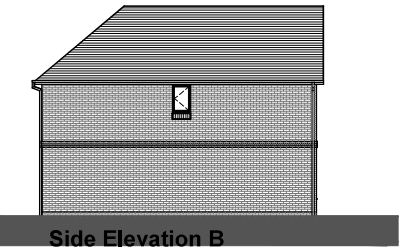
Client	
Project	
Kirkman Street, Bury	
1757	Project number
Sheet Name	
HOUSE TYPE 1 - Brick	
Sheet Number	Revision
A201	
Date	Oct 20
Scale	A1 As
Drawn by	jrg
Checked by	cgr



Side Elevation A  
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Rear Elevation  
1 : 100



Side Elevation B  
1 : 100

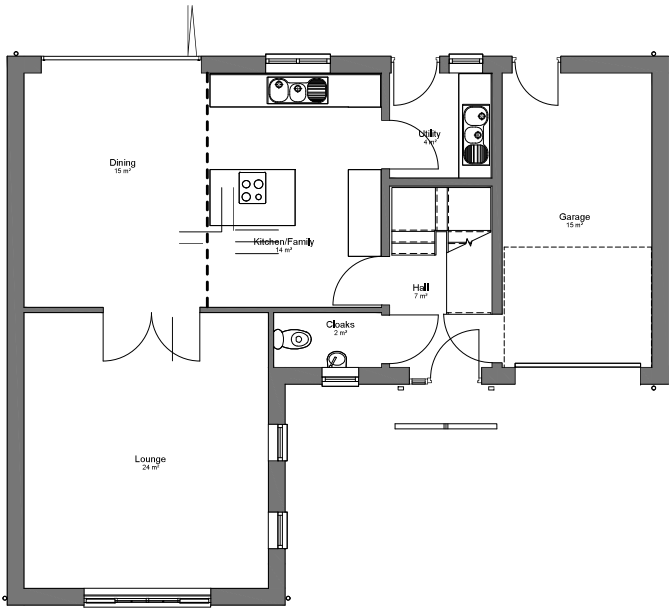


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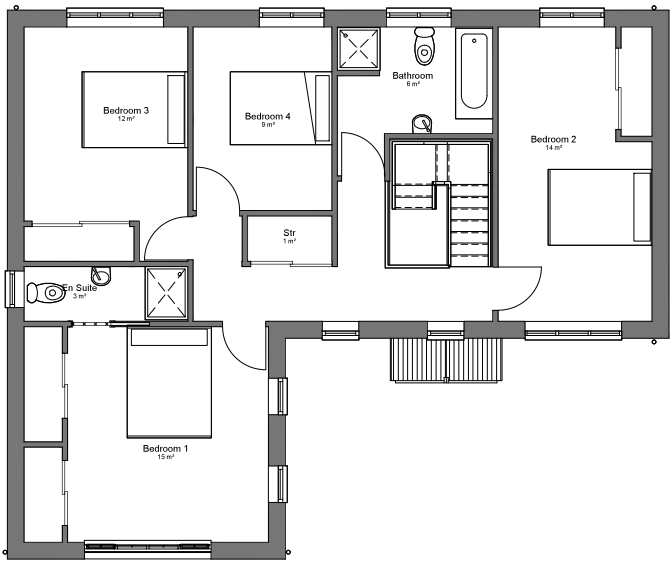


3D View 3

Page 34



00 Ground Floor Plan  
1 : 50



01 First Floor Plan  
1 : 50

Area Schedule (GIA)		
Level	Name	Area
01 First Floor Plan	First Floor	86 m²
00 Ground Floor Plan	Ground Floor	65 m²
00 Ground Floor Plan	Garage	15 m²
Grand total:		165 m²

The Contractor is responsible for checking all dimensions, tolerances and references. Any discrepancy is to be notified to Jig before proceeding with the work.				
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**JIG** RIBA Chartered Practice  
**Architects**

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Client: \_\_\_\_\_

Project: \_\_\_\_\_

Kirkman Street, Bury

1757 Project number

Sheet Name

HOUSE TYPE 2 - Brick

Sheet Number Revision

**A202**

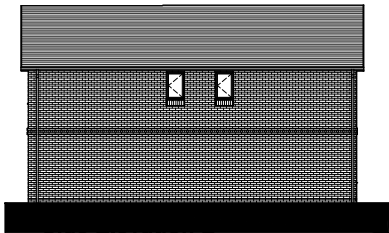
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Drawn by	JRJ	Checked by	JDJ



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Rear Elevation  
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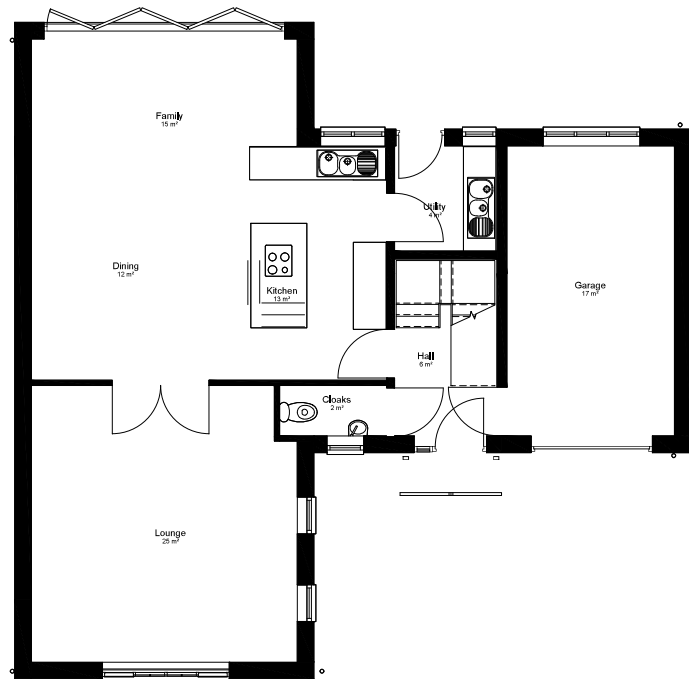
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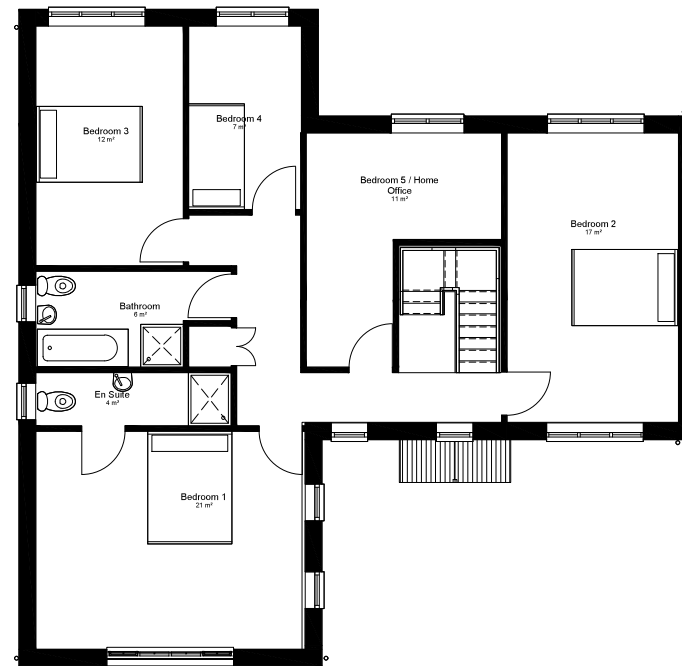
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3D View 3



00 Ground Floor Plan  
1 : 50



01 First Floor Plan  
1 : 50

Area Schedule (GIA)		
Level	Name	Area
01 First Floor Plan	First Floor	97 m²
00 Ground Floor Plan	Ground Floor	79 m²
00 Ground Floor Plan	Garage	17 m²
Grand total: 3		193 m²

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Client: \_\_\_\_\_

Project: \_\_\_\_\_

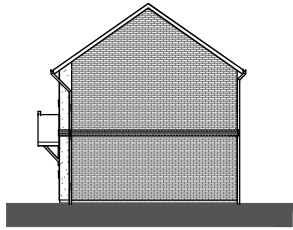
Kirkman Street, Bury  
1757 Project number  
Sheet Name

HOUSE TYPE 3

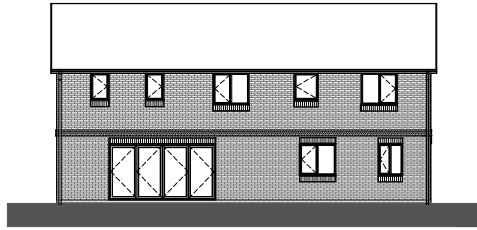
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**A203**

Date	Issue Date	Scale	A1 As Indicated
Drawn by	JRJ	Checked by	JDI



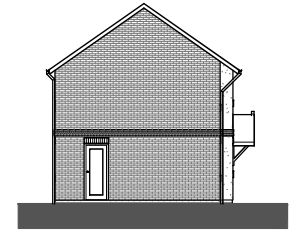
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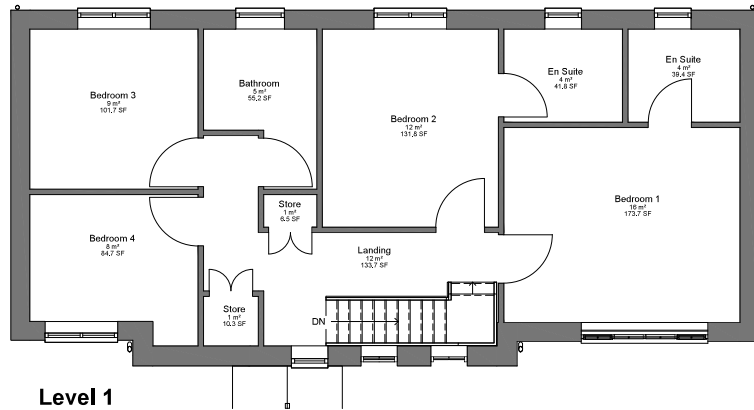
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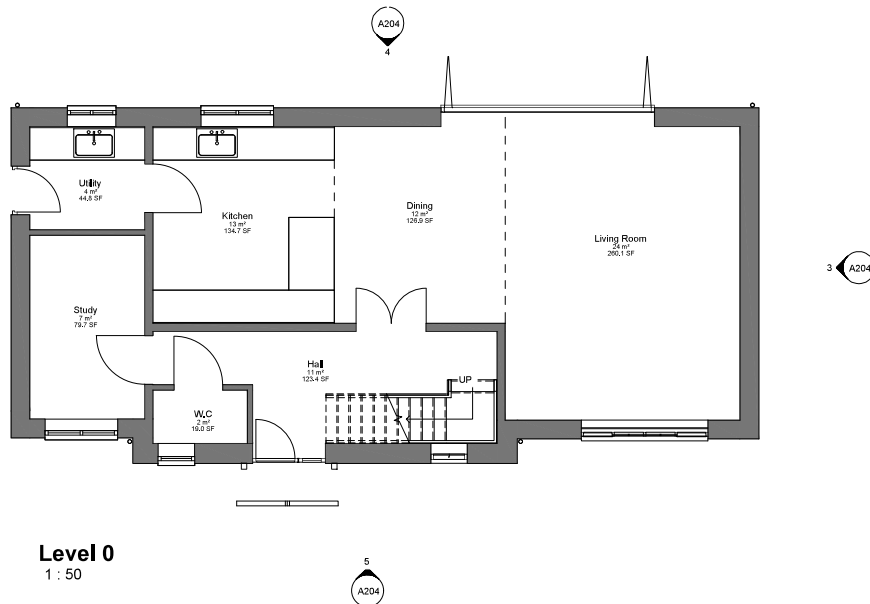
South  
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West  
1 : 100



Level 1  
1 : 50



Level 0  
1 : 50

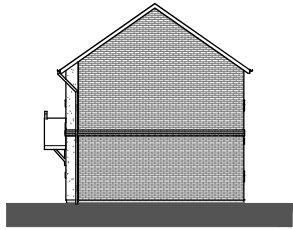


3D View 1

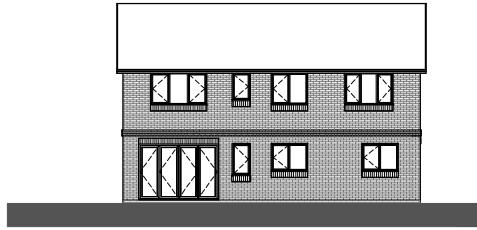
Area Schedule (GIA)		
Level	Name	Area
Level 0	Ground Floor	76 m²
Level 1	First Floor	76 m²
Grand total		153 m²

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Client			
Project			
Kirkman Street, Bury			
1757		Project number	
Sheet Name			
HOUSE TYPE 4 - brick			
Sheet Number		Revision	
A204			
Date	Issue Date	Scale	A1 As indicated
Drawn by	jri	Checked by	cgr





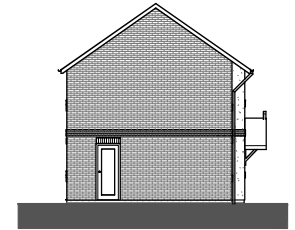
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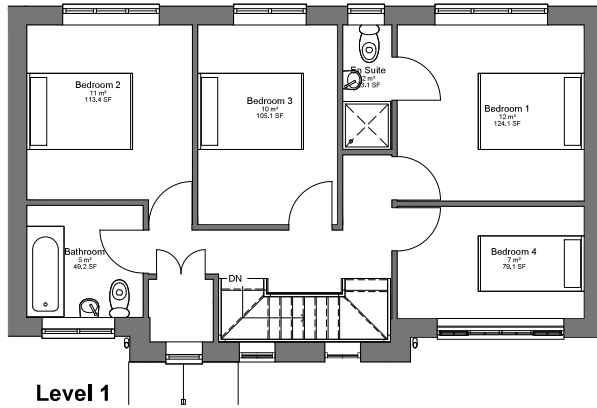
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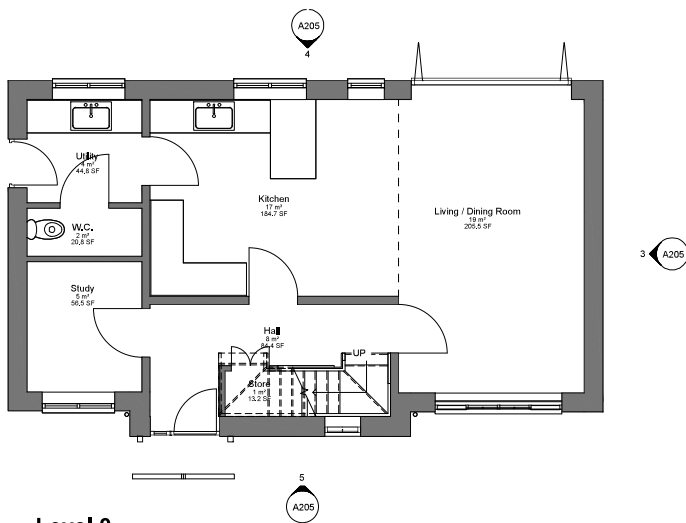
South  
1 : 100



West  
1 : 100



Level 1  
1 : 50



Level 0  
1 : 50



3D View 1

Area Schedule (GIA)		
Level	Name	Area
Level 1	Area	60 m²
Level 0	Area	60 m²
Grand total		120 m²

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Client			
Project			
Kirkman Street, Bury			
1757		Project number	
Sheet Name			
HOUSE TYPE 5 - Brick			
Sheet Number		Revision	
A205			
Date	Issue Date	Scale	A1 As indicated
Drawn by	jir	Checked by	cgr

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**Ward:** Radcliffe - North and Ainsworth

**Item** 02

**Applicant:** Westchurch Homes Limited & Wyresdale Amateur Football Club

**Location:** Land to west of Radcliffe Moor Road/Bury New Road, Radcliffe

**Proposal:** Change of use of the land for use as outdoor sports pitches including engineering operations to form 4 pitches, the construction of a clubhouse, ancillary storage structures, creation of access from Radcliffe Moor Road, parking, landscaping, drainage and associated works.

**Application Ref:** 67658/Full

**Target Date:** 10/01/2022

**Recommendation:** Approve with Conditions

**The Development manager suggests that a site visit be carried out by the Planning Control Committee Meeting**

### **Description**

The application site comprises 2 rectangular parcels of grassed land of 6 hectares in size. The site is located to the west of Radcliffe Moor Road and to the south of Bury New Road. The land slopes downwards from Bury New Road to Browns Road. The site was last used as agricultural land and there are hedgerows on the perimeter of and crossing the site.

Bury New Road forms the boundary to the north with residential properties beyond. There is a car sales dealer and a Public Right of Way on the north west corner. There are 4 lodges to the south of the site, with industrial building beyond. There is an open field to the west with residential properties beyond. Radcliffe Moor Road forms the boundary to the east with open fields beyond.

The proposed development involves the change of use of the land including operational development to form 4 football pitches with associated engineering works, the construction of a clubhouse, creation of an access from Radcliffe Moor Road and works to parking, landscaping and drainage.

The proposed pitches would be formed in the north and south of the site and 'cut and fill' would be used to create a level playing area. The proposed clubhouse would be single storey and would be located centrally in the site.

Access would be taken from Radcliffe New Road and a parking area for 78 cars and a cycle store for 24 cycles.

The application is submitted to provide a compensatory loss of open space within Bolton at Inverbeg Drive, where the site is currently intended to be redeveloped for housing.

### **Relevant Planning History**

None relevant.

### **Publicity**

The neighbouring properties were notified by means of a letter on 28 October 2021 and a press notice was published in the Bury Times on 25 November 2021. Site notices were posted on 12 November 2021.

1 letter in favour was received and raised the following issues:

- This will give a local club a fantastic up to date facility so they can continue to provide opportunities for hundreds of young people to play football on a weekly basis.

- The field is currently unused and will change very little with the addition of a parking area and two buildings.
- Most of the area will remain grass for wildlife to use.
- I am sure the council will look careful at appropriate traffic measures.
- People moan there is nothing for youngsters to do.... Here is a perfect opportunity to help.

2 comments and 79 letters were received, which have raised the following issues:

- The existing site of the football club should be improved.
- Traffic on Radcliffe Moor Road is already an issue and cars are unable to turn right onto Bury New Road.
- The increase in traffic would increase danger and pollution
- This site has been encouraged to enable further housing applications
- The proposal is located on Green Belt land which should be preserved
- The applicant cannot maintain their current pitches and this site would fall into disrepair.
- The developer will continue and put homes on the Green Belt land
- The proposal is an overdevelopment as the club does not have enough members to warrant such large facilities
- The area around the lodges is a haven for wildlife.
- The noise and light pollution would cause distress to wildlife in the surrounding area
- Problems already exist with Browns Road - this road is classified as unsuitable for heavy vehicles but isn't managed and the small road is blocked daily by HGVs, preventing access to Boundary Drive. If cars attending sports events also attempt to park here, there will be chaos.
- The development is not required in that particular area - there are other developed sports facilities within 2km of this site and it therefore this represents a duplication
- The extra parking that will inevitably overflow onto Browns Rd and other nearby residential roads
- the noise from matches would be audible in this otherwise quiet area
- We need to keep natural habitat and green spaces to stop climate change and encourage biodiversity. This is greenbelt and as such should be protected
- Lack of consideration given to the existing mine shaft entry point highlighted in the objection by the Coal Authority.
- Twenty-seven spaces for spectators is inadequate.
- Safe access for those with limited mobility and / or a disability not considered.
- The existing land is a natural drain to the lodges. The development will again cause more localised flooding.
- Why destroy greenbelt and subsequent wildlife habitats in Bury when the football pitches in question have been sold for profit under another council.
- Why does a Bolton football club have to relocate into Radcliffe, why don't they go to Bolton council for greenbelt land to relocate to.
- The area is widely used by local people.
- Once again the greed of Bury Council to increase revenue on green land has now extended to allowing a very small Bolton FC to apply for permission to build a new complex.
- By approving this application, the council would be setting a precedent for other applications on Green Belt. Bury's Green Belt should not be sacrificed for Bolton's gain.
- The low intensity managed grassland provides capture and drainage of rainwater. Replacing this with intensively managed drained pitches can impact local flood resilience. The water drains into Starmount Lodges and then Blackshaw Brook. If installed drainage is permitted to have same outflow then I have concerns about pollution or eutrophication resulting from pesticides and fertilizers used in pitch maintenance.
- Security & devaluation of properties is another concern
- Footballs being jettisoned onto a main road will be dangerous
- Most of the other football pitches in the area have problems with yobs and druggies
- Our properties were built in 1912 and enjoy splendid unobstructed panoramic views

towards the Cheshire Hills. Any change of the vista would be an eyesore and totally out of character.

- As a life long residents here and Council Tax (or equivalent) payers of over 50 years we were somewhat dismayed and disappointed to receive less than 3 weeks notice to reply to this proposal which evidently has been carefully assembled over an 18 month period.
- Bolton should first utilise their own brownfield sites for a development of this nature.
- We are bewildered if a struggling football club who needs to sell their site would be worthy of such a dramatic and out of context extension in a borough to which they do not belong.
- We believe that for the vast majority of the week the site and car-park would be redundant (Sporadic use) Especially given the seasonal nature of the sport and games at the weekend. Can it's development be justified when the fields lay idle for 3 months a year (Summer)?
- Would Bolton Council be willing to allow an amateur football club from Bury to build on their greenbelt land?

The objectors and supporter have been notified of the Planning Control Committee meeting.

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

**Traffic Section** - No objections, subject to the inclusion of conditions relating to highway improvements, construction traffic management plan, turning facilities, parking and bin storage facilities.

**Drainage Section** - Comments to be reported in the Supplementary Report.

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

**Environmental Health - Air Quality** - No objections, subject to the inclusion of a condition relating to an electric vehicle charging point.

**Public Rights of Way Officer** - No objections.

**GM Ecology Unit** - No objections, subject to the inclusion of conditions relating to nesting birds, invasive species, method statement, disposal of surface water and landscaping and informatives relating to bats.

**Sport England** - No objections, subject to the inclusion of a condition relating to a management and maintenance scheme.

**Cadent Gas Ltd** - No objections, subject to the inclusion of a condition relating to the gas pipeline.

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

**Lancashire Wildlife Trust** - No response received.

**Transport for GM** - No objections.

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

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

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/11	Public Utility Infrastructure
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/2	Sites of Nature Conservation Interest LNR's
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/4	Groundwater Protection
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
OL1/2	New Buildings in the Green Belt

OL1/5	Mineral Extraction and Other Development in the Green Belt
OL4/1	Agricultural Land Quality
RT2/1	Provision of New Recreation Sites
RT3/4	Recreational Routes
RT3/5	Noisy Sport
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

### Issues and Analysis

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

**Principle - Green Belt** - The application site is located in the Green Belt and as such, paragraph 149 and 150 are relevant.

Paragraph 149 of the NPPF states that the construction of new buildings would be inappropriate in the Green Belt. Exceptions to this are:

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

Paragraph 150 of the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- mineral extraction;
- engineering operations;
- local transport infrastructure which can demonstrate a requirement or a Green Belt location;
- the re-use of buildings provided that the buildings are of permanent and substantial construction;
- material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- development, including buildings, brought forward under a Community Right to Build

## Order or Neighbourhood Development Order.

Policy OL1/2 states that the construction of new buildings in the Green Belt is inappropriate development, unless it is for one of more of the following purposes:

- agriculture and forestry
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it;
- limited extension, alteration or replacement of existing dwellings, provided that this would not result in a disproportionate additions over and above the size of the original dwelling, or, in the case of replacement existing dwellings, the new dwelling is not materially larger than the one it replaces;
- limited infilling in existing villages.

Policy OL1/5 states that within the Green Belt other development, not including buildings, will be inappropriate unless:

- it maintains openness and does not conflict with the purposes of including land in the Green Belt;
- in the case of mineral extraction, it does not conflict with the purposes of including land in the Green Belt, and high environmental standards will be maintained and the site well restored.

Proposals for other development not falling into one of the above categories is inappropriate development and is, by definition, harmful to the Green Belt. Any development proposal considered to involve inappropriate development will only be permitted in very special circumstances.

One of the main issues to be considered in respect of the proposal is the impact of the proposed development on the Green Belt. This can be broken down into the following areas:

A. Whether the proposed use as a football club (outdoor recreation) is an appropriate use within the Green Belt.

B. Whether the details of the scheme would make the proposal inappropriate development within the Green Belt.

C. Would the proposed development result in additional harm to the openness of the Green Belt.

D. Are there any very special circumstances, which would outweigh any inappropriateness or harm to the openness of the Green Belt.

The proposed development involves the change of use of the land to form 4 sports pitches, including engineering operations and the construction of a clubhouse. The proposed change of use and associated engineering works would be appropriate development under paragraph 150 of the NPPF.

