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AGENDA FOR

PLANNING CONTROL COMMITTEE



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

To: All Members of Planning Control Committee

Councillors : 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, 20 February 2024
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/3209

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 23RD JANUARY 2024 *(Pages 3 - 4)*

Minutes of the meeting held on Tuesday the 23rd January 2024 are attached.

4 PLANNING APPLICATIONS *(Pages 5 - 128)*

Reports attached.

5 DELEGATED DECISIONS *(Pages 129 - 138)*

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 139 - 148)*

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: 23 January 2024

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, D Vernon and M Walsh

Also in attendance: Assistant Director (Operations), Bury Council

Public Attendance: 2 members of the public were present at the meeting.

PCC.1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

PCC.2 DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

PCC.3 MINUTES OF THE MEETING HELD ON THE 19TH DECEMBER 2023

Delegated decision:

That the Minutes of the meeting held on the 19th December 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 number 69326 and 70200.

The Committee heard representations from a speaker and supporter in respect of an application submitted. This was limited to three minutes for each speaker.

Delegated decisions:

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

Top Park playing fields, Bolton Road West, Ramsbottom, Bury, BL0 9NU

Creation of 3G Artificial Grass Pitch (AGP) with perimeter fencing, new macadam hardstanding areas, floodlights, storage container, car park with associated lighting and landscaping, single storey extension to an existing pavilion

2. That the Committee be **Minded to Approve** the following application in accordance with the reasons put forward by the Development Manager in the report and any supplementary information submitted with an amended condition 13 to include Swift bricks, and subject to all other conditions included:

Site of former Waterside, Kay Street, Summerseat, Bury, BL9 5PE

Erection of single building containing 16 no.dwellings and associated car parking;
Creation of an upgraded vehicular access off Kay Street

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 SECTION 106 OBLIGATIONS

A report from the Head of Development Management was submitted outlining the contributions made by S106 obligations between the 1st April 2022 and the 31st March 2023 and summarised agreements that are outstanding.

Delegated decision:

That the report be noted.

PCC.8 URGENT BUSINESS

No urgent business was reported.

COUNCILLOR S THORPE
Chair

(Note: The meeting started at 7.00pm and ended at 7.50pm)

Title	Planning Applications
To:	Planning Control Committee
On:	20 February 2024
By:	Development Manager
Status:	For Publication

Executive Summary

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

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

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

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

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

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

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

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

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

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

Development Manager

Background Documents

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

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

01	Township Forum - Ward: Prestwich - St Mary's	App No. 69971
Location:	509-511 Bury New Road, Prestwich, Manchester, M25 3AJ	
Proposal:	Change of use from snooker hall (Use Class F2) to cabaret venue/bar - drinking establishment (Sui Generis); installation of bifold doors to front elevation. Upgrading existing steps, installation of access ramp and balustrade to provide level access to the front of the building.	
Recommendation:	Approve with Conditions	Site Visit: N
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02	Township Forum - Ward: Prestwich - Sedgley	App No. 70340
Location:	65 Windsor Road, Prestwich, Manchester, M25 0DB	
Proposal:	Change of use of ground floor from shop to restaurant (Use Class E) with opening times 07.30 - 21.00; canopy at front and installation of an external flue pipe at the side/rear (Temporary consent for 12 months)	
Recommendation:	Approve with Conditions	Site Visit: N
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03	Township Forum - Ward: Bury East	App No. 70342
Location:	47 Fairfield Drive, Bury, BL9 7SL	
Proposal:	Demolition of existing conservatory and erection of single storey side extension	
Recommendation:	Approve with Conditions	Site Visit: N
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04	Township Forum - Ward: Radcliffe - North and Ainsworth	App No. 70367
Location:	210 Turks Road, Radcliffe, Manchester, M26 3NW	
Proposal:	Single storey extension at side	
Recommendation:	Approve with Conditions	Site Visit: N
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05	Township Forum - Ward: Prestwich - Holyrood	App No. 70011
Location:	3 no. sites on Sandgate Road, 2 no. sites on Heys Road and 1 no. site on Heywood Road, Willow Road, Fairfax Road and St Margarets Road	
Proposal:	Erection of poles, TPK's and Flat panels to create an Eruv on 9 no. sites	
Recommendation:	Approve with Conditions	Site Visit: N
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06	Township Forum - Ward: Radcliffe - East	App No. 70136
Location:	21 Church Street East, Radcliffe, Manchester, M26 2PG	
Proposal:	Change of use of ground floor to 7 bedroom House in Multiple Occupation (Sui Generis); Single storey rear extension; Alterations to include new windows and doors	

Recommendation: Approve with Conditions

Site Visit: N

07 Township Forum - Ward: Radcliffe - East **App No.** 70256

Location: 36 Irwell Street, Radcliffe, Manchester, M26 1LR

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

Recommendation: Approve with Conditions

Site Visit: N

Ward: Prestwich - St Mary's

Item 01

Applicant: Kensingtons

Location: 509-511 Bury New Road, Prestwich, Manchester, M25 3AJ

Proposal: Change of use from snooker hall (Use Class F2) to cabaret venue/bar - drinking establishment (Sui Generis); installation of bifold doors to front elevation. Upgrading existing steps, installation of access ramp and balustrade to provide level access to the front of the building.

Application Ref: 69971/Full

Target Date: 01/11/2023

Recommendation: Approve with Conditions

Description

The application relates to a building attached to Prestwich Liberal Club which was previously occupied by Riley's Snooker Club and Bar. The building had been vacant since the end of June 2020 and re-opened in December 2023 as 'Icons', a drinking establishment. It is located opposite the M&S Food store. Adjacent to the north of the property is a Solicitors Office and to the rear of the property is a Bowling Green with residents surrounding it.

The site is closely located to the main crossroads of Fairfax Road and Chester Street and fronts onto Bury New Road. There is a small area of hardstanding at the front which is directly accessed off the main road. A narrow area along the northern elevation exists where a first floor external staircase exists.

The site is located on the edge of the area allocated within the adopted Unitary Development Plan as Prestwich Town Centre.

Retrospective planning permission is sought to change the use of the building by opening a Cabaret Club/ Bar (Drinking establishment) on the ground floor of the building, utilise the Basement area to create associated women and men's toilet facilities, and retain a Cellar area. The first floor of the building is proposed to remain vacant.

Retrospective permission is also sought for changes to the front elevation with the insertion of bi-folding doors at ground floor level, the installation of a disabled access ramp along the front elevation, the insertion of a fire escape door at ground floor level in the north facing side elevation of the building, which overlooks the rear yard area of Mann's Solicitors, no. 513 Bury New Road and for a 1.5m high fence to enclose a refuse storage area along the shared boundary with the Liberal Club.

The proposed opening hours for the Cabaret Club/ Bar are:

11:00 hours - 00:00 hours Monday to Friday;

11:00 hours - 02:00 hours Saturday

11:00 hours - 00:00 hours Sunday, Bank and Public Holidays.

