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AGENDA FOR

PLANNING CONTROL COMMITTEE



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To: All Members of Planning Control Committee

Councillors: S Thorpe (Chair), C Boles, D Duncalfe, U Farooq, J Harris, M Hayes, B Ibrahim, D Quinn, G Staples-Jones, D Vernon and M Walsh

Dear Member/Colleague

Planning Control Committee

You are invited to attend a meeting of the Planning Control Committee which will be held as follows:-

Date:	Tuesday, 25 July 2023
Place:	Council Chamber, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	https://councilstream.com/burycouncil/3202

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 27TH JUNE 2023 (Pages 3 - 6)

Minutes of the meeting held on Tuesday the 27th June 2023 are attached.

4 PLANNING APPLICATIONS (Pages 7 - 136)

Reports attached.

5 DELEGATED DECISIONS (Pages 137 - 148)

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 149 - 156)

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: 27 June 2023

Present: Councillor S Thorpe (in the Chair)

Councillors C Boles, D Duncalfe, U Farooq, J Harris, M Hayes,

B Ibrahim, D Quinn, G Staples-Jones and M Walsh

Also in attendance: Councillors C Birchmore, A Booth, G Marsden, M Smith and

S Walmsley

Public Attendance: 37 members of the public were present at the meeting.

Apologies for Absence: Councillor D Vernon

PCC.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillor D Vernon.

PCC.2 DECLARATIONS OF INTEREST

All Councillors from different political parties sitting on the committee declared a personal interest in planning application 69622, 47 Fairfield Drive, Bury as the applicant was a Councillor for Bury Council.

None had discussed the application with the applicant and all would remain in the meeting during this item.

Councillors C Boles and U Farooq declared an interest in planning application 69079, Land off Parkinson Street, Bury, BL9 6NY, as they both lived in close proximity to the application.

Councillors Boles and Faroog left the meeting during deliberation of this application.

Councillor J Harris declared an interest in planning application 69612, 21 Orpington Drive, Bury, BL8 2PJ as she had been in communications with local residents resulting in a pre-determination of the application.

Councillor Harris left the meeting during deliberation of the application.

PCC.3 MINUTES OF THE MEETING HELD ON THE 30TH MAY 2023

Delegated decision:

That the Minutes of the meeting held on the 30th May 2023 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 69361, 68998 and 69079.

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

Delegated decisions:

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

Land off Parkinson Street, Bury, BL9 6NY

Demolition of existing buildings and erection of 84no. dwellings with associated parking and landscaping; formation of a car park in association with the existing recreation field.

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

Land at Green Street, Radcliffe

Construction of new mixed-use development comprising 132 apartments, bar, commercial and office spaces with associated landscaping and car parking.

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

Kirklees Valley Farm, Kirklees Street, Tottington, Bury, BL8 3NY Erection of single storey dwelling to replace existing dwelling

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

Land to rear of Wells Street, Bury, BL9 0TU

Outline application for erection of 3 no. dwellings and associated parking (all matters reserved except access)

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

82 Bury Old Road, Whitefield, Manchester, M45 6TQ

Variation of condition no. 1 (opening hours) of prior approval 67061 to amend the opening hours from 07.00 to 16.00 (Mon-Fri) and 09.00 to 16.00 (Sat-Sun) to 08.00 to 23.00 (Mon-Fri) and 09.00 to 23.00 (Sat-Sun)

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

47 Fairfield Drive, Bury, BL9 7SL

69622 Demolition of existing conservatory and erection of two storey side extension

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

Spurr House, Pole Lane, Bury, BL9 8QL

Conversion of short stay residential home (Class C2) to a pupil referral unit (Class F1) for educational use; Single storey extensions and associated landscaping, additional parking and external works

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

21 Orpington Drive, Bury, BL8 2PJ

Change of use from residential dwelling (Class C3) to children's residential care home (Class C2)

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 S THORPE Chair

(Note: The meeting started at 7.00pm and ended at 9.12pm)

Title Planning Applications

To: Planning Control Committee

On: 25 July 2023

By: Development Manager

Status: For Publication

Executive Summary

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

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

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

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

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

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

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

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

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

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

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

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

Development Manager

Background Documents

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

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

01 Township Forum - Ward: Radcliffe - East **App No.** 69388

Location: 13-21 Blackburn Street, Radcliffe, Manchester, M26 1NN

Proposal: Demolition of 13-21 Blackburn Street/TSB Bank and erection of

three-storey civic hub building containing swimming pools, fitness suites and studios, indoor climbing facility, offices, cafeteria and library; Link block between Radcliffe Market and Market Chambers buildings, plus refurbishment of Market Chambers and Market Hall basement, for use as a multi-use event space, with associated external alterations and works

and hard and soft landscaping

Recommendation: Approve with Conditions Site Visit: N

O2 Township Forum - Ward: Ramsbottom and Tottington - App No. 68578

Ramsbottom

Location: Saw Mills, off Spring Street, Ramsbottom, Bury, BL0 9JQ

Proposal: Demolition of existing sawmill and associated outbuilding and construction

of 5 no. dwellings

Recommendation: Approve with Conditions Site Visit: N

Township Forum - Ward: Bury East - Moorside **App No.** 69699

Location: 240 Walmersley Road, Bury, BL9 6NH

Proposal: Change of use from dwelling (Class C3) to 9 no. bedroom HMO (single

occupancy, Class Sui Generis)

Recommendation: Approve with Conditions Site Visit: N

04 Township Forum - Ward: Bury East - Moorside App No. 69459

Location: Land adjacent to 35 Hilton Street, Bury, BL9 6LT

Proposal: Erection of 2 no. terraced dwellings

Recommendation: Approve with Conditions Site Visit: N

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Ward: Radcliffe - East Item 01

Applicant: Bury Council

Location: 13-21 Blackburn Street, Radcliffe, Manchester, M26 1NN

Proposal: Demolition of 13-21 Blackburn Street/TSB Bank and erection of three-storey civic

hub building containing swimming pools, fitness suites and studios, indoor climbing facility, offices, cafeteria and library; Link block between Radcliffe Market and Market Chambers buildings, plus refurbishment of Market Chambers and Market Hall basement, for use as a multi-use event space, with associated external alterations

and works and hard and soft landscaping

Application Ref: 69388/Full **Target Date:** 26/05/2023

Recommendation: Approve with Conditions

This application has been referred to Planning Control Committee as the development would exceed 5,000 space metres of floor space.

Description

The proposal relates to a 0.75 hectare area of Radcliffe town centre that encompasses 1-9 and 13-21 Blackburn Street, Radcliffe Market and is bound by Dale Street to the north-west, west and south-west, Radcliffe Piazza and Blackburn Street to the north-east and the River Irwell to the east, south-east and south. The site is positioned around 600m from the Radcliffe Metrolink stop and immediately adjcent to Radcliffe bus station.

The site is located within a prime shopping frontage of Radcliffe town centre and partially within flood zone 3. The non-designated heritage asset 1-9 Blackburn Street (Market Chambers) falls within the site.

The proposal is for the demolition of 13-21 Blackburn Street/TSB Bank and the erection of a three-storey, 15m high civic hub building containing swimming pools, fitness suites and studios, indoor climbing facility, offices, cafeteria and library; Link block between Radcliffe Market and Market Chambers buildings (following demolition of the former TSB Bank building), plus refurbishment of Market Chambers and Market Hall basement, for use as a multi-use event space and for the relocation of retail units, with associated external alterations and works and hard and soft landscaping.

No dedicated additional off-street car parking is proposed, with parking being available in the wider town centre. Improvements to the highway network surrounding the site pertain, such as widening footways, introducing landscaping and the creation of a hard and soft landscaped piazza to the front of the proposed building and the provision of 36no. secure cycle storage spaces. There would be dedicated bus drop-off, loading and accessible bays on Dale Street and Blackburn Street. The intended operating hours would be between 07:00 and 22:00 daily.

Since the original submission, the application has been amended to introduce increased cycle storage provision, amend the location of the waste and recycling storage area and off-site highway works along Dale Street.

Relevant Planning History

No relevant history.

Publicity

Press Notice in the Bury Times 09/03/2023 Site Notices 13/03/2023 121 neighbour notification letters 03/09/2023

As a result of the publicity, one representation has been received commenting on the application as follows:

We have reviewed the Construction Management Plan and are satisfied with the
measures proposed to be implemented. In order to ensure the recommendations, set
out in the Construction Management Plan are adhered to, we would like to request the a
condition ensuring the plan is adhered to, in full, throughout the construction process.

Statutory/Non-Statutory Consultations

Traffic Section: The Highway Officer has indicated that the proposal is acceptable, but a full and final response has not yet been received. This will be reported in the supplementary report.

Conservation Officer: No objection.

Waste Management: No objection.

Borough Engineer - Drainage Section: No comments received.

Environmental Health - Contaminated Land: No objection, subject to conditions relating to contaminated land remediation and verification.

United Utilities (Water and waste): No objection, subject to conditions requiring the submission and agreement of a sustainable surface water drainage and foul water scheme, management and maintenance plan for the lifetime of the development thereafter and protection of the water main and combined water sewer from damage.

Greater Manchester Ecology Unit: No objection, subject to conditions requiring reasonable avoindance measures relating to bats and otter, agreement of an external lighting scheme, further bird survey work to protect active bird nests, implementation of the invasive species plan, agreement of a method statement to protect the River Irwell from accidental spillages, dust and debris.

Greater Manchester Police - designforsecurity: No objection, subject to implementation of the recommendations within the Crime Impact Statement.

Environment Agency: No objection. The flood levels are significantly above the basement level and windows of the Market Chambers. The blocking up of windows would require detailed consideration in relation to the flood resistance/resilience measures for the basement level, as ingress of water through any openings could be rapid, potentially putting users at risk.

A flood warning and evacuation plan is likely to be appropriate for this element of the proposal.

The props for the proposed balcony would be significantly below flood levels and would be prone to accumulating and be at risk of impact damage from floating debris. The design of this should be reviewed to avoid props or any part of the supporting structure being below the design flood level of 1% AEP + allowance for climate change.

Applicants should ensure that opportunities to enhance fisheries, biodiversity and geomorphology are identified and incorporated in and around proposed developments

A Flood Risk Activity Permit (FRAP) or exemption would be required. The applicant should not assume that a FRAP would automatically be forthcoming once planning permission has

been granted.

Emergency Planning: No objection. There should be a requirement for an emergency evacuation plan to be agreed.

Transport for Greater Manchester: The primary junction to the west of the site (Pilkington Way/Sion Street) could be upgraded to provide cycle facilities, which would improve accessibility to the site for cyclists travelling from this direction.

The Transport Statement (TS) confirms that the Civic Hub will not provide any new car parking and as such no vehicle access is proposed into the site.

A robust Service Management Plan should be employed to ensure the development can be serviced safely and appropriately without impeding the highway network.

A review of the existing traffic regulation orders may be necessary surrounding the site, to ensure that parking associated with the development does not impede the free flow of traffic along the surrounding highway network.

A robust Construction Traffic Management Plan should be employed as part of the development.

The development will need to be supported by a full Travel Plan which should feature a range of measures promoting a choice of transport mode, and a clear monitoring regime with agreed targets.

The improvement to the cycle storage levels and location are welcomed.

Sport England: No objection. Sport England is satisfied that the proposal has broadly demonstrated a need for the facility in this location and establishes how it meets the Sport England 'Provide' Objective, in terms of how it meets an identified need. The design of the facilities is fit for purpose.

Greater Manchester Fire and Rescue Service: No objection.

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

Unitary Development Plan and Policies

NPPF National Planning Policy Framework
EN1 Built Environment
EN1/1 Visual Amenity
EN1/2 Townscape and Built Design
EN1/3 Landscaping Provision
EN1/4 Street Furniture
EN1/5 Crime Prevention

EN1/7 Throughroutes and Gateways EN2 Conservation and Listed Buildings

EN4 Energy Conservation
EN4/1 Renewable Energy
EN4/2 Energy Efficiency

EN5 Flood Protection and Defence EN5/1 New Development and Flood Risk

EN6 Conservation of the Natural Environment

EN6/3 Features of Ecological Value EN6/4 Wildlife Links and Corridors

EN7 Pollution Control EN7/3 Water Pollution

EN7/4 Groundwater Protection

EN7/5 Waste Water Management EN8/2 Woodland and Tree Planting

EN10/2 Riverside and Canalside Improvement in Urban Areas

RT2 New Provision for Recreation in the Urban Area

RT2/1 Provision of New Recreation Sites

S1 Existing Shopping Centres
 S1/2 Shopping in Other Town Centres
 S2/2 Prime Shopping Areas and Frontages

S3/3 Improvement and Enhancement (All Centres)

S3/4 Markets

HT2 Highway Network

HT2/4 Car Parking and New Development

HT4 New Development

HT5 Accessibility For Those With Special Needs
HT5/1 Access For Those with Special Needs

HT6 Pedestrians and Cyclists

HT6/1 Pedestrian and Cyclist Movement HT6/2 Pedestrian/Vehicular Conflict

CF1 Proposals for New and Improved Community Facilities

CF1/1 Location of New Community Facilities

TC1 Town Centres

TC1/2 Pedestrian/Vehicular Conflict in Town CentresTC2 Town Centre Enhancement and Development

SPD11 Parking Standards in Bury

SPD16 Design and Layout of New Development in Bury

Issues and Analysis

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

ASSESSMENT

Principle of development (Town Centre)

The site is located in the town centre and allocated under policies S1/2 and S2/2, which support the growth of retail in this area. This is in line with the proposed refurbishment of the Market Hall and Chambers, as the development seeks to introduce new commercial space and shops to this area. Whilst the proposals would result in the loss of some existing retail floorspace to accommodate the new Civic Hub building, the proposed uses still fall under the category of 'main town centre uses' as defined by the NPPF and present an opportunity to generate greater footfall in the town centre with linked trips to other existing town and retail uses nearby, which is in accordance with Policy TC2 and RT1 which highlights that town centres should be the principal focus for uses such as cultural and leisure. Furthermore, and as mentioned above, new commercial space will be provided for through the refurbishment of the Market Hall and Chamber.

The Site is also allocated under Area RD1 which states that as well as supporting proposals for retail, the LPA will view proposals for the development of new or improved community facilities favourably. The Civic Hub is proposed to be the main community hub for the area and would bring lots of community benefits in terms of providing new and high quality community facilities and opportunities for social interaction, health and wellbeing. Policy CF1 also supports the provision of new or improved community facilities, which the Proposed Development is in accordance with.

Turning to the NPPF, section 7 supports the role of town centres and section 8 outlines that planning policies and decisions should aim to achieve healthy, inclusive and safe places, which are accessible and promote social interaction. Paragraph 93 of the NPPF goes on to highlight the importance of community facilities. The Proposed Development is considered to be compliant in this regard.

Therefore, the principle of development is supported and deemed acceptable in this location in accordance with UDP Policies S1/2, S2/2, TC2, RT1, RD1, CF1 and sections 7 and 8 of the NPPF.

Principle of development (Sport & Community Provision)

Section 8 of the NPPF and UDP Policies RT2, RT2/1, CF1 and CF1/1 pertain and in broad terms support the provision of new community and recreation provision within the borough.

Sport England assesses this type of application in light of the NPPF and its own planning policies, which are to protect, enhance and provide sports facilities. Sport England is satisfied that the proposal has broadly demonstrated a need for this facility in this location and that the proposal has broadly established how it meets the Sport England 'Provide' Objective, in terms of how it meets identified needs. Subject to agreement with Sport England, the design of the facilities are considered to be fit for purpose and appropriate for the delivery of the provision.

Layout, Design and Landscaping

Section 12 of NPPF and UDP Policies EN1, EN1/2, EN1/3 pertain. These highlight that good design is a key aspect of sustainable development and seeks to achieve high-quality design that is appropriate for its location.

The proposed Civic Hub building would replace an existing three storey commercial block which is utilitarian in character and appearance. The wider context of the site is a mix of similar utilitarian buildings and older red brick buildings of a more domestic form and character (whilst largely in commercial use).

Whilst the proposed building would be of a larger mass than the existing block, it would have increased permeability and visual interest, utilising a striking palette of materials to engage users and passers by. Materials, including pale brick plinth, bronze vertical metal cladding panels and fins and aluminium glazed curtain walling and their colours have been chosen to clearly define the entrance and define the different uses within it, making the building legible that would form an extension of the public realm.

The proposed link block between Radcliffe Market Hall and Market Chambers has been designed to provide a vertical link between all four floors of the adjoining buildings. From a massing and aesthetic perspective, the link block would exhibit proportions and indicators from the existing Market Chambers building, such as fenestrative proportions and alignment at first floor, to set levels and reference points across the link block facade. Materials would replicate those used on the opposing Civic Hub building, creating a consistent palette of materials across the campus and framing the enhanced Market Walk.

Hard and soft landscaping of the redeveloped public piazza and Market Walk would aid the integration.

A design review was undertaken by Places Matter (A bespoke independent design review service provided by the Royal Institute of British Architects), which supported the scheme in principle and considered that the design demonstrated a good strategic approach with a very strong concept for the main hub. Refinements were recommended and these were incorporated into the final design to create civic building that would be worthy of the purpose and would transform the character and appearance of Radcliffe town centre and contribute significantly to the wider regeneration of the town.

Given the above, the proposal would comply with the above policies and the NPPF.

Impact on the historic environment

Section 16 of the NPPF and UDP Policy EN2 pertain.

The proposal is supported by a Heritage Assessment that considers the impact of the proposal on the Radcliffe Market Chambers, a non-designated heritage asset (NDHA). It specifically considers the impact of the demolition of the existing link building (former TSB Bank) and the erection of the replacement link and Civic Hub building.

The Assessment finds that the existing link building does not contribute to the significance, setting or character of the asset and its loss would not affect the understanding or appreciation of the NDHA.

The proposed link building would be stepped back at the third floor and perforated panels would be utilised (to enclose external roof mounted plant) and the proportions and fenestration pattern to mirror that of the Chambers building. This change is assessed as constituting moderate change to the setting and character of the asset resulting in a neutral/sleight impact.

In relation to the proposed Civic Hub building, the assessment finds that although the mass of the new construction would be greater than the existing buildings to be demolished, the refined design, along with the proposed improvements to the surrounding landscaping, would improve views across the wider site, improving permeability, and movement from the piazza to the market building.

The use of high quality materials would respond to the local vernacular, resulting in a new construction that is purposefully modern in order to demarcate old from new and the neutral material palette will ensure that the strong red brick of the Chambers building would remain visually dominant within views across the public realm, ensuring the asset still sits prominently within the new streetscape.

The new development will constitute moderate change to the setting and character of the asset. This change is considered to be moderate beneficial in nature andwould reult in no harm to the significance of the asset.

The Conservation Officer does not object to the proposal.

Highways

Section 9 of the NPPF and UDP Policies EN1/2, HT2, HT2/4, HT4, HT5, HT5/1, HT6, HT6/1 and HT6/2 pertain.

A Transport Statement has been prepared by WSP to accompany the planning application. The statement outlines that changes would be made to on-street parking and loading arrangements to facilitate appropriate servicing arrangements and the provision of accessible parking spaces in accordance with parking standards.

The development would not provide any new parking for general users given the site's town centre location and to reduce the requirement for private vehicle usage. Provision will however we made for cycle parking on site.

In terms of traffic generation, it is considered that impacts on the highways would not be significant. An interim Travel Plan has also been prepared which identifies potential measures to promote the available sustainable transport options to users of the site and minimise trips associated with the development.

Transport for Greater Manchester (TfGM) are generally satisfied with the proposal, and specifically the improvement to cycle parking/storage provision and subject to the imposition of a series of conditions relating to the management of construction activities, wider town

centre parking and travel planning.

On the matter of off-site highway cycle mitigation works at Pilkington Way/Sion Street, the applicant has assessed this and considers that the predominant cycle desire line to the west would be to the residential areas around School Street and to the north and west in the wider Radcliffe area and that the cycle desire line is well catered for by the facilities at Pikington Way/Blackburn St and also by the cycle bridge between Green Street and Hindle Street. On this basis, the applicant considers the demand for cycle facilities at the Pilkington Way/Sion St junction may be relatively low, as it predominantly leads to the existing Asda and other retail uses in the Sion St area (as opposed to Radcliffe town centre).

Given the circumstances set out by the applicant, it is not considered that it would be either proportionate or justified to seek the off-site mitigation works suggested by TfGM.

The Highway Officer has been consulted and following extensive liaison and negotiation with the applicant, has indicated satisfaction with the proposal. Recommended conditions (in addition to those recommended by TfGM (as there may be some overlap)) will be reported in the supplementary report.

Flood Risk and Drainage

Section 14 of the NPPF and UDP Policies EN5 and EN5/1 pertain.

The site falls mainly within Flood Zone 1 (low probability of flooding from all sources), with a very minor part to the east being located within Flood Zone 2. Given the location of the site and the flood classification of the proposed use as 'Less Vulnerable' then the Sequential and Exception Test are not required.

The application is supported with a Flood Risk Assessment and Drainage Strategy. It indicates that the lowest level of the site is 880mm above the highest flood level adjacent to the site. Therefore, it is concluded that the entire site is located above the highest flood level and as such, the risk of flooding from rivers is considered to be low.

This is further strengthened by the fact that the areas indicated as being located within Flood Zone 2 are outside the existing and proposed building areas, with only the existing highway, Blackburn Street and associated pedestrian areas located within Flood Zone 2.

Despite this, the existing basement areas of the proposed development are located below the flood levels. However, as this is an existing basement area which is to be refurbished, flood mitigation measures in the form of suitable waterproofing of the existing basement area would be satisfactory.

The Environment Agency raise no objection, but do require that details of a flood warning and evacuation plan and a detailed scheme of flood resistance/resilience measures for the basement level should be required by condition, as ingress of water through any openings could be rapid, potentially putting users at risk. The Greater Manchester Combined Authority have also recommended that an evacuation plan is necessary.

Water and drainage infrastructure is present within the site and directly under the proposed building footprint. United Utilities therefore recommend a condition to protect these assets from damage.

Given the above and subject to appropriate conditions, the proposal would be compliant with the NPPF and the above policies.

Ecology

Section 15 of the NPPF and UDP Policies EN6, EN6/3 and EN6/4 pertain.

The proposal is supported by an Ecological Appraisal, Breeding Bird and Bat Surveys, an Invasive Species Management Plan and Ecological Enhancement Plans.

The report identifies that the site holds limited value for local wildlife. However, the Site was found to have value for nesting birds within the scattered trees and existing buildings. The River Irwell located immediately east of the Site was determined to have value for local wildlife and the report recommends a lighting strategy and pollution prevention methods.

No significant ecological issues were indentified and the Greater Manchester Ecology Unit advise that issues relating to bats, nesting birds, invasive species, proximity to the River Irwell and biodiversity enhancement measures can be resolved by the attachment of appropriate conditions.

Amenity

UDP Policies EN1/2, EN7/2 and CF1/1 pertain.

The proposal is supported by a Noise Impact Assessment which finds that the proposal would not have any unacceptable impacts on nearest neighbouring amenity subject to the implementation of measures to ensure that external noise ingress is controlled to achieve appropriate criteria set out in guidance.

Other matters

Ground Conditions - The Environmental Protection Officer is satisfied with the remediation strategy set out in the submission and has therefore recommended the imposition of conditions relating to contaminated land remediation and verification thereafter.

Waste Management - Given the relocation of the waste and recycling storage area, this aspect of the proposal is now considered acceptable.

Greater Manchester Police - The Crime Impact Statement suggests a number of positive features within the design.

Greater Manchester Fire and Rescue Service (GMFRS) - The GMFRS set out minimum standards that the development would be required to meet. In response, a technical note was submitted that sets out how each of the stipulations would be adhered to

CONCLUSION

The proposed development would deliver a strategic recreational and leisure priority that would serve the town of Radcliffe.