The proposed clubhouse would contain changing rooms for the teams and officials, plant, disabled changing facilities, toilets, an office, a kitchen and a coaching/meeting room. All of which would be essential facilities for outdoor recreation. The proposed clubhouse would be single storey structure with a pitched roof and would be located towards the middle of the site. The site slopes steeply and cut and fill would be used to create three level areas for 4 pitches and for the clubhouse and associated parking. The proposed clubhouse would be lower than Radcliffe Moor Road and the hedgerow would be maintained and would act as a screen.

It is acknowledged that some of the associated development, such as the proposed clubhouse and car park would have an impact upon the openness of the Green Belt. However, the principle of the recreational use is acceptable and the associated users would require parking. The proposed clubhouse would be relatively compact and the proposed parking provision is adequate for the proposed use - i.e. parking has not been over-provided. As such, bearing in mind the planning balance, the proposed development would invariably bring change but the change would be of such a scale that it would

maintain the openness and character of the Green Belt.

As such, it is considered that the proposed development would be appropriate development and would not have a significant adverse impact upon the openness and character of the Green Belt. Therefore, the proposed development would be in accordance with Policies OL1/2 and OL1/5 of the Bury Unitary Development Plan and the NPPF.

**Principle - Recreation** - Policy RT2/1 states that the Council will give favourable consideration to proposals involving the provision of additional recreational facilities throughout the borough.

The proposed development would provide 4 sports pitches and an associated clubhouse. As such, the proposed development would provide additional recreational facilities. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy RT2/1 of the Bury Unitary Development Plan.

**Design and layout** - The proposed football pitches would be positioned on the perimeter of the site and would be of varying sizes for use by different age groups. The sloping site would be cut and filled to provide a level playing surface. Additional landscaping would be provided to supplement the existing hedgerows, which would act as a screen. As such, the proposed pitches would not be a prominent feature in the streetscene or Green Belt location.

The proposed clubhouse and car park would be located broadly centrally within the site. The proposed clubhouse would be constructed in 2 phases as the club expands. The first phase of the proposed clubhouse would involve a rectangular, single storey building, which would be constructed from brick with a tile roof. The second phase of the proposed clubhouse would add two single storey extensions to the north and east, creating a L shaped building. The proposed development would incorporate pike details and brick headers, which would add visual interest. As such, the proposed development would not be a prominent feature in the streetscene.

A storage container would be located adjacent to the proposed clubhouse for storage of equipment required for maintenance of the pitches and would be viewed against the proposed clubhouse. The agent has confirmed that the proposed container would be clad in timber and the area around it would be landscaped. As such, given the landscaping and the cladding proposed, the proposed container would not be a prominent feature in the streetscene.

Therefore, the proposed development would be in accordance with Policies EN1/1 and EN1/2 of the Bury Unitary Development Plan.

**Agricultural land** - Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and



- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

The Agricultural Land Classification grades land, with the best and most versatile being grades 1 and 2 and 3a being low quality. There is no grade 1 or 2 agricultural land within the borough and there are small pockets of Grade 3a land in the Unsworth, Pilsworth and Simister area and Grades 3b and 3c in the north west and south west parts of the borough. The site of the proposed club is classified as Grade 4, which is poor quality. Therefore, its loss would not be contrary to the requirements of Policies OL4 and OL4/1 of the adopted Unitary Development Plan and the NPPF.

**Drainage** - A Flood Risk Assessment was submitted as part of the application and identified a bedrock aquifer and secondary source within the site. It is understood that Stormont Lodges and its associated ponds, which are located to the south of the site, are fed via natural springs/aquifers from the application site.

Policy EN7/4 states that the Council will not permit development proposals which would have an unacceptable adverse effect on groundwater resources particularly in terms of their quality and/or supply.

The Drainage Strategy submitted with the application confirms that the proposed car park and football pitches would be constructed using a cut and fill method. As such, the proposed cut and fill method of construction could disrupt the water flow from the springs to the lodges and ponds. In addition, this could lead to cross contamination from maintenance and usage of the pitches and potentially decrease the flow of supply to the lodge and pond. This then could impact upon the nearby Site of Biological Interest (SBI).

Further information has been submitted which has confirmed that the proposed drainage works would be acceptable. In addition, the report confirms that the deeper aquifer feeds the existing lodge and reservoir and would not be affected by the proposed works. As such, the water level would be maintained. In addition, the applicant has agreed to a monitoring point being provided, which would allow for regular testing to highlight any potential issues in terms of water quality. The Drainage Section has no objections in principle and the conditions would be reported in the Supplementary Report.

**Ecology** - An ecological survey was submitted as part of the application and identified no significant issues.

Bats - No buildings or trees with potential bat roosting features are present on the site. Bat foraging/commuting is likely to be restricted to using linear features to reach the Site of Biological Interest (SBI) where foraging habitat is of significantly higher value. These linear features are primarily retained and the hedgerow to be removed is the least structurally developed. GM Ecology Unit states that the proposed development is unlikely to impact upon bats.

There is no mention of flood lighting and a statement that external lighting would be LED and on a timer to prevent use prior to dawn and after dusk. GM Ecology Unit states that there would not be any likely indirect impacts from the proposed lighting and that any future phases that propose flood lighting should submit bat activity surveys. Therefore, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Great Crested Newts - It is unlikely that Great Crested Newts (GCN) would be present in this area as the ponds and lodges have been surveyed previously and are sufficiently isolated from known meta populations at Coggra Fold and Darcey Lever. As such, colonisation is extremely unlikely. GM Ecology Unit agrees with the findings and has no objections, subject to a condition relating to reasonable avoidance measures being implemented. Therefore, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary

Development Plan.

Nesting Birds - The central hedgerow would be lost as well as a section of hedgerow along Radcliffe Moor Road. The hedgerows would provide potential bird nesting habitat and there is a chance that ground nesting birds, such as lapwings use the fields. GM Ecology Unit has no objections, subject to the inclusion of a condition relating to nesting birds. Therefore, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Invasive Species - Japanese Knotweed and Himalayan Balsam are present along boundaries of the site. Both species are included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended and it is an offence to introduce or cause to grow wild either of these plants.

Both would appear to be largely avoidable, given the boundary hedges where both plants occur are to be retained. However, earthworks for pitch 3 do appear to encroach on the hedgerow, with the roots of Japanese knotweed potentially extending in to the zone of the earthworks and similarly seed from balsam potentially impacted upon. GM Ecology Unit has no objections, subject to the inclusion of a condition relating to invasive species. Therefore, the proposed development would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan

Protection of Bradley Fold SBI and Blackshaw Brook - The site drains towards Bradley Fold SBI and it is proposed to discharge primarily to Blackshaw Brook with some drainage leading to the SBI via a swale. GM Ecology Unit has no objections in principle, but requires a condition to ensure that any surface water draining into either the Brook or the mill ponds is the same or better in terms of nutrient levels, pollutants and discharge volumes to ensure no negative impacts occur on either water body both during construction and operations. This is discussed above and relates to this concern directly.

Therefore, the proposed development with conditional controls, would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Contributing to and Enhancing the Natural Environment - Section 170 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment.

The proposed development will result in the loss of a small part of the low ecological value grassland to hardstanding and buildings and around 90 metres of hedgerow to low value grassland. The proposed development includes tree and shrub planting around the boundaries of the site and there are significant areas of grassland that would be retained as amenity grassland with annual cuts. As such, the proposed development would be able to provide adequate mitigation on site and additional mitigation for the loss of bird nesting habitat should be provided.

No flood lighting is proposed.

GM Ecology Unit has no objections, subject to the inclusion of a condition relating to landscaping, including hawthorn hedges, native tree and shrub planting and ornamental planting around the car park and clubhouse. Therefore, the proposed development would be in accordance with Policies EN1/3, EN6 and EN6/3 of the Bury Unitary Development Plan.

**Impact upon residential amenity/noise** - The proposed development would provide 4 football pitches, a clubhouse and car park on site. There are 4 elements of the proposed development which may affect residential amenity:

- Noise directly associated with the use of the pitches for playing football;
- Noise associated from the clubhouse;

- Noise from the car park.

The proposed pitches would be 78.6 metres from the dwellings on Bury New Road; 211 metres from the dwellings on Somerton Road and 179.8 metres from the dwellings on Browns Road.

The proposed clubhouse would be 245 metres from the dwellings on Bury New Road; 360 metres from the dwellings on Somerton Road and 287.5 metres from the dwellings on Browns Road.

Given these significant distances, it is considered that the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties through noise.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring residents, subject to conditional control and would be in accordance with Policies EN7 and EN7/2 of the Bury Unitary Development Plan.

**Highways issues** - The proposed development would be accessed from Radcliffe Moor Road and a new junction would be formed. The proposed access would be 6.3 metres wide and there would be appropriate levels of visibility. Turning facilities would be provided in the proposed car park.

The Traffic Section has no objections, subject to the inclusion of conditions relating to highway improvements, construction traffic management plan, turning facilities, parking provision and bin storage facilities.

Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2 and HT4 of the Bury Unitary Development Plan.

**Public right of way** - A Public Right of Way passes near the north west corner of the site and would be unaffected by the proposals. The Public Rights of Way Officer has no objections to the proposed development. Therefore, the proposed development would be in accordance with Policy RT3/4 of the Bury Unitary Development Plan.

**Parking** - With regard to parking provision, there is no maximum standard with SPD11 and the parking provision should be determined on the individual merits of the proposal.

The proposed development would provide 78 spaces for cars and 24 spaces for cycle storage.

This would reflect the likely maximum demand, based on a tournament with a number of teams playing on all courts. The proposed level of parking would also ensure that there would be no parking on Radcliffe Moor Road. The site is located in a high access area and there is a regular bus service on Bury New Road, which is within walking distance and shared transport would also be expected to be used. As such, the level of parking provision would be acceptable in this instance and would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11.

**Access issues** - The provision of the disabled parking bays, level access to the clubhouse and the disabled toilet/changing facilities is welcomed. As such, the proposed development would be fully accessible and would be in accordance with Policy HT5/1 of the adopted Unitary Development Plan.

### **Response to objectors**

- The issues relating to impact upon wildlife, noise and light pollution, traffic generation and access for persons with disabilities have been addressed in the main report.
- The proposed development would be appropriate development within the Green Belt and would maintain openness.

- No applications have been submitted for housing on this land.
- No precedent would be set as each application is assessed on its own merits.
- The proposed development would not impact upon access to the wider area.
- The proposed development would be accessed from Radcliffe Moor Road and not Browns Road.
- The Coal Authority has no objections to the proposed development.
- Impact upon property prices and the loss of a view are not material planning considerations.
- The existing hedgerows surrounding the site would be retained and supplemented and would prevent footballs from passing onto Radcliffe Moor Road.
- The Council has complied with the statutory requirements for the publicity of the application.
- Bury Council is determining the application and does not own the land or have any connection to the applicant.
- A brownfield site is unlikely to be suitable for use for grassed football pitches.
- As a result of the development, the borough would gain additional sport pitch facilities to contribute to the overall recreation provision within the Radcliffe area.

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

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

**Recommendation:** Approve with Conditions

**Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 2102-GTA-00-00-DR-A-1000, 2102-GTA-00-00-DR-A-1001 A, 2102-GTA-00-00-DR-A-1002 C, 2102-GTA-00-00-DR-A-1003 C, 2102-GTA-00-00-DR-A-1004 C, 2102-GTA-00-00-DR-A-1005 A, ISO A4 - Proposed layout, ISO A4 - Cross Section A - AA, ISO A4 - Cross Section B - BB, ISO A4 - Cross Section C - CC, ISO A4 - Cross Section D - DD, ISO A4 - Cross Section E - EE and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the (materials/bricks/cladding/paint finishes) to be used in the external elevations of the clubhouse and storage facility, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.  
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.

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

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
 

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
6. Prior to occupation the applicant shall provide one dual head fast capability electric vehicle (EV) charging point.
 

Reason. In accordance with the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.
7. Before the drainage scheme associated with the clubhouse, playing pitches and car park is brought into use, a Management and Maintenance Scheme for the playnig pitches and other facilities hereby approved including management responsibilities, a maintenance schedule, a monitoring regime including the monitoring of water quantity discharged from the reed bed, and the mechanism for review shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of any fertiliser to be used on the site, including its type, chemical composition method and density of the application, as well as the timing of application. The Management and Maintenance of the site including the playing surfaces shall thereafter be strictly in accordance with the approved scheme.
 

No fertiliser shall be used on the site other than that expressly identified in the Maintenance and Management Scheme.

Reason. To ensure that a new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and to accord with paragraph 99 of the NPPF, whilst preventing any adverse effect on the water quality of adjacent water bodies due to nutrient rich surface water run off which would otherwise have an adverse effect on water quality and consequently biodiversity pursuant to Section 15 of the National Planning Policy Framework.
8. No works to trees, shrubs or hedgerow occur or earthworks commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has

been agreed in writing by the Local Planning Authority.

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

9. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonia Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.  
Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
10. No earth moving shall take place or material or machinery brought on site until a method statement to protect the ponds at Bradley Fold and the Blackshaw Brook from accidental spillages, dust and debris has been supplied to and agreed by the LPA. All measure will be implemented and maintained for the duration of the construction period in accordance with the approved details.  
Reason. To protect the Site of Biological Interest from harm pursuant to Policies EN6/2 - Sites of Nature Conservation Interest and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.
11. No development shall take place until it can be demonstrated that there will be no negative impacts on the ecological potential of the ponds at Bradley Fold and Blackshaw Brook resulting from the disposal of surface water post-development submitted to and approved in writing by the Local Planning Authority. The details, as approved, shall be implemented in full in accordance with a timetable which has first been agreed in writing by the Local Planning Authority.  
Reason. To protect the Site of Biological Interest from harm pursuant to Policies EN6/2 - Sites of Nature Conservation Interest and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.
12. A landscaping scheme shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include wildflower grassland, hawthorn hedges, native tree and shrub planting and the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the clubhouse is first occupied or within the first available tree planting season; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.  
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
13. Notwithstanding the details indicated in different forms on approved plan references B026883 TTE 00 XX PL D 001 Revision P01 &

2102-GTA-00-00-DR-A-1003 Revision C, no development shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority:

- Provision of a swept path analysis of the proposed junction onto Radcliffe Moor Road to determine adequate access road width and kerb radii;
- Provision of a swept path analysis of the proposed refuse collection/site servicing arrangements;
- Formation of the site access onto Radcliffe Moor Road, incorporating the provision of adequate arrangements at the interface with the adopted highway to form a maximum 1 in 20 plateau, 2.0m wide (minimum) footways tying into existing footways at positions to be agreed, provision of visibility splays at the junction of the site access with Radcliffe Moor Road for an appropriate design speed based on speed surveys to be undertaken on the classified road, alterations to the adjacent site boundaries in order to ensure that there will be no obstructions within the splays above a height of 0.6m, demarcation of the limits of the adopted highway, tactile paved crossing points in positions to be agreed including, if necessary, of revised limits of adoption required to ensure that the crossing point is located on the adopted highway, give-way markings and alterations to the existing road markings on Radcliffe Moor Road to provide a right turn pocket into the development, and all associated highway and highway drainage remedial works;
- Measures to prevent the discharge of surface water from the proposed car park hardstanding areas and site access onto the adjacent adopted highway
- Provision of a street lighting assessment to a scope and specification to be agreed for the junction of the site access with Radcliffe Moor Road and, where necessary, a scheme of improvements;
- Proposals for the introduction of waiting restrictions to scope to be agreed at the junction of the site access with Radcliffe Moor Road, including all necessary road markings and signage.

The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Policies EN1/2 - Townscape and Built Design and Policy H4 - New Development of the Bury Unitary Development Plan.

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

- Photographic dilapidation survey of the footways and carriageways leading to and abutting the site access in the event that subsequent remedial works are required following construction of and statutory undertakers connections to the development;
- Access route for vehicles from the highway network;
- Access point(s) to the site for each phase of the development, including any temporary works and measures required to protect highway users and facilitate vehicular access;
- Hours of operation and number of vehicle movements;
- Proposed site hoarding/gate positions clear of appropriate visibility splays onto Radcliffe Moor Road;
- A scheme of appropriate warning/speed limit signage in the vicinity of the construction site access(es);

- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site of operatives' and construction vehicles together with storage on site of construction materials;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

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

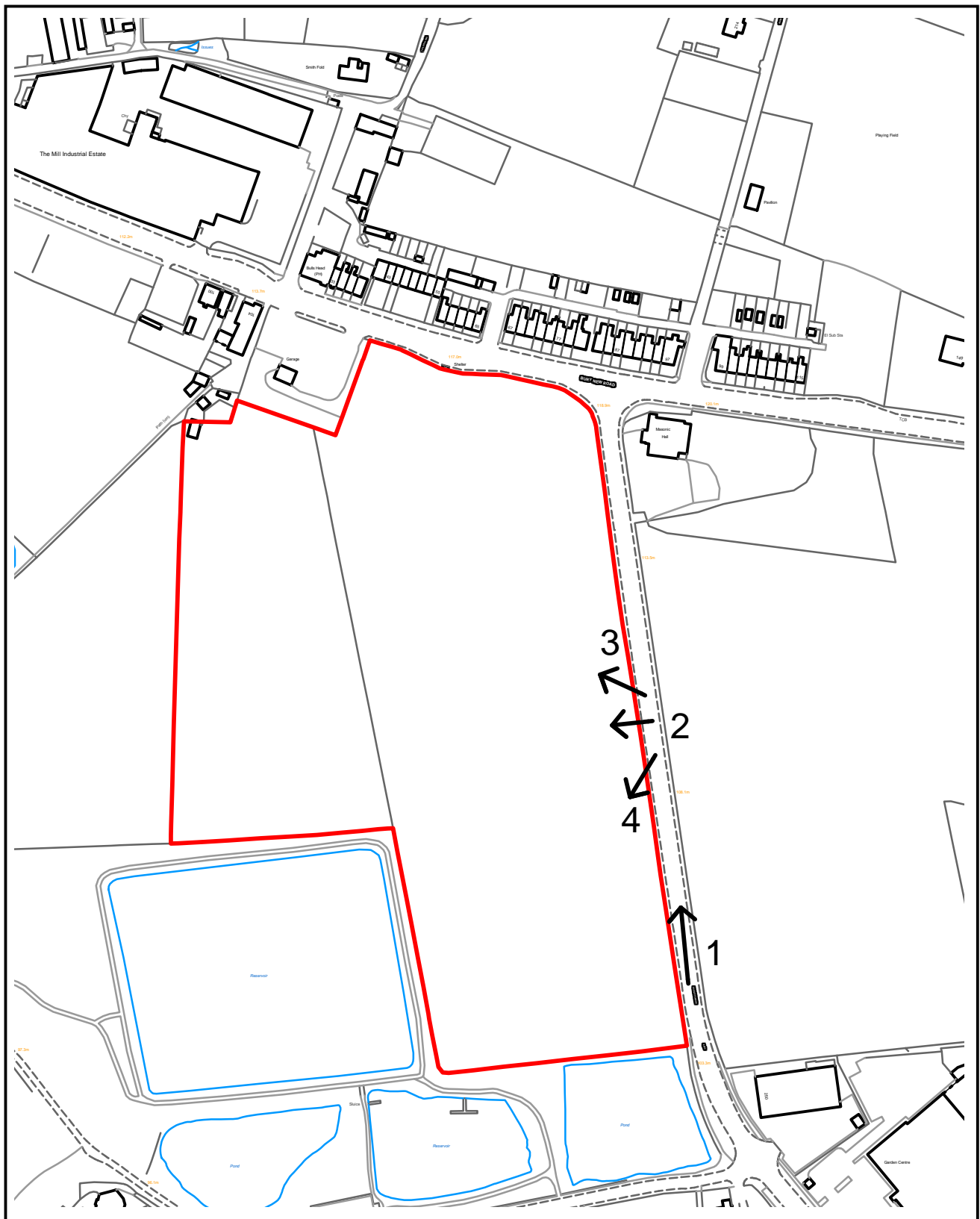
Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction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

15. The turning facilities indicated on the approved plans (or as required to satisfy a separate condition) shall be provided before the development hereby approved is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.  
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
16. The car and cycle parking spaces indicated on the approved plans shall be surfaced/implemented and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
17. The bin storage facilities indicated on the approved plans shall be implemented to the satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use and maintained thereafter.  
Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

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



# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 67658**

**ADDRESS:** Land to West of  
Radcliffe Moor Road/Bury New Road

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

67658

Photo 1



Photo 2





67658

Photo 3



Photo 4



## COORDINATED STATIONS

STATION	EASTING	NORTHING	LEVEL (m)
GPS1	375765.472	409053.186	119.764
GPS2	375709.145	409063.864	118.668
A	375742.985	408997.753	114.927
B	375751.023	408942.336	112.002
C	375779.317	408814.378	106.401

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All component sizes and references to be checked prior to the ordering of materials.

Positions and designation (i.e. combined surface water or foul) of existing drain runs on site are to be checked / confirmed by the building contractor prior to commencement of any drainage works. Any existing drains, to which additional connections are to be made, are also to be checked as necessary to ensure they are suitable to accommodate additional capacity and the type of effluent being connected.

All relevant boundary positions are to be checked prior to proceeding.



C Hardstanding & red line boundary added JLC 22.09.21

B Vehicle access updated & cycle store added JLC 14.08.21

A Building and car park layout updated JLC 03.08.21

Rev: Description 15 Date

Client

Bolton Wyresdale F.C.

Project

Proposed New Facility

Location

On Land At:  
Radcliffe Moor Road,  
Bury

Good & Tibbison Chartered Architects

2 The Studios,  
318 Chorley Old Road,  
Botton  
BL1 4JU

Tel: 01204 497700

Email: info@goodandtibbison.co.uk

Web: www.goodandtibbison.co.uk

Drawing Title

Site Layout Plan

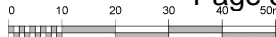
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2102 1:500@A1 JC RPW 16.07.21

Drawing Purpose Station Revision  
Planning Drawing S4 C

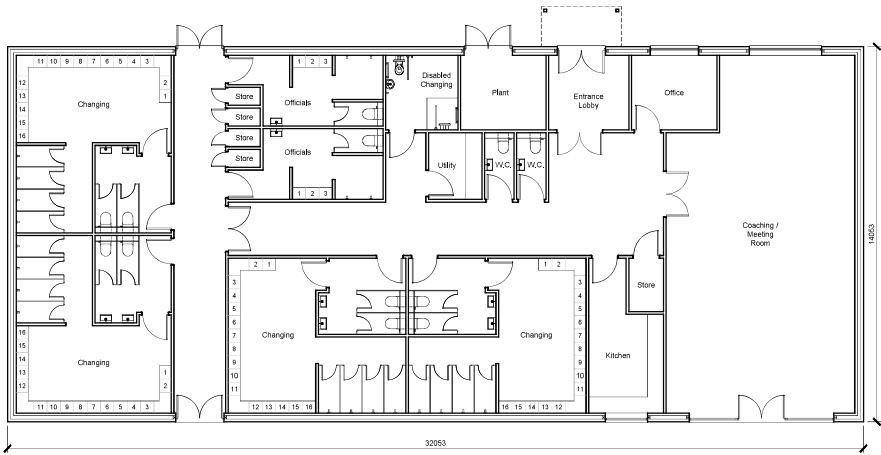
2102-GTA-00-00-DR-A-1002

## ABBREVIATIONS

AV	AIR VALVE/VENT
BL	BOLLARD
BB	BELUSHI BEACON
BM	BENCH MARK
BL	BED LANE
BS	BUS STOP
BT	BRITISH TELECOM
CL	COVER LEVEL
CL	CLARIFIED
DI	DISUSED
EL	ELVES LEVEL
ELE	ELEC. JUNCT. BOX
EP	ELECTRICITY POLE
FH	FIRE HYDRANT
FL	FLOOR LEVEL
FOS	FULL OF SEDIMENT
FP	FLAG POLE
G	GULLY
GM	GAS METER
GV	GAS VALVE
IC	INSPECT CHAMBER
IL	INVERT LEVEL
JKW	JAPANESE KNOTT WEED
LA	LAMP
LP	LAMP POST
NP	NAME PLATE
MH	MANHOLE
PS	POST/SIGN POST
PB	POST BOX
PX	UNKNOWN SERVICE
RE	RODDING EYE
RL	RIDGE LEVEL
RS	ROAD SIGN
ST	STOP TAP
TH	TRIAL HOLE
TL	TRAFFIC LIGHT
TP	TELEGRAPH POLE
TV	CABLE TV BOX
UB	UNABLE TO LIFT
WM	WATER METER

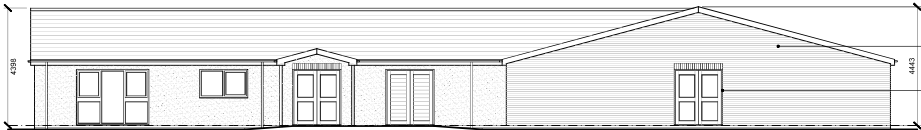


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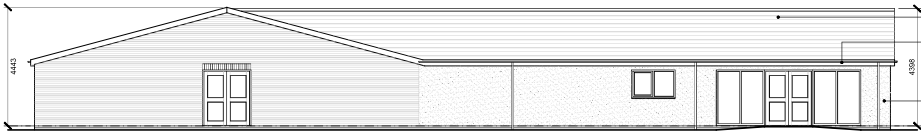
Proposed Ground Floor Plan

Page 57



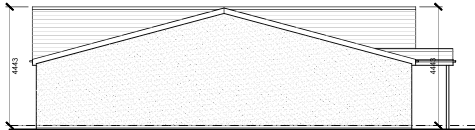
North (Main Entrance) Elevation

- Brickwork to Local Authority approval shown thus
- Powder coated aluminium windows and doors in colour to be agreed

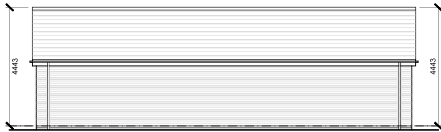


South Elevation

- Decra 'Tile' metal roofing in colour to be agreed
- UPVC fascia, barge boards and rainwater goods in colours to be agreed
- K Rend 'Silicone Scraped Texture' render in colour to be agreed shown thus



East Elevation



West Elevation

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All relevant boundary positions are to be checked prior to proceeding.