Members should note that the proposals initially sought permission for a raised external seating area across the frontage of the property. This aspect has been removed from the

proposals due to concerns raised by the Highway Authority over the loss of the sole loading and servicing area for the property/ business, and the impact this would have on highway safety.

Relevant Planning History

40746 - Halo illuminated fascia signage to front elevation - Approved, 24/06/2003

48928 - Proposed external timber decked smoking area - Refused 20/12/2007

69318 - Prior approval for proposed change of use from Commercial (Class E) to 9 no. Apartments (Class C3) - Prior Approval Required and Refused, 30/03/2023

69311 - External works to change the existing fenestration, including new door and windows, a Balcony at the front and repainting of the building - Received - 11 April 2023
Submitted by a different applicant - Under consideration.

Publicity

The application has been advertised by Site Notice and 58 surrounding properties have been notified by letter.

7 representations have been received primarily from occupiers on Bury New Road and Kingswood Road who raise the following concerns:

Proposed Use

- Feels that a Cabaret venue will not fit in with the village of Prestwich.
- No benefit to public, other than unsubstantiated claim that it would employ 5 full time and 5 part time staff and the ability for up to 250 customers to stay out until 2am.
- Questions whether the Council should be supporting a drinking establishment.
- Asserts this proposal would be more suited in the city centre, not a quiet, nice leafy area like Prestwich.

Amenity concerns

- Concerned about the proposed opening hours - up to 2am on Saturdays.
- Concerned about noise.
- Concerned about building being able to accommodate up to 250 people and the issues that may occur, such as noise, disturbance and taxis parking all over.
- Concerned that customers leaving the application site from midnight to 2am would lead to anti-social behaviour in and around the area and urinating in the streets.
- Asserts the bi-folding doors would create noise pollution into the street.
- Concerned about people smoking, vaping and drinking to the front of the building and the effect this would have on pedestrians using the pavement.
- Asserts that the applicants statement that the Bowling Green will provide a significant buffer" for residents is disingenuous as they consider it is not a credible buffer.

Highway Safety

- Concerned about where taxis would park given the application building is one building down from the traffic lighted crossroads of Fairfax Road and Chester Street and the impact they would have on the safety of the local highway network.
- Raises concerns about the impact on the free-flow of traffic and its proximity to the junction.
- Concerned there is no parking and assert this would take place on Kingswood Road and surrounding roads resulting in dangerous conditions and leave nowhere for local residents to park.

Other

- States the Council is currently planning a wholesale redevelopment of Prestwich with the underlying rationale that they want to make Prestwich an attractive place where the community can work and live and asserting Prestwich does not really need another reason to provide a place to eat and drink into the early hours of the morning.
- Advises a smoking area was refused back in 2007 for the same building, that would have had less of an impact, so it should be refused for those grounds.
- Raised concern that the proposed use is/ was advertising the business would be open on the 01 December, despite this planning application not being determined.

A letter from Christian Wakeford MP has also written in requesting Officers and Planning Committee to particularly consider;

- The bi-folding doors on to a balcony at the front of the building and whether this will generate undue noise pollution to residents in the area,
- The times the business wants to close at the weekend; and,
- The problems that may arise from traffic when the business closes, including noise and parking problems for residents and traffic obstruction for users of Bury New Road.

Statutory/Non-Statutory Consultations

Traffic Section - Initially recommended refusal of the application on highway safety grounds as the proposals initially sought a raised external seating area which would have likely lead to vehicles parking and carrying out manoeuvres on the adjacent A56 Bury New Road, to the detriment of the free flow of traffic and road safety. In addition, they initially objected due to the initially proposed seating area resulting in a narrower pavement area fir pedestrians to use, close to the footway crossing that exists outside the Liberal Club.

Since the external raised seating area has been removed from the application proposal, the Highway Authority has removed its objections to the proposed development and advises it has no objections.

Environmental Health - Pollution Control - No objections in principle, subject to th a condition being imposed requiring any necessary extraction/ ventilation equipment to be approved by the Local Planning Authority prior to any installation.

Colleagues in Pollution Control also initially recommended that the hours of use for the outside seating area - no longer proposed - be restricted.

Waste Management - No objections.

Greater Manchester Police - design for security - No objections, subject to security measures being implemented.

Conservation Officer - No objections.

Pre-start Conditions - No pre-commencement conditions are necessary.

Unitary Development Plan and Policies

S1/2	Shopping in Other Town Centres
S2/4	Control of Non-Retail Uses in All Other Areas
S2/6	Food and Drink
EN1/7	Throughroutes and Gateways
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

Principle of Development

The application site is located on Bury New Road on the edge of Prestwich Town Centre, as defined by the Bury Unitary Development Plan (UDP).

The proposal is for a change of use from a snooker hall to a cabaret venue/bar (drinking establishment) which is defined by the National Planning Policy Framework (NPPF) as a main town centre use.

It is considered appropriate to consider paragraph 92 of the NPPF which states that planning authorities should apply a sequential test for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

Paragraph 92 of the NPPF goes on to state that when considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.

The applicant has submitted a 'retail sequential test' to determine whether there are any alternative sites within Prestwich Town Centre, as defined within the UDP. The applicant has demonstrated that there are no alternative suitable sites within Prestwich Town Centre.

The application site is located on the edge of the defined Town Centre, where similar drinking establishments exist, between a Solicitors Office and Prestwich Liberal Club and is located directly opposite the M&S Food store, and is therefore considered to be in an accessible location adjacent to Prestwich Town Centre.

The proposal to use the ground and basement floors of the building for the proposed Cabaret Club/ drinking establishment would support the vibrancy and vitality of Prestwich Town Centre and accordingly the proposal accords with the requirements of paragraph 92 of the NPPF and the locational requirements of UDP policies S1/2 - Shopping in Other Town Centres, S2/4 - Control of Non-Retail Uses in All Other Areas and policy S2/6 - Food and Drink. The principle of this proposal also does not give rise to any conflict with the emerging Places for Everyone Joint Development Plan (PfE) policies and is therefore acceptable in principle.

The effect on the amenity of nearby residents and businesses

UDP Policy S2/6 - Food and Drink - states the Council will consider the amenity of nearby residents by reason of noise, smell, litter and opening hours in the assessment of planning proposals.

There are residential properties to the north, west and southwest of the application site. The proposal sits between two commercial properties and backs on to a bowling green.

The proposed hours of opening are:

11:00 hours - 00:00 hours Monday to Friday;
11:00 hours - 02:00 hours Saturday
11:00 hours - 00:00 hours Sunday, Bank and Public Holidays.

Noise and disturbance have been raised as a concern by nearby residents. A Noise Impact Assessment (NIA) has been submitted during the course of this application, which has considered the noise from the proposed development, including:

- Noise break-out from dance/performance space;
- Noise break-in to the adjacent attached property through the party wall;
- Noise egress from the external seating area; which is no longer proposed, and,
- Noise from patrons and taxis attending the venue;

The existing ambient noise climate was noted within the NIA to be dominated by traffic to Bury New Road.