There have been no objections to the proposal and the development has been assessed as being locationally appropriate and it would not have any unacceptable impacts that could not be mitigated by the imposition of relevant conditions.

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

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.

<u>Reason</u>. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2. This decision relates to drawings

Location Plan - Existing Site (RADHUB-POZ-VV-XX-DR-A-1100 P01)

Proposed Bus Drop-off (Dwg No. 2923-XX-XX-DR-C-1300 REV.P03)

Mechanical & Electrical Services (Dwg No. RADHUB-PIE-00-00-DR-L-0006 REV.P12)

Existing Asset Retention & Removal Plan (Dwg No.

RADHUB-PIE-00-00-DR-L-0008 REV.P02)

Existing Site Plan (Dwg No. RADHUB-POZ-VV-XX-DR-A-1100 REV.P02)

Strip Sections (Sheet 1) (Dwg No. P5860_3600 REV.P06)

Ground Floor Notional Lighting Layout (Dwg No. 00-DR-E-6302 REV.P3)

Proposed Market & Chambers Sections (Dwg No. PAL-ZZ-XX-DR-A-1400 REV.P01)

Proposed Market & Chambers Basement Level B1 (Dwg No.

PAL-ZZ-B1-DR-A-2000 REV.P11)

Below Ground Drainage, Outline Drainage Strategy (Dwg No.

AJP-VA-ZZ-DR-C-0001 REV.P04)

Proposed Market & Chambers Ground Floor Level Notional Ventilation Layout (Dwg No. HAN-V2-00-DR-M-5710 REV.P4)

Proposed Civic Hub Ground Floor Plan (Dwg No. POZ-V4-00-DR-A-1202 REV.P12)

Proposed Civic Hub First Floor Plan (Dwg No. POZ-V4-01-DR-A-1203 REV.P10)

Proposed Civic Hub Roof Level Plan (Dwg No. POZ-V4-RF-DR-A-1202 REV.P04)

Proposed Market & Chambers Second Floor Level 02 (Dwg No.

PAL-ZZ-02-DR-A-2003 REV.P06)

Proposed Civic Hub Sections (1 of 2) (Dwg No. POZ-V0-XX-DR-A-1400 REV.P06)

Proposed Civic Hub Second Floor Plan (Dwg No. POZ-V4-02-DR-A-1204 REV.P15)

Proposed Civic Hub Basement Floor Plan (Dwg No. POZ-V4-B1-DR-A-1201 REV.P11)

Proposed Civic Hub Elevations (Dwg No. POZ-VA-ZZ-DR-A-3000 REV.P08)

Below Ground Drainage, Typical Drainage Details (2 of 2) (Dwg No.

AJP-V4-ZZ-DR-C-0003 REV.P02)

Proposed Market & Chambers Second Floor Level Notional Ventilation Layout (Dwg No. HAN-V2-02-DR-M-5712 REV.P2)

Proposed Civic Hub Ground Level Notional Ventilation Layout (Dwg No.

HAN-V4-00-DR-M-5710 REV.P3)

Proposed Civic Hub First Floor Level Notional Ventilation Layout (Dwg No.

HAN-VA-01-DR-M-5711 REV.P3)

Proposed Civic Hub Second Floor Level Notional Ventilation Layout (Dwg No.

HAN-V4-02-DR-M-5712 REV.P3)

Proposed Civic Hub Lower Ground & Basement Level Notional Ventilation Layout (Dwg No. HAN-V4-B1-DR-M-5709 REV.P3)

Proposed Site Demolition Plan (Dwg No. PAL-VV-00-DR-A-1150 REV.P02)

Road Lighting Permanent & Site Clearence Layout (Dwg No. LI-0002 REV.P01)

Below Ground Drainage, Outline Drainage Strategy (Dwg No.

AJP-V5-ZZ-DR-C-0005 REV.P01)

Proposed Market & Chambers Basement Level Notional Ventilation Layout (Dwg No. HAN-V2-B1-DR-M-5709 REV.P4)

Proposed Market & Chambers Demolition Plan (Dwg No. PAL-ZZ-00-DR-A-1156 REVP08)

Proposed Market & Chambers Ground Floor Level 00 (Dwg No.

PAL-ZZ-00-A-2001 REV.P13)

Proposed Market & Chambers Demolition Plan Second Level 02 & Roof (Dwg No. PAL-ZZ-02-DR-A-1158 REV.P06)

Proposed Market & Chambers First Floor Level Notional Ventilation Layout (Dwg No. HAN-V2-01-DR-M-5711 REV.P2)

Proposed Market & Chambers First Floor Level 01 (Dwg No.

PAL-ZZ-01-DR-A-2002 REV.P07)

Below Ground Drainage, Typical Drainage Details (1 of 2) (Dwg No. C-002 REV.P02)

Proposed Market & Chambers First Floor Level Demolition Plan (Dwg No.

PAL-ZZ-01-DR-A-1157 REV.P07)

Proposed Market & Chambers Elevations (Dwg No. PAL-ZZ-XX-DR-A-3000 REV.P07)

Proposed Market & Chambers Roof Level (Dwg No. PAL-ZZ-R1-DR-A-2004 REV.P07)

Proposed Market & Chambers Demolition Plan Level B1 (Dwg No.

PAL-ZZ-B1-DR-A-1155 REV.P06)

Proposed Civic Hub Sections (2 of 2) (Dwg No. POZ-V0-XX-DR-A-1401 REV.P04)

Proposed Landscaping Levels & Drainage (Dwg No. PIE-00-00-DR-L-0002 REV.P13)

Landscape General Arrangement (Dwg No. RADHUB-PIE-00-00-DR-L-0001 REV.P15)

Landscaping Softworks (Dwg No. PIE-00-00-DR-L-0004 REV.P13)

Project Boundries (Dwg No. RADHUB-PIE-00-00-DR-L-0007 REV.P14)

Ecological Enhancement (Dwg No. RADHUB-PIE-00-00-DR-L-0010 REV.P08)

Landscaping Tree Retention & Removals (Dwg No. PIE-00-00-DR-L-0013 REV.P05)

Landscaping Hardworks (Dwg No. PIE-00-00-DR-L-0013 REV.P05)

Landscaping Furniture (Dwg No. PIE-00-00-DR-L-0005 REV.P12)

Proposed Site Layout Plan (Dwg No. RADHUB-PAL-VV-XX-DR-A-1105 REV.P07)

Proposed Block Plan (Dwg No. Dwg No. POZ-VV-XX-DR-A-1106 REV.P01) and the development shall not be carried out except in accordance with the drawings hereby approved.

<u>Reason.</u> 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, other than site clearance, demolition, remediation or ground works, shall commence unless or until where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

<u>Reason</u>. 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.

<u>Reason</u>. 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.

No development comprising the erection of any external walls shall take place until details of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.

<u>Reason</u>. 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.

- 6. No development, other than site clearance, demolition, remediation or ground works, shall commence unless or until 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 for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy EN5/1 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

- 7. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

<u>Reason</u>: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development, pursuant to Policy EN5/1 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

8. No development, other than site clearance, demolition, remediation or ground

works, shall commence unless or until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details. Reason: In the interest of public health and to ensure protection of the public water supply, pursuant to Policy EN5/1 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

- 9. No development, other than site clearance, demolition, remediation or ground works, shall commence unless or until details of the means of ensuring the 375mm combined water sewer that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts from construction activities and the impacts post completion of the development on the 375mm combined water sewer that crosses the site and identify mitigation measures to protect and prevent any damage to the pipeline both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.

 Reason: In the interest of public health and safety and to ensure protection of essential services, pursuant to Policy EN5/1 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.
- Notwithstanding the approved drawings and documents, prior to first occupation, the basement level of the Market Hall & Chambers building shall be waterproofed in accordance with a scheme of flood resistance and resilience measures that shall be submitted to and approved in writing by the Local Planning Authority.
 <u>Reason</u>. In the interests of public safety, pursuant to Section 14 of the National Planning Policy Framework and Policy EN5/1 of the Bury Unitary Development.
- 11. Prior to the first occupation of the basement level of the Market Hall & Chambers building, a flood warning and evacuation plan for this level shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter, the basement level shall be managed in accordance with the agreed plan.

 Reason. In the interests of public safety, pursuant to Section 14 of the National Planning Policy Framework and Policy EN5/1 of the Bury Unitary Development.
- 12. Notwithstanding the approved drawings and documents, the external balcony to the south elevation of Market Hall & Chambers shall be constructed without props or any part of the supporting structure below the design flood level of 1% AEP + allowance for climate change, details of which shall be submitted to and agreed in writing with the Local Planning Authority.

 Reason. In the interests of public safety, pursuant to Section 14 of the National Planning Policy Framework and Policy EN5/1 of the Bury Unitary Development.
- 13. Notwithstanding the approved drawings and documents, prior to installation of any external lighting to the balcony or terrace areas of the Market Hall & Chambers building, an external lighting scheme, that shall be designed to avoid adverse impacts to areas of importance to bats, shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter, external lighting shall be implemented and maintained in full accordance with the agreed scheme.

 Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 and EN6/3 of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.
- 14. No demolition shall occur unless a detailed bird nest survey by a suitably Page 22

experienced ecologist has been carried out immediately prior to demolition and written confirmation provided that no active bird nests are present has been agreed in writing by the Local Planning Authority unless the species present is feral pigeon in which case a general license issued by Natural England authorising destruction of feral nests should be provided to the Local Planning Authority.

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

- 15. No works in the River Irwell, including invasive species control or on elevations adjacent to the river, including demolition shall occur unless reasonable avoidance measures for otter and bats has been provided to and agreed in writing by the Local Planning Authority.
 - <u>Reason</u>. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 and EN6/3 of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 Conserving and enhancing the natural environment.
- 17. The development shall be carried out in accordance with the management methodology in the Invasive Weeds Management Plan by Stephenson Halliday submitted with the application.
 - <u>Reason</u>. In order to ensure the removal/check to the spread of species that are listed as invasive non-native species under the Wildlife and Countryside Act 1981, in order to safeguard the biodiversity of the site and its surroundings, pursuant to Section 15 of the National Planning Policy Framework and policies EN6 and EN6/3 of the Bury Unitary Development Plan.
- 18. Notwithstanding the approved drawings and documents, no development, other than site clearance, demolition, remediation or ground works, shall commence unless a landscaping and biodiversity enhancement scheme is submitted to, and approved by the Local Planning Authority. The contents of the plan should include:
 - Fewer nest boxes around the new development ie only place on existing trees and locating of three house sparrow terraces on the River Irwell elevation of the Market Hall;
 - Substitution of landscape trees with locally native species such as silver birch and;
 - Prior to stopping up of sand martin holes addition of a sand martin wall (or drilling new holes direct in to retaining wall to mimic the weep holes already in usage) and:
 - Attachment of three bat boxes to the River Irwell elevation of the development The approved scheme shall thereafter be implemented to an agreed timetable and retained thereafter.

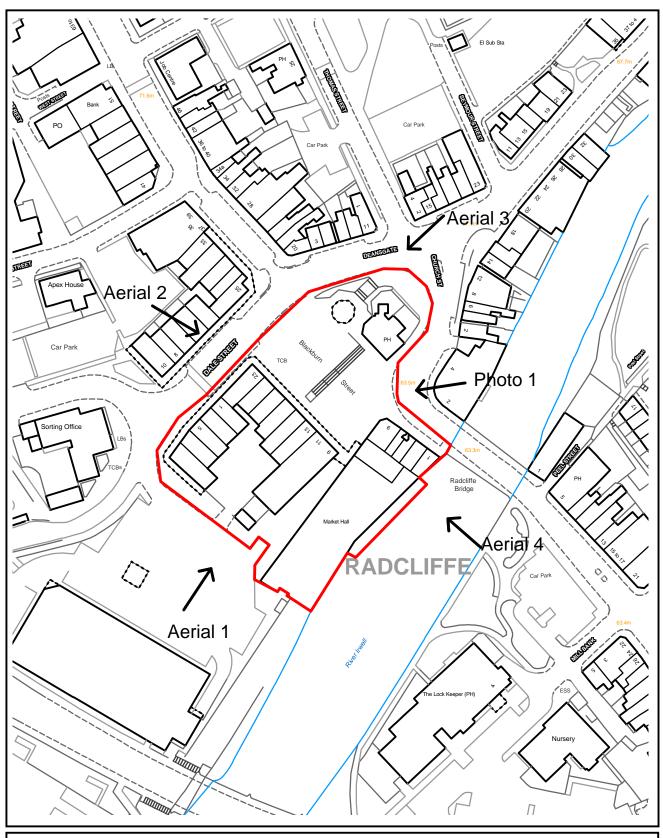
<u>Reason</u>. In order to ensure adequate protection of existing landscape features of ecological value and to achieve appropriate landscape and biodiversity enhancements as part of the development in accordance with the requirements of Policies EN6, EN6/1, EN6/2 and EN6/4 of the UDP, the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

- 19. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.
 - 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.
- 20. No development, site clearance or earth moving shall take place or material or machinery brought on site until a method statement to protect the River Irwell from accidental spillages, dust and debris during demolition of the former bank and works in River including bricking up of windows has been supplied to and agreed by the Local Planning Authority. All measure shall thereafter be implemented and maintained for the duration of the construction period in accordance with the approved details.

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

Viewpoints





APP. NO 69388

ADDRESS: 13-21 Blackburn Street Radcliffe





Planning, Environmental and Regulatory Services

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69388

Photo 1 - Panorama from Church Street



Aerial 1 - from the west (rear)



69388

Aerial 2 - from the north (Dale Street)



Aerial 3 - from the east (front)



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Aerial 4 - from the south (River Irwell)



Impresssion of front elevation and entrance



Impression of Market Walk elevation



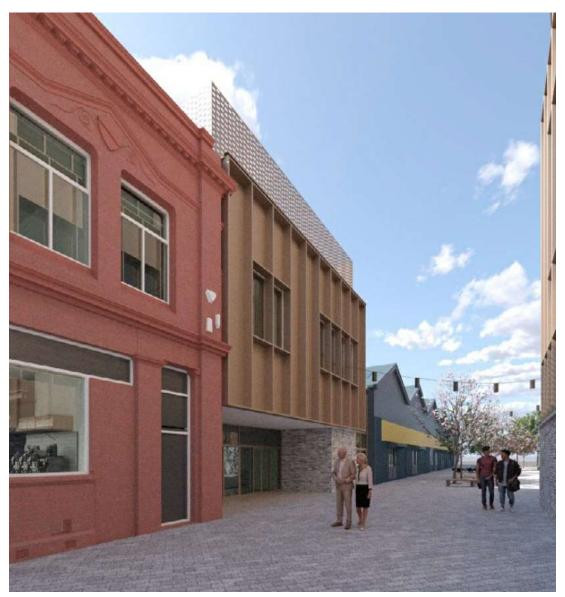
Impression of proposed west elevation



Impression of proposed north elevation to Dale Street

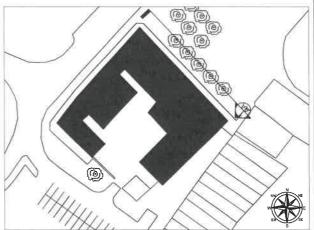


Impression of link building elevation to Market Walk





NE Elevation



Project Name

Radcliffe Hub

Drawing Titl

South Block Retail & Commercial Unit North East Elevation

Sheet Size Scale

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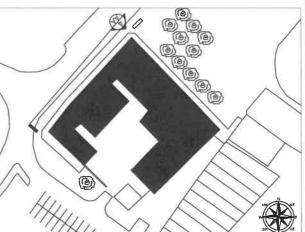
Drawing Number

RADHUB-VIN-XX-XX-DR-W-0010

Revision

P02

Page 35



NOTES

 This Elevation Drawing was created from a Point Cloud survey, and should only be used as a Building record for the Demolition Plan.

Project Name

Radcliffe Hub

Drawing Title

South Block Retail & Commercial Unit North West Elevation

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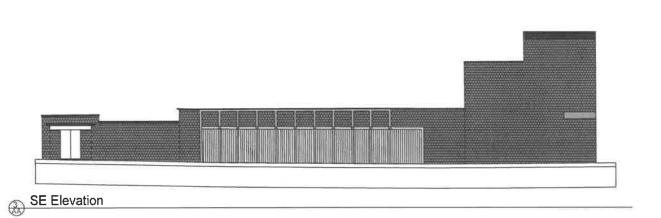
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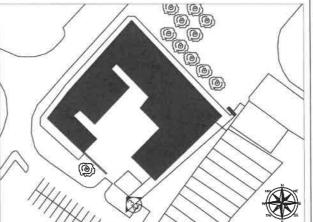
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Revision

P02





NOTES

 This Elevation Drawing was created from a Point Cloud survey, and should only be used as a Building record for the Demolition Plan.

Project Name

Radcliffe Hub

Drawing Title

South Block Retail & Commercial Unit South East Elevation

Sheet Size | Scale | Date | A3 | 1:200 | 16/12/2022

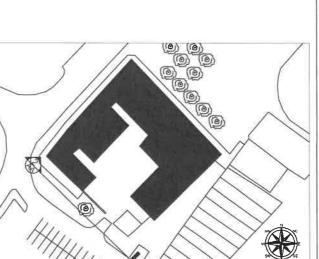
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Revision

P02





NOTES

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Project Name

Radcliffe Hub

Drawing Titl

South Block Retail & Commercial Unit South West Elevation

Sheet Size Scale

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16/12/2022

Drawing Number

RADHUB-VIN-XX-XX-DR-W-0011

Revision

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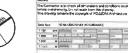
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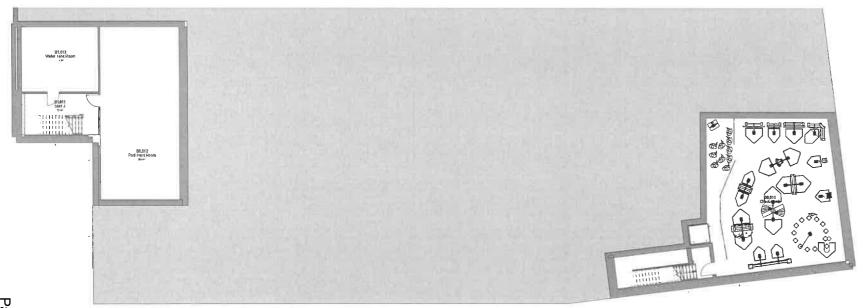
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Page -02 - Basement GA

-01 - Lower Ground Floor GA

B1.003 Swith Room

Rev	Description	By	Date
Pos	Further detail added	DJ	16 11 21
PG2	Updated to sut chent comments - consultation room and walling added, store reduced to compensate	DAS	
P03	Updated loftowing Design Review Community room relocated, along with retelland associated accommodeson	IAS	-
P04	Orawing reference updated	DAS	21012
	Updated following client comment Building footprint updated + Stair 1 updated		07 04 22
POS	Updated to suit chent comment. Chp and Chrib adjusted.		14 04 22
	Updated to stat elevation cha	DAS	21 04 21
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	Stage 3 update	AW	01 02 23

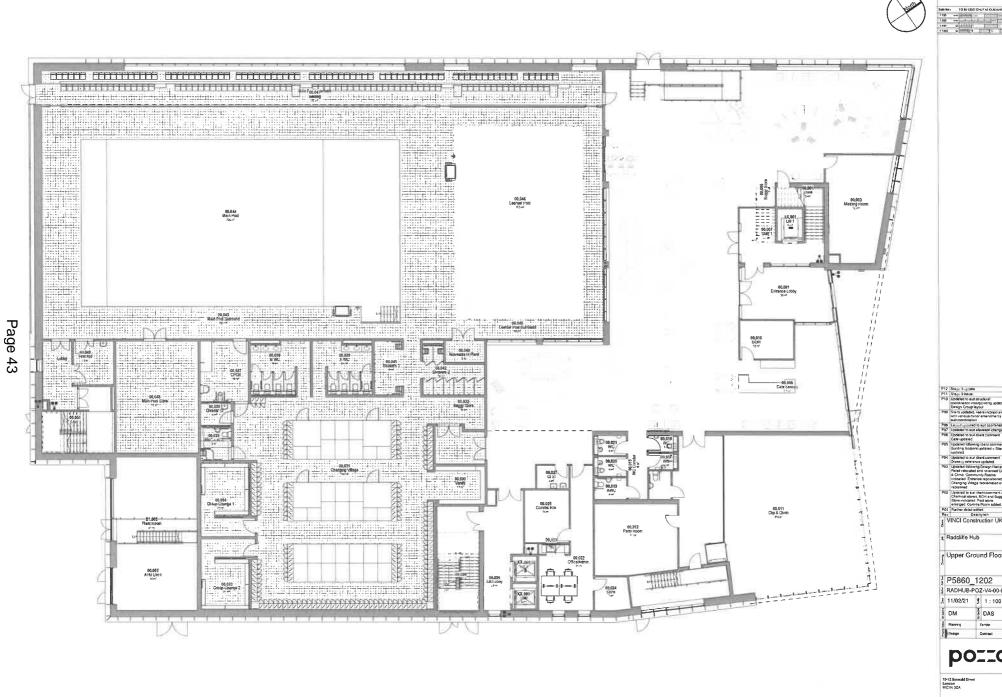
1 Radcliffe Hub

Basement & Lower Ground Floor Plans

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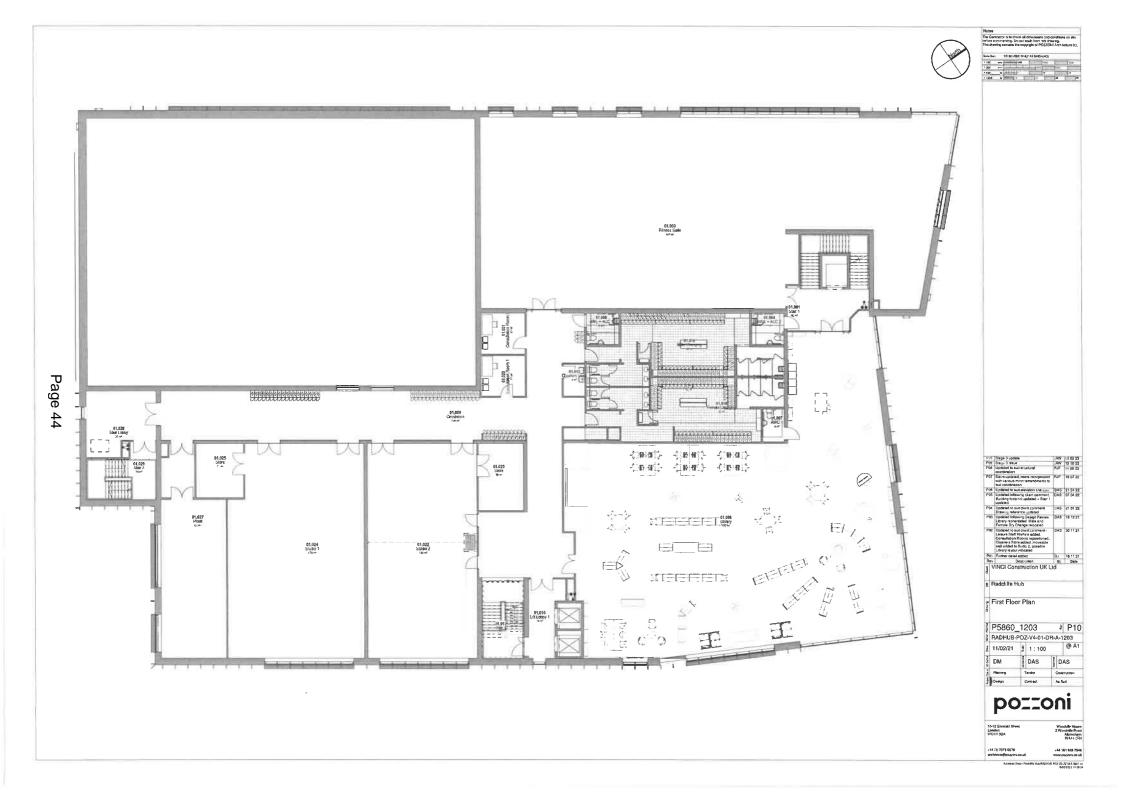


Stairs updated, neers incorporated IN F 19 97.22 Updated to dust charal comment DAS 21 01 22 replaned
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Chemical stores, Bolt and suppy
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Stores Upper Ground Floor Plan RADHUB-POZ-V4-00-DR-A-1202 @ A1 # 11/02/21 \$ 1:100 DAS pozzoni

Notice
The Contractor is to shock all dimensions and conditions on site before informeriding. On not scale from the drawing.