A Notes & dimensions added JLC 14/08/21

Rev Revision JLC Date

Client:

Bolton Wyresdale F.C.

Project:

Proposed New Facility

Location:

On Land At:  
Radcliffe Moor Road,  
Bury

Good & Tiltonson Chartered Architects

2 The Studios,  
318 Chorley Old Road,  
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BL1 4JU

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Email: info@goodentiltonson.co.uk

Web: www.goodentiltonson.co.uk

Drawing Title:

Proposed GA Plan (Phase 1)

G&T Job No. Scale Drawn Checked Date

2102 1:100@A1 JC RPW 02.08.21

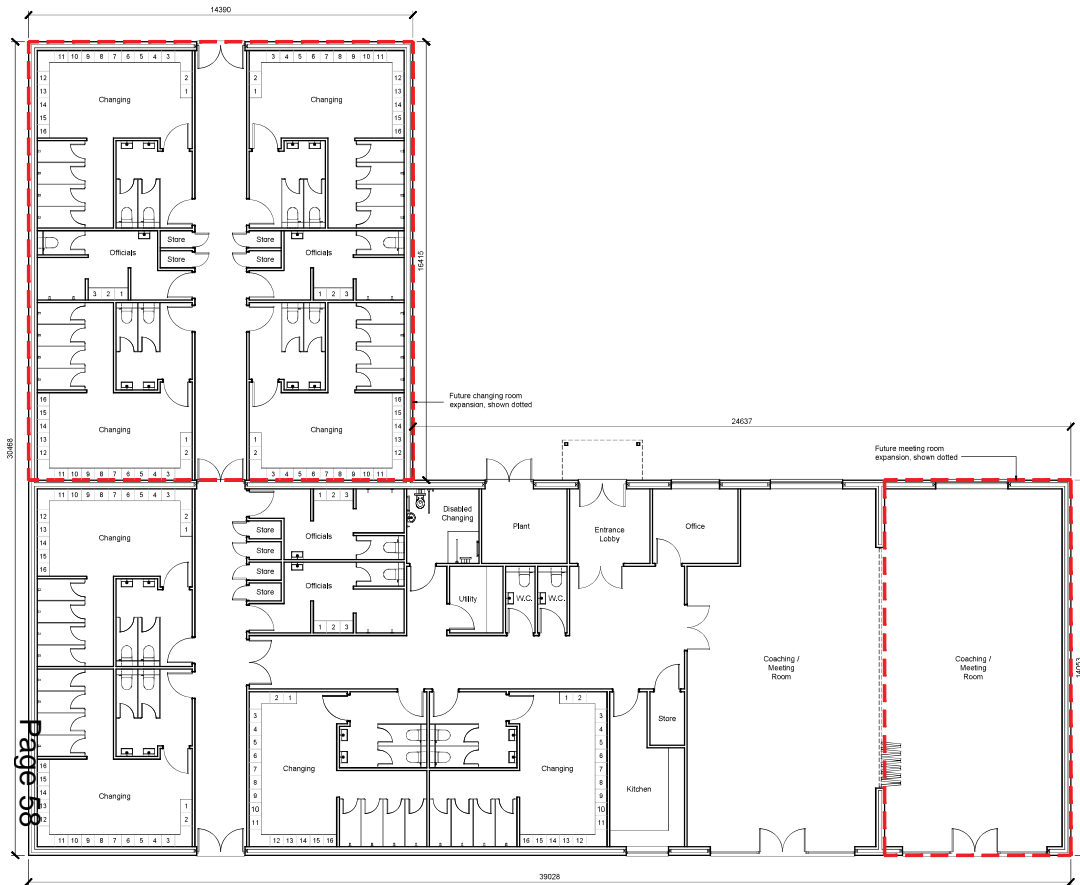
Drawing Purpose Status Revision

Planning Drawing S4 A

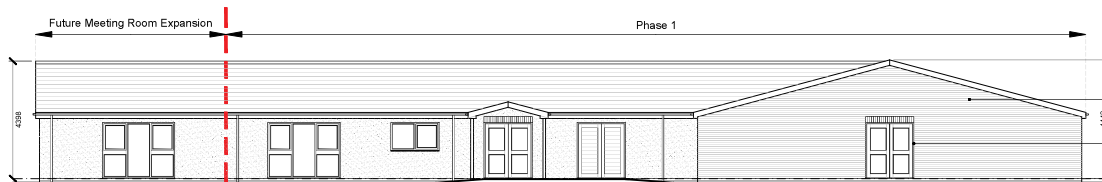
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2102-GTA-00-00-DR-A-1005

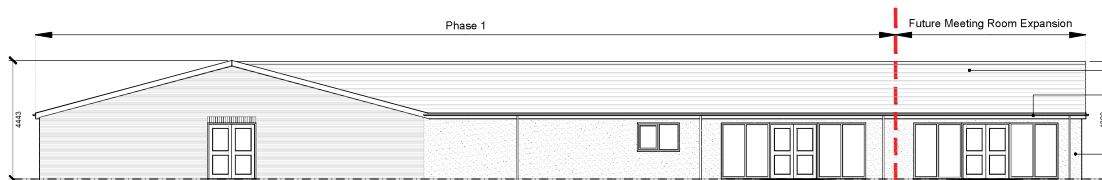




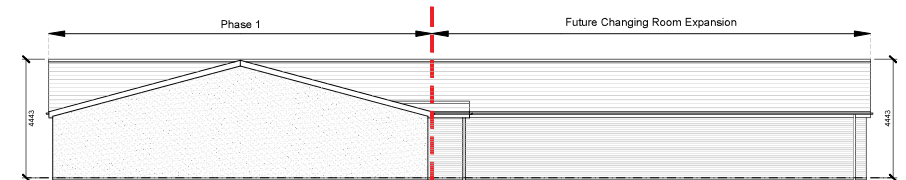
Proposed Ground Floor Plan



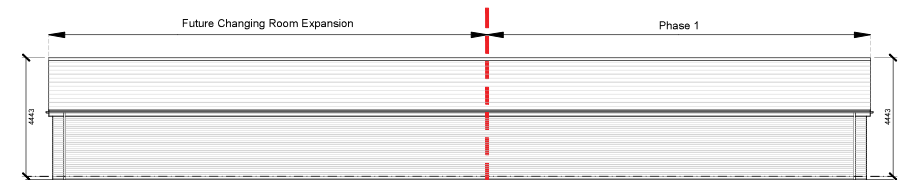
North (Main Entrance) Elevation



South Elevation



East Elevation



West Elevation

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All relevant boundary positions are to be checked prior to proceeding.

C	Notes & dimensions added	JLC	14.08.21
B	Floor plan updated	JLC	02.08.21
A	Scheme elevations added	JLC	26.07.21

Rev	Revision	PL	Date
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Client: Bolton Wyresdale F.C.

Project: Proposed New Facility

Location: On Land At: Radcliffe Moor Road, Bury

On Land At: Radcliffe Moor Road, Bury

On Land At: Radcliffe Moor Road, Bury

On Land At: Radcliffe Moor Road, Bury

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Drawing Title: Proposed GA Plan

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Drawing Title: Proposed GA Plan



NOTES:  
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DO NOT SCALE OFF THIS DRAWING.  
All dimensions to be checked on site and any discrepancies to be referred to the architect before proceeding.

ALL LEVELS TO BE CHECKED ON SITE.  
All discrepancies between information shown on the drawings and the information in the specification to be referred to the architect before proceeding.

All component sizes and references to be checked prior to the ordering of materials.

Positions and designation (i.e. combined, surface water or foul) of existing drain runs on site are to be checked / confirmed by the building contractor prior to commencement of any drainage works. Any existing drains, to which additional connections are to be made, are also to be checked as necessary to ensure they are suitable to accommodate additional capacity and the type of effluent being connected.

All relevant boundary positions are to be checked prior to proceeding.



Proprietary macadam hardstanding shown thus

Proprietary concrete paving slabs shown thus

Page 59

C	Hardstanding added	JLC	22.08.21
B	Vehicle access updated & cycle store added	JLC	14.08.21
A	Building & car parking layout updated	JLC	03.08.21

Rev: Revision Date

Client: Bolton Wyresdale F.C.

Project:

Proposed New Facility

Location:

On Land At:  
Radcliffe Moor Road,  
Bury

Good & Taborson Chartered Architects  
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318 Chorley Old Road,  
Bolton,  
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Drawing Title:

Proposed Carpark Layout

G&T Job No: 2102

Scale: 1:200@A1

Drawn: MDJ

Checked: RPW

Date: 16.07.21

Drawing Purpose: Planning Drawing

Status: S4

Revision: C

2102-GTA-00-00-DR-A-1003



**Ward:** Radcliffe - North and Ainsworth

**Item** 03

**Applicant:** Greene King

**Location:** Rose And Crown, Cockey Moor Road, Radcliffe, Bury, BL8 2HB

**Proposal:** To form new beer garden to east elevation of public house comprising a new covered pergola; 12no. 2.5m high posts to carry new festoon lighting to the boundary of the new beer garden and amended car park layout.

**Application Ref:** 68261/Full

**Target Date:** 02/06/2022

**Recommendation:** Approve with Conditions

### **Description**

The application relates to an existing public house on the B6196 adjacent to a main highway junction. Although the Green Belt partly overlaps the property covering only the existing beer garden at the rear, the development proposal is only at the front of the property. The immediate neighbours to the north and west are residential properties, both having shared boundaries with this pub, while there is another pub/ public house (Black Bull Hotel) opposite the junction to the east. The development proposal is only at the front of the property and not within the Green Belt.

Planning permission is sought for a new beer garden to the east elevation of the public house, to include:

- Provide 1no. new covered pergola overall size 6m x 6m, comprising of 2no. 6m x 3m x 2.5m high pergola units connected. With 15cm x15cm individual posts and a louvred roof system to each. Electrical supplies provided for 8no. electric heaters.
- Provide new resin bound surfacing to designated beer garden from former tarmac carpark area to create new beer garden with perimeter flush slim concrete edging.
- 2.5m high posts to carry new festoon lighting to the boundary of the new beer garden.
- Amended car parking layout.

Planning permission was also sought for the following components but considered to be permitted development and therefore removed from the proposed development description but included here for awareness.

- Provide 13 new tanalised planters.
- 2 new Velux windows.
- Provide new 0.5m tanalised hardwood timber post with chain to boundary.

There would be a separation of 11.3m between the siting of the proposed new beer garden to the nearest shared boundary with a residential property at 9 Lowercroft Road. There is a tree and shrub planting on this boundary.

The applicant has stated their intention is to close the existing grassed area which is used as a beer garden at the rear and replace it with the new proposed beer garden (including pergola) at the front of the site to Lowercroft Road. It is also stated that the grassed area would not be used as a beer garden because from an operational point of view it is too remote from the pub and not easy to supervise. The pub would offer alfresco dining in a more supervised manner with direct access from pub, not on grass and with a covered area adjoining the main pub itself.

Under the Use Classes Order the proposed development for food retail space would be classed as class A4 (UCO 1995), or Sui Generis (UCO 2021). However, there is no

proposed change of use resulting from this development.

### **Relevant Planning History**

47951 - Erection of new covered smoking area - Approved 2007

49556 - Proposed extension to front elevation and extension to kitchen on side elevation; new entrance lobby; pergola smoking canopy to front elevation - Withdrawn April 2008

49884 - Extension and pergola to front elevation. New entrance lobby; kitchen extension to side elevation. Bin store to rear - June 2008

53413 - Erection of pre-fabricated cold room/freezer; Formation of cast concrete base and drop kerb with fence to form bin compound - Approved Jan 2011

55902 - Externally illuminated double sided totem sign - Withdrawn April 2013

56468 - Externally illuminated single totem sign (resubmission) - Refused 2013

### **Publicity**

Immediate neighbours notified by letter dated 25/04/2022 sent to 32 neighbours on Cockley Moor Road, Garstang Drive, Gorse Hill Cottages, Lowercroft Road. Nine representations were received including 5 objections and 4 comments, from neighbours on Ashington Drive, Cockley Moor Road, and Lowercroft Road.

### **Support/ Neutral**

- Welcome the existing beer garden being closed long-term to be replaced with the new area on the front where it can be policed and maintained better.
- If the proposal is for a new beer garden replacing the existing one I am neutral.
- If plan is to close the existing beer garden and replace with a new beer garden, then the objection here is mitigated against as numbers would not increase.
- If plan to close the existing beer garden this would reduce the noise impact at the back which some neighbours would be in favour of.

**Objections** - Summarised below:

### **Scale/ Principle of Development**

- Over development.
- Existing beer garden is a considerable size, but unclear why this space cannot be utilised.
- Why not turn the existing huge beer garden that into a car park.
- Long-term plan for existing beer garden?
- While the prospect of a smaller, better kept beer garden seems reasonable it appears that there is also scope within the plans to resurrect the existing beer garden. This could potentially result in two beer gardens but with reduced parking facilities.
- If the 'new' beer garden is an additional beer garden this would increase the number of seats/people and would be too many people for the pub staff to manage effectively.

### **Visual Amenity**

- Location of pergola.
- The fencing is currently missing and it is not policed

### **Noise/ Residential Amenity**

- Too noisy/ increased noise from customers/ children/ pets due to new location, numbers and proximity in what is a residential area.
- Would there be CCTV cameras monitoring this area?
- Cutting down 2 mature trees which would act as a sound barrier for any noise.

## **Transport**

- Loss of parking/ A reduction in car parking spaces will lead to increased congestion and an increased risk of road accidents and make it harder to safely navigate the route to/from school.
- A bigger pub means more people and more vehicles. Surely more parking spaces, not less, should be a requirement of this application.
- Existing car park is frequently full to capacity; reducing this in size is going lead to people parking along Lowercroft Road and Cockey Moor Road, near the junction, and potentially blocking driveways and visibility when reversing into the main road.
- Danger of accidents involving less mobile elderly residents in the locality.
- Proximity to Lowercroft Primary School.
- The impact on the neighbourhood Re parking, deliveries and in particular child safety.
- A distraction especially at night for drivers at a major intersection.
- Extending the car park to the rear (for staff parking) exposes the refuse area -there is already an issue with vermin.
- Strongly object to the removal of trees and the insertion of two more parking spaces
- Need for a 'buffer zone' between private homes and the public house.
- Music blaring, shouting, children, doors slamming at all hours of the day and night, foul language, even fighting in the street.
- Already have every delivery truck, bin lorry, vans, and so on.
- Where are the bins going to be kept?
- Every weekend the carpark is overflowing.
- Increased patron parking in surrounding residential areas.
- What is the plan to minimise noise pollution and disruption?

## **Environment**

- The structure will be lit and heated? environmental impact
- With regard to the x8 electric heaters outside. With today's concern for climate change we would have thought these would be very bad polluters of already poor air quality here this area of Bury.

## **Licence**

- The license governing the proposal
- Hours of use, music, alcohol etc.
- What time does the proposed new beer garden intend to close?
- Under current restrictions the beer garden must close at dusk or 8pm

## **Other Issues / Planning Procedure**

- This planning application was published in the Bury Times prior to us being notified or consulted. Nor have statutory notices been put on display for the public to date. Nor have their next-door neighbour, the Black Bull public house been notified officially.

Respondents have been notified of the Planning Control Committee meeting.

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

**Traffic Section** - Objects to the proposed development due to the loss of existing car parking facilities which, coupled with an increase in floor area of the public house as a result of the proposed beer garden, is likely to lead to vehicles parking and carrying out manoeuvres on the adjacent classified roads and in close proximity to the Cockey Moor Road/ Lowercroft Road/ Ainsworth Road/ Starling Road signalised junction, to the detriment of the free flow of traffic and road safety. The proposal does not incorporate adequate pedestrian access arrangements from the car park to the main pedestrian entrance to the public house, which would be detrimental to pedestrian safety. The application and submitted plans contain insufficient information to ensure that surface water from the existing car park and proposed, resin bound surface of the affected area of former car park will not be discharged onto the adjacent adopted highway.

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

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



### **Pre-start Conditions**

Agreement where relevant.

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

NPPF	National Planning Policy Framework
OL1	Green Belt
SPD 9	Conversion and Re-use of Buildings in the Green Belt
EN6	Conservation of the Natural Environment
EN7/3	Water Pollution
EN7/5	Waste Water Management
EN1	Built Environment
EN1/2	Townscape and Built Design
EN5/1	New Development and Flood Risk
EN7/2	Noise Pollution
EC4/1	Small Businesses
S2/6	Food and Drink
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions

### **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.

### **Green Belt**

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

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

Policy OL1/2 - New Buildings in the Green Belt states that the construction of new buildings in the Green Belt is inappropriate unless it is for agriculture and forestry; essential facilities

for outdoor sport and recreation; limited extension, alteration or replacement of existing dwellings provided that this would not result in disproportionate additions over and above the size of the original dwelling; and limited infilling in existing villages as set out under Policy OL/3.

The proposed scheme does not propose any new structures or development in the northernmost part of the site, which is within the Green Belt and currently in use as an outdoor beer garden. The proposed development would only be within the southern part of the site which is not Green Belt. The development would therefore have a very minimal impact on the openness of the Greenbelt. The applicant has submitted a statement to confirm this:

*"The grassed area will not be used as a Beer Garden, from an operational point of view it is too remote from the pub and not easy to supervise. We would like to offer alfresco dining in a more supervised manner with direct access from pub, not on grass and with a covered area."*

Given the location of the proposal, it is considered that it would not conflict with the surrounding land uses nor would it create harm to the openness or character of the Green Belt.

The proposal would demonstrate a betterment in terms of land use and direct amenity by returning the former beer garden to unused land and overall it is considered to be acceptable and comply with the principles of the NPPF Green Belt policies, Bury UDP Policies, OL1/2 and associated guidance SPD6.

### **Use**

The proposals are ancillary to the main planning unit and therefore are not of a scale to cause any change of use of the land. The application has been submitted to accommodate proposed physical buildings, for which there are no permitted development rights.

### **Economy**

The NPPF and UDP Policy EC4/1 Small Businesses supports improvements to local businesses.

The current economic climate is particularly difficult for local hospitality businesses. In a period of public closures throughout the country, the proposed alterations would be viewed as part of the improvement and modernization of the public house in an effort to improve its economic viability.

Recent government policy changes allow permitted development rights for one moveable structure within the curtilage of a drinking establishment, including for the sale of food and drink. It is considered that this would have the same effect as the scheme proposed.

### **Layout and Design**

Policy EN1/2 - Townscape and Built Design seeks to ensure that any proposals would not have an adverse impact on the particular character and townscape of an area.

In terms of design and appearance the proposed beer garden is generally in-keeping with the existing public house. The proposed pergola and posts for festoon lighting (2.5m high) would be a height that is slightly lower than the main entrance porch roof pitch (4.0m high). Situated at the front of the public house, the proposed new beer garden would be readily visible from the public arena, although its design, size, and scale is considered to be appropriate for this property and streetscene. Therefore, it is not considered to be overdevelopment.

Materials would include RAL7024 graphite grey powder coated aluminium posts & frame, with all timber receiving a paint finish, plus resin bound surfacing. It is considered that these would be acceptable modern materials for this type of public venue and surrounding

streetscene.

It is therefore considered that the proposed development would, by reason of its size, position and design, be an appropriate and acceptable addition in the streetscape and would comply with policies EN1/2 - Townscape and Built Design.

### **Environment/ Noise**

UDP Policy S2/6 - Food and Drink highlights that the Council in considering all proposals which involve restaurants, hot food takeaways, cafes, snack bars, wine bars and public houses, will have regard to factors including:

- a) the amenity of nearby residents by reason of noise, smell, litter and opening hours;
- b) whether or not the proposal would result in an over concentration of Class A3 uses, which could adversely change the nature or character of a centre as a whole;
- c) parking and servicing provision associated with the proposed development and its effects in terms of road safety, traffic generation and movement;
- d) provision for the storage and disposal of refuse and customer litter;
- e) the environmental impact of any ventilation flues and/or ducting.

The site is an existing well established public house adjacent to a main highway junction and the proposed new beer garden with pergola plus associated features would be sited immediately in front of the main entrance and be separated from the nearest residential boundary by 11m. There are no proposed changes to the existing opening hours.

The Council's Environmental Health section has no objections and a noise report was not considered necessary given the proposal's modest scale. The proposed replacement beer garden would be smaller than the existing beer garden at the rear and would also have a greater separation distance from the nearest shared residential boundary than existing. It is therefore considered that the potential for outdoor noise is likely to be reduced given the smaller overall size of the new beer garden being operated within the existing opening hours and its siting close to throughroute traffic and not hard up against residential properties. A condition is therefore considered appropriate to restrict the use of the existing grassed area/beer garden.

### **Residential Amenity**

The proposed new beer garden would be at ground level and have a separation distance of 11.3m between the siting of the proposed pergola/ new beer garden to the nearest shared boundary with a residential property on Lowercroft Road.

There would be no designated customer areas immediately alongside any shared residential boundary. The existing 2m high fencing and shrubs along the northern boundary would further reduce the impact on the residents to the rear (north) and appears to be in generally good condition although no changes are proposed to site boundaries.

Overlooking of any neighbours is minimized by fact the proposed beer garden is entirely at ground level and located a good distance from the nearest shared residential boundary.

In terms of the general prominence and impact on daylight the proposed development is set over 11m from the shared residential boundary and is to the east of the main building. Any overshadowing would not be seriously excessive above and beyond the existing situation. In this respect the proposed beer garden would not have such a serious impact to warrant refusal, and, the closure of the existing beer garden/ grassed area would further mitigate noise/ disturbance.

The extension would be acceptable and comply with UDP Policy S2/6 in terms of residential amenity.

### **Highways**

The site's vehicular access would remain unchanged. Direct pedestrian access would continue from Cockey Moor Road with direct safe access to the main entrance without

having to access the car park and therefore considered to be suitable for pedestrians including children.

With regards to car parking, the proposal is to convert part of the existing tarmac car park into a new external beer garden immediately in front of the pub entrance, resulting in the loss of 6 existing car parking spaces. The proposed new beer garden would have new resin bound surfacing with perimeter flush slim concrete edging. The impact of the proposed development on the existing car park is therefore a material planning consideration.

SPD11 does not have specific parking standards for use class A4: Pubs, although class A3: Restaurants can be used as a proxy. Guidance states that the maximum parking standards for a restaurant is 1 space per 7 square metres public floor area. The proposed newly created floor area would be circa 126sqm. Following closure of the rear beer garden, the resulting floor area would equate to a maximum of 38 spaces required for the new public house. The proposal would involve reducing the number of parking spaces from 22 to 16 (both including 2 accessible/ disabled spaces).

Objections have been received relating to parking provision, deliveries, busy junction, safety, and cars overflowing onto surrounding street, and the highway team has objected to the proposal on three main grounds:

- Loss of parking,
- Detriment to pedestrian safety, and
- Insufficient information with regard to surface water drainage.

With regard to the loss of parking, the proposal, with the closure of the existing beer garden, would reduce the outdoor customer area and this factor partly mitigates the impact of the loss of parking spaces. Given the overall improvements to the existing public house and potential permitted development for works to the car park, the loss of 6 spaces is not considered to be a sufficient justification to refuse the application. Although most customers are likely to be local, it is also considered that the pub is on a main throughroute with public transport access. It is also considered that a pergola can be used all year round, unlike the existing grassed area, and therefore a winter slump in customer footfall is likely to be less profound, improving the businesses viability. There are no changes proposed to site access or delivery arrangements. There are largely no parking restrictions on adjacent streets. Additionally, the reduction in the number of spaces is relatively small and broadly in line with government guidelines to discourage use of private cars.

Despite the loss of 6 parking spaces, it is considered that the proposed development meets the maximum requirement for car parking.