Noise break-out from dance/ performance space

The NIA states that the external walls of the building are constructed from brick (likely to be double brick) and the room would be insulated using timber studs supporting a plasterboard layer with mineral wool in the cavity, which would prevent any significant noise break out. The applicant has confirmed the above has been carried out.

Notwithstanding the insulation, there is a concern that noise would escape through the fire escape doors, which are located on the north elevation facing the land to the rear of the Solicitors at 513 Bury New Road. The NIA considers any noise breakout from this fire door would be predominantly in-audible at the nearest residential property.

Noise Impact on the adjoining Liberal Club

Paragraph 193 of the NPPF states planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs) and also states, existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. It states that where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

The bar and snooker lounge within the adjoining Liberal Club are located next to the proposed dance/performance space. The two would be separated by the party wall.

Based on measurements conducted within a live music venue with a full band playing (overall noise level of 101 dBA), it has been calculated within the NIA an equivalent noise level of 48 dBA within the Liberal Clubs snooker lounge. At 48 dBA, noise through the party wall would be expected to be masked either by the playing of moderate background music or by the ambient atmosphere caused by patrons talking. The Noise Report submitted also considers noise levels within the proposed dance/performance area.

The existing separating wall construction of brick with plasterboard and mineral wool is considered to prevent any significant harm to the existing Liberal Club and is thus considered to be acceptable by Officers.

Noise and disturbance from patrons & taxis attending the venue

The application site is located on Bury New Road, principal highway within the borough,

which is a busy through route, and the existing ambient noise is dominated by road traffic. As such, the noise generated by taxis driving to and from the proposed development would be insignificant when compared to existing noise levels and would be indistinguishable from general traffic noise passing the application site.

In regards to noise from patrons, it is noted from the noise survey results that the ambient noise climate to the front of the application site (where the entrance to the development is) is typically LAeq,T 70 dBA during the opening times of the development. The background noise level is typically circa LA90 60 dB. Officers consider this level would not be significant in this location, and it is therefore considered, noise from individuals talking as they walk to and from the venue would be predominantly masked by traffic noise.

In relation to the disturbance and anti-social concerns raised within the representations, Greater Manchester Police has reviewed the proposals and have raised no objections to the proposals. Moreover, since the business started operating at the beginning of December only a single complaint has been received by the Council's Environmental Health, Public Protection team regarding noise disturbance and anti-social behaviour. On this basis, it would be unreasonable of Officers to recommend the application be refused due to this one incident, particularly as the Alcohol Licence granted by the Council can be reviewed if the need arises.

Extraction Facilities

No extraction facilities are proposed as part of this application, however, the submitted NIA suggests that an extraction facility may be likely. As extraction and ventilation facilities can generate noise and odours, and this site is in close proximity to nearby residents, a planning condition is recommended, requiring details of the noise and odour impact of any extraction facilities, as well as its/ their visual appearance, to be submitted and approved in writing prior to any extraction facilities being installed.

Opening Hours

The proposal seeks to open from 11:00 - 00:00 Sunday to Friday and from 11:00 - 02:00 on Saturdays. Officers are satisfied that the conclusions of the Noise Impact Assessment can be relied upon and therefore noise from the venue would not cause harm to the amenity of nearby residents. The proposed opening hours are therefore considered to be acceptable.

To conclude all of the above, it is considered that any noise generated from the proposed use would not cause significant harm to the amenity of nearby residential occupiers. The proposal therefore accords with this aspect of Policy S2/6 of the UDP. It is also clear that the proposal would integrate with the existing Liberal Club, an existing business and community facility, without the Liberal Club having unreasonable restrictions placed on them as a result of the development proposed. The proposal is therefore considered to accord with paragraph 193 of the NPPF and Policy S2/6 of the Unitary Development Plan.

Design and Visual Amenity

UDP Policy EN1/1 - Visual Amenity, and UDP Policy EN1/2 - Townscape and Built Design, both consider the impact proposals have on visual amenity. The NPPF and National Design Guide also emphasis the importance of seeking well-designed proposals.

A smoking area and raised decked area at the front of the building was refused back in 2007 on visual amenity grounds and due to the proposal not providing satisfactory disabled access. One of the representations received asserts the proposal should be refused for those grounds. This previous refusal is a material planning consideration so will be taken into account in the assessment of this proposal.

Since the previous planning refusal, the National Planning Policy Framework has been

introduced. The NPPF supports well connected Town Centre uses which would contribute to the vitality and vibrancy of Prestwich Town Centre.

This proposal seeks to change the ground floor portion of the front of the building by inserting bi-folding doors. This will provide a modern frontage to the building whilst retaining the double doors present at either end of the front elevation. This would be viewed as a modern, yet sympathetic addition to the building, which would sit in the street scene comfortably.

The proposal also seeks to install a disabled access ramp that is proposed along the frontage of the building. This is considered to be suitably designed for its intended purpose and would not appear intrusive within the street scene. These amended retrospective proposals also seek to erect a 1.5m high fence to screen the refuse storage area. This amendments are considered to be acceptable visually.

As part of these proposals, a 1.8m high boundary fence located on the shared boundary with Manns Solicitors which would reduce in height from the front of the application building and the back edge of the pavement is proposed. This height is also considered to be acceptable within the street scene. However, when recently visiting the site it was apparent that the area of the boundary fence located between the edge of the front elevation and the rear boundary of the site exceeded 1.8 metres in height. This length of fence is approximately 2.4 - 2.6 metres in height. The height of the current fence feels overbearing and as part of this fence is visible in views from the street scene it also appears visually dominant within the street scene. As a result, Officers have contacted the applicant to advise the current fence needs to be reduced in height to that shown on the submitted plans - 1.8 metres, within 3 months of the date of decision of this application. A condition is therefore recommended to secure this.

Taking the above into account, combined with the proposals resulting in the re-occupation of a vacant building and would provide an active frontage to the building, the visual impact of the proposals would not cause demonstrable harm to either the host building or the street scene. The proposals are therefore considered to accord with UDP Policies EN1/1 and EN1/2 and the NPPF.

Highway Safety

UDP Policy HT4 requires new development to have a satisfactory level of parking and servicing provision.

The site is located on the A56 Bury New Road, close to the crossroad junction with Chester Street and Fairfax Road. Bury New Road is one of the boroughs priority roads which provides a direct route to the M60.

There are pedestrian control barriers across part of the frontage of the application site, which are located close to a pedestrian crossing. There is a hardstanding at the front of the property, which slopes upwards towards the entrance. The area of the frontage closest to no. 513 Bury New Road is served by a dropped kerb.

On the existing area of hardstanding at the frontage of the property, the proposed development seeks to provide a disabled access ramp and an enlarge the enclosed refuse storage area.