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Page 45	
	RI C RILL LANGUE LA

P15	MEP shown on roof issued for planning	DAS	22 02 2
P14	Steue Qualitate	JAW	01 02 2
P13	Stage 3	AW	13 10 2
P12	Updated to suit structural coordination	RJF	04 08 2
P11	Stairs updated, reservencerporated with various minor emendments to suit poordination.	BJF	19 07.2
P10	Use inted to suit elevation changes.	DAS	21 04 2
POU	Updated following client comment Building footpied updated + Stair 1 updated	DAS	97 04 2
P08	Layout updated	ions"	16 03 2
P07	Accommodation updated to account for client comments	io s	14 03.2
Pos	I milled (IBA sham)	DAS	25 01 2
P66	Updated to suit client commerci Dra-reference ted	DAS	21 01 2
P64	Updated following Design Review Plant area enlarged Office space relocated Community spaces relocated to Upper Ground Floor	DAS	18 12 2
Peg	Updated to autiuser requirements. I syout added	DAS	01 12 2
PfQ	Updated to suit client comment - Shared Kitchen/Canteum, Cleaners Store and Store added	DAS	30 11 2
P01	Further detail added.	ou	16 11 2
Rev	Description	8	Date

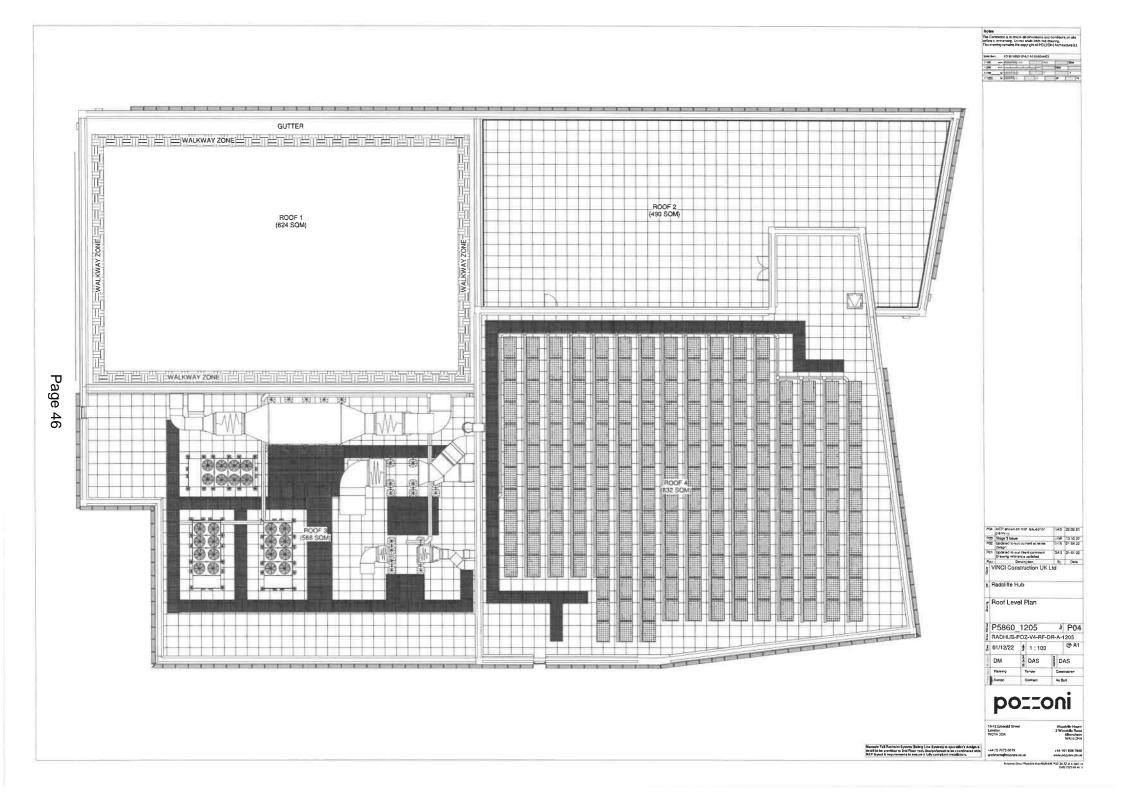
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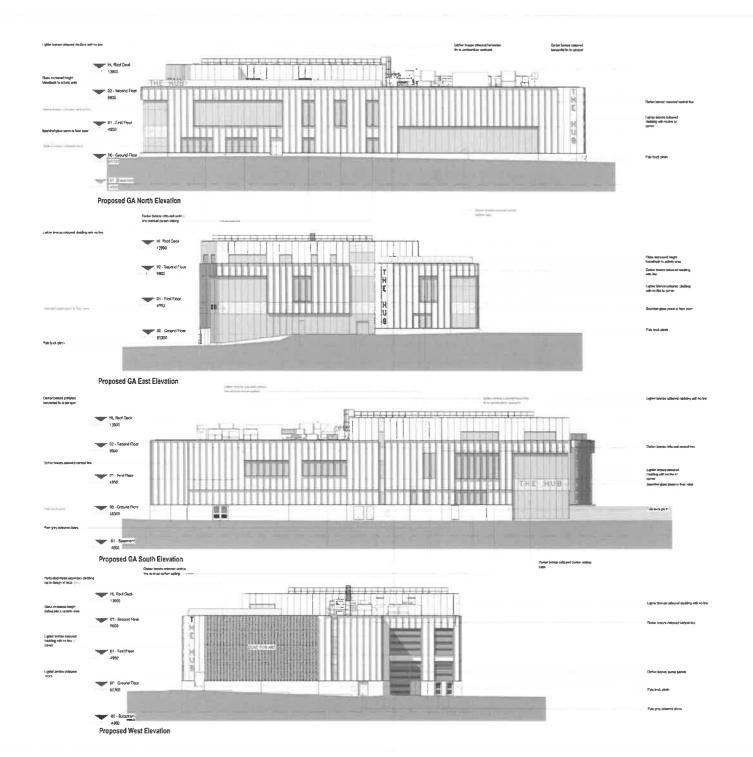
Second Floor Plan

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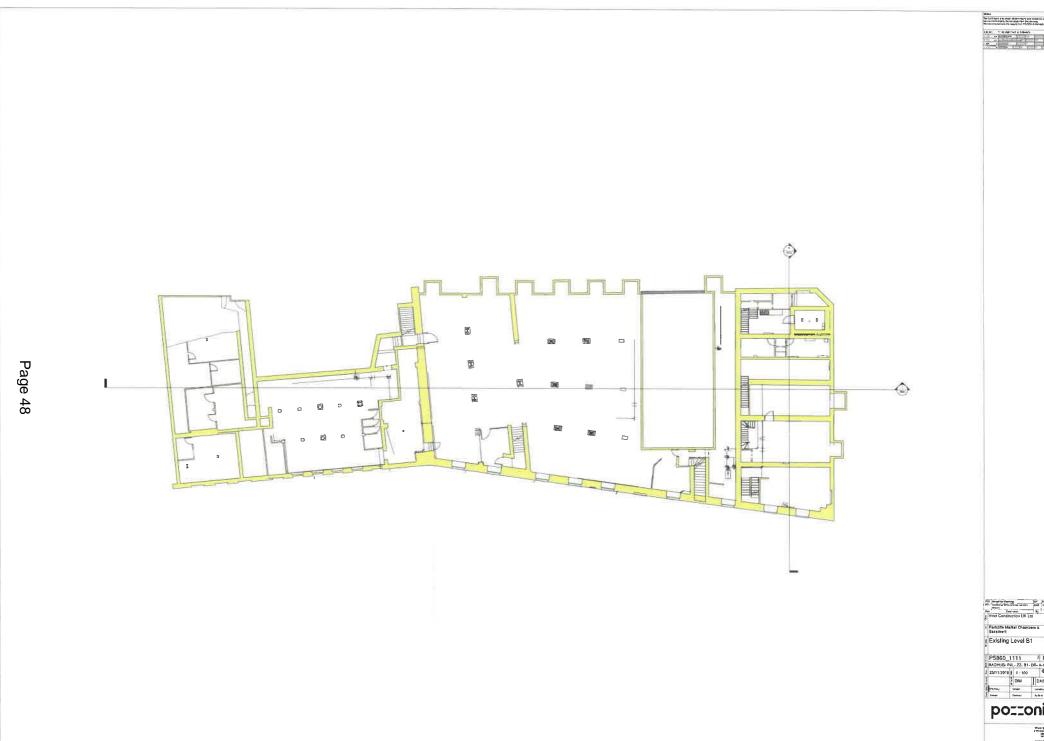
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innests Fell Resitable System (Salery Line System) to specialist's deelign is used to be provided to 2nd Floor roof. Design/dayout to be coordinated with IEP layout & requirements to one unit of fully compliant installation.

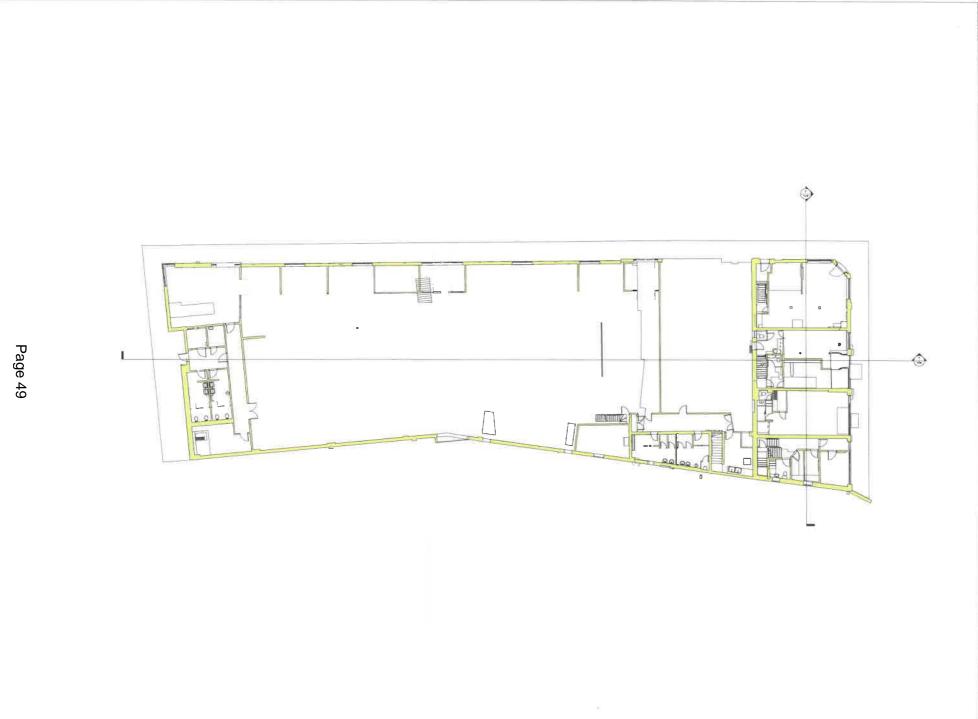




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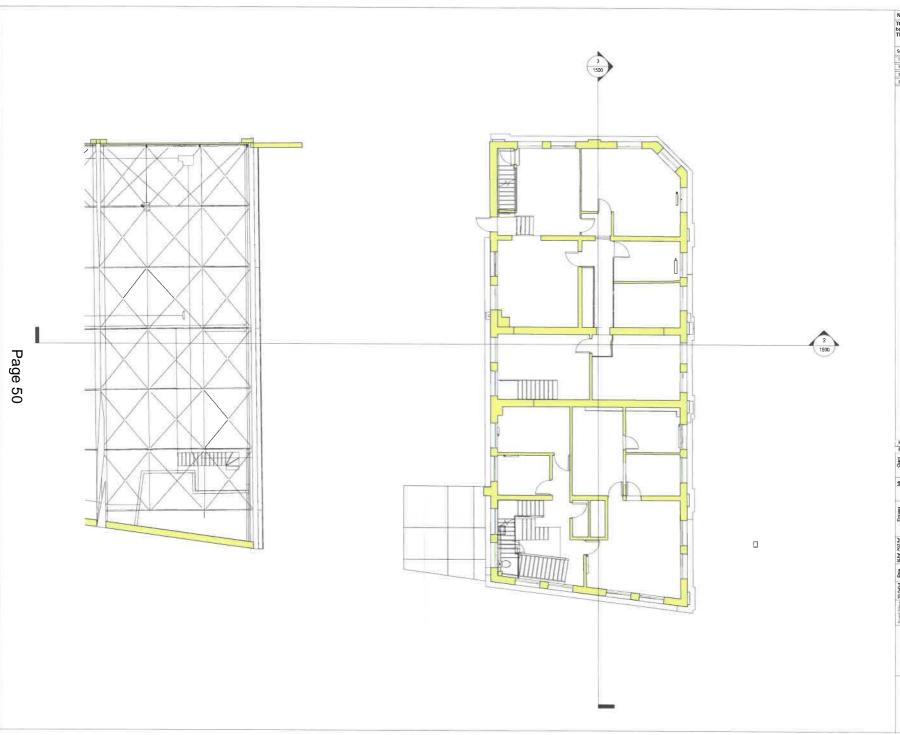


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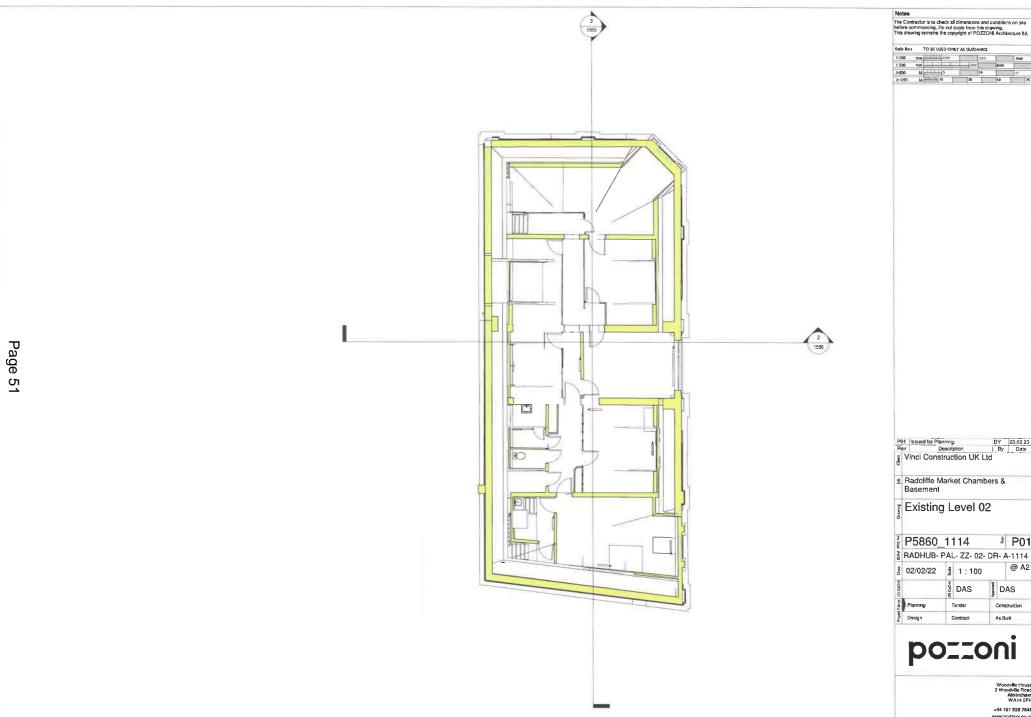


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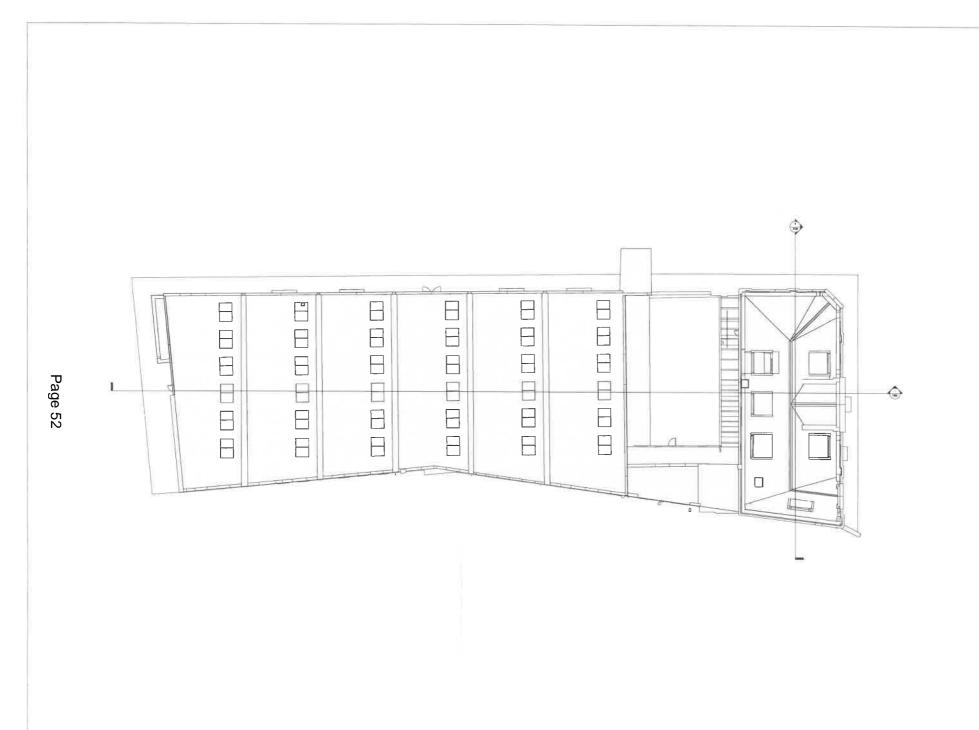
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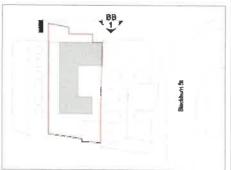
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Project Name

Radcliffe Hub

Drawing Title

Former TSB Bank North East Elevation

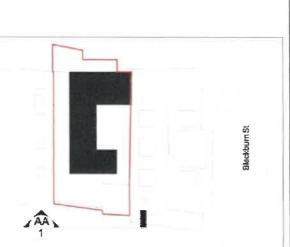
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Project Name

Radcliffe Hub

Drawing Title

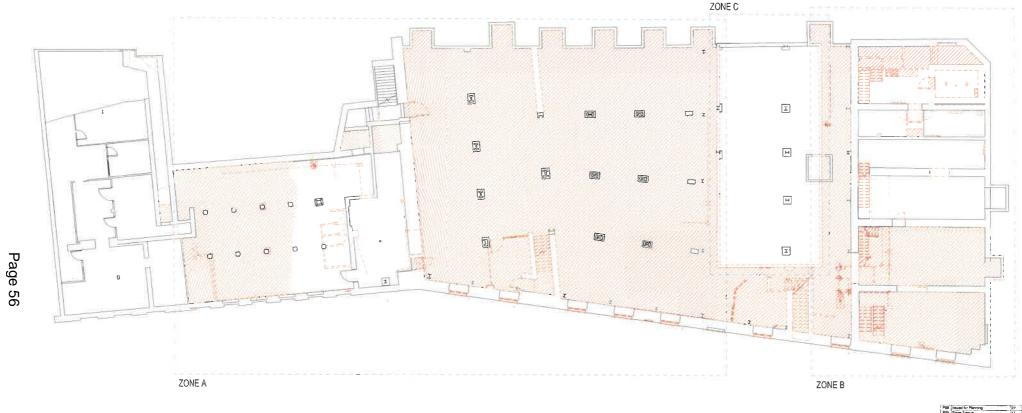
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ZONE A

- Full internal stop out back to main frame
 Remove existing ground bearing slab
 Relain floor structure above
 Make authori wells safe, flat, dust free and ready
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ZONE B