With regard to the pedestrian safety issue, the applicant has not provided any direct protected pedestrian access between the right hand side of the car park and the main entrance nor is any currently provided. Nevertheless, the car park arrangement is not considered to be so dangerous as to warrant refusal, and car speeds within the car park are unlikely to be excessive. The removal of a small number of vehicle parking spaces centrally improves pedestrian visibility.

The issue of surface water drainage would be addressed by a suitable drainage condition.

### **Accessibility**

Policy H5/1 - Access for Those with Special Needs highlights that the Council will encourage the provision of satisfactory access to public transport, car parks, pedestrian areas and public buildings for the mobility impaired and those with special needs

The proposed layout would include a new ramp enabling access to the main entrance for wheelchair users, in addition to capacity for two disabled priority parking spaces (as existing).

### **Sustainable Development**

With regard to climate change there are no specific guidelines relating to outdoor use of electric heaters or festoon lighting. With regards to transport the location of the site is on the edge of the existing urban area, but well-integrated within the transport network being on a bus route. The proposed development would be within the curtilage of an existing public house site which has well-established usage and the location within the urban area is therefore considered to make a positive contribution to sustainable development.

### **Refuse**

No changes proposed. The bins would be sited at the rear of the public house as existing and this is considered to be acceptable.

### **Trees**

It is proposed that two small trees along the northern boundary would be removed as part of this development. However, these trees are not subject to a TPO, not within a conservation area, and not considered to be particularly worthy of retention.

### **Other Issues Raised by Objectors**

- All relevant internal and external consultees have been consulted including the Black Bull Hotel and nearest residential neighbours. Additionally, a site notice was posted.
- There are no proposed changes to the existing licenced hours of operation.
- Whilst anti-social behaviour and/or problems with rats/vermin or poor maintenance can sometimes be associated with uses such as pubs and drinking establishments, it cannot be assumed that the proposed use would generate such behaviours. The nature of this proposal is unlikely to give propensity to crime or disorder and in any event, licensing can control the use of the site. In the event of such behaviour occurring this would be a matter for the Licensing, the Police or environmental services as appropriate.
- Lowercroft Primary School is a short distance away, although not immediately adjacent and no objections have been received from the school.
- CCTV cameras are subject to separate rules and may be permitted development but does not form part of this application.

### **Conclusion**

It is considered that the proposed new beer garden and pergola would be acceptable in terms of the design, size, and siting. Although the proposal involves the net loss of parking spaces, given the scale of development, the permitted development regulations, the reduction in overall outdoor customer area, and the economic benefits for the business, the loss of parking would, on balance be acceptable

Additionally, it is acknowledged that during recent years a number of pubs have been closing with many of those having little or no outdoor space or space that is covered to offer protection from inclement weather. It is considered that this proposed development would provide a good quality attractive outdoor space in close proximity to the pub and incorporate a pergola structure to provide cover for inclement weather to ensure that it maintains customer numbers and is a viable sustainable business.

As such, the proposed development is therefore considered to be acceptable and complies with the National Planning Policy Framework and the Bury Unitary Development Plan.

### **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

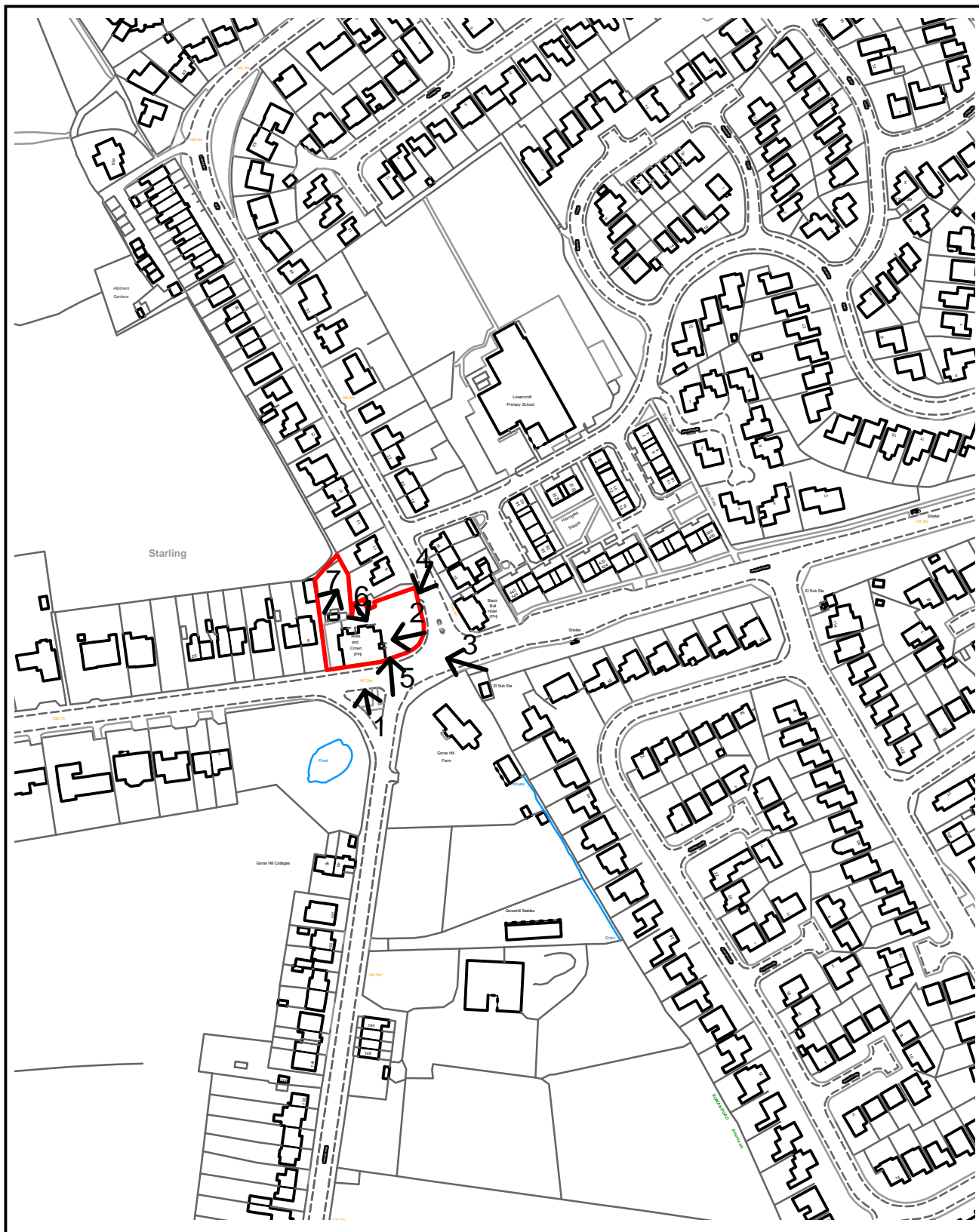
**Conditions/ Reasons**

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 Drawing 4163-PL02 Rev: A and Drawing 4163-PL03 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.
4. The existing grassed area/ beer garden at the rear of the public house (as labelled in Drawing no. 4163-PL02 RevA) shall not be used as a beer garden following completion of the proposed development and remain as such thereafter.  
Reason. To ensure the scale of the development is within reasonable limits to match off street car parking capacity in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
5. The car parking at the Rose & Crown public house as indicated on the approved site plan Drawing 4163-PL02 Rev, shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the use hereby approved commencing and thereafter maintained for use by these premises at all times.  
Reason. To ensure adequate off-street car parking provision in the interests of road safety pursuant to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EN1/2 - Townscape and Built Design, HT2/4 - Car parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.
6. No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.  
Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

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



# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 68261**

**ADDRESS: Rose And Crown, Cockey Moor Road**



**Bury**  
COUNCIL

**Planning, Environmental and Regulatory Services**

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68261

Photo 1



Photo 2





68261

Photo 3



Photo 4



68261

Photo 5



Photo 6

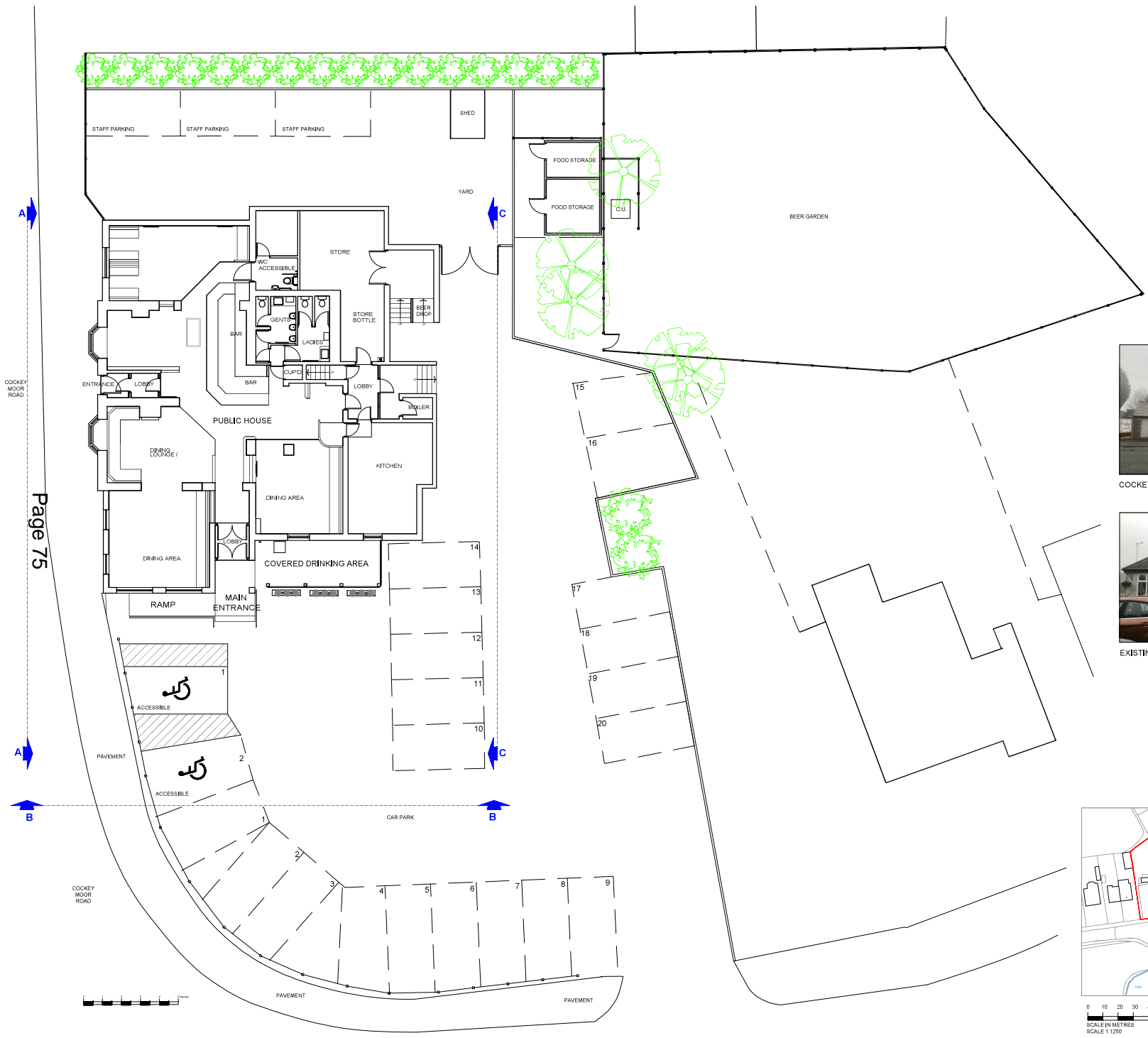




68261

Photo 7





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All structural work must be carried out in strict accordance with the drawing and calculations provided by the appointed Structural Engineer. All structural work must be inspected at all relevant stages by both the Structural Engineer and Building Inspector. Any changes or alterations must have their express written approval. Any costs incurred due to either claims for damages, loss of trade, etc by failing to do so will be the sole liability of the contractor.  
All works must be carried out in strict accordance with all Local Authority, British & European Standards. In doubt, it is the responsibility of the contractor to contact all relevant parties.  
Under the guidance of CDM 2015, the designer will not commence work in relation to a project unless satisfied that the client is aware of their duties, owed and obligated to them under these regulations. This drawing produces Fusion by Design Ltd, from the role of Principal Designer unless otherwise contractually engaged.



COCKEY MOOR ROAD ELEVATION



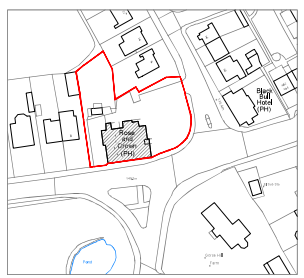
COCKEY MOOR ROAD ELEVATION



EXISTING BEER GARDEN AREA



EXISTING PATIO AREA



0 10 20 30 40 50  
SCALE IN METRES  
SCALE 1:1250  
NORTH

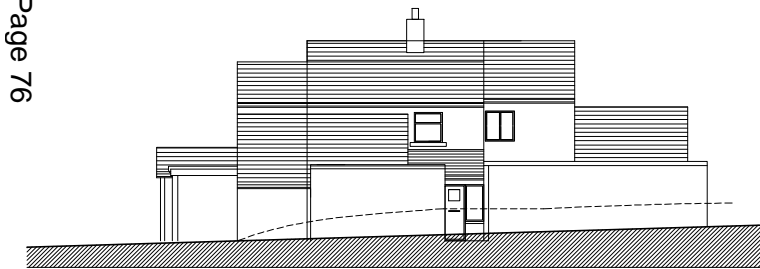




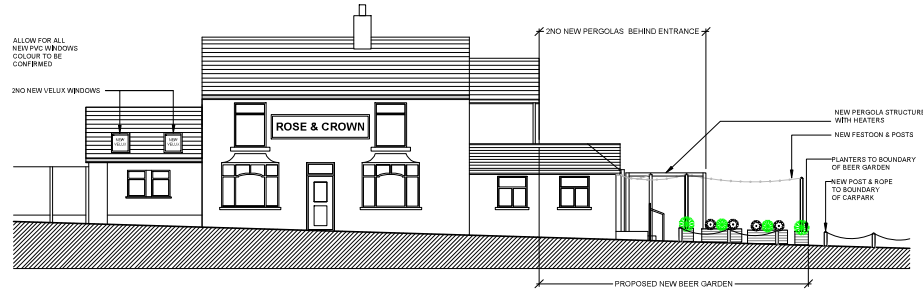
**COCKEY MOOR ROAD ELEVATION A-A AS EXISTING**  
SCALE 1:100



**LOWERCROFT ROAD ELEVATION B-B AS EXISTING**  
SCALE 1:100



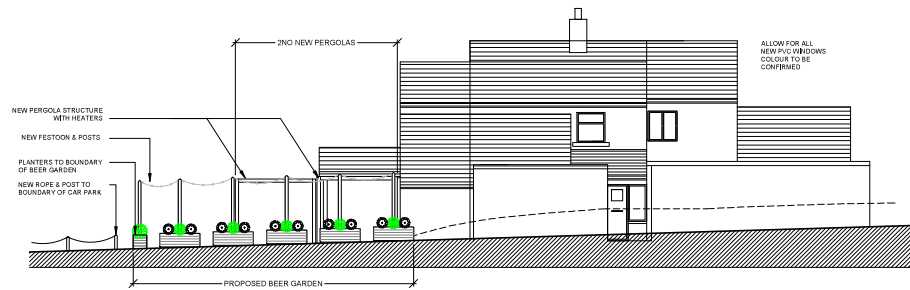
**CAR PARK ELEVATION C-C AS EXISTING**  
SCALE 1:100



**COCKEY MOOR ROAD ELEVATION A-A AS PROPOSED**  
SCALE 1:100



**LOWERCROFT ROAD ELEVATION B-B AS PROPOSED**  
SCALE 1:100



**CAR PARK ELEVATION C-C AS PROPOSED**  
SCALE 1:100

### THE ROSE & CROWN - SCHEDULE OF WORKS

1. PROVIDE 1x0 NEW COVERED PERGOLA OVERALL SIZE 8M X 3M WITH RAL 7024 GRAPHITE GREY POWDER COATED ALUMINUM POSTS & FRAME, COMPRISING OF 2x0 6M X 3M X 2.5M H PERGOLA UNITS CONNECTED TOGETHER, WITH 1500150MM INDIVIDUAL POSTS AND A LOCKED ROOF SYSTEM TO EACH ELECTRICAL SUPPLIES PROVIDED FOR 8x0 ELECTRIC HEATERS WHERE SHOWN ON PLAN.
2. PROVIDE NEW 5.5M TANGLED HARDWOOD TIMBER POST AND CHAIN TO BOUNDARY & AREAS AS INDICATED, PROVIDE NEW MATCHING PAINTED GATE WHERE INDICATED, ALL TIMBERS TO RECEIVE A PAINT FINISH
3. PROVIDE NEW RESIN BOUND SURFACING TO DESIGNATED FORMER TARMAC AREA TO NEW BEER GARDEN. SCRAPE AWAY THE EXISTING TARMACADAM READY TO RECEIVE NEW RESIN BOUND SURFACE WITH PERIMETER FLUSH SLIN CONCRETE EDGING.
4. PROVIDE 13x0 NEW TANGLED PLANTERS 500 H X 500 W X 1500. SHD. NEW TANGLED PLANTERS 500 H X 500 W X 1500. TO TAKE PLANTS AND 2500 HIGH POSTS TO CARRY NEW FESTOON LIGHTING TO THE BOUNDARY OF THE NEW BEER GARDEN
5. ALLOW TO REPAIR EXISTING CAR PARK & WHITE LINE TO NEW LAYOUT
6. ALLOW FOR 2x0 NEW VELUX WINDOWS TO EXISTING SINGLE STORY EXTENSION
7. REMOVE 2x0 SMALL TREES FROM CARPARK AND ALLOW FOR NEW SURFACE TO MATCH EXISTING CARPARK

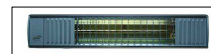
### REFERENCE IMAGES



**PERGOLA**



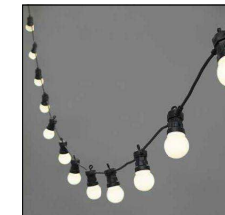
**PERGOLA**



**HEATER**



**RESIN BOUND GRAVEL**

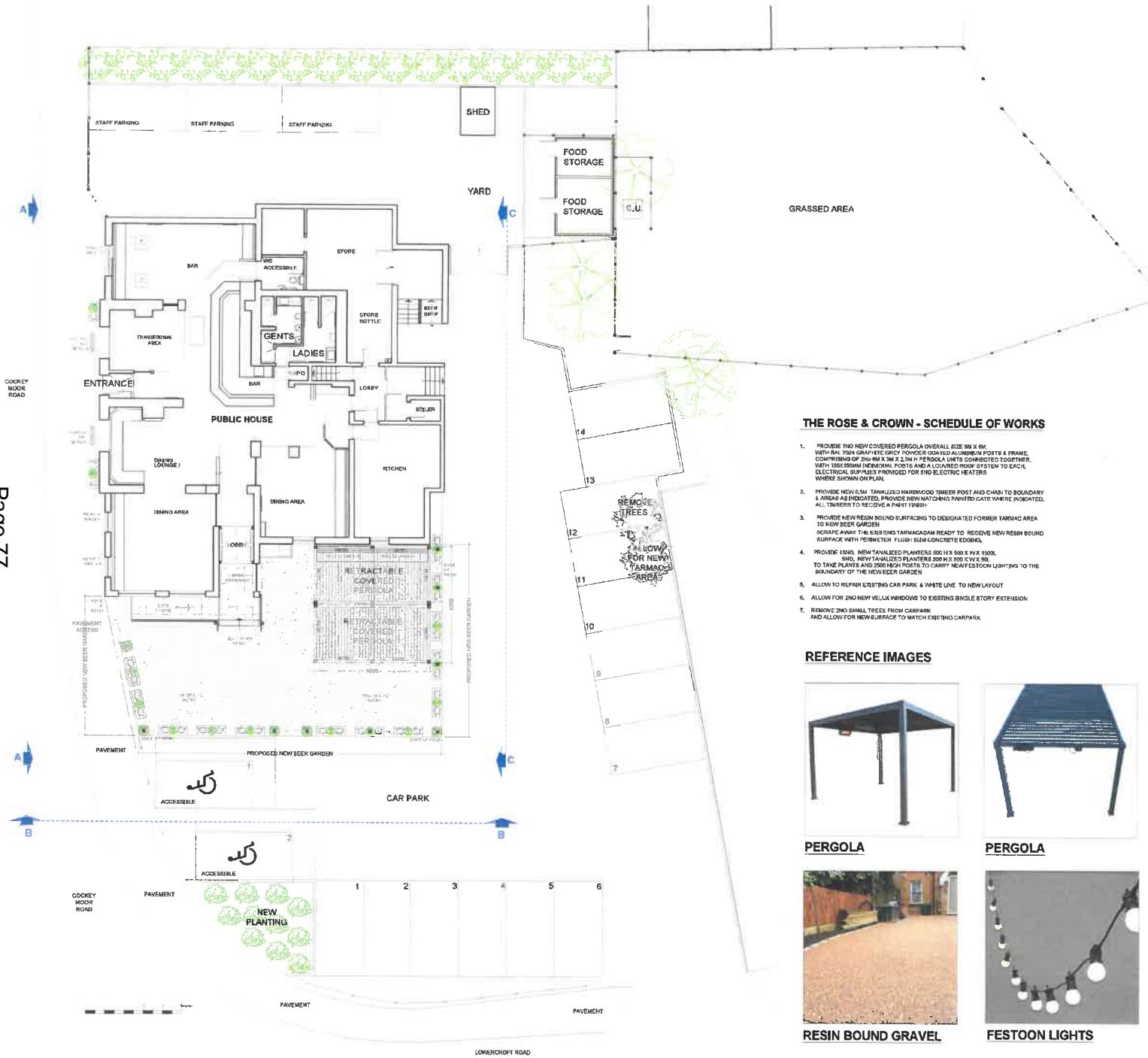


**FESTOON LIGHTS**

**FUSION BY DESIGN**  
All design work and information provided on this drawing must under NO circumstances be reproduced in any form without the prior written approval by Fusion by design.  
**NOTE TO ALL CONTRACTORS:-**  
Under NO circumstances must dimensions be scaled from this drawing. All contractors must be responsible for taking and checking all dimensions upon visiting site. All contractors must advise the DESIGNER immediately, in writing, of any discrepancies.  
This drawing is to be read in conjunction with the bill of quantities / specification and any related drawing. The contractor must ensure that all items detailed on this drawing are included when tendering even if not covered by the specification. The Designer must be advised in writing of all such items. Any discrepancies between drawings and specification must be resolved with the Designer prior to commencing works.  
All structural work must be carried out in strict accordance with the drawing and calculations provided by the appointed Structural Engineer. All structural work must be inspected at all relevant stages by both the Structural Engineer and Building Inspector. Any changes or alterations must have their express written approval. Any costs incurred due to either claims for damages, loss of trade, etc by failing to do so will be the sole liability of the contractor.  
All works must be carried out in strict accordance with all Local Authority, British & European Standards. If in doubt, it is the responsibility of the contractor to contact all relevant parties.  
Under the guidance of CDM 2015, the designer will not commence work in relation to a project unless satisfied that the client is aware of their duties, duly owned and obligated to them under these regulations. This drawing produces Fusion by Design Ltd. from the role of Principal Designer unless otherwise contractually engaged.

Revision

<p>FUSION BY DESIGN - FABRIC HOUSE HOLLY PARK MILLS, WOODHALL LANE, LEEDS, LS28 5QS Telephone 0113 2647788 Fax 0113 2647888 E-Mail info@fusionbydesign.co.uk Web: www.fusionbydesign.co.uk</p>		
Client	GREENE KING	
Job Title	ROSE & CROWN 2-6 COCKEY MOOR ROAD BURY BL8 2BH	
Drawing Title	EXTERNAL ELEVATIONS AS EXISTING & PROPOSED	
Scale	1:100	Drawing No
Date	MAR 2022	4163 -PL03
Drawn By	MSH	-



### THE ROSE & CROWN - SCHEDULE OF WORKS

1. PROVIDE 120 NEW COVERED PERGOLA OVERALL SIZE 8M X 8M WITH 10M TINA GRAPHITE GREY POWDER COATED ALUMINIUM POSTS & FRAME, COMPRISING OF 20M X 5M X 2.5M H PERGOLA UNITS CONNECTED TOGETHER WITH 1500 100MM INDIVIDUAL POSTS AND A LOUVRED ROOF SYSTEM TO EACH ELECTRICAL SUPPLIES PROVIDED FOR 120 ELECTRIC HEATERS WHERE SHOWN ON PLAN.
2. PROVIDE NEW 15M TANALIZED HARDWOOD TIMBER POST AND CHAIN TO BOUNDARY & AREAS AS INDICATED, PROVIDE NEW WATCHING PAINTED GATE WHERE INDICATED, ALL TIMBERS TO RECEIVE A PAINT FINISH.
3. PROVIDE NEW RESIN BOUND SURFACING TO DESIGNATED FORMER TARMAC AREA TO NEW BEER GARDEN REMOVE AWAY THE EXISTING TARMAC DAM READY TO RECEIVE NEW RESIN BOUND SURFACE WITH PERIMETER FLUSH 150M CONCRETE EDGING.
4. PROVIDE 120, NEW TANALIZED PLANTERS 500 H X 500 X W X 1000, 120, NEW TANALIZED PLANTERS 300 H X 500 X W X 500 TO TAKE PLANTS AND 2500 HIGH POSTS TO CARRY NEW FESTOON LIGHTING TO THE BOUNDARY OF THE NEW BEER GARDEN.
5. ALLOW TO REPAIR EXISTING CAR PARK & WHITE LINE TO NEW LAYOUT.
6. ALLOW FOR 200 NEW VELUX WINDOWS TO EXISTING SINGLE STORY EXTENSION.
7. REMOVE 200 SMALL TREES FROM CARPARK AND ALLOW FOR NEW SURFACE TO MATCH EXISTING CARPARK.