It is evident from aerial imagery, street scene photography and Officer site visits to Prestwich that refuse storage areas have been sited at either end of the property's frontage over the years. Most recently, the refuse storage area was contained within a fenced enclosure against the shared boundary of the Liberal Club. This proposal seeks to extend

the current storage area and therefore refuse storage is still to be along the shared boundary of the site with the Liberal Club.

It is also evident that vehicles accessing the site have either entered the site in a forward gear or reversed onto the site from the highway. The existing hardstanding offers insufficient space for drivers to enter and leave the site in a forward gear without undertaking a number of vehicular movements.

The proposed access ramp would provide access for those who need a level route of access into the building and would thus accord with UDP Policy HT5/1 - Access for those with special needs.

In terms of the refuse storage area, both Highways and the Council's Waste Management team has raised no objections to the proposal as the authorised use also stored their waste to the front of the property and serviced the building from the same frontage.

Overall, due to the property already having an authorised use as a Snooker Club and Bar, the proposed use would not be materially different in terms of how the building is serviced and deliveries are dropped off. On this basis, there are no reasons which would justify refusal of this proposal on highway safety grounds.

Waste Management and Servicing

This property has a severely constrained curtilage and the previous business occupying the building had their refuse storage area in the same place it is evident on photographic imagery and from visiting this site prior to submission of this application, that the proposed refuse storage area is in the same place as the previous use, albeit, it will occupy a larger area. There is sufficient space along the shared boundary to accommodate the needs of the business. The applicants have confirmed they will utilise a private waste collection firm to service the proposed use.

The property has an authorised commercial use which contained a bar. Furthermore, the site is also within a highly accessible location on a main bus route and within walking distance of the Metrolink stop. In addition, amendments submitted have sought to address the original concerns raised by the Highway Authority and accordingly deliveries and servicing to the business would remain as it was when Rileys Snooker Club was in operation. On this basis, Officers consider it would be unreasonable to refuse this application on highway safety grounds.

Conclusion

The commercial use of this building as a Snooker Club and Bar could re-commence at any time without the need for planning permission and this is a strong fallback position that weighs in favour of these proposals. The proposal seeks to create a drinking establishment/ Cabaret Club that is well connected to Prestwich Town Centre and the public transport network available in Prestwich. The proposal is considered to be a main town centre use, as defined within the NPPF, and therefore the principle of development is acceptable.

Neighbouring residents have raised particular concern about noise and disturbance. The mitigation measures identified within the Noise Impact Assessment would minimise any impacts the proposed development would have on the amenity of nearby residents. It is also noted that the Council's Environmental Protection team have received only one objection to noise from customers standing at the side of the property, since the opened at the beginning of December.

Turning to highway safety, the property has an established commercial use that could

re-commence at any time. It is clear that Riley's was a bar as well as a Snooker Club so the bar element of Riley's would have resulted in supplies and servicing taking place at the site. The permitted authorised is a strong fallback position that should not be ignored. Combined with the application site also being positioned in a highly accessible location, it is considered that there are no justifiable reasons to resist the application on highway safety grounds.

Given all of the above, subject to the recommended planning conditions, the proposal is considered to be acceptable. The proposal would thus comply with the above policies of the Local Plan, the emerging Places for Everyone Plan and the NPPF. Therefore, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act, the proposal merits approval and it is thus recommended that the application be conditionally approved.

Response to objectors

- The principle of the proposed use has been addressed in the report above.
- The issues relating to noise, disturbance, taxis, highway safety, and parking have been addressed in the report above.
- The issue that the proposed development would not fit in with the village of Prestwich has been addressed in the report above.
- It is clear that the proposed development would provide employment opportunities.
- The concern relating to smoking and vaping causing harm to pedestrians using the pavement is not a material planning consideration.
- The issue that the application site was advertising that it would open on the 01 December is not material consideration as retrospective planning permission enables applicants to apply retrospectively for proposals.

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 hereby approved shall be carried out strictly in accordance with the following approved plans and documents, but only in respect of those matters not reserved for later approval, as listed below and at the end of this decision notice unless required otherwise by this decision or its attached conditions:

This permission relates to the following plans:

Drawing no. 547 - 400: Location Plan;

Drawing no. 547 - 401: Block Plan;
Drawing no. 547-402 Rev. G: Proposed Ground Floor and Site Plan;
Drawing no. 547-402 Rev. A: Proposed Basement Plan;
Drawing no. 547-403: Proposed First Floor Plan;
Drawing no. 547-403 Rev. G: Proposed Elevations; and,
Drawing no. 547-404 Rev. D: Proposed Fence Elevation & Bin Store Detail

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan and the National Planning Policy Framework.

2. The premises shall only be open for trade or business between 11:00 hours and 00:00 hours Monday to Friday, 11:00 hours - 02:00 hours on Saturday and between 11:00 hours and 00:00 hours on Sundays, Bank Holidays and Public Holidays.

Reason: To limit the potential for noise generation during unsocial hours and to prevent nuisance arising in order to safeguard the amenity of the occupiers of surrounding residential properties in accordance with Policies S2/4 – Control of Non-Retail Uses in All Other Areas, and S2/6 – Food and Drink of the Bury Unitary Development Plan and the National Planning Policy Framework.

3. The noise attenuation measures identified in the Noise Assessment Impact Assessment, dated 03 November 2023, carried out by Philip Dunbavin Acoustics Ltd, Report Reference Number J004657-7404-TD-01 shall be implemented in accordance with the details in the report before the approved use commences. The duly implemented attenuation measures shall be retained as such thereafter as long as the site is in operation.

Reason: To ensure the implementation of appropriate noise attenuation measures to safeguard the amenities of the occupiers of nearby properties, in accordance with Policies EN7/1 - Noise Pollution and S2/6 - Food and Drink of the Bury Unitary Development Plan and the National Planning Policy Framework.

4. Notwithstanding any approved details, any system required for the extraction and filtration of odours shall only be installed in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) details the siting, design and finish of any external plant and/or flue(s);
- (ii) (ii) manufacturer's operating instructions; and
- (iii) (iii) a programme of equipment servicing/maintenance. The system shall thereafter be installed in accordance with the duly approved scheme and the extraction/ventilation equipment shall be operated, maintained and where necessary repaired in accordance with the manufacturer's instructions and programme of equipment servicing/maintenance.

Reason: In order to ensure the efficient dispersal of any odours emanating from the premises in the interests of the amenity of neighbouring occupiers and to ensure that any ventilation flues/ducting can be accommodated without detriment to the character and appearance of the host building and surrounding area in accordance with the requirements of EN7/1 – Atmospheric Pollution, EN7/2 –

Noise Pollution and S2/6- Food and Drink of the Bury Unitary Development Plan and the National Planning Policy Framework.