Full internal stop out of Zone B back to structure
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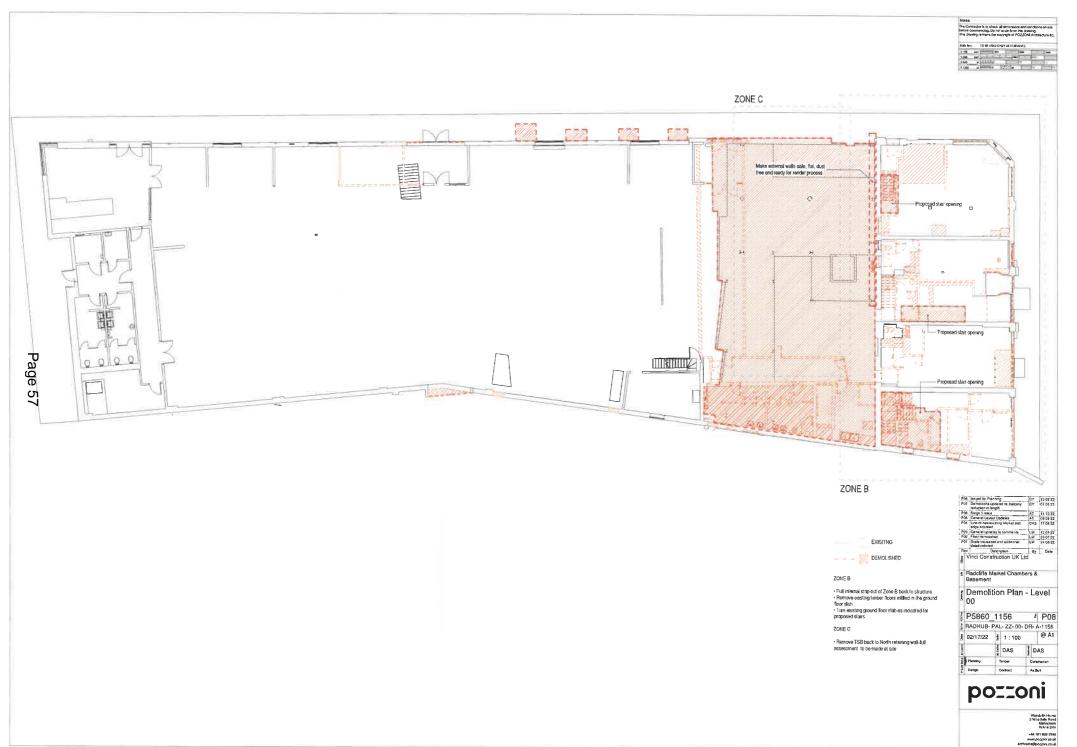
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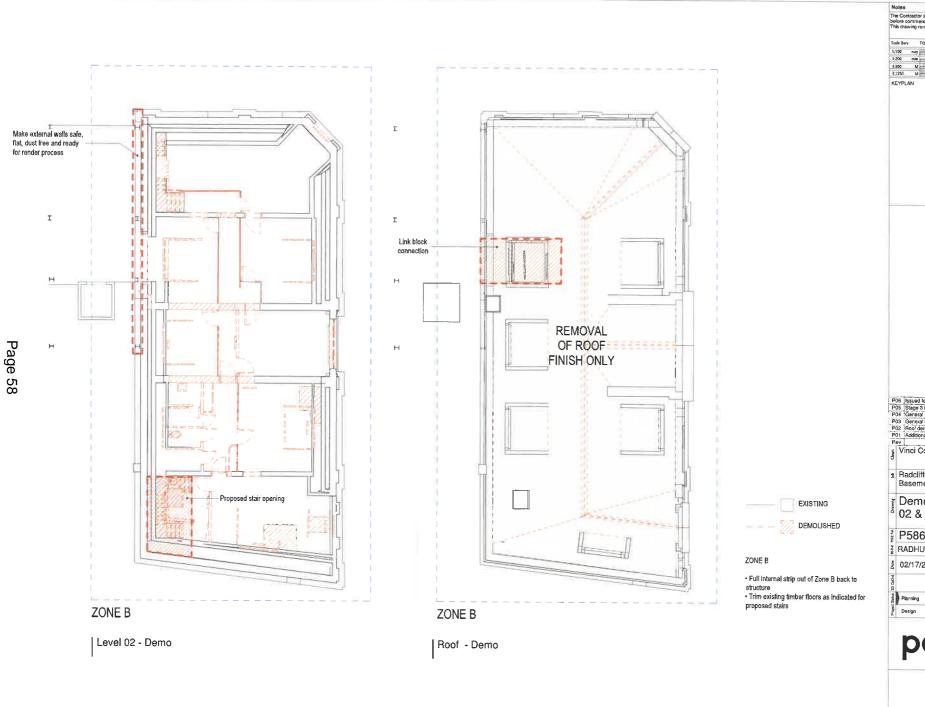
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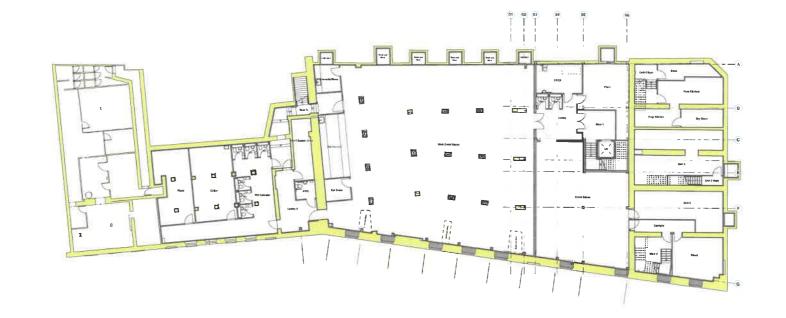
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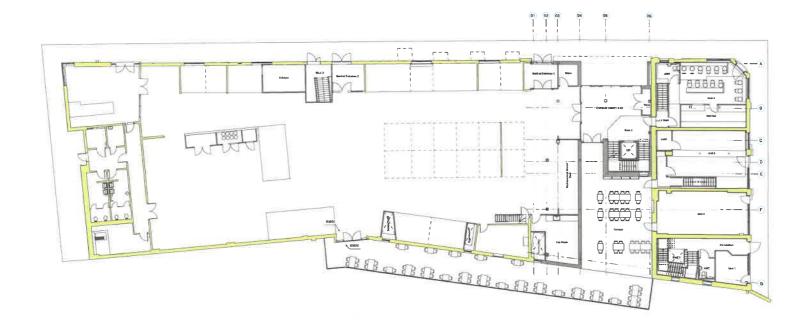
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Proposed Basement

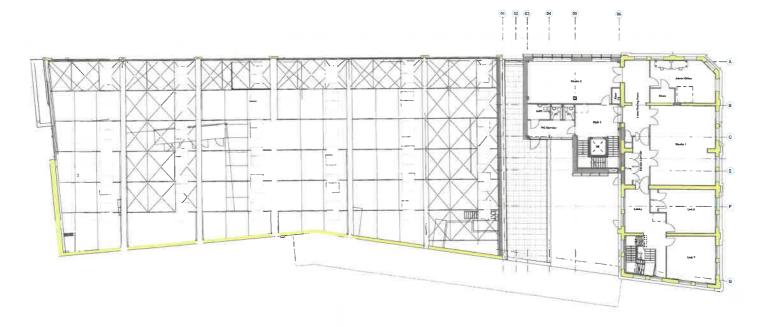
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Proposed Ground Floor Plan

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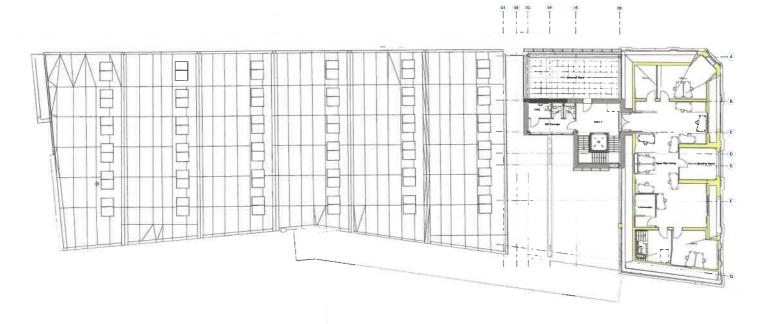
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Proposed First Floor

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Proposed Second Floor

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Ward: Ramsbottom and Tottington -

Ramsbottom

Applicant: Mr Bernard Booth

Location: Saw Mills, off Spring Street, Ramsbottom, Bury, BL0 9JQ

Proposal: Demolition of existing sawmill and associated outbuilding and construction of 5 no.

ltem

02

dwellings

Application Ref: 68578/Full **Target Date:** 16/08/2022

Recommendation: Approve with Conditions

Description

The site consists of a two storey stone building and a timber outbuilding, which were formerly used as a saw mill. The two storey building is located along the boundary with Back Spring Street and access to the site is taken from Caltha Street, which is an unadopted street. There are a number of trees along the northeastern boundary.

There are residential properties to the north, southeast and southwest of the site. Immediately to the west of the site are residential gardens, which are connected to the residential dwellings on Spring Street. The Major pub and a vehicle repair garage are located to the south of the site (at the junction of Caltha Street and Spring Street).

Planning consent was granted in December 2011 for the demolition of the existing buildings on site and the erection of 5 dwellings. The proposed dwellings would be two storeys with additional living accommodation in the roofspace and would be constructed from stone and slate. The site was accessed from Caltha Street with parking provided. This permission lapsed in 2014.

The proposed development involves the demolition of the existing buildings on site and the erection of 5 dwellings. The proposed dwellings would be two storeys with additional living accommodation in the roof space and would be constructed from stone and slate.

Four of the dwellings would be located in the north western part of the site with a small rear yard and large gardens to the front. The detached dwelling would be located in the north eastern part of the site with gardens on either side of the dwelling. The site would be accessed from Caltha Street and 10 parking spaces would be provided.

Relevant Planning History

54544 - Demolition of existing sawmill and associated out-building, and construction of 5 no. three bed dwellings at Spring Street Saw Mills, Spring Street, Ramsbottom. Approved with conditions - 21 December 2011.

63957 - Outline application for 5 no. dwellings with details of access (all other matters reserved) at land to rear of Spring Street, Ramsbottom. Withdrawn - 16 May 2019.

Publicity

The neighbouring properties were notified by means of a letter on 19 July 2022 and a press notice was published in the Bury Times on 28 July 2022. Site notices were posted on 8 August 2022.

12 letters have been received, which have raised the following issues:

As the development appears to be no different to the previous application my objections

are still the same in terms of head light intrusion into my property at night, overloading of the sewage system and increase in traffic by approximate 10 vehicles exiting Caltha street.

- Potential damage to the sewage network under Caltha Street by heavy demolition vehicles and plant.
- There is at least 1 person working inside the saw mill, so the application form is incorrect.
- The conservation officer should be involved due to the historical importance of the saw mill.
- There are no proposed levels shown around the buildings, gardens or parking areas. It is difficult to assess the height of retaining walls.
- Further information on the finish to the paths, structural integrity of the building, details of the retaining wall to Caltha Street
- The application form states stone would be used but the yellow colour on the drawings indicates artificial stone would be used. Natural stone should be used to preserve the character of the conservation area.
- The form states that site is not at risk of flooding but the government website states there is a high risk of surface water flooding. Not convinced by the intention to discharge the surface water to a watercourse, which may cause flooding at the head of a culvert.
- The sides of the houses would block my view of the trees
- Further details are required about the retaining walls and the structural integrity/design
 of the proposal to ensure compliance with building regulations.
- There are regular house fires in Bury and it is imperative that new dwellings comply with Section B5 of the Building Regulations as amended in 2000 and 2002.
- Paragraphs 189 to 197 of the NPPF are relevant to the proposal and relate to heritage.
- The building is constructed from heavy stone cills and stone lintels, which are typical of an industrial building with a slate roof. In 1881 the saw mills was in use by William Booth and has remained in the same family for over 150 years.
- I believe the Ramsbottom Conservation Area should be amended to include this building
- Concerned about the removal of tree numbered T1 in the arboricultural report.
- No site appraisal or character assessment has been submitted as part of the design and access statement.
- What is the BREEAM rating for the proposed dwellings?
- Has provision been made for at least 10% of the energy required to be secured from on site renewable source?
- The access road has a substandard footway and the overall width would be below the recommended width from the Health and Safety Executive. The proposal cannot be granted planning permission as the access cannot comply.
- Two businesses operate from the site and the application should be assessed against Policy EC2/2 and SPD14.
- The proposed dwellings do not enhance the townscape of the area.
- There are no semi-detached properties or dormers in the immediate vicinity
- I am deeply suspicious about the home office space is this a fourth bedroom?
- Lean-to porches detract from the design and should be removed.
- Does Bury Council have a minimum requirement for gardens and rooms sizes?
- I like most other residents each own six foot of Caltha street and have attached land registry detail to confirm this.

The objectors 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 construction traffic management plan, pedestrian alterations, turning facilities and car parking.

Drainage Section - No response received.

Environmental Health - Contaminated Land - No objection subject to conditions. **Conservation Officer** - No objections.

United Utilities - No objections, subject to the inclusion of condition relating to location of a Page 66

water main and submission of a drainage scheme.

Waste Management - No response.

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

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

Unitary Development Plan and Policies

EC2/2	Employment Land and Premises
H1/2	Further Housing Development

H2/1 The Form of New Residential Development H2/2 The Layout of New Residential Development

EN1/1 Visual Amenity

EN1/2 Townscape and Built Design EN2/1 Character of Conservation Areas

EN2/2 Conservation Area Control

EN6 Conservation of the Natural Environment

EN6/3 Features of Ecological Value

EN7 Pollution Control EN7/2 Noise Pollution

EN7/5 Waste Water Management

EN8 Woodland and Trees

EN8/2 Woodland and Tree Planting

HT2/4 Car Parking and New Development

SPD6 Supplementary Planning Document 6: Alterations & Extensions

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 - The National Planning Policy Framework 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. There is a particular emphasis, as in previous national planning guidance, to identify 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 with 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.

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 boundary and there are residential properties to all boundaries. The proposed development would not conflict with the surrounding land uses and would be located in a sustainable location with regard to public transport and services. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

Design, layout and impact upon Conservation Area - As the site is partly located within the Ramsbottom Conservation Area, it is necessary to consider the proposal in terms of the Town and Country Planning Listed Building and Conservation Act. In this regard proposals should either preserve or enhance the Conservation Area and in terms of policy consideration National Planning Policy Framework paragraphs 189-202 and Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the Unitary Development Plan.

The north eastern corner of the site is located within the Conservation Area and the remainder of the site is outside it. The existing building was constructed in the mid nineteenth century. The building was considered at the time of the extension to the Conservation Area in 2007 and while it was of some interest, it was not considered to be of sufficient quality to warrant it's protection. In the past 15 years, the building has deteriorated and has a negative impact upon the Conservation Area. As such, the demolition of the building would be acceptable and would enhance the character of the Conservation Area.

Four of the proposed dwellings would be located in a terrace in the northwestern part of the site, which is some 2.8 metres lower than Back Spring Street and one dwelling would be located in the north eastern part of the site. The proposed dwelling in the north east corner would be two storeys in height with additional living accommodation in the roof space and would be constructed from stone and slate. The proposed dwellings in the north western part, would be located at a lower level (2.8 metres lower) than the adjacent access road and the relationship between the proposed and existing dwellings would equate to one and a half storeys. Therefore, the proposed dwellings would not dominate the surrounding buildings and would be appropriate in terms of height and scale.

The proposed dwellings would be constructed from stone and slate, which would match the existing buildings and would complement the nearby conservation area. Three of the proposed dwellings would include dormers and porches. There are a variety of styles of dwellings in the locality and these proposed dwellings would be located outside of the conservation area. The proposed dwelling in the north eastern corner of the site would be located in the Conservation Area and has been designed to reflect the surrounding terraced properties. The use of dormers, porches, headers and cills would add visual interest to the elevations of the proposed dwellings. Therefore, the proposed development would not be a prominent feature in the streetscene and would preserve the character of the Conservation Area.

Therefore, the proposed development would be in accordance with Policies EN1/1, EN1/2, EN2/1, EN2/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon surrounding area

The level of amenity space for each dwelling would be acceptable with rear yards and front and side gardens being provided. Space has been allocated within the rear yards and side gardens for the storage of bins and a collection point would be provided near the entrance gates.

Parking for 10 cars would be provided within the site, 8 would be located behind the row of 4 properties and a further 2 at the side of the detached property with an area for vehicles to manoeuvre within the site which would be an acceptable arrangement.

Access would continue to be taken off Spring Street and Caltha Street as currently exists and given the scale of development for 5 no. dwellings it is considered the traffic generation

would not be to a significant level to impact on the highway network of the surrounding area.

In terms of a drainage solution for the site, a condition would be included to provide a drainage scheme which will need to be carried out in accordance with the hierarchy for drainage and will also require details for the protection of the watercourse. United utilities have raised no objection in principle subject to conditions.

Therefore, it is considered that the proposed development would not have an adverse impact upon the surrounding area, subject to conditional control. Therefore, the proposed development would be in accordance with Policies H2/1, H2/2, EN1/2, EN2/1, EN2/2 and EN5/1 of the adopted Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards between residential properties and is relevant in this case. The SPD states that there should be 13 metres between a habitable room window and a two storey blank gable and 6.5 metres between a habitable room window and a single storey blank gable.

There would be 9.2 metres from the rear elevation of No. 18 Spring Street to the gable elevation of the proposed dwellings. The proposed dwellings would be set 2.8 metres lower than the access track and 1 and a half storeys of the dwellings would be visible. As such, the distance of 9.2 metres would be between the two aspect standards and would be acceptable. As such, the proposed dwellings would not have an adverse impact upon the amenity of the neighbouring properties.

There would be 21.5 metres between the proposed dwellings, which would provide good levels of privacy to the future occupiers.

There would be 14 metres from the rear elevation of No. 146 Bolton Road to the blank rear elevation of the proposed dwelling, which would be in excess of the aspect standard of 13 metres.

Therefore, the proposed development would not have a significant adverse impact upon the residential amenity of the adjacent properties and would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

Ecology

A bat survey has been submitted with the application, which concludes that the smaller building is of low risk and no further survey work is required. The larger building is of moderate risk and an emergence survey is required.

Other ecological issues relating to nesting birds, proximity to a watercourse and ecological enhancement measures can be dealt with via condition.

Rate

Further bat surveys have been carried out as recommended in the preliminary survey report. No evidence of bats roosting was detected but high levels of bat activity recorded, including behaviour indicative of bats investigating bat roost opportunities around the building and concludes that reasonable avoidance measures should be applied to any permission as detailed in the report. GMEU accept these findings and recommend a condition that reasonable avoidance measures and enhancement of the site for bats.

Nesting Birds

The bat and bird assessment identified probable nesting birds on the buildings to be demolished. There is also potential bird nesting habitat on the wider site. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU therefore recommend a condition to restrict the timings of any tree/vegetation removal.

Invasive Species

The development is adjacent to a watercourse a high-risk habitat for Japanese knotweed

and Himalayan balsam. No information has been provided as part of this application. The risks are however low as the development proposals are restricted primarily to hardstanding with no direct impact to the Brook channel. GMEU are therefore satisfied that an informative is all that is required for this particular development proposal to advise the applicant of their responsibilities under the Wildlife and Countryside act 1981(as amended) and if any such species would be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

Protection of Watercourse

There is a moderate to high risk during and post development of negative impacts from debris, dust, sediment and pollutants entering the watercourse. GMEU therefore recommend a method statement is put in place to protect the Brook during demolition and construction e.g. temporary fencing, silt traps etc. This can be conditioned. Further information on surface water drainage post development should also be provided. This can also be conditioned.

Contributing to and Enhancing the Natural Environment

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. There appears to be limited loss of vegetated habitats, restricted to one tree. Species impacts include loss of bird nesting and bat roosting opportunities. Mitigation should be provided for loss of the tree and bird and bat roosting opportunities which can include integrated bat boxes, soffit/ridge accesses and externally fitted boxes, as advised in the Bat Dusk Survey Results.

GM Ecology Unit have no objections to the proposed development, subject to the inclusion of conditions relating to bats, nesting birds, protection of the watercourse and informatives relating to invasive species.

Therefore, the proposed development would not have an adverse impact upon a protected species and would be in accordance with Policy EN6/3 of the Bury Unitary Development Plan and the NPPF.

Trees - A tree survey has been submitted as part of the application and identifies two trees to be removed. Tree T1 has been identified as a tree of poor quality and as such, there would be no objection to the removal of the tree. One tree within Group G1 would be removed as a result of the proposal. All the remaining trees along the northwestern boundary would be retained and the loss of a single tree would not impact upon the visual amenity of the area. As such, the proposed development would not have an adverse impact upon the streetscene or the character of the Conservation Area.

Highways issues - The proposed development would maintain access to the existing properties that front onto Bolton Street. The visibility splays at the junction with Caltha Street would be acceptable. The Traffic Section has no objections, subject to the inclusion of conditions relating to the implementation of turning facilities and car parking. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies H2/2 and HT2/4 of the adopted Unitary Development Plan.

Parking - SPD11 states that the maximum parking spaces should be 2 spaces per 3 bedroom dwellings, which equates to 10 spaces. The proposed development would provide 10 parking spaces and as such, would comply with the maximum parking standards. Therefore, the proposed development would be in accordance with Policy HT2/4 of the adopted Unitary Development Plan and SPD11.

Response to objectors

- The issues relating to heritage, design, drainage, trees and materials have been addressed in the main report.
- The Conservation Officer has been consulted and provided comments on the proposal.
- The existing buildings were considered at the time of the extension to the Conservation Area in 2007 and while they were of some interest, they were not considered to be of

- sufficient quality to warrant their protection.
- The loss of a view and issues relating to construction are not material planning considerations.
- The issues relating to compliance with the Building Regulations and the width of the road for construction are not relevant to planning and would be addressed through the respective organisations Building Inspectors or the Health and Safety Executive.
- There is no policy in place that requires 10% of the energy to be provided from renewable sources.
- Home working has become more prevalent since the pandemic and it is common to see home offices. In any case, should this room be used as a bedroom, the proposed development would comply with the aspect standards.
- Currently, there are no minimum standards for rooms and gardens adopted by the Council.
- United Utilities have no objections to the proposals, which include the surface water run off system.
- The applicant has served notice on the objector who owns 6 feet of Caltha Street.

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 bb2-00, bb2-01, bb2-02, bb2-03, bb2-04, bb2-05, bb2-06, bb2-07, bb2-08 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) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
 - <u>Reason</u>. 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. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and: The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development

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.

being brought into use.

- Where during any works on site, unforeseen contamination is suspected or found, 7. or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales. Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 8. Prior to the removal of the tree(s) permitted by this approval, a survey shall be conducted, and the survey results established as to whether the affected trees are utilised by bats or owls. A programme of mitigation shall be submitted to and approved in writing by the Local Planning Authority and all mitigation measures shall be fully implemented prior to the commencement of the works and to remain in situ on the site for an agreed period of time. Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

- 9. No 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 to the Local Planning Authority that no active bird nests are present.

 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. A landscaping scheme for hard and soft landscaping 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 include the Reasonable Avoidance Measures for bats in accordance with Section 6.1 to 6.4 of the submitted Dusk Survey Results Report dated July 2023 by Tyrer Ecological Consultants Ltd for the provision of bat boxes and/or soffit/ridge access in the roofs within the new development. . 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. 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. No development, demolition, site clearance, earth moving shall take place or material or machinery brought on site until a method statement to protect the unnamed watercourse from accidental spillages, dust and debris has been supplied to and approved in writing by the Local Planning Authority. All the approved measures must be implemented before construction commences and maintained for the duration of the construction period. Details of the protection of the watercourse from surface water drainage post development shall also be submitted for approval.

 Reason. No details have been provided at application stage. To ensure a safe and satisfactory development of the site and ensure the protection of the watercourse from any pollutants and construction disturbance which may cause risk, pursuant

to chapter 15 - Conserving and enhancing the natural environment of the NPPF.

12. 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.

- 13. No construction shall commence until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details. Reason. In the interest of public health and to ensure protection of the public water supply pursuant to the principles of chapter 14 Meeting the challenge of climate change, flooding and coastal change of the NPPF.
- 14. 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 the site on Spring Street and abutting the site (the unadopted Caltha Street) in the event that subsequent remedial works are required following demolition works, construction of the development/boundary treatment and as a result of any statutory undertakers connections to the new dwellings;
 - Access point for demolition/construction traffic from the adopted highway/unadopted Caltha Street;
 - Site hoardings (if proposed) clear of the approved turning facility and any access to the adjacent residential properties;
 - Hours of operation and number of vehicle movements;
 - A scheme of appropriate warning/construction traffic signage in the vicinity of the site and its access from Spring Street;
 - Parking on site (or on land under the applicant's control) of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials, including any requisite phasing of the development to accommodate this;
 - Delivery management arrangements to ensure that such vehicles do not obstruct the adopted highway or access to the adjacent residential properties;
 - 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 and construction periods and the measures shall be retained and facilities used for the intended purpose for the duration of the both periods. The areas identified shall not be used for any other purposes other than the parking of vehicles and storage of demolition/construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied.

Reason. 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 development hereby approved shall not be first occupied unless and until the pedestrian and vehicular access alterations, gate set back from Caltha Street and bin storage arrangements indicated on approved plan reference bb2-03 have been

implemented to the satisfaction of the Local Planning Authority and thereafter maintained.

<u>Reason</u>. To ensure good highway design and secure satisfactory pedestrian and vehicular access to the development, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

16. The turning facilities on Caltha Street indicated on approved plan reference bb2-03 shall be provided before the development, other than the demolition of the existing buildings, is commenced and shall subsequently be maintained free of obstruction at all times.