### REFERENCE IMAGES



PERGOLA



PERGOLA



HEATER



RESIN BOUND GRAVEL



FESTOON LIGHTS

**FUSION BY DESIGN**  
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This drawing is to be read in conjunction with the bill of quantities / specification and any related drawing. The contractor must ensure that all items related on this drawing are included when tendering, even if not covered by the specification. The Designer must be advised in writing of all such items. Any discrepancies between drawings and specification must be resolved with the Designer prior to commencing work.

All work must be carried out in strict accordance with the drawing and specifications provided by the appointed Structural Engineer. All structural work must be inspected at all relevant stages by both the Structural Engineer and Building Inspector. Any changes or alterations must have their approval written approval. Any costs incurred due to either omissions for dimensions, loss of price, etc by failing to do so will be the sole liability of the contractor.

All work must be carried out in strict accordance with all Local Authority, British & European Standards. If in doubt, it is the responsibility of the contractor to consult all relevant parties.

Under the guidance of CDM 2015, the designer will not commence work in relation to a project unless satisfied that the client is aware of their duties and is obliged to them under these regulations. This drawing provides Fusion by Design Ltd, from the role of Principal Designer unless otherwise contractually engaged.

REVISION A:	RE NAME: 'GRASSED AREA'	MSH	10.05.2022
Revision			

**FUSION BY DESIGN**  
FUSION BY DESIGN, PARK HOUSE  
HOLLY PARK MILLS, WOODHALL LANE, LETCHWORTH, LK26 6GS  
Telephone: 0115 2077748 Fax: 0115 2077841  
E-Mail: info@fusionbydesign.co.uk Web: www.fusionbydesign.co.uk

Client  
**GREENE KING**

Job Title  
**ROSE & CROWN**  
2-6 COCKEY MOOR ROAD  
BURY BL8 2BH

Drawn by  
**PLAN/ SITE LAYOUT**  
AS PROPOSED

Scale	Drawing No	Revision
1:100		
Date	<b>4163</b>	<b>A</b>
MAR 2022	<b>-PL02</b>	
Drawn by	MSH	

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**Ward:** North Manor

**Item** 04

**Applicant:** Mr Leach

**Location:** 10 Springside Road, Bury, BL9 5JE

**Proposal:** First floor side extension; Single storey side and rear extension; Alterations to driveway to create additional parking

**Application Ref:** 68528/Full

**Target Date:** 02/08/2022

**Recommendation:** Approve with Conditions

**This application is a householder development and would normally be dealt with under delegated powers. It is presented to the committee as the applicant is related to a member of staff.**

### **Description**

The site is a two storey detached house with garden to the front and a drive leading to a detached garage. The west side of the house has a single storey section which projects past the rear elevation and this adjoins a projecting bay window. The rear garden is lengthy and has timber fencing to the side boundaries. The rear boundary is a brick wall bordering properties at Old Brewers Court. 14 Springside Road is the neighbouring property to the side of the proposed development and is a detached house with its drive and a detached garage to the site side. Opposite across the street is a primary school.

The application includes a first floor side extension 3m wide and 5.4m in length to form an additional bedroom with ensuite. The existing garage and a rear bay would be removed and a single storey extension would come out 4.5m at the side set back from the main front elevation and running for a total of 11.2m for 7m across. A rear bay would be replaced as part of the new extension 2.2m deep and 3.8m across. This extension would form a kitchen/dining room to the main house linked to a garage and annexe area with a kitchen/living room, bedroom and bathroom to be occupied by a relative. Part of the front garden would be surfaced in porous materials to provide an additional 7.6m by 6.1m area of driveway to allow easier access into and out of the site. The access would be widened by 0.5m with the existing drop kerb retained.

### **Relevant Planning History**

None.

### **Publicity**

9 notification letters were sent on 05/07/22 to addresses at 8, 11 & 14 Springside Road, 2 Vicarage Close, Springside County Primary School, and 2,3,4,5 Old Brewers Court 681 Walmersley Road. No responses have been received.

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

None.

**Pre-start Conditions** - Not relevant.

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

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

## 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.

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

**Visual amenity and design** - The proposed first floor extension would have a hipped roof set below the main ridge. The front would have a window of a size and design in keeping with that to the existing first floor front.

The single storey to the side would have a dual pitched roof. The front elevation would have a garage door and a door into the annexe where an internal door would also allow access to the main house. To the rear the single storey would have a monopitch roof with roof lights.

Materials for the extensions would be brickwork and slate tiles to match the existing.

The proposed extensions are considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

**Parking** - The proposal would increase the number of bedrooms from 3 to 5 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 3 parking spaces.

The drive as existing can accommodate this level of parking. The existing and the additional drive area created would provide further parking and allow easier access into and out of the site. The parking arrangements are then sufficient.

**Residential amenity** - The proposed development would be to the side to 14 Springside Road. The first floor extension and single storey would be blank wall to the side elevations. No.14 is separated by a wide drive and part of the proposal would run alongside its detached garage. The separation between the properties is such that the proposal would not cause any significant loss of light or overshadowing to this neighbouring property or its garden.

To the rear the proposed first floor window would be to an ensuite, a non habitable room, and there would be approximately 50m to the boundary with the properties to the rear.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development

and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

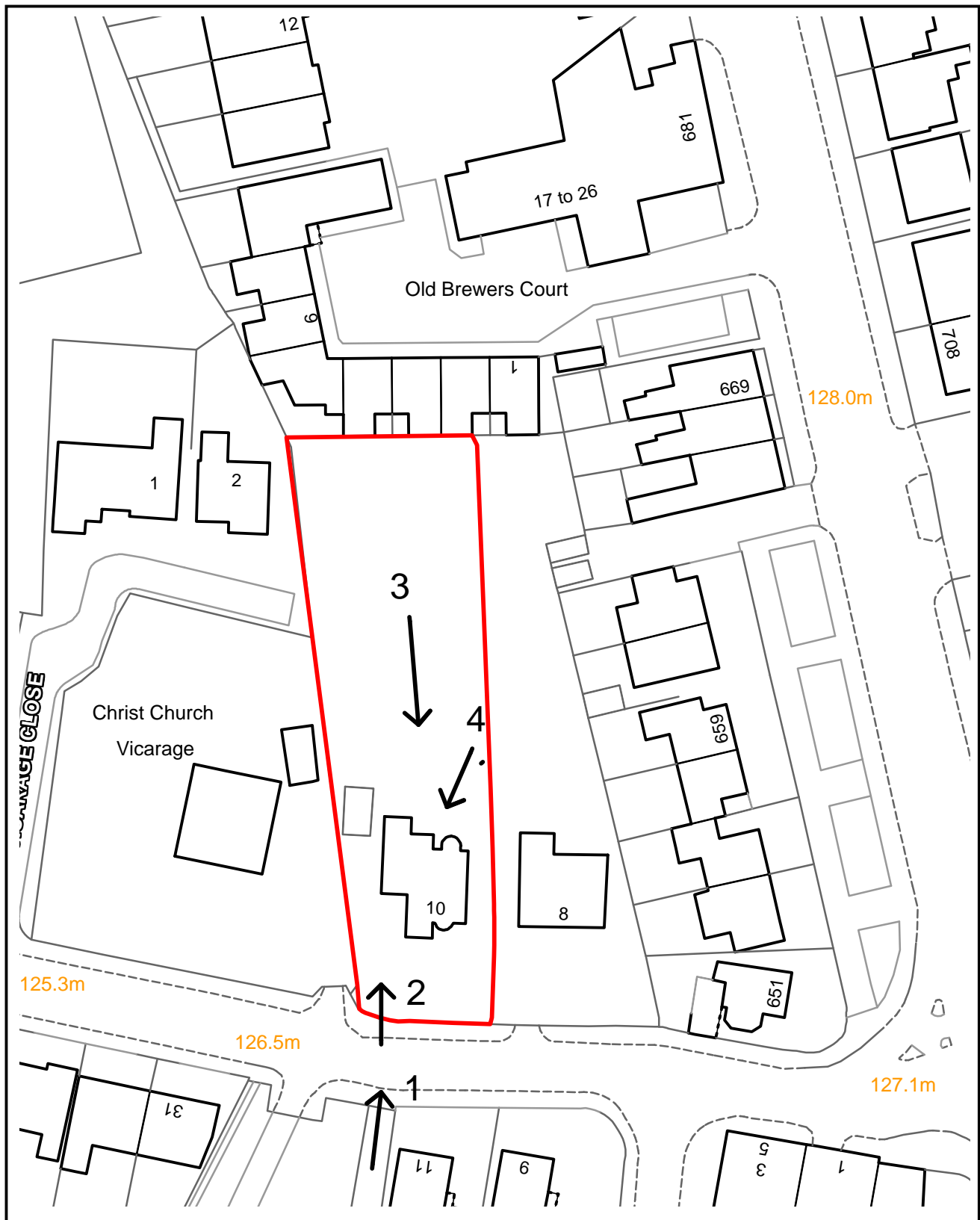
**Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered A100, A101, A102, A105, Block Plans 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.

For further information on the application please contact **Jane Langan** on **0161 253 5316**



# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 68528**

**ADDRESS: 10 Springside Road, Bury**



**Bury**  
COUNCIL

**Planning, Environmental and Regulatory Services**

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68258

Photo 1



Photo 2





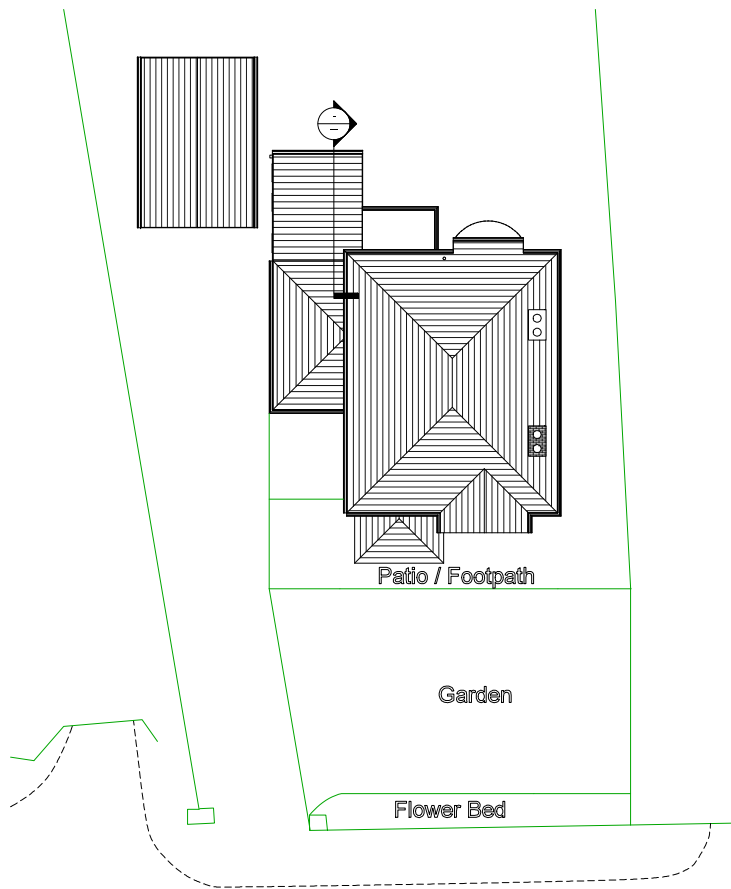
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Photo 3

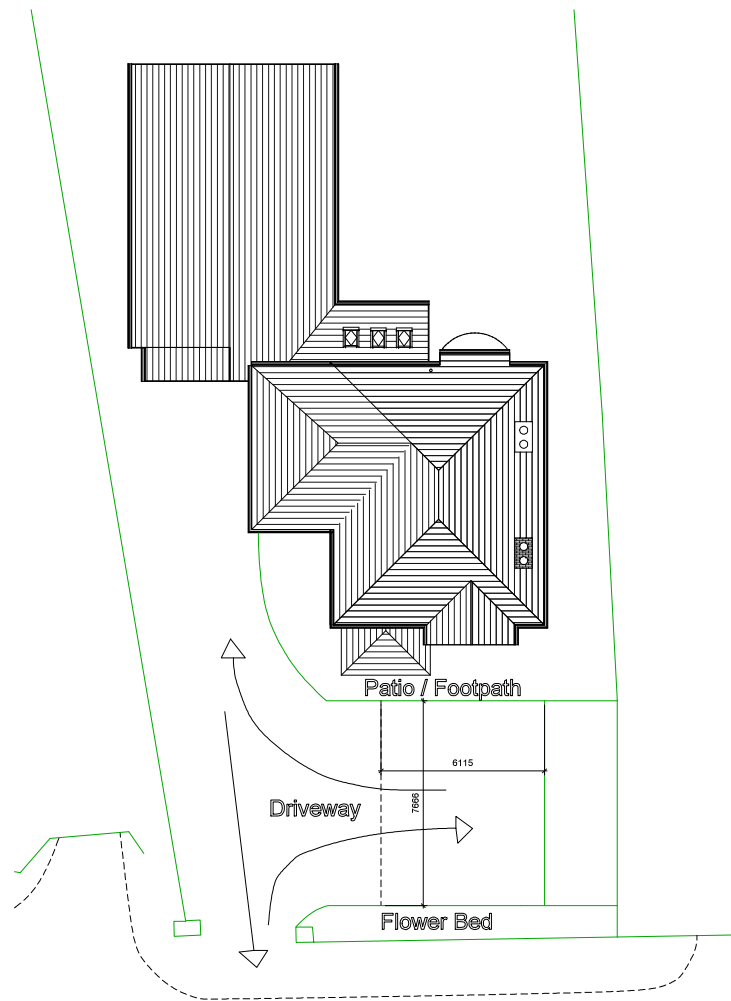


Photo 4





1 Existing Site  
1 : 100



2 Proposed Site  
1 : 100

Rev	Description	Date

CODE	SUITABILITY DESCRIPTION
STATUS	PURPOSE OF ISSUE



PROJECT  
10 Springside Drive

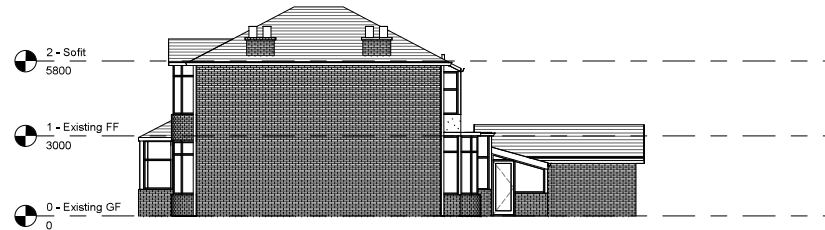
TITLE  
Existing & Proposed  
Driveway Layout

CLIENT  
Mr & Mrs Leach

DRAWN BY Author	CHECKED BY Checker	DATE 05/21/22
SCALE (@ A1) 1 : 100	PROJECT NUMBER Project Number	REV
DRAWING NUMBER A105		



**1 Existing Front**  
1 : 100



**3 Existing Side A**  
1 : 100



**2 Existing Rear**  
1 : 100



**4 Existing Side B**  
1 : 100

[illegible]

CODE	SUITABILITY DESCRIPTION
STATUS	PURPOSE OF ISSUE



PROJECT

10 Springside Drive

TITLE	
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### Existing Elevations

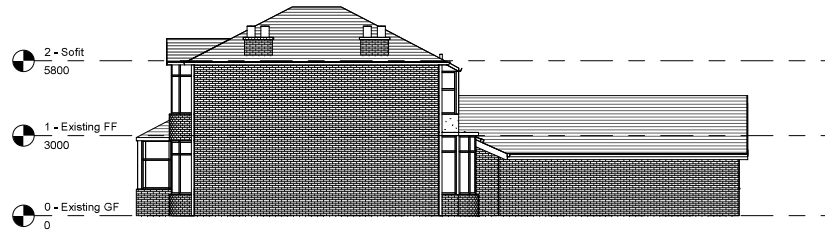
CLIENT

Mr & Mrs Leach

DRAWN BY Author	CHECKED BY Checker	DATE 05/21/22
SCALE (@ A1) 1: 100	PROJECT NUMBER Project Number	
DRAWING NUMBER A101		REV



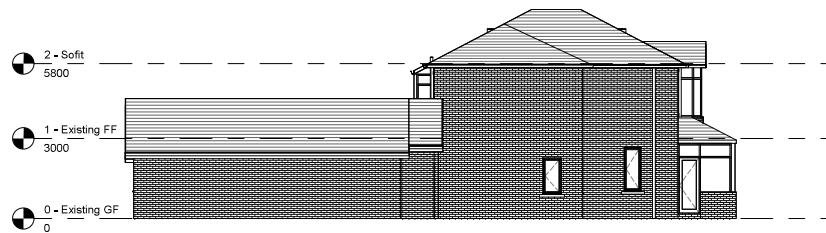
1 Proposed Front  
1 : 100



3 Proposed Side A  
1 : 100




2 Proposed Rear  
1 : 100



4 Proposed Side B  
1 : 100

Rev	Description	Date

CODE	SUITABILITY DESCRIPTION		
STATUS	PURPOSE OF ISSUE		
 www.autodesk.com/revit			
PROJECT			
10 Springside Drive			
TITLE			
Proposed Elevations			
CLIENT			
Mr & Mrs Leach			
DRAWN BY	CHECKED BY	DATE	
Author	Checker	05/21/22	
SCALE (@ A1)		PROJECT NUMBER	
1 : 100		Project Number	
DRAWING NUMBER			REV
A102			



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**Ward:** North Manor

**Item** 05

**Applicant:** Mr & Mrs P Stokes

**Location:** 11 Mayfield Close, Ramsbottom, Bury, BL0 9TL

**Proposal:** Single storey garage and porch extension at side; Alterations to existing windows to front and side elevations

**Application Ref:** 68572/Full

**Target Date:** 12/08/2022

**Recommendation:** Approve with Conditions

**This application is a householder development and would normally be dealt with under delegated powers. It is presented to the committee as the applicant is a member of staff.**

### **Description**

The site is detached bungalow located at the top of a cul de sac on an unadopted road which public footpath 93Ram runs through. Parking is to the front of the property and there is fenced garden to the side and rear. The neighbouring property to the east side is No.9 and to the opposite side the site side garden borders the rear gardens to 4-10 Linley Grove which are bungalows and slightly lower.

The application includes a single storey extension at the side to form a porch and garage. The porch would come 1.9m out at the side and 1.2m deep and then be linked to the garage which would extend 3.4m out at the side and run for 7.5m along. Further alterations to the property would see the front gable elevation have the two windows replaced with 3 slim windows and one window relocated to the side elevation. The front would then be part rendered off white and have a feature dark blue brick section. The proposed extension would also be rendered as would part of the existing side walls. Alterations to the east side elevation would see a repositioned door and two existing windows reduced in height.

### **Relevant Planning History**

None.

### **Publicity**

7 notification letters were sent on 19/07/22 to addresses at 9 & 15 Mayfield Close, 4,6,8,10 Linley Grove and 112 Summerseat Lane. No responses have been received.

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

None.

**Pre-start Conditions** - Not relevant.

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

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

### **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.

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

**Visual amenity and design** - The proposed extensions would be set back from the front elevation and not readily visible with the property located at the top of a cul de sac. The garage would have a dual pitched roof and a flat roof to the porch. The proposed alterations to the front elevation would see a modern updated appearance with the render and feature blue brick.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

**Parking** - The proposal would see the existing parking area retained to the front of the property and a space created to the front new garage. Materials for the new hardstanding would be porous asphalt.

**Residential amenity** - The proposed extension would run along the east side boundary with the rear gardens to 6 & 8 Linley Grove. It would be single storey and blank wall with a separation distance of approximately 13m which would be well in excess of the 6.5m as set out in SPD6 in order to comply with aspect standards to prevent overbearing developments. The alterations to the west side elevation would be minor changes to existing windows and a relocated door. This type of work is generally allowed under permitted development.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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

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

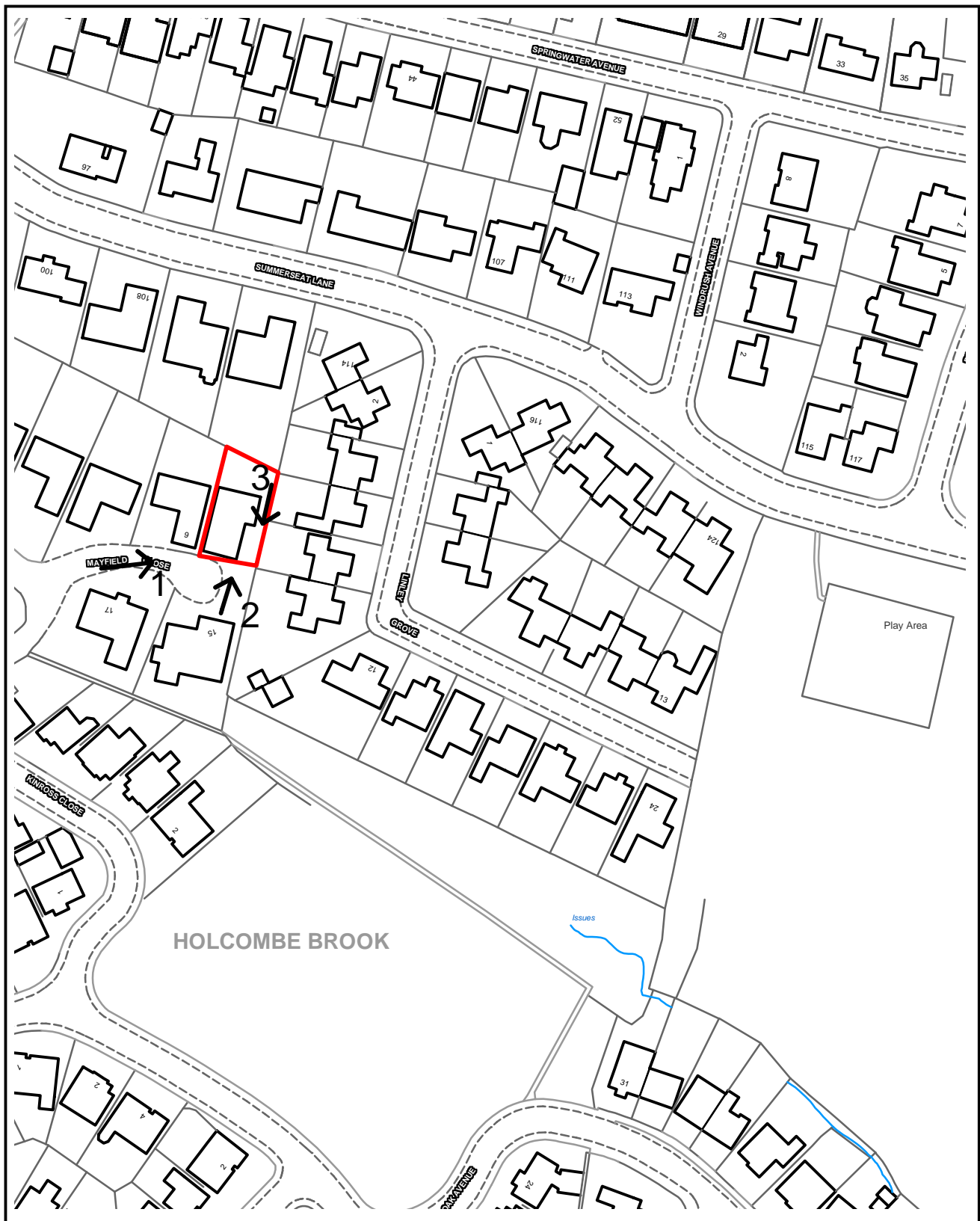
**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 1, 2A 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.