5. No seating shall occur outside the premises.

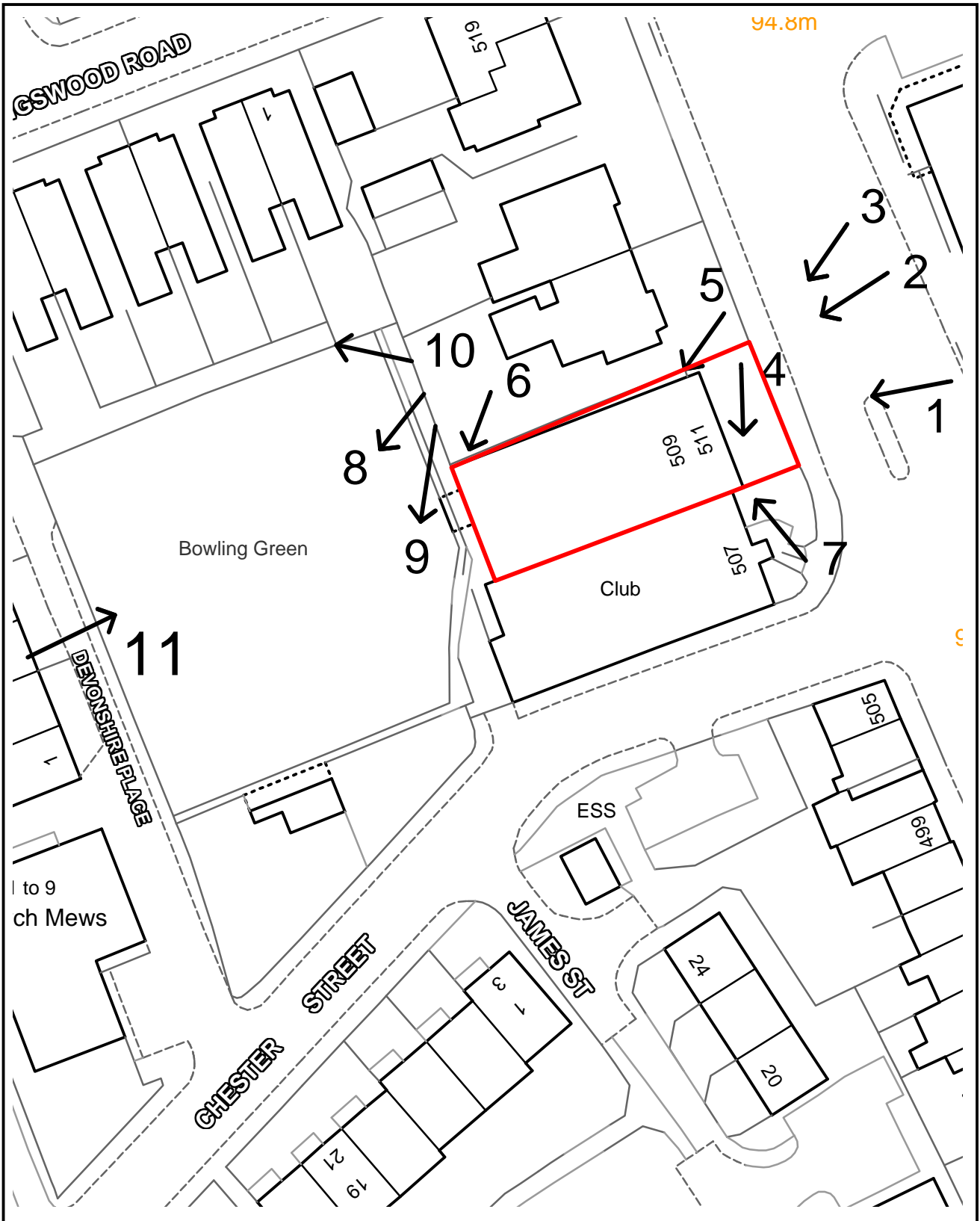
Reason: To ensure the servicing area at the front of the property remains free of obstructions to allow services and deliveries to be made off the adopted highway, in the interests of highway safety.

6. Within 3 months of the date of this decision, the part of the fence on the shared boundary with no. 135 Bury New Road located from the front elevation of the application site which extends towards the rear of the site shall be reduced in height to 1.8 metres.

Reason: In the interests of visual amenity and the street scene, in accordance with Policy EN1/2 - Townscape and Built Design - of the Bury Unitary Development Plan and the National Planning Policy Framework.

For further information on the application please contact **Claire Booth** on **0161 253 5396**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 69971