<u>Reason</u>. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety Bury Unitary Development Plan Policies EN2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

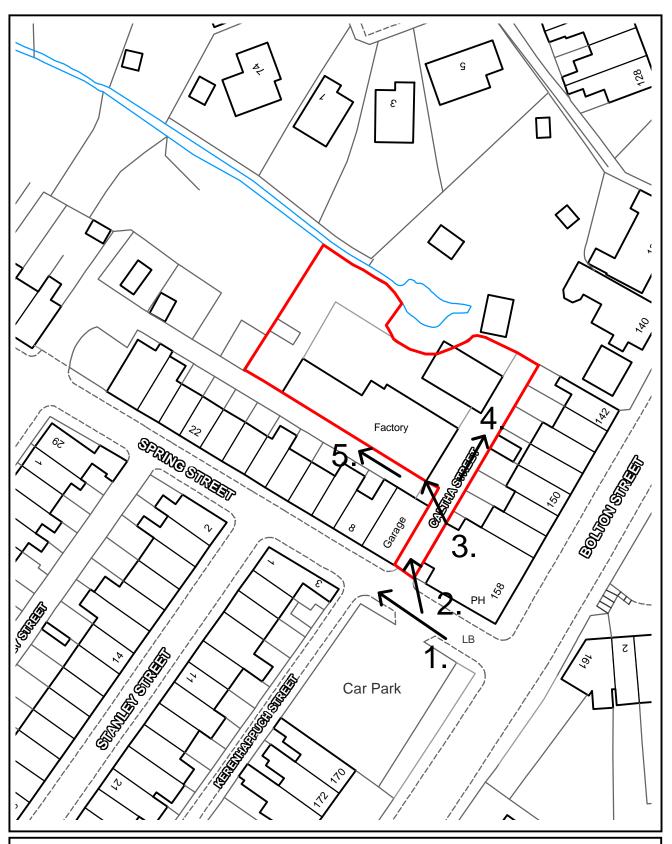
- 17. The car parking indicated on indicated on approved plan reference bb2-03 shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied and thereafter maintained at all times.

 Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 Car Parking and New Development of the Bury Unitary Development Plan.
- 18. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.

 Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

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

Viewpoints





APP. NO 68578

ADDRESS: Saw Mills, off Spring Street, Ramsbottom



Planning, Environmental and Regulatory Services

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Photo 2



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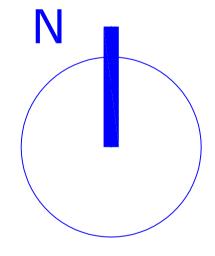
Photo 4







Survey by Chris Partington Land Surveyors and reproduced with their permission.



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EXISTING ELEVATION FRONT WOOD SHED

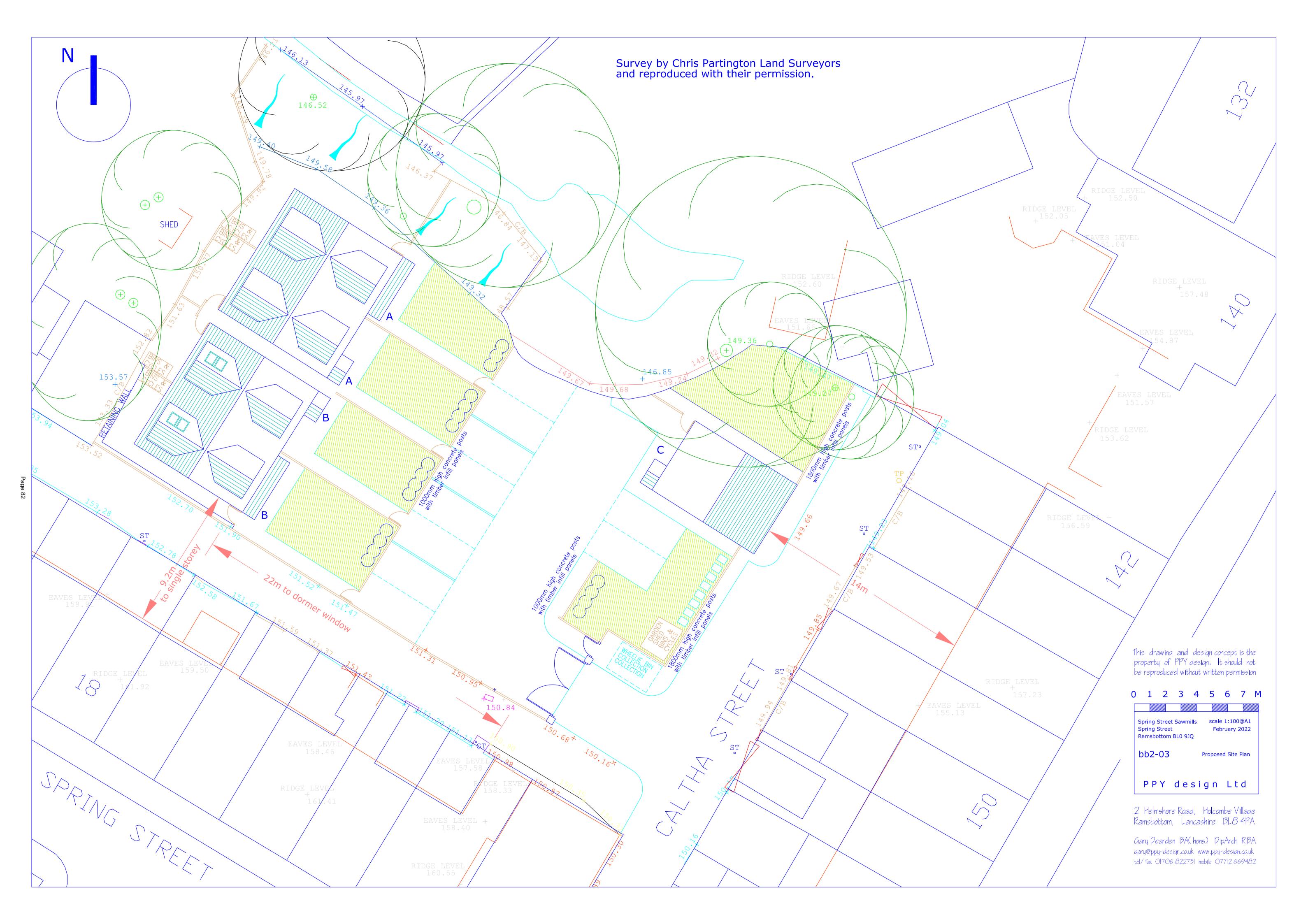


EXISTING ELEVATION REAR WOOD SHED

Gary Dearden BA(hons) DipArch RIBA qary@ppy-desiqn.co.uk www.ppy-desiqn.co.uk tel/fax 01706 822731 mobile 07712 669482

scale 1:100@A1 September 2011

Existing Floor plans and Elevations





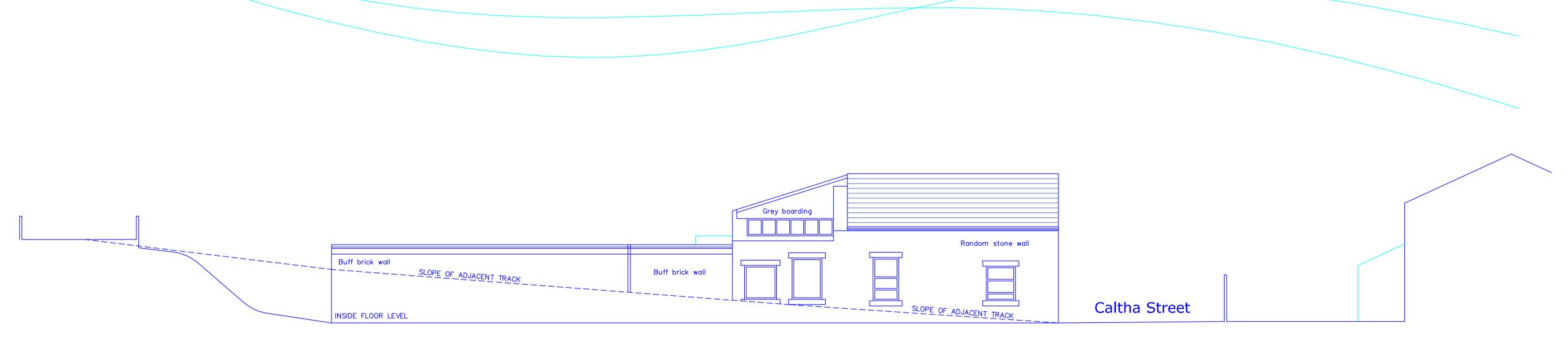




September 2011

House Type C

PROPOSED SOUTH WEST ELEVATION along back Spring Street



EXISTING SOUTH WEST ELEVATION along back Spring Street

A Dormer lowered 120mm

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0 1 2 3 4 5 6 7 M

Spring Street Sawmills scale 1:100@A1
Spring Street September 2011
Ramsbottom BL0 9JQ

bb2-08A Existing and Proposed Site Section

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Ward: Bury East - Moorside Item 03

Applicant: Mr Zak Haris

Location: 240 Walmersley Road, Bury, BL9 6NH

Proposal: Change of use from dwelling (Class C3) to 9 no. bedroom HMO (single occupancy,

Class Sui Generis)

Application Ref: 69699/Full **Target Date:** 03/08/2023

Recommendation: Approve with Conditions

Description

The application relates to a large 2 storey detached dwellinghouse which is located in an area of predominantly residential development. The property is positioned on a corner plot and fronts the main road.

The dwelling is an attractive period property, with feature bay windows and detailing and wrought iron surrounds to upper floor balcony features. The property is considered to be a Non-Designated Heritage Asset as a building of local interest.

The property was formerly a residential care home but changed to a dwellinghouse circa 2017. Accommodation comprises a basement room, ground floor living areas and 1 bedroom with a further 5 bedrooms at the first floor. The property has previously been extended at the rear at the ground floor level.

The front garden is bounded by a low wall and wrought iron railings and at the side off Raymond Avenue is the vehicular access to the site which is through a double wrought iron gate and leads to the rear of the property which comprises a hardstanding area.

The application seeks the change of use from a dwellinghouse to a 9 no. bedroom (single occupancy) House of Multiple Occupation (HMO).

Externally, it is proposed to provide 9 parking spaces a along the eastern boundary wall of the rear yard area and a bicycle stand for 5 cycles. Bins would be stored next to the side elevation of the property and the vehicular access would remain as currently exists, via the double gates from Raymond Street.

There are no proposed changes to the external appearance of the building.

Internally, alterations would be carried out to provide separate bedrooms, bathrooms and shared facilities which would comprise the following -

Basement - storage and laundry room

Ground floor - 4 no. bedrooms and 3 no. bathrooms. Combined living room and kitchen area 68.22 sgm)

First floor - 5 no. bedrooms and 3 no. bathrooms.

Relevant Planning History

62085 - Addition of fence and alterations to existing boundary walls to maximum total height of 2.5 metres - Approve with Conditions 18/01/2018

69475 - Withdrawn/invalid

Publicity

Letters sent to 31 properties on 15/6/23.

27 objections received with the following issues -

No exceptional circumstances have been given in the application for the change of dwelling from a residential property to a 'large' HMO property. No information has been given about the nature/type of future residents.

- Safeguarding- concerned for our family's safety and well-being in respect to nature of the persons who will reside in the property.
- Being within such close proximity, the change of use to multiple occupancy will certainly have an impact on noise disturbances & anti-social behaviour to ourselves & other neighbouring properties
- Unbalanced community- The proposed change of use will over saturate an area that already has over 20 HMO properties within a 1 mile radius
- Proposed plans for 8 on site parking spaces for a 10 room HMO is not feasible and will create parking congestion around local streets
- Direct negative impact on property prices within the immediate area
- Information on the 'Design and Access' statement states, 'The property has been in derelict situation for many years & draws in all types of nefarious activities. The applicant is willing to fix it & give it new life for the betterment of the surrounding community.' My questions are, why now, when no attempt made sooner, reducing the risk of criminal activity? What confidence should we have given the property has been left in a state of disrepair, with no regard for the community.
- See no changes to the original application? Plans appears no different from a care home, which is its current status? So why is this application being considered?
- Objections raised to the last application have yet to be answered. For example; proposed tenants, impact on people's safety due to increased anti-social behaviour. Given the number of HMO's in the area, compared to others, it is completely disproportionate & demonstrates little regard to homeowners & the safety & well-being of families.
- There is already a disproportional amount of HMO in this area! Rooms to rent signs are frequently seen. There's a bail hostel, several homes of supported living, a children's home application submitted across from the park allegedly the owners have now bought adjoined house to expand before plans approved.
- The crime rate has increased, drug issues on Clarence park, parking issues at the lower end of Walmersley road (not helped by approval for yet another takeaway with no parking in place)
- Along with the Homing created at 223 Walmersley Road within the last 12 months, there
 are already enough businesses in and around this area which are affecting crime and
 anti social behaviour in the immediate vicinity. 223 is also supposed to be purchasing
 221 to make one enormous property for further housing of children? If this does not go
 through planning and be objected to, this would make this process a complete farce.
- The changes to 240 are not a necessary change from single family dwelling, considering the percentage of homes already changed to HMO's or flats etc.
- Can the planning department prove that the area is under national threshold or do you just make the decision based on opinion?
- It's about time the local authority listened to it's members of the community who have to put up with the aftermath of your decisions.
- 10 additional persons are likely to cause more air pollution with their vehicles.
- A large HMO could cause more anti-social behaviour in the area, noise pollution, and other detrimental factors.
- Just last week a police task force set up by the Home Office to clean up the anti-social behaviour and drug related problems on Walmersley Road said the problems all occur within the other HMO's on Walmersley Road, and that another especially of this size would only add to the very serious problems arising in the vicinity
- There will be no children in the HMO which will lead to an in balance of adults to children.
- HMO landlords have no interest in the area, the residents and the tenants they put into
 these establishments. The house in question needs a significant amount of work to bring
 up to any standard and even if this is done it won't be maintained or be enforced. Every
 HMO in Walmersley is an utter dump. Gardens and properties are not maintained as
 this costs money landlords don't want to spend. Rubbish is piled high, brining more

vermin to the area. Wake up councillors. Level up and not down, please for the sake of everyone having to put up with the abundance of HMO's already granted and left to rack and ruin, whilst the council take in the council tax and the landlords high rental yields. Another HMO would be the nail in Walmersley's coffin!!!

- This is a beautiful building with history that could make a lovely family home or business premises. We are also well aware of the repeated police presence at other HMOs in this area.
- The owner claims the house was left derelict and HMO is solution. It's worth considering that this may be attributed to the poor assessment of the owner's choice of tenants in the past. It is within the owner's purview to maintain the house properly, and even when he did have tenants in the property, they have chosen not to take necessary measures to prevent its dereliction.
- Need for careful consideration of its impact on the local services (already stretched), community and neighbouring properties.
- Please, please, please Bury Council do not allow yet another HMO dwelling to appear in this area Police raids and ambulance visits are now a regular thing in these areas and we do not feel safe going out after dark. Walmersley used to be a lovely place to bring up your family but now many of the properties are rented and this seems to bring ASB, littering and parking problems.
- We have children, elderly and vulnerable ppl living here. There is already trouble
 happening at one dwelling now the council want to bring more in. We pay tax so we are
 living safely that is not the case. there are constant run ins. THIS IS A DEFINITE NO
 from our side.
- Walmersley Road is in dire need of tidying up, help with speeding issues, help with anti social behaviour. Adding a HMO will only add to ongoing issues.
- An application for this property to become an HMO was made in April 2023 (ref no 69475). Many objections followed and the application was withdrawn. The same application is now resubmitted. I hope this one won't be withdrawn only to be made again later on?
- It is disingenuous to say the people living in the area would benefit from another HMO. It is wrong to say we must put up with another HMO as the only solution to 'criminal activities.' The solution to his problem must not be our problem.
- Could I also ask what response has been provided by the 'consultees'? The website shows there has been no response? I appreciate we, as the people affected may not be privy to such comments but its poor to note there has been no response. This was the case with the previous submission by the applicant!! This does not appear to be a transparent process.
- There are 2 properties, within 300yards, still advertising rooms for rent. These have been available for sometime....therefore it would suggest it's not what people are looking for?
- Today we have again received an email from the council about 'operational issues', which meant waste bins have not been emptied. How will they manage with an increase in residents.
- At what point are residents going to be advised when this application is to be heard by panel? Will residents be invited or is it held behind closed doors?

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

Environmental Health - Pollution Control - No objection

Environmental Health - Commercial Section - No response received.

Waste Management - No objection

Greater Manchester Police - designforsecurity - No response received.

Adult Care Services - No comments to make

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

NPPF National Planning Policy Framework
H1/2 Further Housing Development
H1/2 Further Housing Development

H2/1 The Form of New Residential Development H2/2 The Layout of New Residential Development

H2/4 Conversions

EN1/2 Townscape and Built Design

EN7 Pollution Control

HT2/4 Car Parking and New Development

HT6/2 Pedestrian/Vehicular Conflict SPD11 Parking Standards in Bury

SPD13 Conversion of Buildings to Houses in Multiple Occupation

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) sets out the governments objective of significantly boosting the supply of homes in all kinds of size and tenures. With regard to HMOs, the conversion of large houses into flats or bedsits can make an important contribution to the local housing stock and can utilise vacant or underused space more efficiently.

The property is currently a dwellinghouse (use Class C3) and is a sizeable family home currently comprising 6 no bedrooms and associated living area accommodation. The dwelling would have the benefit of permitted development rights to convert to a 6-person House in Multiple Occupation without the need for planing permission under current planning legislation and therefore as a principle, the conversion of the property to an HMO would be acceptable in principle.

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 in an urban area within a residential setting and as the proposed development would continue to provide residential accommodation, the use would not conflict with the character of the surrounding area.

The property is located in a relatively sustainable area with access to public transport and local services.

Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

However, it is also recognised that such conversions can in some cases raise issues such as pressures on parking, servicing requirements, impacts on residential amenity and effects on the character and appearance of an area.

UDP Policy H2/4 - 'Conversions' specifically has regard to such issues when considering proposals to convert a building to multiple occupation.

These issues are considered below.

Impact on residential amenity - In terms of increasing the occupation of the property, the current dwelling a fairly sizeable dwelling and could comfortably provide for a family of 6 or more or under permitted development rights, accommodation for a 6 person HMO.

Comparative to the existing layout, the additional 3 no bedroom spaces would be located at the ground floor with the 1st floor remaining unchanged apart from providing another bathroom. The basement would continue to be used for storage with a laundry facility provided.

At the rear of the property is a garden which extends between 10.5-11.5 sqm to the rear. This area is already a fully surfaced hardstanding and it is proposed to provide parking for 8 cars plus a cycle store. The rear of the garden is enclosed by a high brick wall and similally so bounds the neighbour's property. Beyond the rear boundary is a back street with access taken from the side off Raymond Avenue. For an HMO which tends not to demand the same level as parking as for other residential type uses, it is considered this area would not be intensely used to cause undue noise and disturbance comparative to a garden area which could be used as a garden by families.

The proposed development would also bring back into use a vacant property and therefore occupation would benefit from natural surveillance and upkeep of the grounds.

Like families, future occupiers would likely have different patterns and timetables to their day, where comings and goings would be staggered throughout the day and evening and therefore it is considered that there would be no perception of an increased occupancy or additional activity in or around the site comparative to what could already exists.

In terms of the proposed use and associated neighbour and noise issues, the Environmental Health Pollution Control Section have raised no objection to the proposed development.

It is therefore considered the proposal for 3 more occupiers would not intensify the current use of the site to such a degree to cause harm to local residential amenity.

No external works to the elevations or window openings are proposed and as such there would not be any additional or further impacts on the privacy on or overlooking to neighbouring properties.

It is therefore considered that the proposed development would therefore not have an adverse impact upon the residential amenity of the neighbouring properties and would be in accordance with UDP Policy EN2/4.

Impact on future occupiers - The original submission has been amended to reduce the number of bedrooms to what is now proposed for a 9 bed HMO.

By deleting one of the bedrooms from the scheme, a larger communal area of approximately 68.22 sqm would provide communal facilities comprising a kitchen/dining and living room area. it is also proposed to provide 5 no. bathrooms to serve the 9 bed facility. The standard of the shared accommodation and living spaces would comply with the HMO licensing requirements.

Each bedroom would be of a size to comfortably accord with National Space Standards and the size required to secure an HMO license.

External amenity space would be limited but the property has a garden at the front and side and there is a public park only 75m to the south or 140m to the east and as such it is considered the site would be located in an area which would provide good quality outdoor areas.

It is therefore considered that the proposed development would provide a good standard of internal communal and bedroom space for future occupiers. The proposal is therefore considered to comply with the requirements set out in UDP Policy H2/4.

Visual amenity - The property is a traditional red brick building with attractive features and is a distinctive building in the area.

The dwelling has been identified as a non-designated heritage asset in accordance with Annex 2 of the NPPF and is considered to be a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing). The 'Good Practice Advice Note 2: Managing Significance in Decision-Taking' published by Historic England (2015) clarifies non-designated assets as those "....that have been identified in a Historic Environment Record, in a local plan, through local listing or during the process of considering the application."

There are no external alterations proposed as part of this application and internally the property has been modernised.

As such the visual character of the building and streetscene would be unaffected by the proposed development and as such the proposed development would comply with EN1/2 and the principles of the NPPF.

Character of the area - Policy H2/4 takes into consideration the concentration of building conversions to for multiple occupation and the impact this can have to the character of an area. This is an issue which has been raised by a number of objectors.

According to the current Bury Council Register of licensed Houses in Multiple Occupation, there are 9 licensed HMO's on Walmersley Road. (A property requires an HMO license if there are 5 or more occupiers which share amenities but planning approval is only required for 6 or more occupiers).

The nearest registered HMO is approx 340m away to the south. The other HMO's are located beyond this to the south on Walmersley Road which stretches over 730m to the Town Centre.

It is therefore considered that due to the dispersed locations, the proposed development would not result in an over concentration of multiple occupied development in the area or affect the character of the area in terms of maintaining a good mix of housing and as such would comply with Policy H2/4.

Highway issues - There are no specific car parking standards for HMO's in SPD11 Parking Standards in Bury, but SPD 13 The Conversion of Buildings to Houses in Multiple Occupation advises that parking and road safety issues will be important considerations when assessing a planning application and any proposal that is considered to have a detrimental impact on highway safety or harm to amenity will not be permitted. Car parking provision should meet the requirements of the likely occupants and, where possible, should be provided off-street.

It is generally recognised that car ownership tends to be lower for those who occupy HMO's comparative to other households. That said, the proposed development would provide a 9 person accommodation at the property and as such demand for parking would likely be higher than for a 6 person family household or a permitted 6 bed HMO.

The proposed development would provide 8 parking spaces which is considered to be a relatively high ratio to the number of occupiers for this type of tenure. There would also be a cycle store provided in the rear yard area.

The property is located on a main road and bus route to the town centre and there is a bus stop just yards away from the property and as such an accessible location.

It is therefore considered that the proposed development would be acceptable and comply

Bin storage - Waste management have confirmed there would be adequate bin store capacity. As the proposal is for an HMO the development may need more capacity for an additional bin which could be adequately accommodated in the outside space.

Response to objectors

- In terms of the type of persons who would potentially occupy the building, this is not a planning consideration.
- There is no evidence to suggest that the proposed development would result in or contribute to anti-social behaviour or unlawful activities in the area.
- The previous application reference 69475 was deemed invalid and withdrawn as the applicant had failed to establish the current lawful use of the property. For this application, an estate agent's marketing specification and document of when the property was put up for auction has been submitted. These documents show the internal arrangements as a family dwellinghouse. In addition, Council Tax records show the property was categorised as a 'dwellinghouse' in 2017. As such it is considered the lawful use of the property as a dwellinghouse has been categorically established.
- Issues raised in relation to parking provision and concentration of the number of HMO's in the area have been covered in the above report.
- The Designfor Security Team have been consulted but have made no comments to the application. It is understood the police have their own register of HMO's in a given 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.
 - <u>Reason</u>. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2. This decision relates to drawings Location plan rev 1 dated 5/7/23; existing site plan rev 2 dated 11/7/23; proposed site plan rev 2 dated 11/7/23; proposed site plan detail rev 2 dated 11/7/23; existing sliding entrance rev 1 dated 11/7/23; existing basement plan dated 28/3/23; existing ground floor plan dared 8/6/23; existing first floor plan 8/6/23; proposed basement plan dated 8/6/23; proposed ground floor plan rev 1 dated 8/6/23; proposed first floor plan rev 1 dated 8/6/23; existing front/right side elevation dated 17/3/23; existing rear/left side elevation 17/3/23; proposed front/right side elevation/3/23; proposed rear/left side elevation dated 13/7/23. and the development shall not be carried out except in accordance with the drawings hereby approved.