For further information on the application please contact **Jane Langan** on **0161 253 5316**

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 68572**

**ADDRESS: 11 Mayfield Close Ramsbottom**



**Bury**  
COUNCIL

**Planning, Environmental and Regulatory Services**

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68572

Photo 1



Photo 2

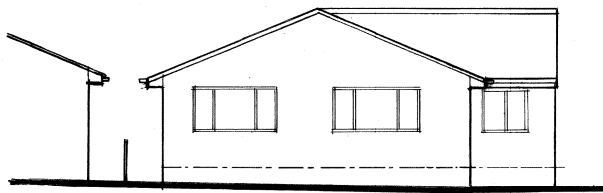




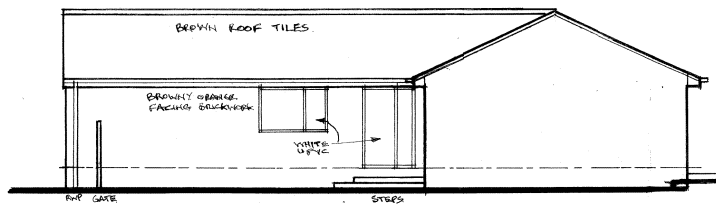
68572

Photo 3

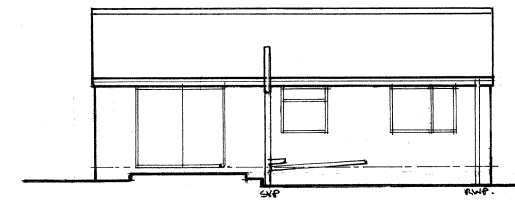




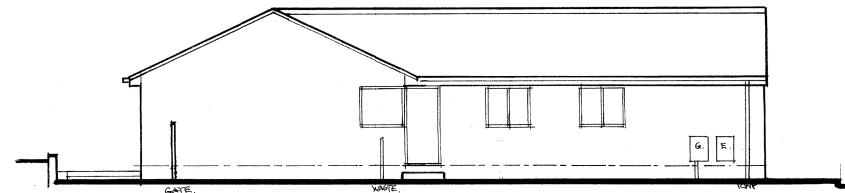
FRONT ELEVATION 1:100



R.H. SIDE ELEVATION.

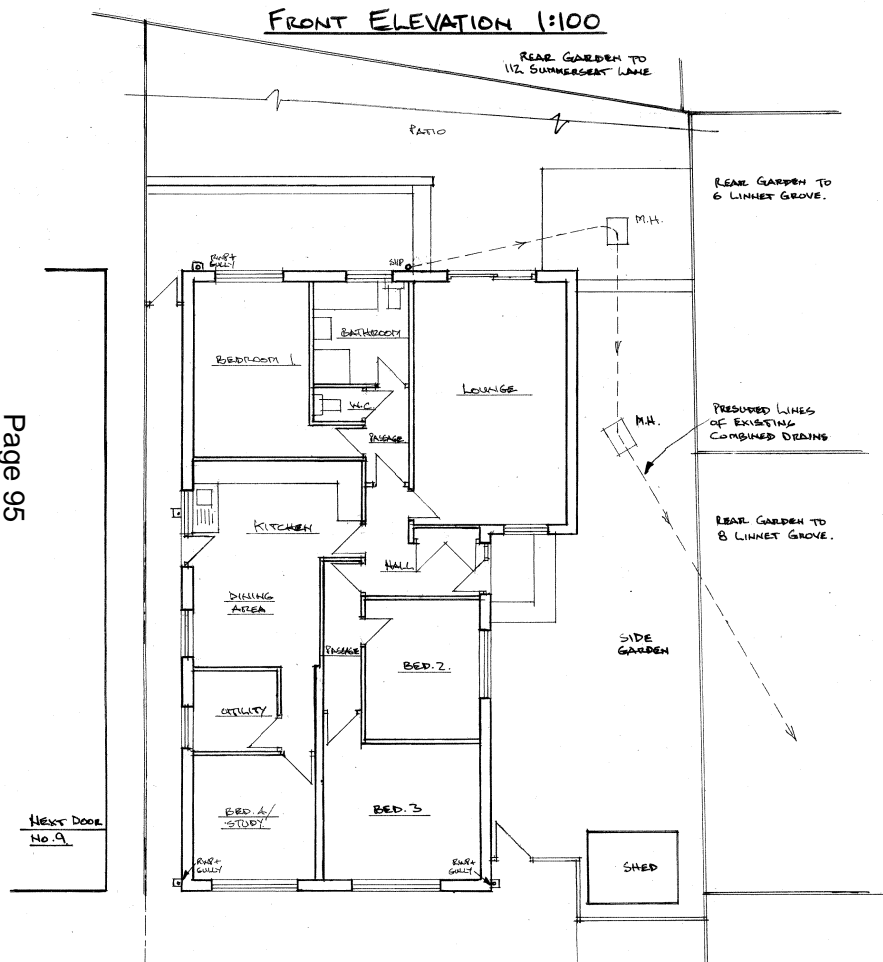


REAR ELEVATION

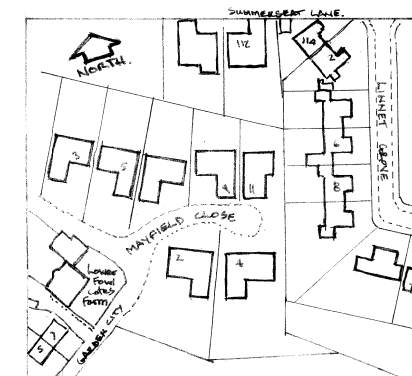


L.H. SIDE ELEVATION.

Page 95



GROUND FLOOR PLAN  
1:100



LOCATION PLAN 1:1250

Architectural & Building Services

NEIL BUTTERWORTH

Tel:  
Mobile: 07785 275483

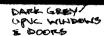
89 Higher Ainsworth Road,  
Redcliffe, Manchester, M26 4JJ.



Job Title PROPOSED SINGLE STOREY SIDE  
EXTENSION, & EXTERNAL ALTERATIONS,  
AT 11 MAYFIELD CLOSE,  
HOLCOMBE BROOK, BURY.

Drawing Title EXISTING PLANS & ELEVATIONS.

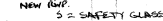
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'S' = SAFETY CLASS.



NEW BACK GARY  
CANE WINDING/DOOR



548



NEW WINDOW



1:100

# REPORT FOR NOTING

Agenda Item 5

**Bury**  
COUNCIL

**Agenda  
Item**

**5**

<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>30 August 2022</b>
<b>SUBJECT:</b>	<b>DELEGATED DECISIONS</b>
<b>REPORT FROM:</b>	<b>HEAD OF DEVELOPMENT MANAGEMENT</b>
<b>CONTACT OFFICER:</b>	<b>DAVID MARNO</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	The report lists: Recent delegated planning decisions since the last PCC
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	The Committee is recommended to the note the report and appendices
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework? Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management
<b>Statement by Executive Director of Resources:</b>	N/A
<b>Equality/Diversity implications:</b>	No
<b>Considered by Monitoring Officer:</b>	N/A
<b>Wards Affected:</b>	All listed
<b>Scrutiny Interest:</b>	N/A

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

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

---

**1.0 BACKGROUND**

This is a monthly report to the 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](mailto:d.marno@bury.gov.uk)**

# Planning applications decided using Delegated Powers

## Between 18/07/2022 and 19/08/2022



Ward: **Bury East**

**Application No.:** 68374    **App. Type:** FUL    19/07/2022    Approve with Conditions  
**Location:** 26 Wilson Street, Pimhole, Bury, BL9 7EF

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

**Application No.:** 68375    **App. Type:** FUL    19/07/2022    Approve with Conditions  
**Location:** 24 Wilson Street, Pimhole, Bury, BL9 7EF

**Proposal:** Part single/Part two storey extension at rear

**Application No.:** 68389    **App. Type:** FUL    20/07/2022    Approve with Conditions  
**Location:** 2 Myrtle Street South, Pimhole, Bury, BL9 7BZ

**Proposal:** Single storey extension at rear

**Application No.:** 68436    **App. Type:** LDGP    05/08/2022    Lawful Development  
**Location:** 599 Rochdale Old Road, Bury, BL9 7TL

**Proposal:** Lawful development certificate for Proposed single storey pitched roof rear extension

**Application No.:** 68439    **App. Type:** FUL    10/08/2022    Refused  
**Location:** Pavement at Princess Parade, near Bury Interchange Stand E, Bury, BL9 0QL

**Proposal:** Installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of associated BT Kiosks.

**Application No.:** 68440    **App. Type:** ADV    10/08/2022    Refused  
**Location:** Pavement at Princess Parade, near Bury Interchange Stand E, Bury, BL9 0QL

**Proposal:** Advertisement consent for installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of associated BT Kiosks.

**Application No.:** 68441    **App. Type:** FUL    15/08/2022    Approve with Conditions  
**Location:** Pavement outside 7-11 Market Street, Bury, BL9 0BL

**Proposal:** Installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of associated BT Kiosks.

**Application No.:** 68442    **App. Type:** ADV    15/08/2022    Approve with Conditions  
**Location:** Pavement outside 7-11 Market Street, Bury, BL9 0BL

**Proposal:** Advertisement consent for installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of associated BT Kiosks

**Application No.:** 68443    **App. Type:** FUL    11/08/2022    Refused  
**Location:** Pavement outside 25 The Rock, Bury, BL9 0JP

**Proposal:** Installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of associated BT Kiosks.



<b>Application No.:</b>	68444	<b>App. Type:</b>	ADV	11/08/2022	Refused
<b>Location:</b>	Pavement outside 25 The Rock, Bury, BL9 0JP				
<b>Proposal:</b>	Advertisement consent for installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of associated BT Kiosks.				
<b>Application No.:</b>	68445	<b>App. Type:</b>	FUL	10/08/2022	Refused
<b>Location:</b>	Pavement between Racconto Lounge and Fone Tech, The Rock, Bury, BL9 0PJ				
<b>Proposal:</b>	Installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of associated BT Kiosks.				
<b>Application No.:</b>	68446	<b>App. Type:</b>	ADV	10/08/2022	Refused
<b>Location:</b>	Pavement between Racconto Lounge and Fone Tech, The Rock, Bury, BL9 0PJ				
<b>Proposal:</b>	Advertisement consent for installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of associated BT Kiosks				
<b>Application No.:</b>	68447	<b>App. Type:</b>	FUL	11/08/2022	Approve with Conditions
<b>Location:</b>	Pavement adjacent Wilko, 111 The Rock, Bury, BL9 0NB				
<b>Proposal:</b>	Installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of associated BT Kiosks.				
<b>Application No.:</b>	68448	<b>App. Type:</b>	ADV	11/08/2022	Approve with Conditions
<b>Location:</b>	Pavement adjacent Wilko, 111 The Rock, Bury, BL9 0NB				
<b>Proposal:</b>	Advertisement consent for installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of associated BT Kiosks				
<b>Application No.:</b>	68449	<b>App. Type:</b>	FUL	11/08/2022	Refused
<b>Location:</b>	Pavement opposite Frankie & Benny's, 15-17 The Rock, Bury, BL9 0JY				
<b>Proposal:</b>	Installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of associated BT Kiosks.				
<b>Application No.:</b>	68450	<b>App. Type:</b>	ADV	11/08/2022	Refused
<b>Location:</b>	Pavement opposite Frankie & Benny's, 15-17 The Rock, Bury, BL9 0JY				
<b>Proposal:</b>	Advertisement consent for installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of associated BT Kiosks				
<b>Application No.:</b>	68454	<b>App. Type:</b>	FUL	27/07/2022	Approve with Conditions
<b>Location:</b>	6 Almond Avenue, Bury, BL9 7LY				
<b>Proposal:</b>	Two storey extension at side; Part single/Part two storey extension at rear; Front porch				
<b>Application No.:</b>	68538	<b>App. Type:</b>	FUL	03/08/2022	Approve with Conditions
<b>Location:</b>	Topping Fold Convenience Store, 52 Topping Fold Road, Bury, BL9 7NG				
<b>Proposal:</b>	Retention of ATM (Automated Teller Machine)				
<b>Application No.:</b>	68539	<b>App. Type:</b>	ADV	03/08/2022	Approve with Conditions
<b>Location:</b>	Topping Fold Convenience Store, 52 Topping Fold Road, Bury, BL9 7NG				
<b>Proposal:</b>	Retention of 1no. internally illuminated fascia panel and 1no. non-illuminated sign				

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**Application No.:** 68540      **App. Type:** FUL      17/08/2022      Approve with Conditions  
**Location:** 12 Timberhurst, Bury, BL9 7NZ  
**Proposal:** Single storey rear extension

Ward: **Bury East - Moorside**

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**Application No.:** 68371      **App. Type:** FUL      25/07/2022      Approve with Conditions  
**Location:** 16 The Avenue, Bury, BL9 5DQ  
**Proposal:** Demolition of garage and single storey rear extension; Two storey side extension; Two storey/single storey rear extension.

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**Application No.:** 68420      **App. Type:** FUL      12/08/2022      Approve with Conditions  
**Location:** 1 Burrs Lea Close, Bury, BL9 5HS  
**Proposal:** Single storey rear/side extension

Ward: **Bury East - Redvales**

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**Application No.:** 68208      **App. Type:** FUL      15/08/2022      Approve with Conditions  
**Location:** 34 Dorset Drive, Bury, BL9 9DW  
**Proposal:** Single storey extensions at front and side; Canopy at front

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**Application No.:** 68275      **App. Type:** FUL      11/08/2022      Refused  
**Location:** 512 Manchester Road, Bury, BL9 9NZ  
**Proposal:** Front Porch; Hip to gable roof extension and Rear dormer extension

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**Application No.:** 68331      **App. Type:** FUL      17/08/2022      Approve with Conditions  
**Location:** Heaton House, Brierley Street, Bury, BL9 9HN  
**Proposal:** Change of Use from Training Centre (Class E) to 6 no. HMO's comprising 23 bedrooms (single occupancy)

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**Application No.:** 68411      **App. Type:** FUL      10/08/2022      Approve with Conditions  
**Location:** 561 Manchester Road, Bury, BL9 9ST  
**Proposal:** Hip to gable loft conversion with rear dormer and side window

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**Application No.:** 68456      **App. Type:** FUL      28/07/2022      Refused  
**Location:** 3 Dumers Lane, Bury, BL9 9PE  
**Proposal:** Proposed dropped kerb with associated landscaping for driveway.

---

**Application No.:** 68468      **App. Type:** DEM      29/07/2022      Prior Approval Required and Granted  
**Location:** 02, Dumers Lane, Bury, BL9 9QL  
**Proposal:** Prior approval for demolition of Single and two storey car park and four free standing plant room buildings to enable future redevelopment plans for the wider site.

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**Application No.:** 68508      **App. Type:** FUL      29/07/2022      Approve with Conditions  
**Location:** 16 Hazel Dene Close, Bury, BL9 9SA  
**Proposal:** Enlarged front porch, enlarged front and rear dormers, single storey / two storey extension at side and new dormer extension at front

Ward: **Bury West - Elton**

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**Application No.:** 68215      **App. Type:** FUL      11/08/2022      Approve with Conditions  
**Location:** 49 Grantham Drive, Bury, BL8 1XW  
**Proposal:** Demolition of existing side garage; Part single/Part two storey side extension with gable roof.

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**Application No.:** 68302      **App. Type:** FUL      21/07/2022      Approve with Conditions  
**Location:** 358 Brandlesholme Road, Bury, BL8 1HJ  
**Proposal:** Single storey / two storey extensions at side / rear, two storey extension at front; juliette balcony at rear; 2 no. loft windows to front and 2 no. loft windows to rear and extension to roof to form loft conversion; garage/storage conversion to create additional living space and external alterations

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**Application No.:** 68312      **App. Type:** FUL      25/07/2022      Approve with Conditions  
**Location:** 3 Hayling Close, Bury, BL8 1GS  
**Proposal:** Two storey extension at side and rear elevational changes

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**Application No.:** 68395      **App. Type:** FUL      20/07/2022      Approve with Conditions  
**Location:** 21 Throstle Grove, Bury, BL8 1EB  
**Proposal:** Single storey side/rear extension

Ward: **Bury West - West**

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**Application No.:** 67580      **App. Type:** FUL      20/07/2022      Approve with Conditions  
**Location:** 474 Bolton Road, Bury, BL8 2DU  
**Proposal:** Demolition of existing dwelling and erection of replacement dwelling

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**Application No.:** 68366      **App. Type:** FUL      10/08/2022      Refused  
**Location:** Land adjacent to 17 Settle Close, Bury, BL8 2TP  
**Proposal:** Erection of 1 no. Detached dwelling

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**Application No.:** 68369      **App. Type:** FUL      25/07/2022      Approve with Conditions  
**Location:** 52 Fieldhead Avenue, Bury, BL8 2LX  
**Proposal:** Two storey side extension; Loft Conversion with rear dormer

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**Application No.:** 68394      **App. Type:** FUL      04/08/2022      Approve with Conditions  
**Location:** 20 Parkstone Close, Bury, BL8 2UR  
**Proposal:** Single storey extension at rear; Front porch

<b>Application No.:</b>	68408	<b>App. Type:</b>	FUL	28/07/2022	Refused
<b>Location:</b>	Land off Kingston Close, Bury				
<b>Proposal:</b>	2 no. detached dwellings and play area				
<b>Application No.:</b>	68429	<b>App. Type:</b>	FUL	28/07/2022	Approve with Conditions
<b>Location:</b>	561 Bolton Road, Bury, BL8 2DJ				
<b>Proposal:</b>	Hip to gable loft conversion with dormers to the front, side and rear.				
<b>Application No.:</b>	68431	<b>App. Type:</b>	FUL	25/07/2022	Approve with Conditions
<b>Location:</b>	10 Windsor Drive, Bury, BL8 2DB				
<b>Proposal:</b>	Two storey extension at side; Single storey extensions at front and rear				
<b>Application No.:</b>	68466	<b>App. Type:</b>	FUL	03/08/2022	Approve with Conditions
<b>Location:</b>	2 Heapy Close, Bury, BL8 2HW				
<b>Proposal:</b>	Single storey extension at rear and part conversion of garage				
<b>Application No.:</b>	68495	<b>App. Type:</b>	FUL	29/07/2022	Approve with Conditions
<b>Location:</b>	23 Lyons Drive, Bury, BL8 2EA				
<b>Proposal:</b>	Two storey side extension and single storey extension at side/rear				
<b>Application No.:</b>	68513	<b>App. Type:</b>	ADV	03/08/2022	Approve with Conditions
<b>Location:</b>	Gmfrs Training And Safety Centre, Hinds Lane, Bury, BL8 2AL				
<b>Proposal:</b>	Non-illuminated face fixed building signage				

## Ward: North Manor

<b>Application No.:</b>	68267	<b>App. Type:</b>	FUL	21/07/2022	Approve with Conditions
<b>Location:</b>	Mill Yard Cottage, Mount Pleasant, Nangreaves, Bury, BL9 6SP				
<b>Proposal:</b>	Single storey extension at rear; replacement of rear door with stone infill and reused window; replacement of garage doors with window at front.				
<b>Application No.:</b>	68434	<b>App. Type:</b>	FUL	25/07/2022	Approve with Conditions
<b>Location:</b>	15 Hillstone Close, Tottington, Bury, BL8 4EZ				
<b>Proposal:</b>	Single storey extension at rear and removal of dormer to front elevation				

## Ward: Prestwich - Holyrood

<b>Application No.:</b>	68271	<b>App. Type:</b>	FUL	17/08/2022	Approve with Conditions
<b>Location:</b>	75 Cuckoo Lane, Whitefield, Manchester, M45 6WD				
<b>Proposal:</b>	Single storey extension at front; Part single/Part two storey extension at side/rear				

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**Application No.:** 68315      **App. Type:** FUL      03/08/2022      Approve with Conditions  
**Location:** 22 Guest Road, Prestwich, Manchester, M25 3DL  
**Proposal:** Single storey extensions at side and rear; Terrace at rear.

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**Application No.:** 68463      **App. Type:** FUL      09/08/2022      Approve with Conditions  
**Location:** 48 Peveril Close, Whitefield, Manchester, M45 6NR  
**Proposal:** Two storey extension at side; Creation of on-site parking to front of the property with dropped kerb and New fencing at side and rear

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**Application No.:** 68481      **App. Type:** FUL      01/08/2022      Approve with Conditions  
**Location:** 8 Nursery Road, Prestwich, Manchester, M25 3EN  
**Proposal:** Two storey extension at side and single storey extension at side/rear, loft conversion with rear dormers, pitched roof to existing front bay window and single storey extension at front

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**Application No.:** 68485      **App. Type:** FUL      04/08/2022      Approve with Conditions  
**Location:** 17 Malvern Close, Prestwich, Manchester, M25 1PH  
**Proposal:** Single storey rear extension, new front porch and alterations to side elevation window

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**Application No.:** 68583      **App. Type:** GPDE      29/07/2022      Prior Approval Required & Granted - Ext  
**Location:** 152 Heywood Road, Prestwich, Manchester, M25 1LD  
**Proposal:** Prior approval for proposed single storey rear extension

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Ward: **Prestwich - Sedgley**

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**Application No.:** 68027      **App. Type:** FUL      18/07/2022      Approve with Conditions  
**Location:** 104 Windsor Road, Prestwich, Manchester, M25 0DF  
**Proposal:** Two storey side/rear extension with first floor side windows; Single storey rear extension; Front porch

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**Application No.:** 68291      **App. Type:** FUL      20/07/2022      Approve with Conditions  
**Location:** 35 Meade Hill Road, Prestwich, Manchester, M25 0GE  
**Proposal:** Demolition of garage; Two storey/single storey side extension; Two storey front extension; Front porch

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**Application No.:** 68330      **App. Type:** FUL      20/07/2022      Approve with Conditions  
**Location:** 142-144 Albert Avenue, Prestwich, Manchester, M25 0HE  
**Proposal:** Hip to gable roof extensions; 2no. Dormer extensions at front and 1no. Dormer extension at rear

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**Application No.:** 68346      **App. Type:** FUL      05/08/2022      Approve with Conditions  
**Location:** 12 Queens Drive, Prestwich, Manchester, M25 0HQ  
**Proposal:** Single storey extension at side/rear.

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**Application No.:** 68455      **App. Type:** FUL      28/07/2022      Approve with Conditions  
**Location:** 2 Watkins Drive, Prestwich, Manchester, M25 0DS  
**Proposal:** Single storey extension at front; First floor extension at rear and Detached outbuilding at side/rear

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**Application No.:** 68465      **App. Type:** FUL      28/07/2022      Approve with Conditions  
**Location:** 4 Parkway, Prestwich, Manchester, M25 0JE  
**Proposal:** Two storey extensions at side and rear; Hip to gable roof extension

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**Application No.:** 68492      **App. Type:** FUL      05/08/2022      Approve with Conditions  
**Location:** 52 Heywood Road, Prestwich, Manchester, M25 1DX  
**Proposal:** Two storey side extension with new front porch and all external elevations to be rendered;  
New boundary wall with metal sliding gate to the vehicular access off The Meadows - 1m high  
rendered walls with metal railings to front and 1.8m high rendered boundary walls to side/rear

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**Application No.:** 68522      **App. Type:** FUL      29/07/2022      Approve with Conditions  
**Location:** 30 Dovedale Avenue, Prestwich, Manchester, M25 0BU  
**Proposal:** Two storey extension at front; first floor extension at rear above existing dining room and new  
window to side elevation

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**Application No.:** 68535      **App. Type:** LDCP      29/07/2022      Lawful Development  
**Location:** 143 Rectory Lane, Prestwich, Manchester, M25 1DH  
**Proposal:** Lawful development certificate for proposed hip to gable roof extension with rear dormer  
extension

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**Application No.:** 68588      **App. Type:** FUL      18/08/2022      Approve with Conditions  
**Location:** 61 Meade Hill Road, Prestwich, Manchester, M8 4LW  
**Proposal:** Single storey side/rear extension; Garage conversion

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**Application No.:** 68600      **App. Type:** GPDE      25/07/2022      Prior Approval Not Required - Extension  
**Location:** 17 Winchester Avenue, Prestwich, Manchester, M25 0LJ  
**Proposal:** Prior approval for proposed single storey rear extension

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

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**Application No.:** 68216      **App. Type:** FUL      28/07/2022      Refused  
**Location:** 530 Bury New Road, Prestwich, Manchester, M25 3BD  
**Proposal:** Raised steel decking area at rear with steps to garden

---

**Application No.:** 68451      **App. Type:** FUL      11/08/2022      Approve with Conditions  
**Location:** Pavement adjacent Greggs, 33 Fairfax Road, Prestwich, M25 1AY  
**Proposal:** Installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal  
of associated BT Kiosks.

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**Application No.:** 68452      **App. Type:** ADV      11/08/2022      Approve with Conditions  
**Location:** Pavement adjacent Greggs, 33 Fairfax Road, Prestwich, M25 1AY  
**Proposal:** Advertisement consent for installation of 1no. new BT Street Hub, incorporating 75" LCD  
advert screens plus the removal of associated BT Kiosks.