ADDRESS: 509-511 Bury New Road,
Prestwich

Planning, Environmental and Regulatory Services

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Bury
Council

69971

Photo 1: Before



Photo 2



69971

Photo 3



Photo 4



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Photo 5



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Photo 6



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Photo 7



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Photo 8



Photo 9



69971

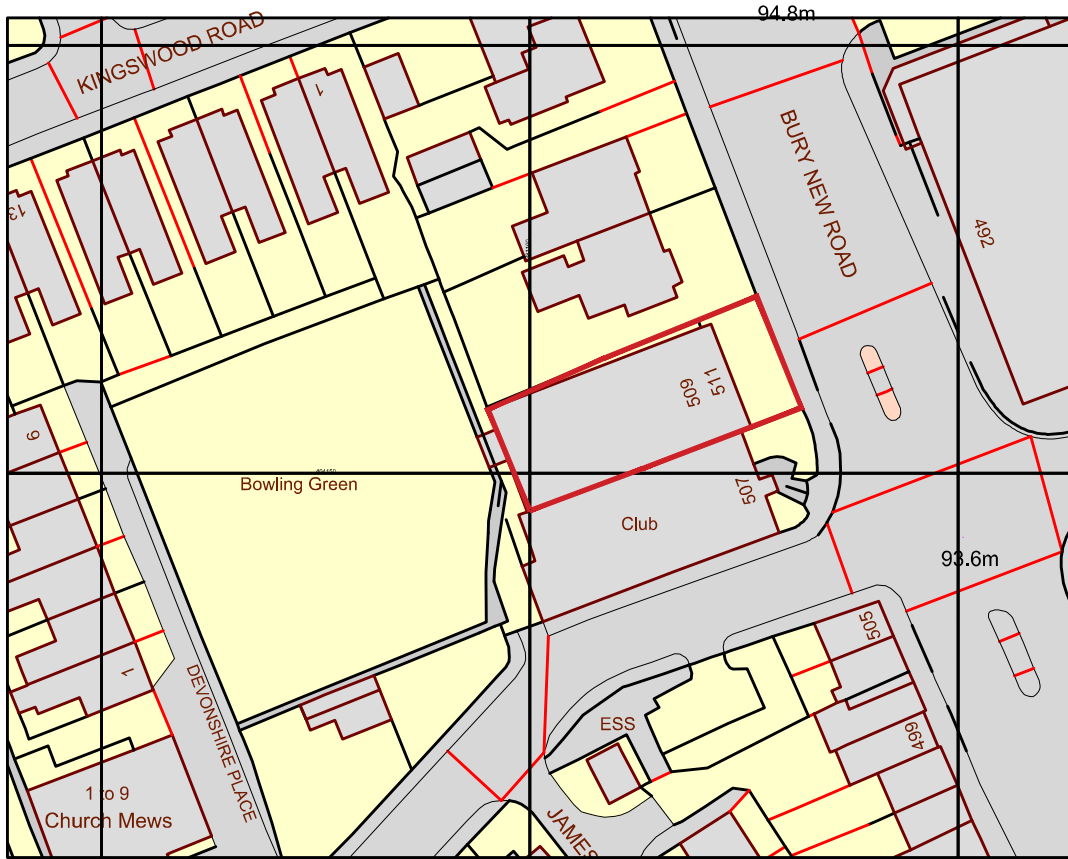
Photo 10



Photo 11



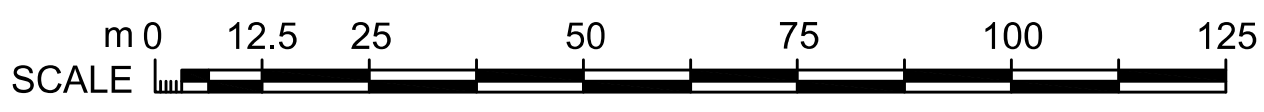
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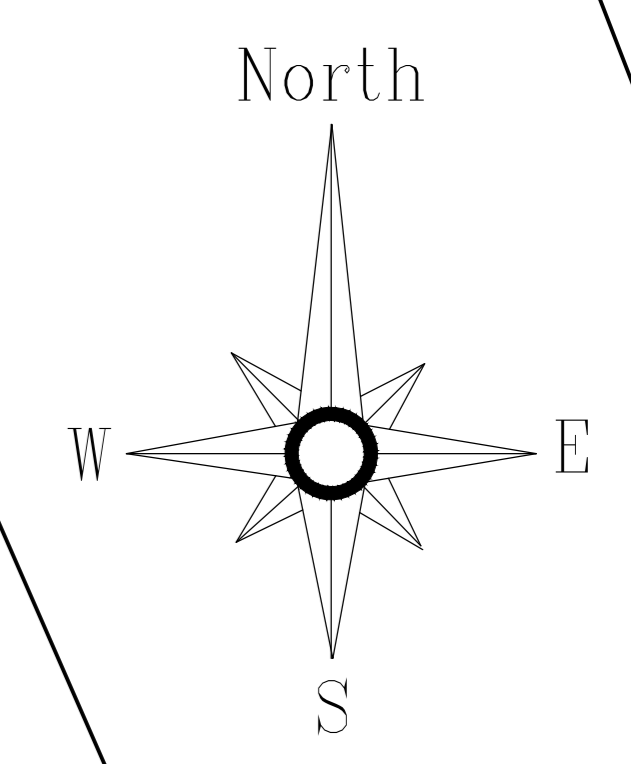
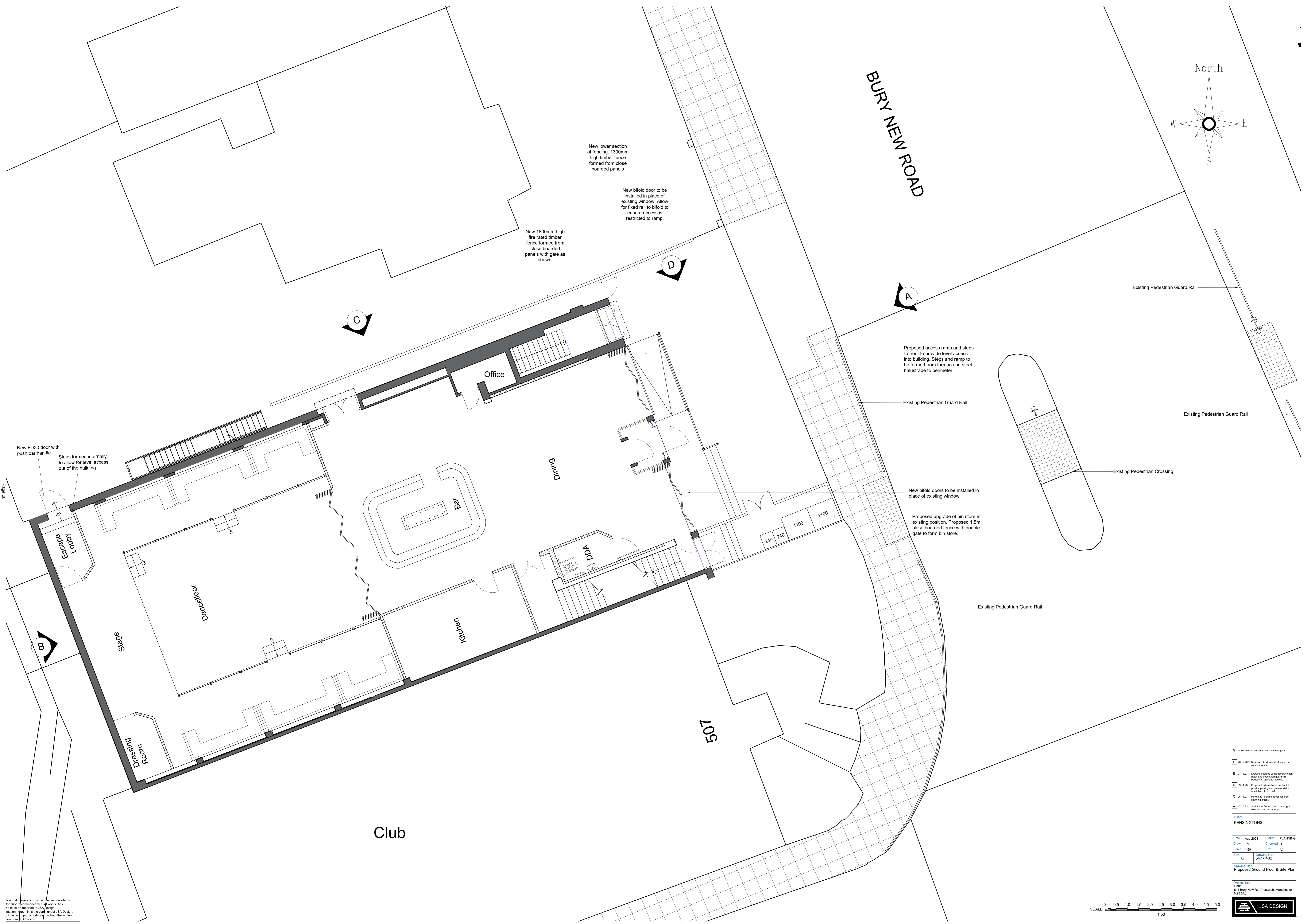


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Client KENSINGTONS			
Date	Aug 2023	Status	PLANNING
Drawn	RR	Checked	-
Scale	1:1250	Size	A4
Rev.		Drawing No.	547 - 400
Drawing Title Location Plan			
Project Title Ikons 511 Bury New Rd, Prestwich, Manchester M25 3AJ			





BURY NEW ROAD

507

Club

Office

Dining

Bar

DDA

Kitchen

Dancefloor

Stage

Lounge

Busstop

New lower section of fencing, 1300mm high timber fence formed from close boarded panels

New 1800mm high fire rated timber fence formed from close boarded panels with gate as shown.