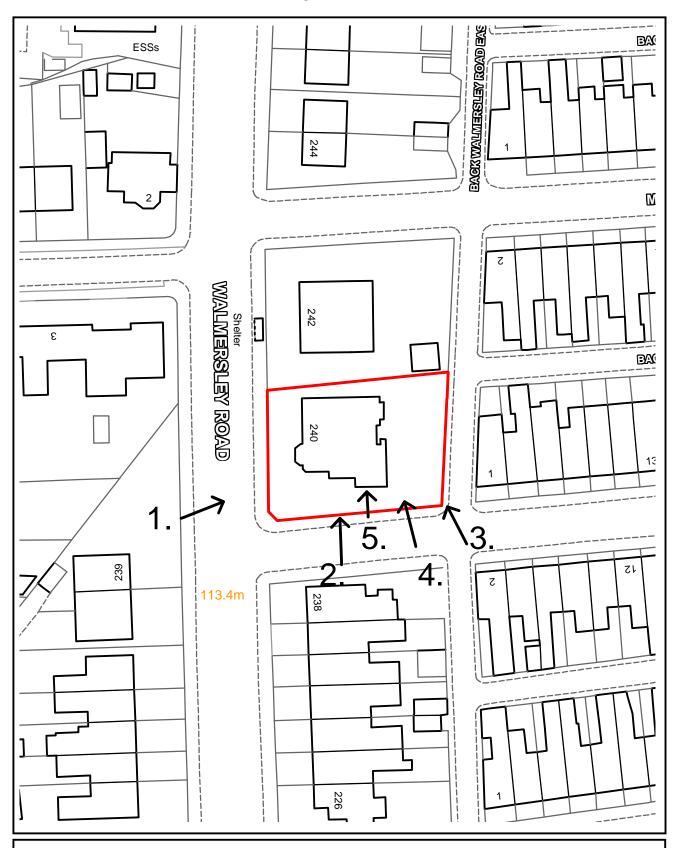
<u>Reason.</u> For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

- 3. The access and car parking arrangements indicated on the approved plans shall be shall be surfaced, demarcated and made available for use prior to the use hereby approved commencing 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.
- 4. The bin storage facilities and cycle store indicated on the approved plans shall be made available prior to the use hereby approved commencing and maintained thereafter.
 Reason. To ensure adequate provision for the storage of cycles and storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to Bury Unitary Development Plan Policies H2/4 Conversions.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 69699

ADDRESS: 240 Walmersley Road, Bury,

BL9 6NH

Planning, Environmental and Regulatory Services

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Photo 2



69699



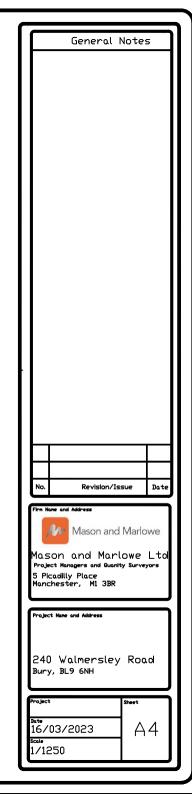
Photo 4



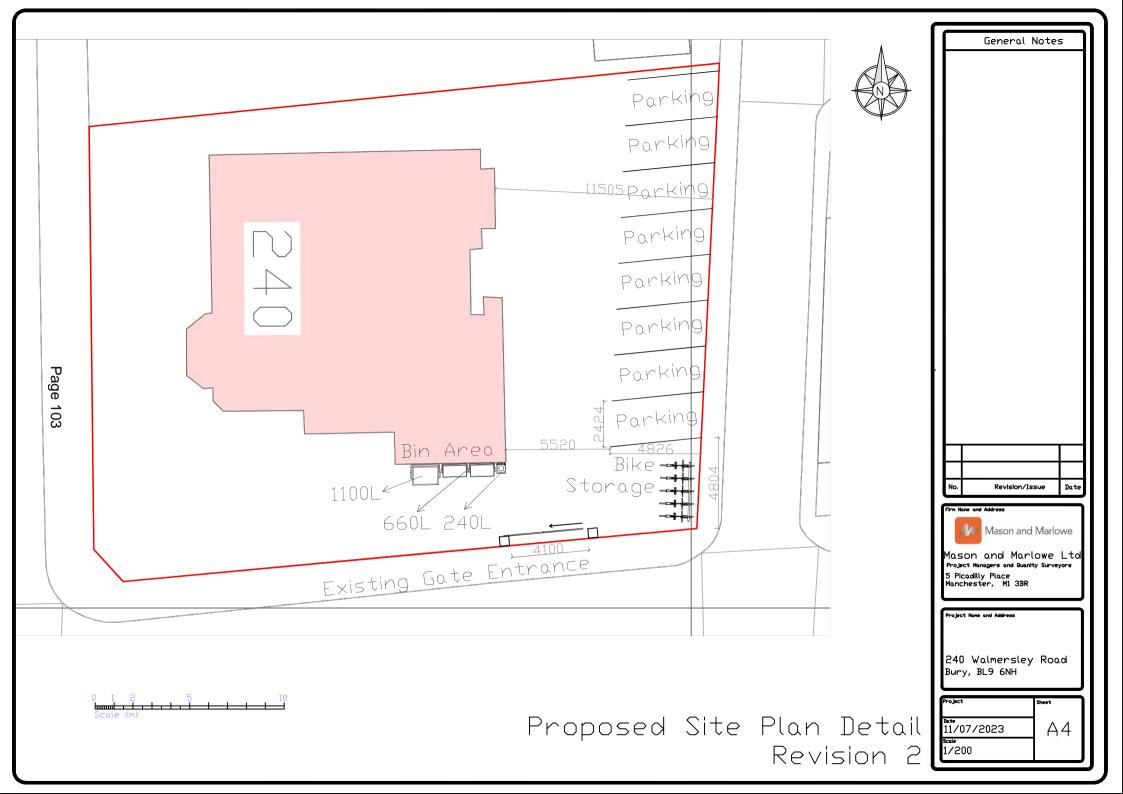


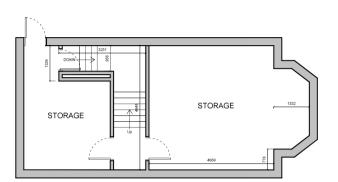




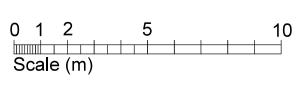


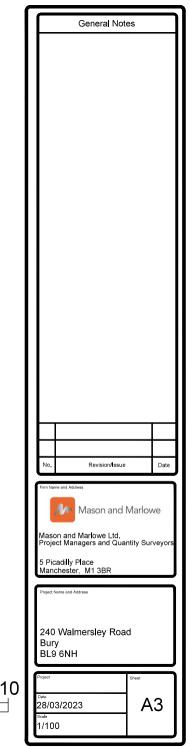
Location Plan





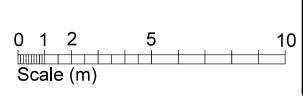
Existing Basement Plan

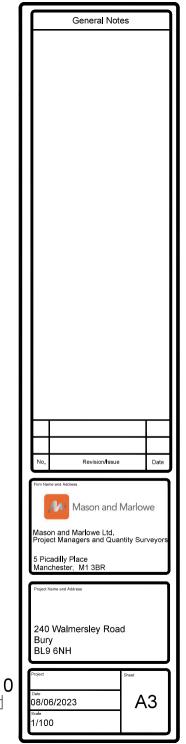






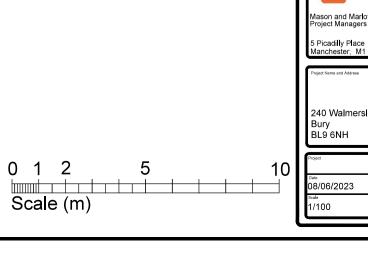
Proposed Basement Plan

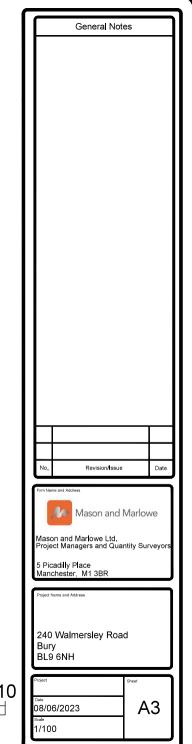


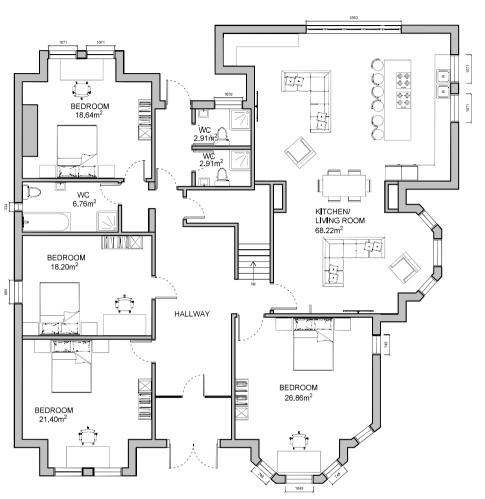




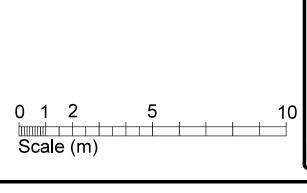
Existing Ground Floor Plan

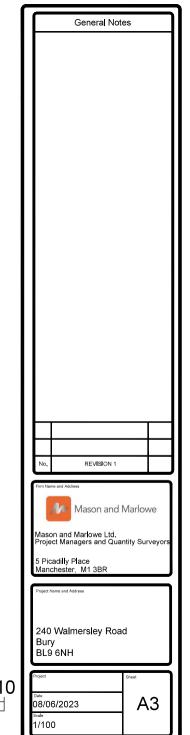






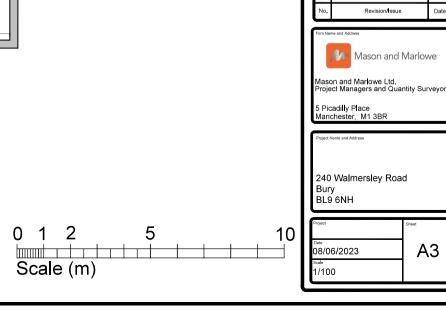
Proposed Ground Floor Plan Revision 1







Existing First Floor Plan

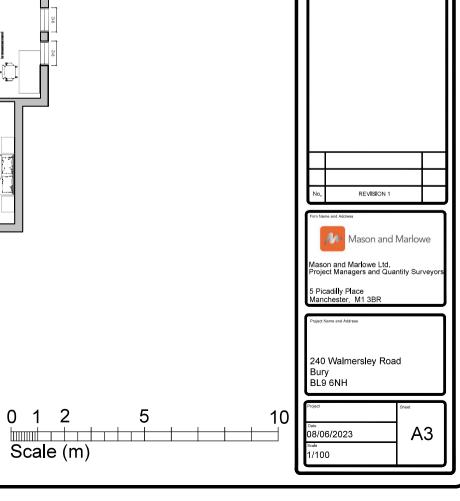


General Notes

А3



Proposed First Floor Plan Revision 1



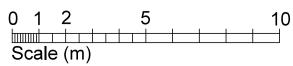
General Notes

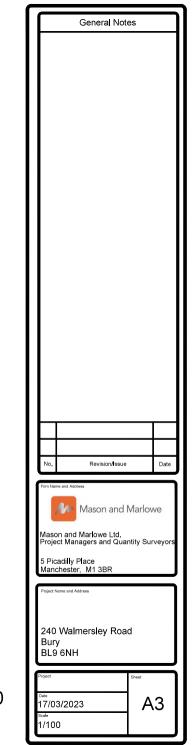


PROPOSED FRONT ELEVATION



PROPOSED RIGHT SIDE ELEVATION



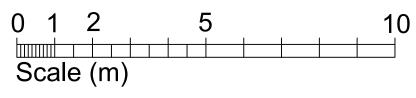


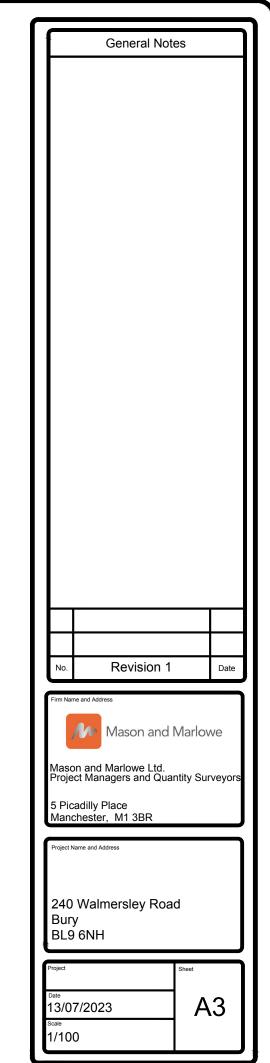


PROPOSED REAR ELEVATION



PROPOSED LEFT SIDE ELEVATION





Ward: Bury East - Moorside Item 04

Applicant: Mr Rrizman Suleman

Location: Land adjacent to 35 Hilton Street, Bury, BL9 6LT

Proposal: Erection of 2 no. terraced dwellings

Application Ref: 69459/Full **Target Date:** 12/06/2023

Recommendation: Approve with Conditions

Description

The application relates to a small open grassed triangular piece of ground (200sqm) at the end of a row of terraced houses along Hilton Street. The site is surrounded by red brick terraced residential properties with the small commercial neighbourhood shopping centre to the west, across Chesham Road and fronting Walmersley Road. There is chevron parking along this side of Hilton Street.

Historically the site had two residential properties on it that formed the end of the terrace until they were demolished over 50 years ago.

It is proposed to build two end terraced 2 bedroom properties fronting Hilton Street, along the general footprint of the original properties. The new properties would be brick built and extend off the existing terrace and would be two storey with rear dormers. The frontage onto Hilton Street would measure 8m and they would run back 9m to the rear. The inner property, next to No.35 Hilton Street would have a flat roof single storey outrigger extending out 3m at the rearm in line with the outrigger on the rear of No.35. There would be a small front garden with a side garden wrapping around the end property and private yards and bin store at the rear. The boundary along Hilton Road would comprise 1.2m high metal railings that wrap around the side to join a 2m high boundary wall along the Chesham Road boundary at a point behind the front building line.

Relevant Planning History

N/A

Publicity

Forty neighbours surrounding the site were notified by letter dated 05/05/2023. Three objections received from residents on Hilton Street. These are summarised as follows:

- Detrimental impact on privacy and light and views.
- Insufficient parking facility for the residents on this street and the possibility of further vehicles will cause major problems.
- Noise and dust created by construction.
- Has the historic subsidence issue been considered?

Three comments received in support of the proposal:

- The site is in the urban area and ideal for new houses.
- The area is a magnet for litter.

Those making representations have been notified of the Planning Control Committee.

Statutory/Non-Statutory Consultations

Traffic Section - Any response shall be included within the Supplementary Report. Public Rights of Way - No objection.

Page 113

Environmental Health - No objection subject to conditions. Drainage Section - No objection. United Utilities (Water and waste) - No objection.

Waste Management - No objection.

Pre-start Conditions - Agreed.

Unitary Development Plan and Policies

National Planning Policy Framework NPPF EN1/2 Townscape and Built Design H1/2Further Housing Development

The Form of New Residential Development H2/1The Layout of New Residential Development H2/2

HT2/4 Car Parking and New Development

EN7 Pollution Control

SPD11 Parking Standards in Bury

SPD16 Design and Layout of New Development in Bury

SPD7 DC Policy Guidance Note 7 - Managing the Supply of Housing

Issues and Analysis

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

Policy and Guidance - The National Planning Policy Framework 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. There is a particular emphasis, as in previous national planning guidance, to identify a rolling five year supply of deliverable housing land.

H1/2 - Further Housing Development. The Council will have regard to the following factors when assessing proposals for housing development on sites not identified on the Proposals

- a) the need to direct development towards the urban area;
- b) the availability of infrastructure:
- c) the need to avoid the release of peripheral open land, unless this can be shown to be consistent with urban regeneration:
- d) the suitability of the site in land use terms with regard to amenity, the nature of the local environment and surrounding land uses;
- e) other policies and proposals of the Plan.

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

- a) the height and roof type of adjacent buildings;
- b) the impact of developments on residential amenity:
- c) the density and character of the surrounding area;
- d) the position and proximity of neighbouring properties;
- e) the materials to be used in proposed developments, especially their colour and texture.

H2/2 - The Layout of New Residential Development. New residential development will be required to demonstrate acceptable standards of layout. Factors to be considered when assessing proposals will include:

- a) car parking provision:
- b) access for both vehicles and pedestrians, and provision for public transport;
- c) the possible need for traffic calming measures;
- d) density:
- e) space about and between dwellings;
- f) landscaping and screening;
- g) protection/provision of trees and hedgerows;
- h) open space/children's play areas;
- i) design for safety and security;
- i) access/facilities for the disabled;
- k) the existence of any public rights of way.

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

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

Principle and Housing Policy - Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up with 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 fives 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.

A residential development of this nature would support the windfall requirements on smaller parts of land in Bury which are not considered to be of high-quality amenity land and contributes towards the housing demands within Bury. This application also supports Part 11 / 120 (b) of the NPPF which promotes and contributes towards housing where supply is constrained, and sites could be used more effectively.

Visual amenity and streetscape - With a red brick finish, similar eaves, roof line and window arrangement, the development generally reflects the character of the frontage along Hilton Street. The line of the front elevation is consistent with the adjoining properties and at the rear, the adjoining property has a single storey extension in line with a similar outrigger on the back of the adjacent proposed property.

The proposed dormer roof arrangements to the rear are similar proportioned to those that would normally be 'permitted development' on existing properties and would not have a significant impact within streetscape.

The proposed boundary along Hilton Street would be railings to match other properties along the road. The railing would wrap around the side until it joins with a brick wall which runs to the rear. At the rear the wall drops to less than 1m in height to allow visibility at the corner.

In terms of design, siting and visual amenity, the proposal is acceptable and complies with the NPPF and UDP Policies EN1/2, H2/1 and H2/1 and guidance with regard to visual

amenity and streetscape.

Residential Amenity - At the front, the new properties would be just over 18m away from house across Hilton Street. This would be a similar relationship to the existing houses on the row and therefore considered acceptable. At the rear the properties would look down Chesham Road and as such there are no direct overlooking issues arising. Across Chesham Road to the north is the gable of No.1 Hanson Street with side windows facing the site at a distance of 12-14m. Given the separation distance and the nature of the windows, this relationship would not raise any serious amenity issues.

There is no loss of privacy / daylight encroachment given the fence line extends low level to the rear garden and an added metal fence along the pavement site of Chesham Road.

Traffic - The proposal does not include on-site parking but would rely on-street parking in the immediate area as do most of the properties in the immediate vicinity. Given the predominance of on-street parking in the area, although the development would generate a small amount of domestic traffic, it would not be considered reasonable to refuse planning permission on grounds of lack of on-site parking.

Appropriate visibility splays out of Hilton Street and from the back street are required and will be subject to suitable conditions attached to any approval. This may mean that the current proposed boundary wall along Chesham Road would need to be realigned slightly but this would be a reletively minor amendment.

Waste Management - The bin storage arrangements to be provided in the form a combined bin store with four bins per property, at the rear of the site, adjacent to the back street and enclosed by a low wall are considered to be acceptable.

Land Contamination/Ground Conditions - It is considered appropriate to attach suitable conditions to any approval that would require any developer to carry out site investigations to determine levels, if any of land contamination and take necessary steps to mitigate and remediate as appropriate. The development would also require Building Regulations consent which would deal specifically with ground suitability as the area does not readily present difficulties associated with unstable land.

Permitted Development Rights - Given the size of the site and its siting at the corner of Hilton Street and Chesham Road, it is considered appropriate to remove 'permitted development' rights by a suitable condition of approval. This would restrict further extensions, alterations and boundary treatments.

Public Representations - The issues raised by those making representations have been addressed 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: 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 Location Plan, 2a/B, 3B, 5/B, 5a/B, 6/B, 7/B and 8/B and the development shall not be carried out except in accordance with the drawings hereby approved.

 Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3. Details of the materials to be used in the external elevations, and boundaries, 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.

<u>Reason</u>. 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. 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 and Class A of Part 2 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
 - <u>Reason</u>. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
- 5. 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.

<u>Reason</u>. 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.

- 6. Following the provisions of Condition 5 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.
- 7. 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 Page 117

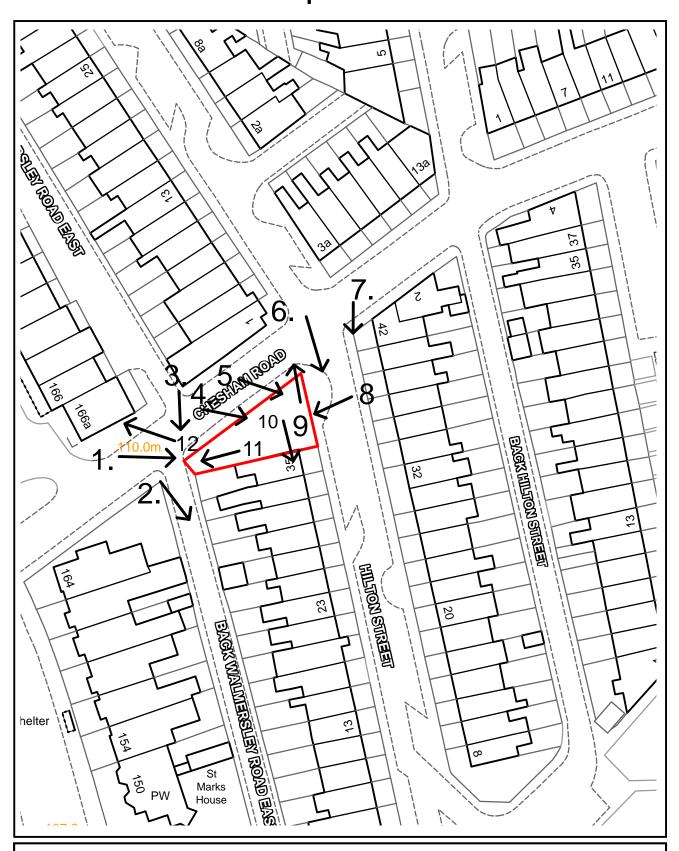
Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options 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.

<u>Reason</u>. 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.