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Ward: **Radcliffe - East**

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**Application No.:** 67946      **App. Type:** FUL      27/07/2022      Approve with Conditions  
**Location:** Land on the south east side of Milltown Street, Radcliffe  
**Proposal:** Replacement of Milltown Street Footbridge with new foot/cycle bridge

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**Application No.:** 67987      **App. Type:** FUL      15/08/2022      Approve with Conditions  
**Location:** 46 Blackburn Street, Radcliffe, Manchester, M26 1NQ  
**Proposal:** Part change of use of retail unit (Use Class E) to form 3no. flats (Use Class C3) and alterations to external elevations including the installation of cladding and external staircase

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**Application No.:** 68417      **App. Type:** FUL      18/07/2022      Approve with Conditions  
**Location:** 15 Starling Road, Radcliffe, Manchester, M26 4LW  
**Proposal:** Single storey side/rear extension

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**Application No.:** 68467      **App. Type:** FUL      08/08/2022      Approve with Conditions  
**Location:** 38 Warwick Road, Radcliffe, Manchester, M26 4HL  
**Proposal:** Single storey extension at rear and conversion of garage.

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**Application No.:** 68751      **App. Type:** SCR      05/08/2022      EIA not required  
**Location:** Land at York Street/Bury Road. Radcliffe M26 2GL  
**Proposal:** Full planning permission for 211 dwellings, together with associated car parking, landscaping, public open space, drainage, the laying out of roads and footways and other associated works including engineering operations to create flood defences and the development platform

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Ward: **Radcliffe - North and Ainsworth**

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**Application No.:** 68242      **App. Type:** FUL      18/07/2022      Approve with Conditions  
**Location:** Land to rear of 325-335 Ainsworth Road (on Snape Street)  
**Proposal:** Erection of three dwelling houses

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**Application No.:** 68414      **App. Type:** FUL      21/07/2022      Approve with Conditions  
**Location:** Taylors Lane Farm, Taylors Lane, Radcliffe, Bolton, BL2 6QS  
**Proposal:** First floor extension at side

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**Application No.:** 68471      **App. Type:** FUL      28/07/2022      Approve with Conditions  
**Location:** 13 Winston Close, Radcliffe, Manchester, M26 4WS  
**Proposal:** Single storey / two storey side extension; single storey extension at rear; garage, utility room and wc extension at front / side and external alterations

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**Application No.:** 68531      **App. Type:** GPDE      18/07/2022      Prior Approval Not Required - Extension  
**Location:** 23 Pilkington Road, Radcliffe, Manchester, M26 3PF  
**Proposal:** Prior approval for proposed single storey rear extension

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Ward: **Radcliffe - West**

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**Application No.:** 68287    **App. Type:** FUL    21/07/2022    Approve with Conditions  
**Location:** 129-131 Blackburn Street, Radcliffe, Manchester, M26 9WQ  
**Proposal:** Alterations to reinstate shop front elevation; New window openings and door to rear elevation

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**Application No.:** 68325    **App. Type:** FUL    17/08/2022    Approve with Conditions  
**Location:** 243 Stand Lane, Radcliffe, Manchester, M26 1JA  
**Proposal:** Single Storey Rear Extension

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**Application No.:** 68403    **App. Type:** FUL    18/07/2022    Approve with Conditions  
**Location:** 8 Ringley Road West, Radcliffe, Manchester, M26 1DJ  
**Proposal:** Replacement pitched roof and new front door opening to ground floor side extension; First floor front window to be added

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**Application No.:** 68511    **App. Type:** FUL    29/07/2022    Approve with Conditions  
**Location:** 8 Poolfield Close, Radcliffe, Manchester, M26 3UE  
**Proposal:** Two storey extensions at side and rear

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Ward: **Ramsbottom + Tottington - Tottington**

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**Application No.:** 67448    **App. Type:** FUL    22/07/2022    Approve with Conditions  
**Location:** 1 Green Street, Tottington, BL8 3BJ  
**Proposal:** Garage extension at side

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**Application No.:** 68388    **App. Type:** FUL    18/07/2022    Approve with Conditions  
**Location:** Birchen Bower Farm, Harwood Road, Tottington, Bury, BL8 3PT  
**Proposal:** Replace conservatory with single storey rear extension; Double garage with link corridor to house

---

**Application No.:** 68396    **App. Type:** FUL    28/07/2022    Approve with Conditions  
**Location:** 54 Sunny Bower Street, Tottington, Bury, BL8 3HL  
**Proposal:** Hip to gable loft conversion with front/rear dormers and side window; Single storey side extension

---

**Application No.:** 68415    **App. Type:** FUL    27/07/2022    Approve with Conditions  
**Location:** 2 Lyndon Close, Tottington, Bury, BL8 3EY  
**Proposal:** Single storey extension at side / rear; erection of outbuilding at rear for office use together with seating area and wc and external alterations

---

**Application No.:** 68484    **App. Type:** FUL    29/07/2022    Refused  
**Location:** 8 Nithe Walk, Bury, BL8 1WG  
**Proposal:** Fronch Porch and first floor balconies at front

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**Application No.:** 68523    **App. Type:** FUL    25/07/2022    Approve with Conditions  
**Location:** 12 Croft Drive, Tottington, Bury, BL8 3HT  
**Proposal:** Dormer extensions at front and rear

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**Application No.:** 68536      **App. Type:** LDCP      29/07/2022      Lawful Development  
**Location:** 36 Moyse Avenue, Tottington, Bury, BL8 3BL  
**Proposal:** Lawful development certificate for proposed single story extension at rear

**Ward:** Ramsbottom and Tottington - Ramsbottom

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**Application No.:** 67033      **App. Type:** CON      16/08/2022      Raise No Objection  
**Location:** Haweswater Aqueduct Valve House, Haslingden Road, Rawtenstall, Rossendale, Lancashire  
**Proposal:** Article 18 consultation from Rossendale Council: Full (EIA Development): proposed works for and use of replacement section of aqueduct, including earthworks, new supply network connection and ancillary infrastructure including: a new valve house building within fenced compound with permanent vehicular access provision; installation of tunnel shafts and open cut connection areas; within temporary construction compounds, to include site accesses, storage areas, plant and machinery and drainage infrastructure. In addition, mine grouting works, to facilitate main tunnelling works.

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**Application No.:** 68280      **App. Type:** FUL      21/07/2022      Approve with Conditions  
**Location:** 7 Market Place, Ramsbottom, Bury, BL0 9AJ  
**Proposal:** Change of use of first floor vacant retail unit to form 1 No. apartment and subdivision of remainder of 1st floor and 2nd floor to form 2 No apartments (Total of 3 No. apartments); External alterations

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**Application No.:** 68281      **App. Type:** LBC      21/07/2022      Approve with Conditions  
**Location:** 7 Market Place, Ramsbottom, Bury, BL0 9AJ  
**Proposal:** Listed Building Consent - Change of use of first floor vacant retail unit to form 1 No. apartment and subdivision of remainder of 1st floor and 2nd floor to form 2 No apartments (Total of 3 No. apartments); External alterations

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**Application No.:** 68314      **App. Type:** FUL      22/07/2022      Approve with Conditions  
**Location:** 53 Ribble Drive, Whitefield, Manchester, M45 8WF  
**Proposal:** Single storey extension at rear and single storey / two storey extension at side

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**Application No.:** 68407      **App. Type:** FUL      27/07/2022      Approve with Conditions  
**Location:** 109 Holcombe Old Road, Ramsbottom, Bury, BL8 4NF  
**Proposal:** New timber casement side hung windows to all elevations; and replacement timber door

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**Application No.:** 68486      **App. Type:** FUL      28/07/2022      Approve with Conditions  
**Location:** 6 Cleveland Close, Ramsbottom, Bury, BL0 9FH  
**Proposal:** Single storey rear extension

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**Application No.:** 68544      **App. Type:** LDCP      04/08/2022      Lawful Development  
**Location:** 24 Annie Street, Ramsbottom, Bury, BL0 9PP  
**Proposal:** Lawful development certificate for proposed Single storey extension at rear with minor alteration to rear yard

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**Application No.:** 68555      **App. Type:** LDCP      08/08/2022      Lawful Development  
**Location:** 4 Smithills Hall Close, Ramsbottom, Bury, BL0 9FF  
**Proposal:** Lawful development certificate for proposed single storey rear extension to domestic dwelling

Ward: **Whitefield + Unsworth - Besses**

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**Application No.:** 68380      **App. Type:** FUL      10/08/2022      Approve with Conditions  
**Location:** 63 Stanway Road, Whitefield, Manchester, M45 8EX  
**Proposal:** Single storey side/rear/front extension

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**Application No.:** 68499      **App. Type:** LDCP      28/07/2022      Lawful Development  
**Location:** 9 Wavell Drive, Bury, BL9 8PG  
**Proposal:** Lawful development certificate for proposed ground floor side extension

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

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**Application No.:** 68320      **App. Type:** FUL      12/08/2022      Refused  
**Location:** Land Adjacent to No. 11 Dovehouse Close, Whitefield, Manchester, M45 7PE  
**Proposal:** Erection of 1 no. detached dwelling with garage

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**Application No.:** 68351      **App. Type:** FUL      22/07/2022      Approve with Conditions  
**Location:** 115 Park Lane, Whitefield, Manchester, M45 7GT  
**Proposal:** 1 no. new dwelling in side garden of no. 115 Park Lane

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**Application No.:** 68381      **App. Type:** FUL      29/07/2022      Approve with Conditions  
**Location:** 18 Richmond Close, Whitefield, Manchester, M45 7PW  
**Proposal:** Part single/two storey side extension; First floor extension at side; Two storey extension at rear with juliette balcony; Single storey rear extension; Single storey front extension; Front porch

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**Application No.:** 68424      **App. Type:** FUL      27/07/2022      Approve with Conditions  
**Location:** 23 Ringley Road, Whitefield, Manchester, M45 7LD  
**Proposal:** Demolition of existing bungalow to be replaced with three storey dwelling

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**Application No.:** 68425      **App. Type:** FUL      22/07/2022      Approve with Conditions  
**Location:** 31 Hillingdon Road, Whitefield, Manchester, M45 7QQ  
**Proposal:** Conversion of existing flat roof to pitched roof to side extension; extension to main roof; new front porch and removal of existing chimney / chimney stack

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**Application No.:** 68494      **App. Type:** FUL      15/08/2022      Approve with Conditions  
**Location:** 16 Middleton Drive, Bury, BL9 8DS  
**Proposal:** Single storey extension at rear

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**Application No.:** 68571      **App. Type:** FUL      10/08/2022      Approve with Conditions  
**Location:** 3 Sunningdale Avenue, Whitefield, Manchester, M45 7GW  
**Proposal:** Raise roof ridge height with loft conversion to form second floor accommodation; Two storey extensions at front/side and two/single storey rear extension with first floor rear balcony/roof terrace with glass balustrade; External alterations to include reconfiguration of existing windows/doors and addition of first floor side windows to both side elevations

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## Ward: Whitefield + Unsworth - Unsworth

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**Application No.:** 68205      **App. Type:** LDCE      22/07/2022      Lawful Development  
**Location:** Kingfisher Park, Aviation Road, Bury, BL9 8GD  
**Proposal:** Lawful development certificate for existing main warehouse building constructed in 2004

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**Application No.:** 68311      **App. Type:** FUL      08/08/2022      Approve with Conditions  
**Location:** Bury Golf Club Unsworth Hall, Manchester Road, Bury, BL9 9TJ  
**Proposal:** Elevated extension to golf professionals shop to provide golf practice room

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**Application No.:** 68409      **App. Type:** FUL      17/08/2022      Approve with Conditions  
**Location:** 3 Rufford Parade, Rufford Drive, Whitefield, Manchester, M45 8PL  
**Proposal:** Change of use from retail (Class E) to Hot food takeaway (Sui Generis) and retention of flue at rear

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**Application No.:** 68462      **App. Type:** FUL      27/07/2022      Approve with Conditions  
**Location:** 16 Church Meadow, Bury, BL9 8JF  
**Proposal:** Single storey extension at rear

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**Application No.:** 68506      **App. Type:** CON      19/07/2022      Raise No Objection  
**Location:** Plots M400 And M5, Heywood Distribution Park, Moss Hall Road, Heywood, OL10 2TR  
**Proposal:** Article 18 Consultation from Rochdale Council (ref: 22/00662/FUL) for engineering works to facilitate future development of site including demolition of depot building (plot M5), breaking up of existing hardstanding, removal of existing services including lighting columns, ground remediation, earthworks to provide levelled site and off-site drainage.

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**Application No.:** 68628      **App. Type:** CON      19/07/2022      Raise No Objection  
**Location:** Plot M400 Heywood Distribution Park, Pilsworth Road, Hwywood, OL10 2TS  
**Proposal:** Article 18 consultation from Rochdale Borough Council ref: 22/00651/SO - Request for EIA screening opinion in relation to the proposed erection of a Use Class B8 warehouse with ancillary officer (CFC), a Technical Service Building (TSB), a vehicle maintenance unit (VMU), parking bays, vehicle docks, refueling facilities, staff shop and other ancillary structures

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**Total Number of Applications Decided:**      108



# REPORT FOR NOTING

Agenda Item 6

**Bury**  
COUNCIL

**Agenda  
Item**

**6**

<b>DECISION OF:</b>	<b>PLANNING CONTROL COMMITTEE</b>
<b>DATE:</b>	<b>30 August 2022</b>
<b>SUBJECT:</b>	<b>PLANNING APPEALS</b>
<b>REPORT FROM:</b>	<b>HEAD OF DEVELOPMENT MANAGEMENT</b>
<b>CONTACT OFFICER:</b>	<b>DAVID MARNO</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	<p>Planning Appeals:</p> <ul style="list-style-type: none"> <li>- Lodged</li> <li>- Determined</li> </ul> <p>Enforcement Appeals</p> <ul style="list-style-type: none"> <li>- Lodged</li> <li>- Determined</li> </ul>
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	The Committee is recommended to the note the report and appendices
<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework? Yes
<b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b>	Executive Director of Resources to advise regarding risk management
<b>Statement by Executive Director of Resources:</b>	N/A
<b>Equality/Diversity implications:</b>	No
<b>Considered by Monitoring Officer:</b>	N/A

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

## TRACKING/PROCESS

## DIRECTOR:

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

### 1.0 BACKGROUND

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

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

### 2.0 CONCLUSION

That the item be noted.

### List of Background Papers:-

#### Contact Details:-

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

**Tel: 0161 253 5291**

**Email: [d.marno@bury.gov.uk](mailto:d.marno@bury.gov.uk)**

**Planning Appeals Lodged  
between 18/07/2022 and 19/08/2022**



**Application No.:** 67665/FUL

**Decision level:** DEL

**Recommended Decision:** Split Decision

**Applicant:** Mr Zaffer Hussein

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

**Appeal lodged:** 21/07/2022

**Appeal Type:** Written Representations

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

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**Application No.:** 67692/FUL

**Decision level:** DEL

**Recommended Decision:** Refuse

**Applicant:** 11 Stars Property Ltd

**Location** 1 Hereford Drive, Prestwich, Manchester, M25 0JY

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**Appeal lodged:** 20/07/2022

**Appeal Type:** Written Representations

**Proposal** Provision of new 2-storey, 2-bedroom corner dwelling with associated site works including soft landscaping, cycle and refuse storage.

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**Total Number of Appeals Lodged: 2**

<p align="center"><b>Planning Appeals Decided between 18/07/2022 and 19/08/2022</b></p>
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<p><b>Application No.:</b> 65478/FUL</p> <p><b>Decision level:</b> DEL</p> <p><b>Recommended Decision:</b> Refuse</p> <p><b>Applicant:</b> Quanthill Ltd</p> <p><b>Location:</b> The Smithy &amp; 10-14 Paradise Street, Ramsbottom, Bury, BL0 9BS</p> <p><b>Proposal:</b> Demolition of existing outbuildings and part retaining wall to rear; Conversion of 10-14 Paradise Street from 1 no. dwelling/workshop to 3 no.dwellings and conversion of The Smithy from workshop to 2 no. flats with single storey rear extensions, first floor balconies above (10-14 Paradise Street), new roofs with raising of eaves height at front and rear dormers to form second floor and replacement windows</p>	<p><b>Appeal Decision:</b> Dismissed</p> <p><b>Date:</b> 11/08/2022</p> <p><b>Appeal type:</b> Written Representations</p>
<p><b>Application No.:</b> 67485/FUL</p> <p><b>Decision level:</b> DEL</p> <p><b>Recommended Decision:</b> Refuse</p> <p><b>Applicant:</b> Mr Mark Foulger</p> <p><b>Location:</b> The Coach House, Foot O Th Rake, Ramsbottom, Bury, BL0 9HE</p> <p><b>Proposal:</b> Erection of wooden slatted fence on top of existing stone wall to the side of the property adjacent to The Rake</p>	<p><b>Appeal Decision:</b> Dismissed</p> <p><b>Date:</b> 02/08/2022</p> <p><b>Appeal type:</b> Written Representations</p>
<p><b>Application No.:</b> 67532/FUL</p> <p><b>Decision level:</b> DEL</p> <p><b>Recommended Decision:</b> Refuse</p> <p><b>Applicant:</b> Mr Jason Briggs</p> <p><b>Location:</b> Kirklees Valley Farm, Lower Kirklees Street, Tottington, Bury, BL8 3NY</p> <p><b>Proposal:</b> Erection of single storey dwelling to replace existing dwelling</p>	<p><b>Appeal Decision:</b> Dismissed</p> <p><b>Date:</b> 03/08/2022</p> <p><b>Appeal type:</b> Written Representations</p>
<p><b>Application No.:</b> 67550/FUL</p> <p><b>Decision level:</b> DEL</p> <p><b>Recommended Decision:</b> Refuse</p> <p><b>Applicant:</b> Mr Gary Spillard</p> <p><b>Location:</b> 41 Arthur Lane, Ainsworth, Bolton, BL2 5PR</p> <p><b>Proposal:</b> Conversion of stable to dwelling with single storey extension</p>	<p><b>Appeal Decision:</b> Allowed</p> <p><b>Date:</b> 22/07/2022</p> <p><b>Appeal type:</b> Written Representations</p>



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## Appeal Decision

Site visit made on 11 July 2022

**by L Wilson BA (Hons) MA MRTPI**

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

**Decision date: 11<sup>th</sup> August 2022**

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**Appeal Ref: APP/T4210/W/21/3285986**

**The Smithy and 10-14 Paradise Street, Ramsbottom, Bury BL0 9BS**

- 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 Quanthill Ltd against the decision of Bury Metropolitan Borough Council.
  - The application Ref 65478, dated 5 May 2020, was refused by notice dated 28 May 2021.
  - The development proposed was originally described as refurbishment of and extensions to 10 - 14 Paradise Street; refurbishment of, ground floor conversion and extensions to The Smithy, including demolition of existing outbuildings to rear and part rear retaining wall.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposed development on:
  - The character and appearance of the Ramsbottom Conservation Area (CA) and host building;
  - The living conditions of the existing occupiers of nearby dwellings, having regard to privacy; and
  - Highway safety, having regard to parking provision.

### Reasons

#### *Character and appearance*

3. The appeal relates to former workshops with a flat above which are currently vacant. The buildings are two-storey in height and are constructed of stone with a slate roof.
4. The site is located within the CA. This part of the CA is characterised by a mix of stone buildings which vary in height and scale, including the former Wesleyan Methodist Chapel and workshops, residential uses and cobbled street. Paradise Street is located close to the town centre and commercial buildings on Bridge Street. It is an area where small engineering and craft workshops traded from late 19<sup>th</sup> century workshops and warehouses and some of the buildings retain sash windows.

5. The Ramsbottom Conservation Area Appraisal and Management Plan (CAAMP) sets out that Nos 10 and 12 Paradise Street are significant buildings that make a positive contribution to the character of the CA. Whilst I have no reason to doubt that they are significant buildings, the buildings currently do not visually positively contribute to the CA due to their poor condition. The buildings are in a dilapidated state, particularly to the rear and internally.
6. The proposed development involves raising the ridge and eaves height of the building, along with two, large flat roof dormers. Policy 3 of the CAAMP states that out of character dormer windows should be resisted. I acknowledge the findings of the heritage statements and recognise that the CAAMP has not been reviewed and predates the Framework.
7. On my site visit I observed some more modern developments which did not harm the CA. Dormer windows are not a common feature and those that existed were substantially smaller than that proposed. Flat roof dormers are not an historic architectural feature of the conservation area or the host building. The flat roof dormers would dominate the roof plane because of their size and scale. They would also introduce window openings with a horizontal emphasis. Dormer windows, such as that proposed, are not characteristic of the CA or the historic use of the site and would be an incongruous feature.
8. It is likely that partial views of the dormers would be visible from Factory Street. However, I recognise that the dormers would not be widely conspicuous from public vantage points, but they would be visible from nearby buildings. Whilst these are views gained from private properties, they are nevertheless positions where residents could appreciate the character and appearance of the CA. Furthermore, development should respect its local context and character, regardless of whether it is visible from public vantage points or not.
9. For these reasons, the proposed dormers would appear at odds with the established pattern of development and would not be sympathetic to the existing buildings. Accordingly, whilst new forms of development can add to the character of a conservation area, the proposal would cause harm to the character and appearance of the CA.
10. Framework paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Framework paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Where there is less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
11. Given the scale of the proposal within the context of the CA as a whole, the dormers form part of the wider scheme and would be situated to the rear of the buildings, the level of harm would be less than substantial, nevertheless it is of considerable importance and weight.
12. The appellant highlights benefits of the proposal. These include that the scheme would bring a vacant and dilapidated buildings back into use, secures



an optimum viable use for the appeal site, preserving and enhancing the character and appearance of the façades as well as the retaining wall, high quality design and optimising the use and physical features of the site to provide a high standard of accommodation. In addition, the Council state that latest monitoring indicates that they are unable to demonstrate a five year supply of deliverable housing land. The proposed development would therefore make a contribution towards the provision of housing and would also result in social and economic benefits.

13. Based on the evidence submitted, the public benefits associated with the proposed development, in its entirety, are not sufficient to outweigh the harm that I have identified. In any case, there may be a different scheme which secures these benefits without such harm.
14. Given the above and in the absence of any defined significant public benefit, I conclude that, on balance, the proposal would fail to preserve the character or appearance of the CA. Therefore, it would fail to satisfy the requirements of the 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, section 16 of the Framework and conflicts with Policies EN1/1, EN1/2, EN2/1 and EN2/2 of the Bury Unitary Development Plan (1997) (UDP). These seek, amongst other things, to ensure development preserves or enhances the special character or appearance of conservation areas and consideration will be given to the relationship of the proposal to the surrounding area. As a result, in this regard, the proposal would not be in accordance with the development plan.

#### *Existing occupiers*

15. The Council's submission sets out the separation distances required to comply with their Alterations and Extensions to Residential Properties Supplementary Planning Document 6 (2020) (SPD6) in order to maintain adequate privacy and residential amenity. The appellant sets out reasons they consider the distances should be less.
16. The appeal buildings sits higher than the residential properties to the east of the site, located on Crow Lane. The SPD sets out that there should be an extra 3 metres of separation for each 2.5m or one storey of height or level difference in the set out distances. The proposal would introduce an attic floor as well as balconies. The proposed first floor level is stepped back from the ground floor and the attic floor is further stepped back.
17. A degree of overlooking would not be unusual in an urban area such as this. There is also already a degree of overlooking between the first floor of the appeal buildings and the residential properties. I observed on my site visit that when stood at ground floor level, limited windows of the dwellings to the rear were visible due to the boundary wall. However, when stood at first floor level the majority of their rear windows were visible.
18. The attic floor would increase the number of windows facing towards the existing dwellings. The balconies would also introduce an amenity area where future occupiers could sit for long periods of time. Furthermore, the scheme would increase the number of residential units, and occupiers, compared to the previous use. Therefore, the proposed development would increase the level of overlooking and result in a loss of privacy. This is because of the increase in

windows, introduction of a balcony, increase in potential occupiers and separation distance having regard to level differences.

19. For these reasons, based on the evidence presented, the proposed development would adversely affect the living conditions of the occupiers of nearby properties, having regard to privacy. Consequently, it would conflict with Policies EN1/2 and H2/1 of the UDP. These seek, amongst other matters, to ensure all new residential developments make a positive contribution to the surrounding area and consideration will be given to the impact of developments on residential amenity.