New bifold door to be installed in place of existing window. Allow for fixed rail to bifold to ensure access is restricted to ramp.

Proposed access ramp and steps to front to provide level access into building. Steps and ramp to be formed from tarmac and steel balustrade to perimeter.

Existing Pedestrian Guard Rail

New bifold doors to be installed in place of existing window.

Proposed upgrade of bin store in existing position. Proposed 1.5m close boarded fence with double gate to form bin store.

Existing Pedestrian Guard Rail

Existing Pedestrian Guard Rail

Existing Pedestrian Guard Rail

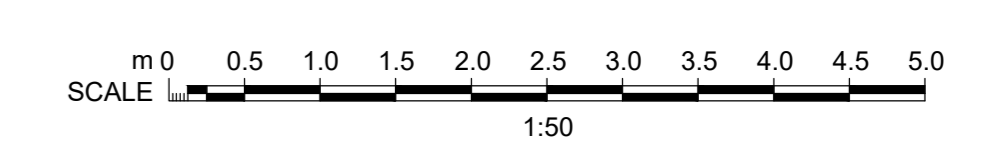
Existing Pedestrian Crossing

New FD30 door with push bar handle.

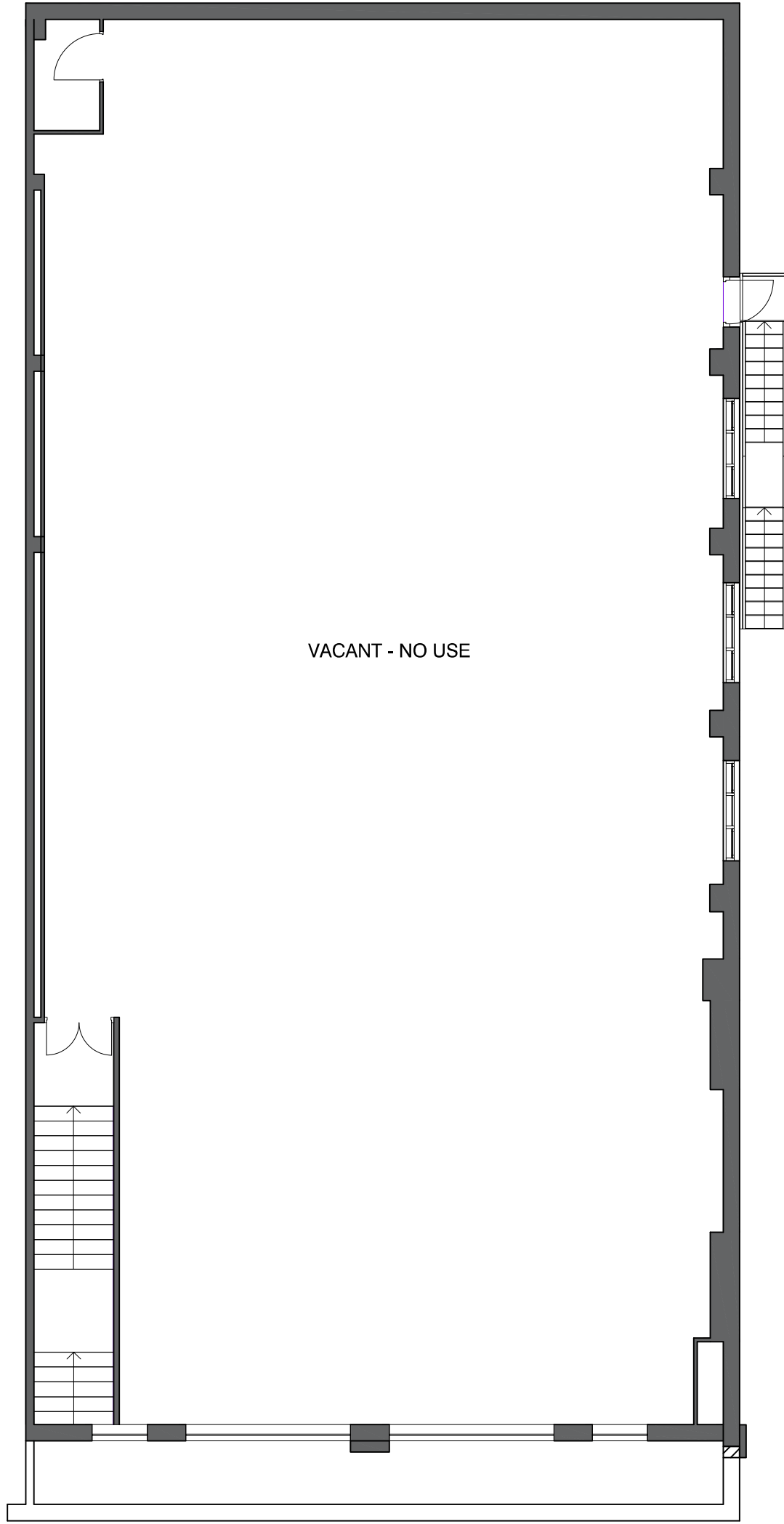
Stairs formed internally to allow for level access out of the building.

- G 18.01.2024 Location arrows added to plan.
- F 20.12.2023 Removal of external decking as per clients request.
- E 21.11.23 Drawing updated to include pavement slab and pedestrian guard rail. Pedestrian crossing labelled.
- D 08.11.23 Proposed external area out back to provide parking and prevent water retention from road.
- C 06.11.23 Revisions following feedback from planning officer.
- A 17.10.23 Addition of the awings to rear right elevation and bin storage.

Client			
KENSINGTONS			
Date	Aug 2023	Status	PLANNING
Drawn	EM	Checked	JS
Scale	1:50	Size	A3
Rev	G	Drawing No.	547 - 402
Drawing Title			
Proposed Ground Floor & Site Plan			
Project Title			
507 Bury New Rd, Prestwich, Manchester M25 3AJ			

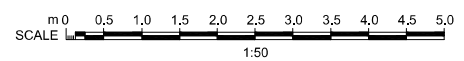


Is and dimensions must be checked on site by the contractor prior to commencement of works. Any errors must be reported to JSA Design immediately. It is the responsibility of the contractor to ensure that the drawing is used in full or in part is forbidden without the written consent from JSA Design.