8. A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The approved scheme shall thereafter be implemented not later than 12 months from the date the dwellings are first occupied or within the first available 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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 69459

ADDRESS: Land adjacent to 35 Hilton Street,

Bury,

Planning, Environmental and Regulatory Services

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Photo 2





Photo 4





Photo 6





Photo 8





Photo 10





Photo 12







Block PLAN @ Scale: 1: 500



LOCATION PLAN @ Scale: 1:1250



Bury, Lancashire, Bury (161 8717405)

Location and Block Plans of Land next to 35 Hilton Street, Bury, BL9 6LT

SHT 1 of 9

Existing



Proposed Block PLAN @ Scale: 1: 500



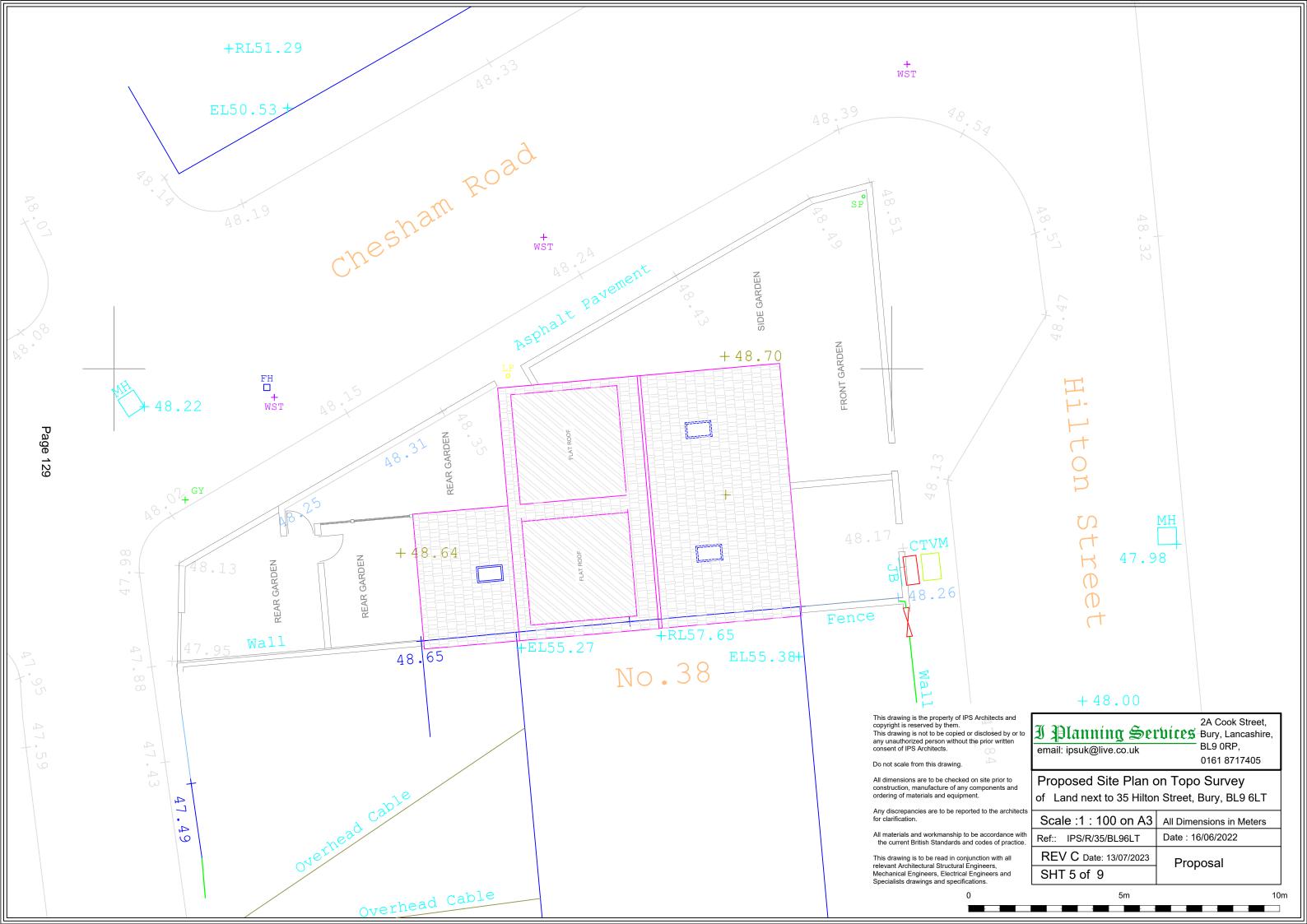
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Proposed Block Plans

of Land next to 35 Hilton Street, Bury, BL9 6LT

REV C Date: 013/07/2023 SHT 4 of 9

Proposal





Scale :1 : 200 on A1 All Dimensions in Meters

Ref: IPS/R/35/BL9eIT Date : 16/06/2022

REV E Date: 13/07/2023

SHT 5a(c) of 9

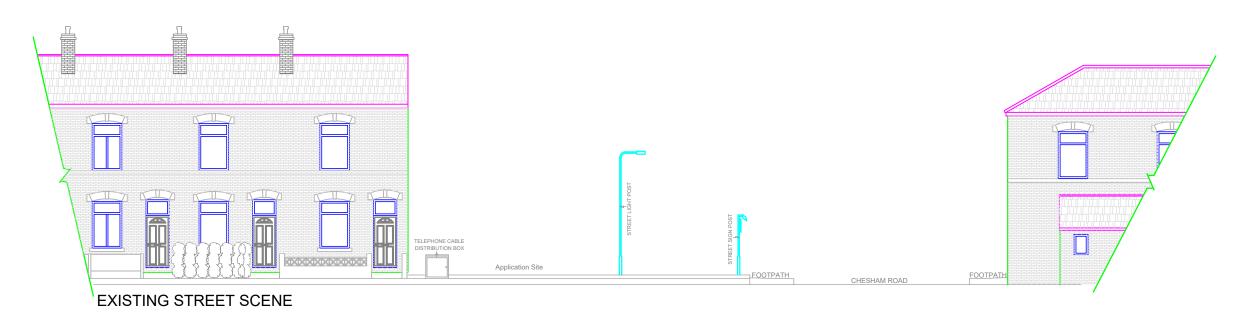
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Ref: IPS/R/35/BL96IT Date : 16/06/2022

REV E Date : 13/07/2023

SHT 5a(a) of 9





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Do not scale from this drawing.

All dimensions are to be checked on site prior to construction, manufacture of any components and ordering of materials and equipment.

Any discrepancies are to be reported to the archit for clarification.

All materials and workmanship to be accordance the current British Standards and codes of pract

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

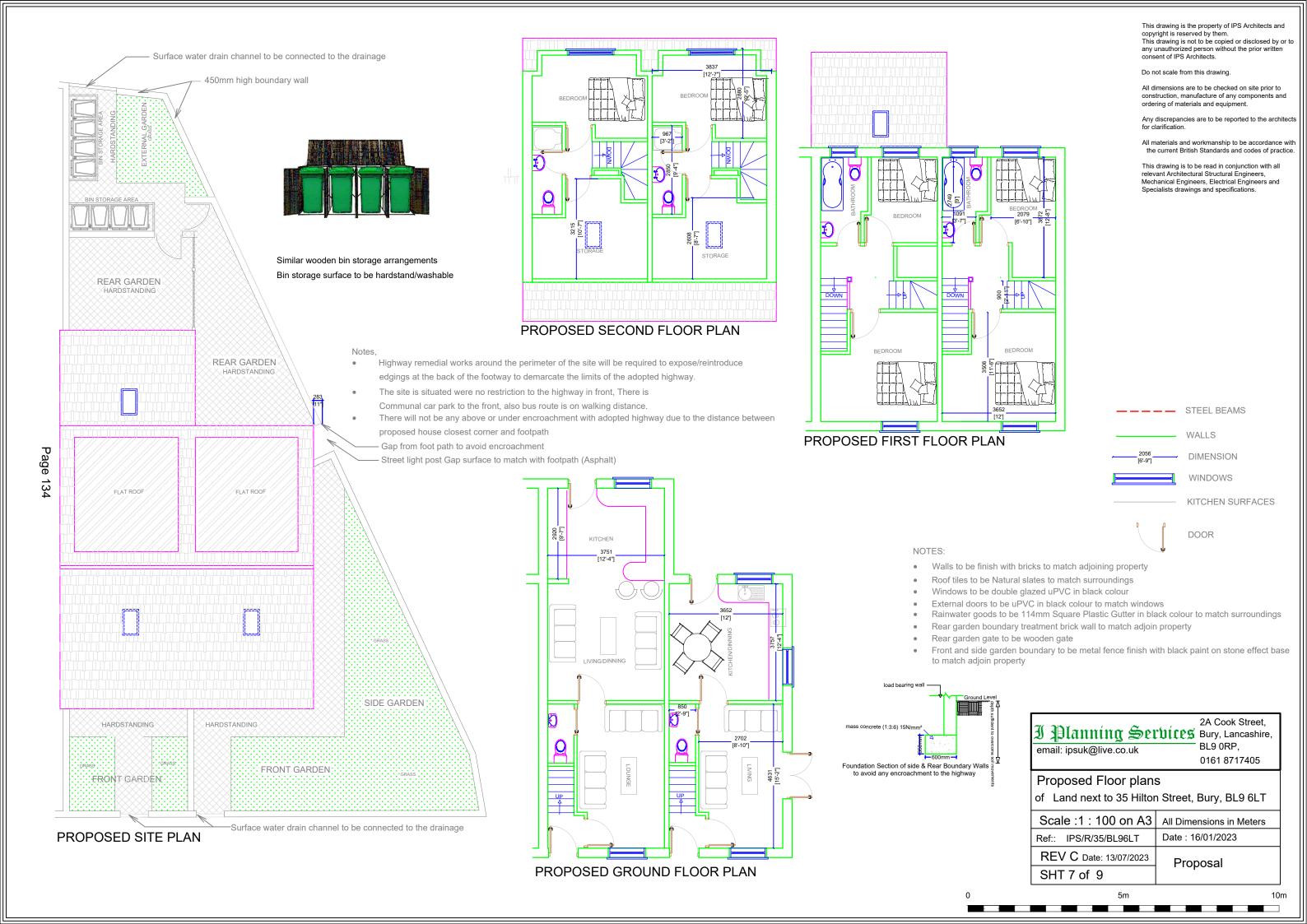


2A Cook Street, BL9 0RP, 0161 8717405

Existing & Proposed Street Scenes of Land next to 35 Hilton Street, Bury, BL9 6LT

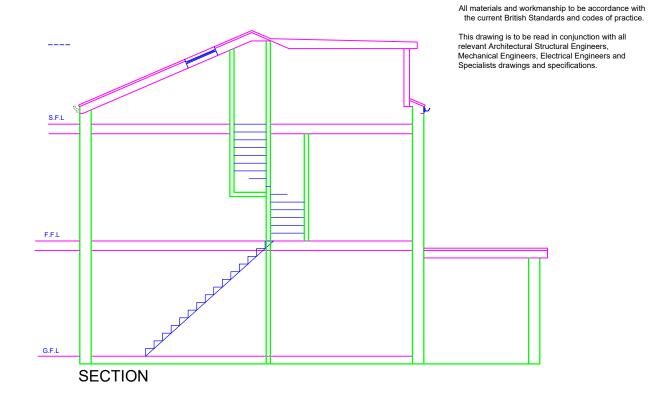
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REV C Date: 13/07/2023 Proposal SHT 6 of 9



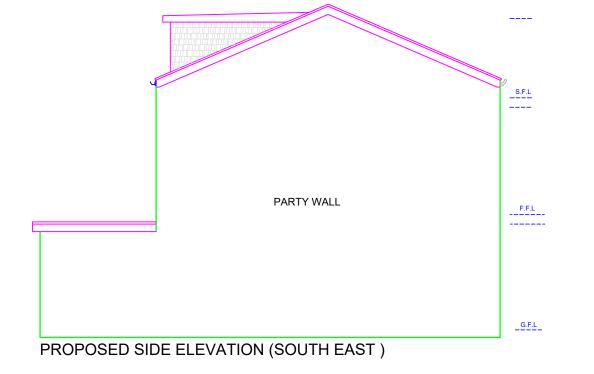
PROPOSED FRONT ELEVATION













10m

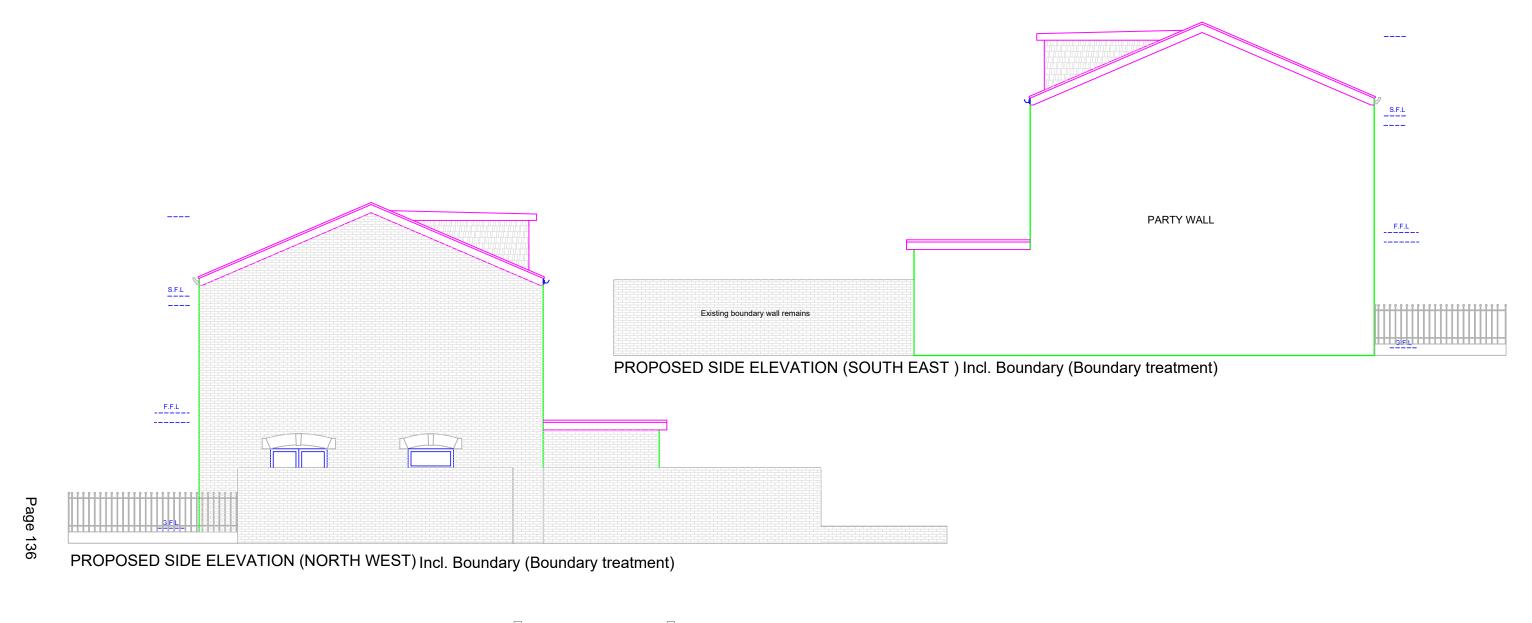
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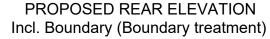
All dimensions are to be checked on site prior to construction, manufacture of any components and ordering of materials and equipment.

Any discrepancies are to be reported to the architect for clarification.

Do not scale from this drawing.









PROPOSED FRONT ELEVATION Incl. Boundary (Boundary treatment)

- Walls to be finish with bricks to match adjoining property
- Roof tiles to be Natural slates to match surroundings
- Windows to be double glazed uPVC in black colour
- External doors to be uPVC in black colour to match windows
- Rainwater goods to be 114mm Square Plastic Gutter in black colour to match surroundings
- Rear garden boundary treatment brick wall to match adjoin property

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All dimensions are to be checked on site prior to construction, manufacture of any components and

the current British Standards and codes of practice.

This drawing is to be read in conjunction with all relevant Architectural Structural Engineers,

Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.

Do not scale from this drawing.

for clarification

ordering of materials and equipment.

- Rear garden gate to be wooden gate
- Front and side garden boundary to be metal fence finish with black paint on stone effect base to match adjoin property



2A Cook Street, BL9 0RP, 0161 8717405

Proposed Elevations Incl. Boundary of Land next to 35 Hilton Street, Bury, BL9 6LT

Scale:1:100 on A3 | All Dimensions in Meters Date: 16/06/2022 Ref:: IPS/R/35/BL96LT

REV C Date: 13/07/2023 SHT 9 of 9

Proposal

5m

REPORT FOR NOTING



Agenda Item

5

DECISION OF:	PLANNING CONTROL COMMITTEE		
DATE:	25 July 2023		
SUBJECT:	DELEGATED DECISIONS		
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT		
CONTACT OFFICER:	DAVID MARNO		
TYPE OF DECISION:	COUNCIL		
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain		
SUMMARY:	The report lists: Recent delegated planning decisions since the last PCC		
OPTIONS & The Command appear		nittee is recommended to the note the report ndices	
IMPLICATIONS:			
Corporate Aims/Policy Framework:		Do the proposals accord with the Policy Framework? Yes	
Statement by the S151 Of Financial Implications and Considerations:		Executive Director of Resources to advise regarding risk management	
Statement by Executive D of Resources:	Director	N/A	
Equality/Diversity implica	ations:	No	
Considered by Monitoring	Officer:	N/A	
Wards Affected:		All listed	
Scrutiny Interest:		N/A Page 137	

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: <u>d.marno@bury.gov.uk</u>

Planning applications decided using Delegated Powers Between 19/06/2023 and 16/07/2023



Ward: Bury East

Application No.: 69270 **App. Type:** ADV 22/06/2023 Approve with Conditions

Location: 8 The Rock, Bury, BL9 ONT

Proposal: 1 no. fascia sign; 2no. window vinyls

Application No.: 69417 **App. Type:** FUL 06/07/2023 Approve with Conditions

Location: 18-20 St Marys Place, Bury, BL9 0DZ

Proposal: Change of use of existing offices (Use Class B1) to 9 no. apartments (Use Class C3) with

internal and external alterations to include provision of bicycle rack and bin storage and

erection of boundary wall and gates at rear

Application No.: 69418 **App. Type:** LBC 06/07/2023 Approve with Conditions

Location: 18-20 St Marys Place, Bury, BL9 0DZ

Proposal: Listed Building Consent for the change of use of existing offices to 9 no. apartments with

internal and external alterations, the provision of bicycle rack and bin storage and a new

boundary wall and gates at rear

Application No.: 69585 **App. Type:** FUL 29/06/2023 Refused

Location: 17 Braemar Drive, Bury, BL9 7PF

Proposal: Two storey/first floor extension at side and single storey extension at side/rear; Alterations to

boarding/render to existing front outrigger

Application No.: 69734 **App. Type:** FUL 14/07/2023 Approve with Conditions

Location: 28 Woodgate Hill Road, Bury, BL9 7LT

Proposal: Single storey rear extension

Application No.: 69745 **App. Type:** FUL 14/07/2023 Approve with Conditions

Location: 44 Cedar Street, Bury, BL9 7QF

Proposal: Single storey extension at side/rear

Ward: Bury East - Moorside

Application No.: 69333 **App. Type:** FUL 23/06/2023 Approve with Conditions

Location: Seedfield Resource Centre, Parkinson Street, Bury, BL9 6NY

Proposal: Erection of 2no. storage units, 2 no. changing facility units and 1 no. welfare unit on a public

recreation field for use associated with sports activities

Application No.: 69383 **App. Type:** FUL 27/06/2023 Approve with Conditions

Location: Clarence Park, Milner Avenue, Bury, BL9 6NG

Proposal: Erection of storage container for use as storage

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Application No.: 69387 **App. Type:** FUL 27/06/2023 Approve with Conditions

Location: Land off Arley Avenue, rear of 1 Copse Drive & 2 Spinney Drive, Bury, BL9 5HE

Proposal: Formation of car park and erection of boundary fence; Provision of stairs/steps down to

football field

Ward: Bury East - Redvales

Application No.: 69586 **App. Type:** FUL 22/06/2023 Approve with Conditions

Location: 8 Somerset Drive, Bury, BL9 9DG

Proposal: Single storey front extension; Widening of existing vehicular access

Application No.: 69587 **App. Type:** FUL 29/06/2023 Approve with Conditions

Location: 136 Parkhills Road, Bury, BL9 9AW

Proposal: Single storey / two storey rear extension; Two storey front extension and external alterations

Application No.: 69588 **App. Type:** FUL 10/07/2023 Approve with Conditions

Location: 134 Parkhills Road, Bury, BL9 9AW

Proposal: Two storey extension at front; Single storey extension at side / rear; first floor extension at

rear and external alterations

Application No.: 69627 **App. Type:** FUL 22/06/2023 Approve with Conditions

Location: 4 Inglewhite Close, Bury, BL9 9NT

Proposal: Single storey rear/side extension; Single storey front/side extension; Front porch

Application No.: 69663 **App. Type:** GPDE 28/06/2023 Prior Approval Not Required - Extension

Location: 107 Horne Street, Bury, BL9 9HS

Proposal: Prior approval for proposed single storey rear extension

Application No.: 69694 **App. Type:** GPDE 10/07/2023 Prior Approval Not Required - Extension

Location: 178 Parkhills Road, Bury, BL9 9AL

Proposal: Prior approval for proposed single storey extension

Application No.: 69726 **App. Type:** FUL 14/07/2023 Approve with Conditions

Location: 551 Manchester Road, Bury, BL9 9ST

Proposal: Single storey front extension and two storey side extension

Ward: Bury West - Elton

Application No.: 69668 **App. Type:** FUL 06/07/2023 Approve with Conditions

Location: Elton Fold Working Mens Club, Leigh Lane, Bury, BL8 2RH

Proposal: Single storey rear extension with access ramp

Ward: Bury West - West

Application No.: 69547 **App. Type:** FUL 13/07/2023 Approve with Conditions

Location: Land west of Lowercroft Road, Bury, BL8 3GQ

Proposal: Erection of 4 no. dwellings

Application No.: 69560 **App. Type:** FUL 23/06/2023 Approve with Conditions

Location: 317 Ainsworth Road, Bury, BL8 2LU

Proposal: Two storey/single storey rear extension

Application No.: 69562 **App. Type:** LDCP 22/06/2023 Lawful Development

Location: 47 Haslam Hey Close, Bury, BL8 2LB

Proposal: Lawful development certificate for proposed erection of detached summerhouse in rear garden

Application No.: 69606 **App. Type:** FUL 20/06/2023 Approve with Conditions

Location: 2 Garstang Drive, Bury, BL8 2JS

Proposal: Front porch, new pitched roof at front/side to existing garage with conversion of garage to

living accommodation; Erection of detached garage at rear with driveway and new vehicular

access off Watling Street

Application No.: 69769 **App. Type:** FUL 14/07/2023 Approve with Conditions

Location: 6 Mizpah Grove, Bury, BL8 2SD

Proposal: Single storey rear extension

Ward: **North Manor**

Application No.: 69473 **App. Type:** FUL 20/06/2023 Approve with Conditions

Location: 49 Byron Road, Tottington, Bury, BL8 4EN

Proposal: Two/single storey extension at side and single storey front extension; Formation of raised patio

with glazed balustrade at rear; Erection of boundary wall/fence to sides and rear; Alterations

to existing driveway

Application No.: 69505 **App. Type:** FUL 26/06/2023 Approve with Conditions

Location: Cross Hall Farm, Mather Road, Bury, BL9 6RB

Proposal: Erection of an agricultural building

Application No.: 69578 **App. Type:** FUL 20/06/2023 Approve with Conditions

Location: 486 Bolton Road West, Ramsbottom, Bury, BLO 9RU

Proposal: Single storey extension at front/side/rear

Application No.: 69617 **App. Type:** FUL 22/06/2023 Approve with Conditions

Location: 33 Greenheys Crescent, Tottington, Bury, BL8 4QD

Proposal: Single storey side/rear extension

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Application No.: 69644 **App. Type:** FUL 10/07/2023 Refused **Location:** 120 Railway Street, Summerseat, Ramsbottom, Bury, BL9 5QD

Proposal: Build up walls of existing single storey rear extension with replacement flat roof with glass

lantern; Alterations to windows/doors and new window opening to side elevation and Dormer

and new rooflight at rear

Ward: Prestwich - Holyrood

Application No.: 69577 **App. Type:** FUL 14/07/2023 Approve with Conditions

Location: 11 St Margarets Road, Prestwich, Manchester, M25 2QB

Proposal: Conversion of existing dwelling into 2 no. dwellinghouses and addition of front door

Application No.: 69595 **App. Type:** FUL 23/06/2023 Approve with Conditions

Location: 68 Cuckoo Lane, Prestwich, Manchester, M25 2TD

Proposal: Single storey extension at rear with ramp to garden level

Application No.: 69623 **App. Type:** FUL 26/06/2023 Approve with Conditions

Location: 11 Chatsworth Avenue, Prestwich, Manchester, M25 1LZ

Proposal: Erection of boundary wall/fence/gate to front/side and remove existing vehicular acess at side

and formation of new vehicular access/parking at area at front

Application No.: 69638 **App. Type:** FUL 30/06/2023 Approve with Conditions

Location: 64 Polefield Hall Road, Prestwich, Manchester, M25 2WW

Proposal: Single storey extension at front, 1m high balustrade to existing raised landing area and

repositioning of steps.