### *Highway Safety*

20. The Traffic Section requested a topographical survey and confirmation that the foundations for the proposal would not encroach upon the adopted highway. The Council's Development Control Policy Guidance Note 11: Parking Standards in Bury (2007) (SPD11) states that proposals will be required to provide appropriate levels of parking in line with the standards specified. The Council highlight that in order to comply with their parking standards, a total of 8.5 spaces would be required, and have drawn my attention to a planning application adjacent to the appeal site.
21. The previous commercial and residential uses operated with no off-street parking. The appellant states that the offset provision between the previous and the proposed uses would be 2.5 spaces. I acknowledge that the site was historically used as a car repair workshop, and it is likely that this would have generated vehicles being parked on the road.
22. The proposed development would not provide any off-road car parking. On street parking is available on Paradise Street and other nearby streets. I observed on my site visit that there was a small number of cars parked on Paradise Street with some on the footpaths. I acknowledge that vehicles parked on the footpaths could be problematic, for example to wheelchair users. However, it would be difficult to ensure vehicles, associated with occupiers of the development, do not park on the footpaths.
23. I observed on my site visit that Paradise Street is a quiet road with extremely little traffic and pedestrians. However, this was only a snapshot during the day and there may well be more parked cars and increased traffic flow as well as pedestrian users at other times.
24. There are also public car parks nearby. In addition, the appeal site is adjacent to the town centre. Transport links as well as services and facilities are therefore within walking distance to the appeal site. Future occupiers would be aware of the parking constraints of the site prior to choosing to live there. Furthermore, they would not be reliant on a private motor vehicle to access services and facilities given the location of the site.
25. Sufficient information has been presented to assess the impact of the proposed development on parking provision in the vicinity. Having regard to the location of the site, surrounding parking arrangements, previous uses of the site which operated with no off-street parking, I am satisfied that additional parking demand can be accommodated satisfactorily on the highway network.
26. For the reasons above, taking into account the information presented, the proposal would not have an unacceptable impact on highway safety, having

regard to parking provision. Consequently, it would comply with the aims of Policy HT2/4 of the UDP which require all applications for development to make adequate provision for their car parking.

#### *Other Matters*

27. I have considered the other matters highlighted by the appellant and local residents. These include frustrations with the Council, the proposed development would provide affordable housing as well as homes for first-time buyers and support the development of brownfield sites. On the basis of the information before me, the proposal would not amount to affordable housing, as defined by the Framework. The other matters highlighted do not outweigh the harm identified above.

#### **Planning Balance**

28. As set out above, the Council state that latest monitoring indicates that they are unable to demonstrate a five year supply of deliverable housing land. I have no reason to take an alternative view and therefore paragraph 11(d) of the Framework is engaged.
29. I have found that the proposal would not have an unacceptable impact on highway safety. However, it would not preserve or enhance the character or appearance of the CA and would adversely affect the living conditions of the occupiers of nearby properties. The benefits of the proposed development are set out in the heritage balancing exercise above. The benefits associated with the proposed development would not justify or outweigh the harm identified.
30. The proposal would be contrary to Policies EN1/1, EN1/2, EN2/1 and EN2/2 and H2/1 of the UDP. While these policies are deemed to be out of date due to the lack of a 5 year housing land supply, weight may still be afforded to policies depending on their consistency with the Framework. The most relevant policies are consistent with the aims of the Framework with regard to conserving and enhancing the historic environment and creating well-designed places with a high standard of amenity for existing and future users. There is nothing within the Framework to suggest that those requirements of all development should be lessened on account of the lack of a five-year supply. In that context, I attach significant weight to the conflict with the development plan and the Framework.
31. Paragraph 11 of the Framework, in the context of the presumption in favour of sustainable development, indicates that planning permission should be granted unless (d)(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Policies in the Framework which protect designated heritage assets are included in paragraph 11(d)(i)<sup>1</sup>. The proposed development would be contrary to the Framework, and the harm to the CA that I have identified above provides a clear reason for refusing the development proposed. Therefore, the presumption in favour of sustainable development does not apply in this instance.
32. For the reasons given above, the appeal proposal conflicts with the development plan and the Framework when considered as a whole. There are

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<sup>1</sup> See paragraph 11 (d)(i) – footnote 7 of the Framework

no other material considerations that suggest the decision should be taken otherwise than in accordance with the development plan.

**Conclusion**

33. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal does not succeed.

*L M Wilson*

INSPECTOR



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## Appeal Decision

Site visit made on 12 July 2022

**by Ann Veevers BA(Hons) PGDip(BCon) MRTPI**

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

**Decision date: 02 August 2022**

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**Appeal Ref: APP/T4210/D/22/3294815**

**The Coach House, Foot O Th Rake, Ramsbottom, Bury BL0 9HE**

- 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 Mark Foulger against the decision of Bury Metropolitan Borough Council.
  - The application Ref 67485, dated 15 August 2021, was refused by notice dated 22 December 2021.
  - The development proposed is the erection of wooden slatted fence on top of existing stone wall to the side of the property adjacent to The Rake.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. I have omitted the superfluous additional commentary from the description of development as it is shown on the planning application form. The description is shown as it is above on the appeal form and decision notice. I am satisfied therefore that no party will be prejudiced by my use of it. At my site visit I saw a fence in place which correlates with that shown on the submitted plans. The appeal therefore seeks retrospective planning permission.
3. An amended plan has been submitted with the appeal which indicates removal of part of the fence along the boundary with the Rake. However, the appeal process should not be used to evolve the scheme and it is important that what is considered is essentially what was considered and consulted upon by the council. I cannot be certain that if I accepted the amended plan, no party would be prejudiced by my so doing. Consequently, I have determined the appeal on the basis of the fence that is currently in place and therefore the plans as originally submitted.
4. There is disagreement between the main parties over whether or not the appeal site lies within a conservation area. I have been provided with a map which indicates the boundary wall to The Coach House forms the boundary of the Ramsbottom Conservation Area (RCA). As no evidence to the contrary has been provided, I have determined the appeal on the basis that the appeal site falls within the RCA.

### Main Issue

5. The main issue is whether or not the development preserves or enhances the character or appearance of the RCA.

## Reasons

6. The retaining side garden boundary of The Coach House features a sloping coursed stone wall with a slatted wooden fence on top. It sits alongside a narrow vehicular access known as the Rake, which leads to an informal parking area and provides access to the rear of dwellings on Douglas Street. Steep topography and widespread use of stone walls combined with tightly knit properties and narrow lanes form part of the distinctive character and thus significance of the RCA, as identified in the Appraisal and Management Plan (2011).
7. The split-level rear garden of the appeal site is higher than the rear outdoor space belonging to properties along Douglas Street. This would generally result in overlooking between properties in the absence of screening. However, the urban form of the steep hillside gradients, layering of buildings and resultant overlooking is a particular characteristic of the area and therefore not unusual.
8. The tall, slatted fence that has been erected runs for a considerable length alongside the Rake. Given its overall height, length and prominence, it forms a large obtrusive and incongruous feature in the street scene which is at odds with the prevailing character. This is particularly evident on the lowest part of the Rake adjacent to the side entrance gate into the garden where the stone wall and fence are highest. The presence of the additional structure on top of the stone wall at this point results in a stark contrast to the surrounding buildings and boundary walls as well as the open countryside beyond.
9. The fence has a negative effect on the significance of a designated heritage asset, failing to either preserve or enhance its character or appearance. It accordingly results in 'less than substantial' harm in the context of paragraph 202 of the Framework. The harm therefore needs to be weighed against any public benefits. There is some public benefit to the provision of a protective barrier between the high-level garden and the lower, publicly accessible Rake. Other benefits suggested by the appellant are private, relating to the need for a secure and private garden. No compelling evidence or alternative scheme has been put forward to indicate this could not be achieved in another, less harmful way. As such, the public benefits do not outweigh the identified material harm to the designated asset.
10. On the above basis, the development conflicts with Policies EN1/1, EN1/2, EN2/1, EN2/2 and H2/3 of the Bury Unitary Development Plan (1997) as well as Supplementary Planning Document 6, Alterations and Extensions to Residential Properties (2010) and Development Control Policy Guidance Note 16, Design and Layout of New Development in Bury (2008) which together seek to ensure that development respects local character. It is also, for the same reasons, contrary to the heritage protection policies of the Framework.

## Other Matters

11. The matter of the structural stability of the boundary wall and fence are not matters before me as part of the appeal. The merits of which consider the visual and character effects of the fence itself in the context of the RCA.



## **Conclusion**

12. The development conflicts with the development plan when considered as a whole and there are no other considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict. The appeal should therefore be dismissed.

*Ann Veevers*

INSPECTOR



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## Appeal Decision

Site visit made on 11 July 2022

**by L Wilson BA (Hons) MA MRTPI**

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

**Decision date: 3 August 2022**

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**Appeal Ref: APP/T4210/W/22/3290022**

**Kirklees Valley Farm, Lower Kirklees Street, Tottington, Bury BL8 3NY**

- 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 Jason Briggs against the decision of Bury Metropolitan Borough Council.
  - The application Ref 67532, dated 12 September 2021, was refused by notice dated 21 December 2021.
  - The development proposed is a replacement dwelling.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. I noted on my site visit that the dwelling had been erected. For the avoidance of doubt, I have assessed the appeal proposal and based my decision on the plans before me.

### Main Issues

3. The main issues are:
  - Whether or not the proposal is inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy, including an assessment of the effect of the proposal on the openness of the Green Belt;
  - The effect of the proposed development on the character and appearance of the surrounding area; and
  - If the development is inappropriate, whether the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

### Reasons

*Whether inappropriate development*

4. The appeal site is accessed off Kirklees Street. In 2021, the Council issued a Certificate of Lawfulness for a dwelling at the appeal site. The appeal seeks to replace that with a single storey dwelling.

5. Paragraph 149 of the Framework states that new buildings are inappropriate in the Green Belt unless they fall within the given list of exceptions. One such exception is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. Policy OL1/2 of the Bury Unitary Development Plan (1997) (UDP) is broadly consistent with the Framework in terms of replacement dwellings.
6. The Council's New Buildings and Associated Development in the Green Belt- Development Control Policy Guidance Note 8 (2007) (SPD8) provides further guidance regarding replacement dwellings in the Green Belt. This states where a replacement dwelling is proposed, the new dwelling should reflect the original dwelling in terms of massing, siting and area of footprint, height and should not be materially larger than the one it replaces. Any significant deviation from this would need to be justified as 'very special circumstances'... In general terms, the Council may allow the original volume to be increased by up to a third as part of a proposal for a replacement dwelling.
7. In order to comply with both national and local planning policy an assessment is required to establish whether the replacement dwelling would be larger than the one it replaces. An assessment of whether a building is materially larger can include matters of footprint, volume, width, height and visual perception.
8. The replacement dwelling would not be substantially taller and would be situated within the existing curtilage. Nonetheless, the Council highlight that the replacement building would result in approximately a 220% increase in volume and 158% increase in area comparative to the existing. These are significant increases. The massing of the replacement dwelling would be substantially more than the original dwelling which is essentially a caravan. Thus, the new dwelling would be materially larger than the one it replaces because of the increase in volume, footprint and massing.
9. Whilst not considered by the Council, the appellant also considers that the proposal would represent the redevelopment of previously developed land and comply with paragraph 149 g). This exception allows for limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
10. Even if the appeal site represents previously developed land, any exception under paragraph 149 g) only applies subject to the proviso that the proposal would not have a greater impact on openness than the existing development. Paragraph 137 of the Framework confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. My attention has been drawn to a legal judgement<sup>1</sup> in this regard.
11. The existing use of the site already has an impact on the openness of the Green Belt. The proposed development would be located in a similar, central part of the wider landholding to the existing dwelling, and associated curtilage with domestic paraphernalia.

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<sup>1</sup> Turner v SSCLG & East Dorset Council [2016] EWCA Civ 466

12. Having said that, the proposal would have a greater impact on the openness of the Green Belt than the existing development. This is because the new dwelling would numerically and visually be materially larger than the one it replaces due to the increase in volume, footprint and massing. Views of the proposed development would be extremely limited from public vantage points. This is because of the surrounding vegetation, trees and entrance gates. Therefore, the scheme's visual impact would be limited. For these reasons, even if the proposal amounted to development on previously developed land, the scheme would not meet the exception of paragraph 149 g) on account of the effect on openness.
13. Consequently, considering that the scheme would result in a significantly larger dwelling, the development would have an adverse impact on both the spatial and visual openness of the Green Belt, albeit to a moderate degree due to the existing built development within the site and limited public views. As such, the scheme would conflict with the purposes of Green Belt policy, as stated in the Framework, to keep land permanently open.
14. Accordingly, based on the evidence presented, the proposal would not fall under any of the exceptions listed in the Framework and would be inappropriate development in the Green Belt having regard to Policies OL1/2 and OL5/2 of the UDP, SPD8 and the Framework.

#### *Character and appearance*

15. The replacement dwelling is a single storey, modular building of simple design. As stated above, it would be situated in a similar location to the existing dwelling, and associated curtilage, and views of the proposed development would be extremely limited from public vantage points. Although the dwelling would be materially larger than the one it replaces, it would be a modest dwelling and single storey. A planning condition could be attached relating to external materials to ensure that the dwelling blends in with the surroundings.
16. Accordingly, I am satisfied that the proposed development, including hardstanding and domestic paraphernalia, would not cause harm to the character and appearance of the surrounding area, including the character of the Green Belt. Therefore, it would not conflict with Policy EN1/1 of the UDP which states that development will not be permitted where proposals would have a detrimental effect on the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt or the river valleys. In this regard, it would also not conflict with SPD8 which provides advice on how the character of the Green Belt is maintained and where possible, improved.

#### *Other considerations*

17. A number of other considerations have been drawn to my attention. Three people currently live at the appeal site. The appellant highlights that policy JP-H3 of the Joint Development plan for Greater Manchester states that all new dwellings must comply with the nationally described space standards. However, this is not currently an adopted policy. The replacement dwelling would comply with the space standards and building regulations requirements.
18. The appellant states that if the appeal was dismissed, it would amount to a breach of the Human Rights Act, Protocol 1, Article 1 (protection of property) and Article 8 (right for respect for private and family life). These are qualified

rights and I acknowledge that if the appeal is not allowed then the appellant and their family, including their child, would have to revert to living in the original dwelling which fails to meet space standards and is poorly insulated.

19. Whilst I sympathise with the appellant's situation that must be weighed against other factors including the wider public interest. Their circumstances could change, whereas the dwelling would remain on the site and continue to harm the Green Belt in posterity. Dismissing the appeal would not make the appellant, and their family, homeless as the original dwelling remains on site. The appellant chose to live in the caravan for a number of years and a lawful development certificate does not consider matters such as impact on the Green Belt. Furthermore, they have at their own risk erected a dwelling without planning permission. The appellant outlines reasons why the alternative solution suggested by the Council would not be suitable. However, it is not clear why these structures are needed, and I do not consider that alternative options have been adequately explored considering the Green Belt location of the site.
20. I have found that the proposal would be inappropriate development in the Green Belt, and I am satisfied that the legitimate planning policy aims, to protect the Green Belt, can only be adequately safeguarded by a refusal of permission. On balance, this course of action would be proportional in the circumstances. I consider that the dismissal of the appeal would not have a disproportionate effect on the appellant, and their family including the best interests of the child, and would not lead to an unacceptable violation of their rights. I give moderate weight to the above considerations given the quality of the living conditions of the original dwelling which remains on site.
21. The appellant states that they would agree to a condition for the removal of two caravans and other structures on the landholding, in addition to a general tidying up of the site. The Council state that this would result in a different scheme to the one which was submitted with the application and one which would need a separate consideration. Nonetheless, the appellant highlights that these structures have already been removed since the appeal was submitted. The removal of these structures is a benefit to the openness of the Green Belt. I give limited weight to this consideration because they have already been removed and it is not clear whether these were permanent and lawful structures.

*Whether very special circumstances exist*

22. The proposal would be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. In addition, I have found a moderate loss to the openness of the Green Belt. Paragraph 148 of the Framework is clear that substantial weight should be given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
23. The other considerations relating to quality of the living conditions of the original and replacement dwellings are given moderate weight. Limited weight is given to the removal of structures on the landholding.
24. When drawing this together, the other considerations advanced results in a finely balanced decision. However, the other considerations would need to

clearly outweigh the substantial harm to the Green Belt. Accordingly, the advanced considerations in support of the appeal whether taken individually or cumulatively, do not, on balance clearly outweigh the totality of the harm that I have found. Therefore, the very special circumstances necessary to justify the development do not exist.

### **Conclusion**

25. I conclude that the proposal would amount to 'inappropriate development'. In addition, I have found a moderate loss to the openness of the Green Belt. Despite the merits of the proposal, there are no very special circumstances to outweigh this harm. Consequently, the scheme would conflict with Policies OL1/2 and OL5/2 of the UDP, SPD8 and the Framework which seek to protect the Green Belt.
26. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal is dismissed.

*L M Wilson*

INSPECTOR





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## Appeal Decision

Site visit made on 14 April 2022

**by C Rafferty LLB (Hons), Solicitor**

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

**Decision date: 22<sup>nd</sup> July 2022**

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**Appeal Ref: APP/T4210/W/21/3288575**

**41 Arthur Lane, Radcliffe BL2 5PR**

- 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 Gary Spillard against the decision of Bury Council.
  - The application Ref 67550, dated 16 September 2021, was refused by notice dated 6 December 2021.
  - The development proposed is described as 'conversion of stable to dwelling, with extension'
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### Decision

1. The appeal is allowed and planning permission is granted for the conversion of stable to dwelling, with extension at 41 Arthur Lane, Radcliffe BL2 5PR, in accordance with the terms of the application Ref 67550 dated 16 September 2021 subject to the conditions set out in the attached schedule.

### Main Issue

2. The main issue is the effect of the proposed development on highway safety.

### Reasons

3. The appeal site comprises a three bay stable block located off Arthur Lane on a private access road serving surrounding properties, and across from the dwelling at No. 41. The proposal seeks to convert the stable block to a single storey residential dwelling with side extension. The main parties agree that the proposal would have no impact on highway safety in terms of the access from the site onto the private road. However, the Council has raised concerns regarding the junction where the access road meets Arthur Lane.
4. This junction is near two bends in Arthur Lane, with poor visibility for vehicles exiting the access road. In particular, there is a curve in the road immediately to the north of the junction with tall, dense hedging further reducing visibility.
5. A Transport Statement has been submitted by the appellant, concluding that speed is reduced in the immediate vicinity due to the road layout, and that adequate sightlines can be achieved in one direction. Nevertheless, even acknowledging the difference in opinions between parties on recent collisions, including details submitted by interested parties in this regard, this junction is difficult to manoeuvre for vehicle users making a right turn from the access road. The potential therefore remains for collisions with vehicles travelling along Arthur Lane.

6. It is notable that this junction currently serves surrounding properties along the access road, in addition to the stables at the site. The issue therefore relates to whether the proposal would result in a level of increase of vehicular movements to and from the site that would significantly impact highway safety at the junction between Arthur Lane and the access road.
7. My attention has been drawn to a previous appeal decision<sup>1</sup> relating to a similar proposal at the site. This concluded that the conversion of the stables to a dwelling would generate additional traffic movements that would add to the potential for conflicts with vehicles along the main road. The Inspector stated that an existing level of use of the site, over and above an incidental use associated with No. 41, had not been demonstrated. As such it could not be concluded that the proposal would not result in an intensification of the existing use for the purposes of highway safety.
8. The appellant has now submitted an agreement relating to the lease of two of the stables to a third party, along with three months' receipt for rental payments. This demonstrates that two of the stables have recently been in use by a party other than the owners of No. 41. As such, this use of the site has resulted in vehicular movements associated with the stable, generating trips in its own right and separate to those connected with No. 41.
9. The Transport Statement concludes a worst case scenario of no change to the number of trips associated with the site due to the proposal. However, I acknowledge these results may have been impacted by a general reduction in travel due to the COVID-19 pandemic. Nevertheless, while the proposal would by its nature lead to daily movements to and from the site by residents, visitors and deliveries, even acknowledging the fact that two car spaces would exist at the site, the number of trips generated are likely to be modest. These would be limited by the small scale, single dwelling nature of the proposal. In addition, it would also result in the cessation of trips solely associated with the stables to include those by the tenant, vets and food stuffs and other deliveries. Overall, it is therefore likely that the change in trips generated by the proposal when compared with the stable use would be negligible.
10. As such, notwithstanding the current poor visibility and risk of collision associated with the junction, the nature and extent of the proposed use would not result in a notably increased level of traffic that would raise additional highway safety concerns. Even if daily trips due to the residential use were greater than those connected with stable use by a single tenant, it is likely that the overall net increase would not be so significant as to unduly impact the current operation of the surrounding highway network from a safety perspective.
11. The Council's second reason for refusal raises concerns about securing access onto the adopted highway. In this regard I agree with the conclusions of the Inspector on the previous appeal. While the submitted plan does not include the access road within the red line boundary, the proposal would use the existing vehicular access road from the site to Arthur Lane, which I observed to be suitable for this purpose. While unadopted, there is no reason or evidence that this would not continue to be available for access to the properties along this road. I further note that the Council has agreed this could be addressed by an appropriately worded condition.

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<sup>1</sup> APP/T4210/W/20/3258314

12. For the reasons given above I find that the development does not have a significant adverse effect on highway safety. As such, it accords with Saved Policy OL1/4 of the Bury Unitary Development Plan (UDP) which requires that suitable access and likely traffic generation can be accommodated without creating a traffic hazard, and the Conversion and Re-use of Buildings in the Green Belt Supplementary Planning Document 2007, which states that development should not lead to excessive traffic generation.
13. The Council has also referred to Saved Policy H2/2 of the UDP in its decision notice, which relates to the layout of new residential development. However the provisions of this policy do not apply to the issues in dispute in this appeal.

### **Other Matters**

14. Comments have been received regarding the position of the appeal site in the Green Belt. However, the Council have concluded that the proposal would not unduly impact upon the openness of the Green Belt or cause harm in this regard. Based on my observations I have no reason to disagree.

### **Conditions**

15. I have had regard to the conditions suggested by the Council. Where necessary I have amended or amalgamated them in the interests of clarity and consistency. I have imposed a condition specifying the standard time frame and the relevant drawings, as this provides certainty and clarity. While the Council made reference to various site plan references in its suggested condition, it appears that this is a typographical error. In any event, I have cited those plans provided with the appeal and noted in the decision notice.
16. As required by the relevant regulations I have received and considered the response from the appellant confirming they are agreeable to pre-commencement conditions. These relate to the materials to be used in construction and the submission and implementation of a landscaping scheme, for both certainty and in the interests of character and appearance. A condition has also been imposed relating to the details of the vehicular access between the site and Arthur Lane for clarity and to ensure adequate access for the development. A condition is required to secure proper drainage and manage the risk of flooding, and in the interests of nature conservation an assessment of bat roosting potential should also be carried out.
17. Further conditions have been imposed to minimise risks from contamination and asbestos, given the former use of the appeal site. In order to appropriately manage the appeal site going forward and to ensure adequate levels of highway safety I have also included a condition relating to the provision of car parking spaces.
18. The Officer's Report also suggested a condition relating to the location for refuse storage. In the interests of living conditions of future and surrounding occupiers, I have imposed. The Officer's Report also suggested a condition that any non-habitable rear window be obscured and non-opening in the interests of privacy of surrounding residents. However, based on my observations of the site, and the fact that other habitable windows along this elevation would not be subject to this condition, I do not deem this to be necessary.
19. In addition, the Council has suggested a condition to restrict permitted development rights at the site. Planning Practice Guidance indicates that conditions removing PD rights should only be used in exceptional circumstances. While I

acknowledge that the appeal site is within the Green Belt, I do not consider that this alone amounts to such an exceptional circumstance. As such, I do not consider this condition to be necessary.

### **Conclusion**

20. For the reasons given, the proposal would accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be allowed subject to the conditions in the attached schedule.

*C Rafferty*

INSPECTOR

### **SCHEDULE OF CONDITIONS**

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Existing and Proposed Site Plan; Existing Floor Plans Drawing No. 20/541/01; Proposed Floor Plans Drawing No. 20/541/02; and Existing and Proposed Elevations Drawing No. 20/541/03; and Existing and Proposed Site Plan.
3. No development shall commence until details / samples of the materials to be used in the construction of the hardstanding and external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
4. No development shall commence until details of the vehicular access between the site and the adopted highway at Arthur Lane shall have been submitted to and approved in writing by the local planning authority.
5. No development shall commence until drainage works for foul and surface water have been carried out in accordance with details which shall have been submitted to and approved in writing by the local planning authority.
6. No development shall commence until the building has been reassessed for bat roosting potential and the findings supplied to and agreed in writing by the local planning authority.
7. No development shall commence until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping, including a boundary native hedge planting scheme. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the development; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
9. Prior to demolition of the structures on site an asbestos survey is to be carried out by an appropriately qualified contractor. Any asbestos identified shall be disposed of in an appropriate manner.
10. Any contamination that is found or suspected during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.

11. The development hereby permitted shall not be brought into use until the car parking indicated on the approved plans is surfaced, demarcated and made available for use.
12. The development hereby permitted shall not be brought into use until details of a dedicated area for the storage and management of refuse and recycling bins has been submitted to and approved in writing by the local planning authority. The approved area for the storage and management of refuse and recycling bins shall be provided before the use is commenced and shall be retained exclusively for this use thereafter.