Application No.: 69665 **App. Type:** TEL 03/07/2023 Prior Approval Required and Refused

Location: Land at junction of Carver Avenue and Bury Old Road, Prestwich, Manchester, M25 1PZ

Proposal: Prior approval for proposed 5G telecoms installation: H3G 15m street pole and additional

equipment cabinets

Ward: **Prestwich - Sedgley**

Application No.: 69351 **App. Type:** P3JPA 30/06/2023 Prior Approval Required and Granted

Location: 215A Bury Old Road, Prestwich, Manchester, M25 1JF

Proposal: Prior approval for proposed change of use from commercial (Class E) to 2 no. flats (Class C3)

on first and second floors

Application No.: 69407 **App. Type:** FUL 26/06/2023 Approve with Conditions

Location: 16 Queens Drive, Prestwich, Manchester, M25 0HQ

Proposal: Three storey side extension (including basement level), two storey rear extension (including

basement level) with raised patio/decking/steps to garden level and conversion of basement to living accommodation with external access; Alterations to front entrance/bay windows and

pitched roof to window above; Widening of vehicular access/driveway

Application No.: 69451 **App. Type:** FUL 22/06/2023 Approve with Conditions

Location: 38 Fairway, Prestwich, Manchester, M25 0JH

Proposal: Variation of condition no.2 (approved plans) of 69090 to increase the size of the first floor

extension

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Application No.: 69584 App. Type: LDCP 22/06/2023 Lawful Development

14 Sedgley Avenue, Prestwich, Manchester, M25 0LS Location:

Proposal: Lawful development certificate for proposed rear single storey extension

Application No.: 69739 **App. Type:** GPDE 14/07/2023 Prior Approval Not Required - Extension

41 Bury Old Road, Prestwich, Manchester, M25 0EY Location:

Proposal: Prior approval for proposed single storey rear extension

Ward: Prestwich - St Mary's

Application No.: 69390 App. Type: FUL 10/07/2023 Approve with Conditions

6 Barnhill Road, Prestwich, Manchester, M25 9NH Location:

Proposal: Two storey side; Single storey rear extension; Loft conversion with rear dormer; Front porch

Application No.: 69508 App. Type: FUL 14/07/2023 Refused

The Beeches, St Anns Road, Prestwich, Manchester, M25 9LD Location:

Proposal: Replacement of existing windows with upvc windows

Application No.: 69523 App. Type: FUL 29/06/2023 Refused Land adjacent to 11 Walter Street, Prestwich, Manchester, M25 3HJ

Location:

Proposal: Erection of 2 no. dwellings

Application No.: 69648 App. Type: FUL 30/06/2023 Approve with Conditions

Eastholme, St Anns Road, Prestwich, Manchester, M25 9LD Location:

Proposal: Two storey rear extension with new link to hydrotherapy pool building and changing room

facilities; External works to adapt the existing driveway to form accessible driveway for

adapted vehicle

Application No.: 69650 App. Type: FUL Approve with Conditions 23/06/2023

15 West Road, Prestwich, Manchester, M25 3FB Location:

Proposal: Single storey rear extension following demolition of existing single storey extension

Application No.: 69670 App. Type: FUL 10/07/2023 Refused

Lady Margaret House, 51 Prestwich Park Road South, Prestwich, Manchester, M25 9LF Location:

Proposal: Erection of detached double garage.

Application No.: App. Type: LDCP Lawful Development 69695 23/06/2023

167 Butterstile Lane, Prestwich, Manchester, M25 9UW Location:

Proposal: Certificate of Lawful development for the proposed single storey rear extension following the

removal of existing conservatory at the rear

Radcliffe - East Ward:

Application No.: 69135 **App. Type:** LDCP 12/07/2023 Lawful Development Unit 55 Bealey Industrial Estate, Hallam Street, Radcliffe, Manchester, M26 2BD

Location:

Proposal: Lawful development certificate for proposed new industrial warehouse

Application No.: 69420 **App. Type:** FUL 27/06/2023 Approve with Conditions

Location:

Land off Holcombe Grove, Radcliffe, Manchester, M26

Proposal: Application for permission in principle for up to 9 no. dwellings

Application No.: 69610 **App. Type:** FUL 20/06/2023 Approve with Conditions

Location:

8 Bealey Close, Radcliffe, Manchester, M26 2GT

Proposal: Single storey rear extension

Application No.: 69639 **App. Type:** FUL 20/06/2023 Approve with Conditions

Location: 55 Borough Avenue, Radcliffe, Manchester, M26 2QG

Proposal: Variation of condition no. 2 (approved plans) of planning permission 67696 (new front porch

and single storey extension at rear):

Change roof shape of extension to pitched roof, additional window to rear elevation of

extension, and finishing materials to be k-render in white to all elevations

Ward: Radcliffe - North and Ainsworth

Application No.: 68922 **App. Type:** FUL 14/07/2023 Approve with Conditions

Location: Land to rear of Titus Barn, Bradley Fold Road, Ainsworth, Bolton, BL2 5QR

Proposal: Construction of new stable block and menage with associated access.

Application No.: 69567 **App. Type:** FUL 21/06/2023 Approve with Conditions

Location: 2 Burghley Close, Radcliffe, Manchester, M26 3XZ

Proposal: Single storey side extension for use as garage

Application No.: 69573 **App. Type:** FUL 20/06/2023 Approve with Conditions

Location: 19 Pilkington Road, Radcliffe, Manchester, M26 3PF

Proposal:

Single storey rear extension wth ramp at side

Application No.: 69620 **App. Type:** FUL 20/06/2023 Approve with Conditions

Location: 9 Carrslea Close, Radcliffe, Manchester, M26 4NP

Proposal: Single storey rear extension

Application No.: 69649 **App. Type:** FUL 23/06/2023 Approve with Conditions Land to rear of 41 Bury Old Road & west of Arthur Lane, Ainsworth, Bolton, BL2 5PF

Proposal: Variation of condition nos. 2 (approved plans) & 3 (materials) of planning permission 65373

(demolition of existing stable building and erection of 1 no. dwelling); Change the fenestration

detailing, reduce the amount of the glazed area and brick finish to outside.

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Application No.: 69732 **App. Type:** FUL 14/07/2023 Approve with Conditions

Location: 78 Countess Lane, Radcliffe, Manchester, M26 3NH

Proposal: Single storey front, side (to include garage) and rear extension

Ward: Radcliffe - West

Application No.: 69401 App. Type: FUL 04/07/2023 Refused

Location: 36 Albion Street, Radcliffe, Manchester, M26 1BH

Proposal: Single storey rear extension with external staircase and new access door to first floor

Application No.: 69599 **App. Type:** FUL 12/07/2023 Approve with Conditions

Location: 7 Woodley Avenue, Radcliffe, Manchester, M26 1BL

Proposal: Single storey extension at front/side; Formation of new vehicular access/driveway and

landscaping

Ward: Ramsbottom + Tottington - Tottington

Application No.: 69239 **App. Type:** FUL 20/06/2023 Refused

Location: 1 Acres Street, Tottington, Bury, BL8 3BR

Proposal: First floor side extension with extension of existing front/rear dormers

Application No.: 69539 **App. Type:** FUL 07/07/2023 Approve with Conditions

Location: 32 Deacons Crescent, Tottington, Bury, BL8 3DW

Proposal: Demolition of existing garage and erection of double garage at rear

Application No.: 69678 **App. Type:** FUL 14/07/2023 Approve with Conditions

Location: 54 Harwood Road, Totington, Bury, BL8 3PY

Proposal: Single storey extension at rear and patio and new retaining wall with glazed screen on top and

steps

Ward: Ramsbottom and Tottington - Ramsbottom

Application No.: 69496 **App. Type:** FUL 22/06/2023 Approve with Conditions

Location: 89 Ripon Hall Avenue, Ramsbottom, Bury, BL0 9TQ

Proposal: Loft conversion with raised roof ridge and rear dormer extension

Application No.: 69504 **App. Type:** FUL 07/07/2023 Approve with Conditions

Location: Clarkes Craft Products, Empire Works, Railway Street, Ramsbottom, Bury, BLO 9AS

Proposal: Provision of 2 no. ground floor bay windows, new ground floor windows, retracting canopy to

existing balcony; Render to front elevation; New shop front to side elevation.

Application No.: 69548 **App. Type:** FUL 20/06/2023 Approve with Conditions

Location: 10 Uppingham Drive, Ramsbottom, Bury, BLO 9DP

Proposal: Erection of new roof with raised eaves height; Pitched roof dormer and 2 no. rooflights to both

sides of the roof; Alterations to external doors and windows; Rear extension; demolish existing

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garage.

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Application No.: 69550 **App. Type:** FUL 03/07/2023 Approve with Conditions

Location: 62 Bury New Road, Ramsbottom, Bury, BL0 0BY

Proposal: First floor extension at side and demolition of existing garage and construction of an

outbuilding at rear to be used for storage and garden room

Application No.: 69601 **App. Type:** FUL 29/06/2023 Approve with Conditions

Location: 323 Whalley Road, Shuttleworth, Ramsbottom, Bury, BL0 0ER

Proposal: Single storey rear extension

Application No.: 69669 **App. Type:** LDCP 13/07/2023 Lawful Development

Location: 10 Uppingham Drive, Ramsbottom, Bury, BL0 9DP

Proposal: Lawful development certificate for proposed construction of a new single-storey outbuilding

with flat roof, roof drained into existing rainwater drainage system

Application No.: 69682 **App. Type:** FUL 03/07/2023 Approve with Conditions

Location: 1 Rivington Hall Close, Ramsbottom, Bury, BL0 9YL

Proposal: Front porch

Application No.: 69688 **App. Type:** LDCP 23/06/2023 Lawful Development

Location: 19 Holcombe Lee, Ramsbottom, Bury, BL0 9QR

Proposal: Lawful development certificate for proposed single storey flat-roof rear extension approx. 3mD

x 4mW x 3mH to a mid-terrace property plus a garage conversion into a boot room and WC

Application No.: 69758 **App. Type:** FUL 14/07/2023 Approve with Conditions

Location: 211 Whittingham Drive, Ramsbottom, Bury, BLO 9NY

Proposal: Demolition of existing conservatory and erection of single storey extension at rear. garage

conversion including change from garage door to window; first floor extension at side over

existing garage and external alterations

Application No.: 69763 **App. Type:** FUL 14/07/2023 Approve with Conditions

Location: 7 Nuttall Hall Road, Ramsbottom, Bury, BLO 0AS

Proposal: Two storey extension at side and single storey extension at rear

Ward: Whitefield + Unsworth - Besses

Application No.: 69558 **App. Type:** FUL 23/06/2023 Approve with Conditions

Location: Unit 2, Park Seventeen, Whitefield, Manchester, M45 8FJ

Proposal: Replacement of roof and external works

Application No.: 69605 **App. Type:** TEL 06/07/2023 Prior Approval Required and Granted

Location: Public footway north of The Frigate, Thatch Leach Lane, Whitefield, Manchester, M45 6FW

Proposal: Prior approval for proposed 5G telecoms installation: H3G 15m street pole and additional

equipment cabinets

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Application No.: 69647 **App. Type:** FUL 20/06/2023 Approve with Conditions

Location: 18 Harris Drive, Bury, BL9 8PS

Proposal: Single storey front extension

Application No.: 69653 **App. Type:** P3CMU 10/07/2023 Prior Approval Not Required

Location: Unit 2, Park Seventeen, Whitefield, Manchester, M45 8FJ

Proposal: Prior approval for proposed installation of roof mounted solar PV system comprising of 234

panels, 93.6 kwp

Application No.: 69658 **App. Type:** FUL 14/07/2023 Approve with Conditions

Location: 5 Kennedy Drive, Bury, BL9 8PN

Proposal: Raise roof ridge and loft conversion with front and rear dormers

Application No.: 69722 **App. Type:** FUL 14/07/2023 Approve with Conditions

Location: 11 Heybrook Walk, Whitefield, Manchester, M45 8HQ

Proposal: Single storey side extension

Application No.: 69729 **App. Type:** FUL 14/07/2023 Approve with Conditions

Location: 107 Swinton Crescent, Bury, BL9 8PB

Proposal: Single storey rear extension and erection of a new shared fence

Ward: Whitefield + Unsworth - Pilkington Park

Application No.: 69618 App. Type: FUL 13/07/2023 Refused

Location: 297 Bury New Road, Whitefield, Manchester, M45 7SE

Proposal: Variation of condition nos. 2 & 3 (approved plans) of planning permission 68073 (two

storey/single storey rear extension & additional window to first floor front elevation): no longer

adding front elevation window, 2 no. door access added at ground floor rear level

Ward: Whitefield + Unsworth - Unsworth

Application No.: 69681 **App. Type:** DEM 12/07/2023 Prior Approval Required and Granted

Location: 1- 5 The Elms, Elms Close, Whitefield, Manchester, M45 8XS

Proposal: Prior approval for proposed demolition of detached dwelling (comprising of 5 no. flats)

Total Number of Applications Decided: 78

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REPORT FOR NOTING



Agenda Item

6

DECISION OF:	PLANNING CONTROL COMMITTEE		
DATE:	25 July 2023		
CUDIFOT	•		
SUBJECT:	PLANNING APPEALS		
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT		
CONTACT OFFICER:	DAVID MARNO		
TYPE OF DECISION:	COUNCIL		
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain		
SUMMARY:	Planning Appeals: - Lodged - Determined Enforcement Appeals		
	- Lodged - Determined		
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices		
IMPLICATIONS:			
Corporate Aims/Policy Framework:		Do the proposals accord with the Policy Framework? Yes	
Statement by the S151 Officer: Financial Implications and Risk Considerations:		Executive Director of Resources to advise regarding risk management	
Statement by Executive Director of Resources:		N/A	
Equality/Diversity implications:		No	
Considered by Monitoring Officer:		N/A	
	t	Page 149	

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

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

1.0 BACKGROUND

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

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

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-

Contact Details:-

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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

Planning Appeals Lodged between 19/06/2023 and 16/07/2023



Application No.: 69132/FUL **Appeal lodged:** 22/06/2023

Decision level: DEL Appeal Type:

Recommended Decision: Refuse

Applicant: Emerald Property Capital Ltd

Location 104 Ainsworth Road, Bury, BL8 2RS

Proposal Change of use from existing 6 no. bedroom house in multiple occupation (HMO -

Class C4) to 7 no. bedroom (7 person) house in multiple occupation (HMO - Sui

Generis)

Application No.: 69189/FUL **Appeal lodged:** 28/06/2023

Decision level: DEL **Appeal Type:**

Recommended Decision: Refuse

Applicant: Mr S Postchi

Location 22 Cockey Moor Road, Bury, BL8 2HB

Proposal Variation of condition no. 1 (approved plans) of planning permission 68038 for

erection of detached dwelling: Increase the size and height of the second floor and

External alterations

Application No.: 69244/FUL **Appeal lodged:** 29/06/2023

Decision level: DEL Appeal Type:

Recommended Decision: Refuse

Applicant: Cassel Fletcher Property Management Ltd

Location 424 Bury Old Road, Prestwich, Manchester, M25 1PR

Proposal Second floor extension at rear to form 1 no. flat and roof extension

Application No.: 69467/FUL **Appeal lodged:** 23/06/2023

Decision level: DEL **Appeal Type:** Written Representations

Recommended Decision: Refuse

Applicant: Mr Paul McDonald

Location 35 Bankside Avenue, Radcliffe, Manchester, M26 2QH

Proposal Erection of decking on raised platform with steps, balustrade and fencing, garden

room pod and covered spa area

Total Number of Appeals Lodged: 4

Planning Appeals Decided between 19/06/2023 and 16/07/2023



Application No.: 68723/FUL **Appeal Decision:** Allowed

Decision level: DEL **Date:** 20/06/2023

Recommended Decision: Refuse **Appeal type:** Written Representations

Applicant: Cardtronics UK Ltd, trading as CASHZONE

Location: 237 Wash Lane, Bury, BL9 7DH

Proposal: Retention of ATM (Automated teller machine)

Appeal Decision

Site visit made on 3 May 2023

by David English BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th June 2023

Appeal Ref: APP/T4210/W/22/3310489 237 Wash Lane, Bury BL9 7DH

- 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 Cardtronics UK Ltd, trading as CASHZONE, against the decision of the Bury Metropolitan Borough Council.
- The application Ref 68723, dated 4 July 2022, was refused by notice dated 21 September 2022.
- The development is an automated teller machine.

Decision

1. The appeal is allowed, and planning permission is granted for an automated teller machine at 237 Wash Lane, Bury BL9 7DH in accordance with the terms of the application, Ref 68723, dated 4 July 2022, and the plans submitted with it.

Preliminary Matters

- 2. The description of development given in the planning application was 'the retention of an automated teller machine and associated signage'. The appellant confirms that the appeal relates only to the automated teller machine (ATM) and not to the associated advertisements which formed part of their original combined application for planning permission and advertisement consent. The appellant indicates they were awaiting a decision on that part of the application that sought consent to display advertisements at the time this appeal was made. It is therefore appropriate that the description relates only to the development for which planning permission has been refused and which is now the subject of this appeal.
- 3. The evidence indicates that the ATM was installed in August 2021, and I saw that it was operational at the time of my visit. I have considered the appeal on the basis of the ATM that I saw, and this appeared to be consistent with the details provided in the planning application.
- 4. Accordingly, I refer to the ATM as 'the development', including in the banner heading above. I have removed the word 'retention' from the description of development since this does not constitute a form of development. These changes are consistent with the information provided in evidence. While they have not been subject to separate consultation or formal agreement, I consider that the description I have used accurately describes the development for which permission was sought, and these changes would not prejudice the interests of any party.

Main Issues

5. The main issue is the effect of the development on public safety, the safety of staff, and crime prevention at and in the vicinity of the site.

Reasons

- 6. The appeal site is a general convenience store on the corner of Willow Street and Wash Lane, a busy road junction in a primarily residential area. The ATM has been installed in the side wall of the building within a security studwork panel which replaces a window that previously faced Willow Street. There is a wide tarmacked area between the ATM and the kerb to the footway on Willow Street. Due to the chamfered return of the side wall of the building, this area widens further as it leads to a private forecourt outside the front of the shop. Accordingly, what appears as a triangular hard-surfaced area exists immediately in front of the ATM.
- 7. A public streetlight is located close to the side wall of the building and the ATM. The position of the streetlight column is such that pedestrians approaching the ATM from either direction along Willow Street would naturally move away from the ATM in order to avoid contact with the streetlight column. This has the effect of creating a mainly unused space immediately in front of the ATM into which most people would naturally tend not to stray unless they were using the ATM. The space available for people using the ATM is largely protected by the positioning of the streetlight column which, along with another nearby streetlight in the pavement to the front of the store, also adds a good degree of security and assurance to this location due to the down-lighting that would aid visibility during the hours of darkness.
- 8. The site is in a prominent location close to well-used highways. There are security cameras positioned inside the store and in positions facing Wash Lane and Willow Street, and the evidence includes a photograph demonstrating the internal and external coverage and describes the arrangements for storing images through these sources. While cameras do not appear to directly face the ATM, I am satisfied that the coverage they can provide will enable adequate direct surveillance in and around the store and the surrounding highways and, being clearly visible features attached to the building, they should act as a deterrent to planned or opportunistic crime.
- 9. The positioning of the ATM benefits from natural surveillance associated with the occupation of nearby dwellings which directly overlook the site. Surveillance is also provided by pedestrians using the store and those passing through the area, including people taking advantage of the light-controlled pedestrian crossing outside the front of the store. The convenience store opens late into the evening, and I would expect regular pedestrian activity to continue in the vicinity throughout the day and evening.
- 10. I saw a significant volume of traffic passing along Wash Lane and through the junction with Willow Street during my visit in mid-afternoon. While recognising that this provides a snapshot in time, I noted that vehicles are regularly stationary in the demarcated right-turn lane on Wash Lane which allows drivers waiting to turn into Willow Street direct sight of the ATM. Traffic volumes are likely to change throughout the day. However, for much of the day this would provide another source of natural surveillance and would act as a deterrent against criminal activity.

- 11. The evidence describes the measures taken during installation of the development to securely fix the ATM in place and to protect it against attack. The ATM is alarmed, and it is serviced from the back, inside the shop. There is unrestricted parking on Willow Street a short distance from the shop where direct line of site to the ATM from service vehicles would be available to staff involved in replenishing the ATM. In these circumstances I am not convinced that requiring a dedicated parking area for a cash-in-transit vehicle would be reasonable. Although the arrangements for replenishment may not be precisely as recommended by the Greater Manchester Police Crime Prevention Team (the GMPCPT), I am mindful that the ATM has been in use for some time and will have been replenished throughout that time.
- 12. I acknowledge that the ATM could present a crime risk. However, the evidence presented by the Council does not describe the incidence of criminal, threatening or anti-social activity associated with the ATM over the period it has been available for use. I have not been provided with evidence to show that this area is particularly vulnerable to attacks on ATMs, or that the area has problems in respect of public safety associated with the use of ATMs. In my judgement, when taken together, the security measures associated with the installation of the development, the presence of security cameras, and the widespread and multi-faceted natural surveillance present in this location reduce the vulnerability of the ATM and people using it, and they should act as a deterrent against potential criminal activity in the area. ATMs provide a valuable service to local communities and, overall, the measures I have noted should minimise, as far as is practicable, the fear of crime for users of the ATM.
- 13. I conclude that the development is not harmful to public safety, the safety of staff, and crime prevention at and in the vicinity of the site. Accordingly, it complies with Policy EN1/5 of the Bury Unitary Development Plan (August 1997) in respect of encouraging development which includes environmentally sensitive features aimed at discouraging crime. Although the evidence before me does not confirm its status, the development generally complies with the 'Basic Principles' described in the Council's Development Control Policy Guidance Note 3: Planning Out Crime in New Development (June 2001). The development also accords with the National Planning Policy Framework (the Framework) which seeks to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.
- 14. The Council's reasons for refusal refer to paragraph 14 of the Framework. However, that paragraph relates to housing provision, and this is not a determinative matter on the main issue in this case.

Other Matters

15. The Council's first reason for refusal relates to measures within the highway recommended by GMPCPT. The Council's concerns lie in the effects those measures would have on pedestrian safety and on maintenance liabilities for the Highway Authority. However, having regard to the physical characteristics of the locality, including the features I have described in the vicinity of the ATM, I am not convinced that defensible zone markings on the pavement are necessary in this case. I am satisfied that the ATM can be used safely by the public, the ATM is physically secured, and the servicing and replenishment arrangements as described in the evidence are sufficient. Accordingly, I find

- the potential for criminal attack on the ATM, staff, and people using it has been minimised as far as is reasonably practicable and there is no need to install those measures recommended by the GMPCPT in this instance. For these reasons I also find the proposal would not be detrimental to pedestrian safety.
- 16. The Council has confirmed that they do not wish to recommend any planning conditions in this case. I am satisfied that no further works or measures within the highway would be necessary to make the development acceptable and, given that the development has been undertaken and the ATM has been in use since August 2021, no other planning conditions are necessary.

Conclusion

17. For the reasons given above, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be allowed.

David English

INSPECTOR