VACANT - NO USE

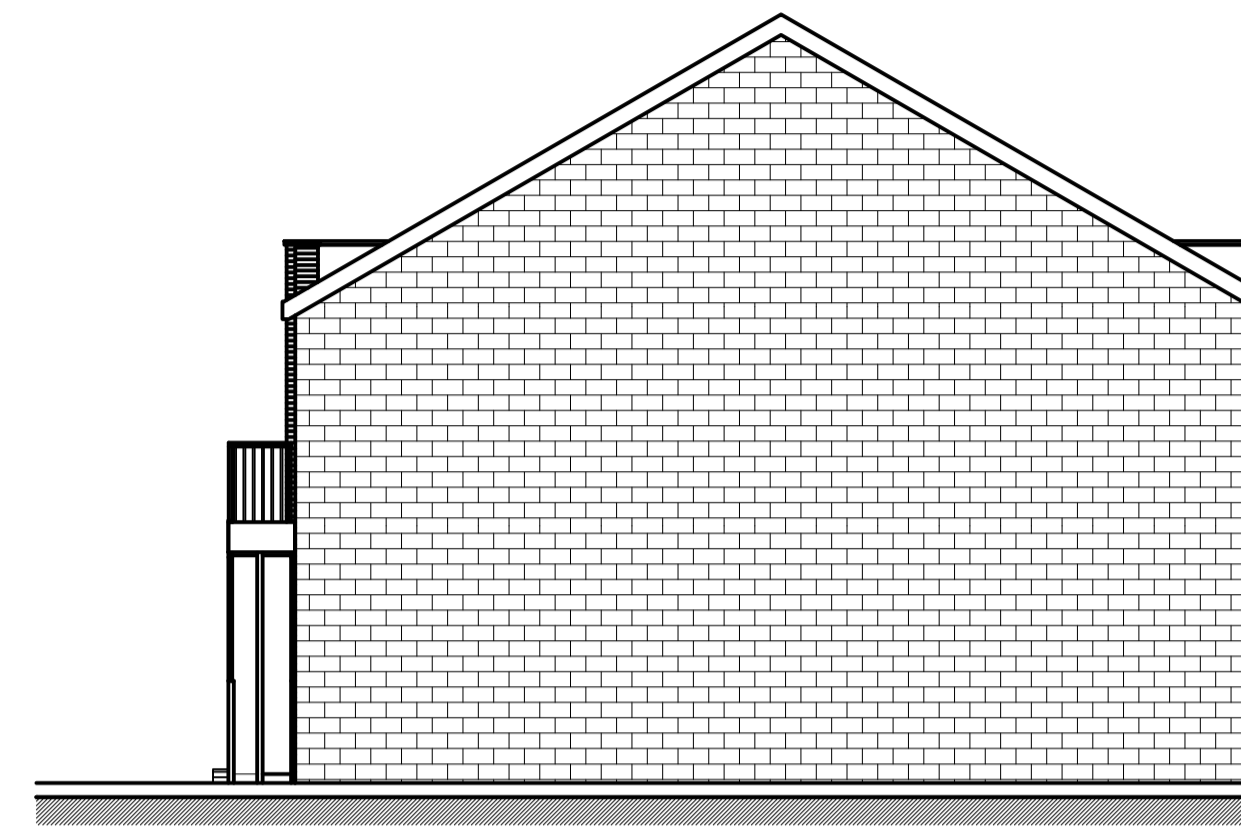
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Client KENSINGTONS	
Date	April 2023
Drawn	EM
Scale	1:50
Rev.	547 - 203
Drawing Title Proposed First Floor Plan	
Project Title Ikons 511 Bury New Rd, Prestwich, Manchester M25 3AJ	
JSA DESIGN	



PROPOSED FRONT ELEVATION A



PROPOSED REAR ELEVATION B

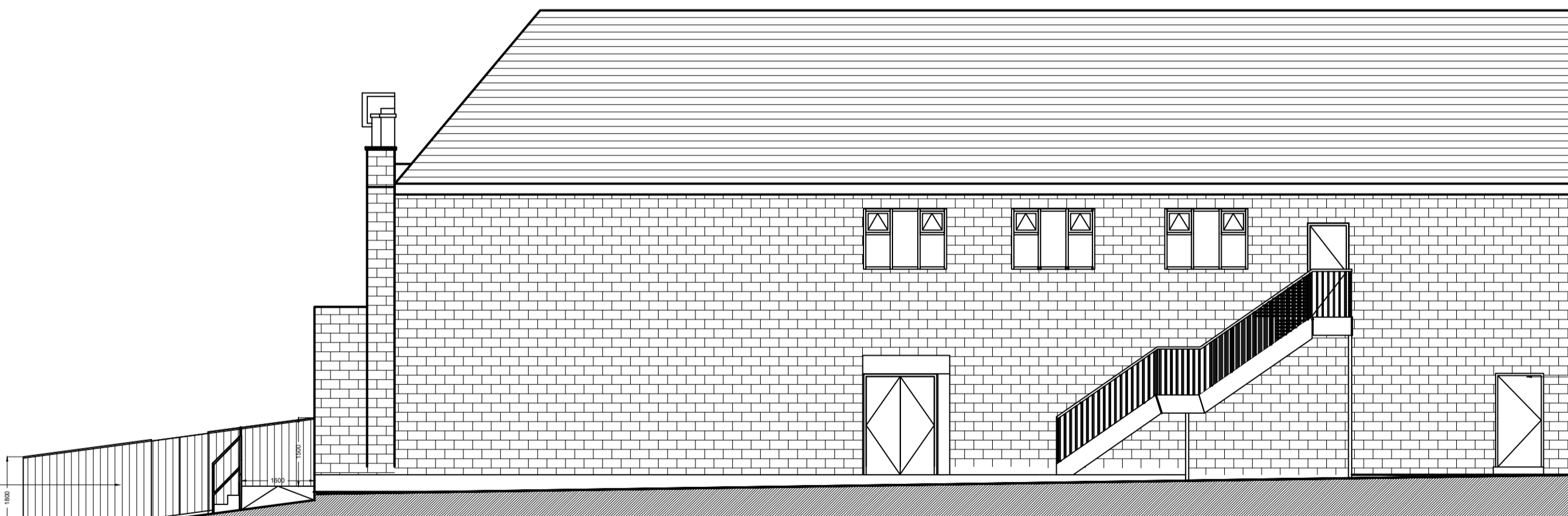
New bifold doors to be installed to each side of existing entrance door in place of existing windows. Allow for fixed rail to bifold on RHS to ensure access is restricted to ramp.

New 1.8m close boarded fence to boundary with a lower 1.3m section to front.

Proposed access ramp and steps to front to provide level access into building. Steps and ramp to be formed from tarmac and steel balustrade to perimeter.

Proposed upgrade of bin store in existing position. Proposed 1.5m close boarded fence with double gate to form bin store.

Proposed upgrade of bin store in existing position. Proposed 1.5m close boarded fence with double gate to form bin store.

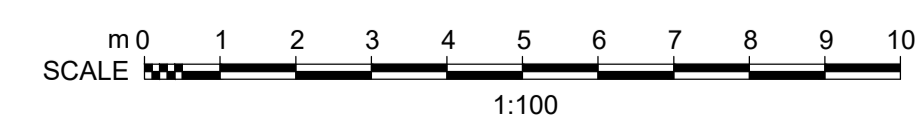


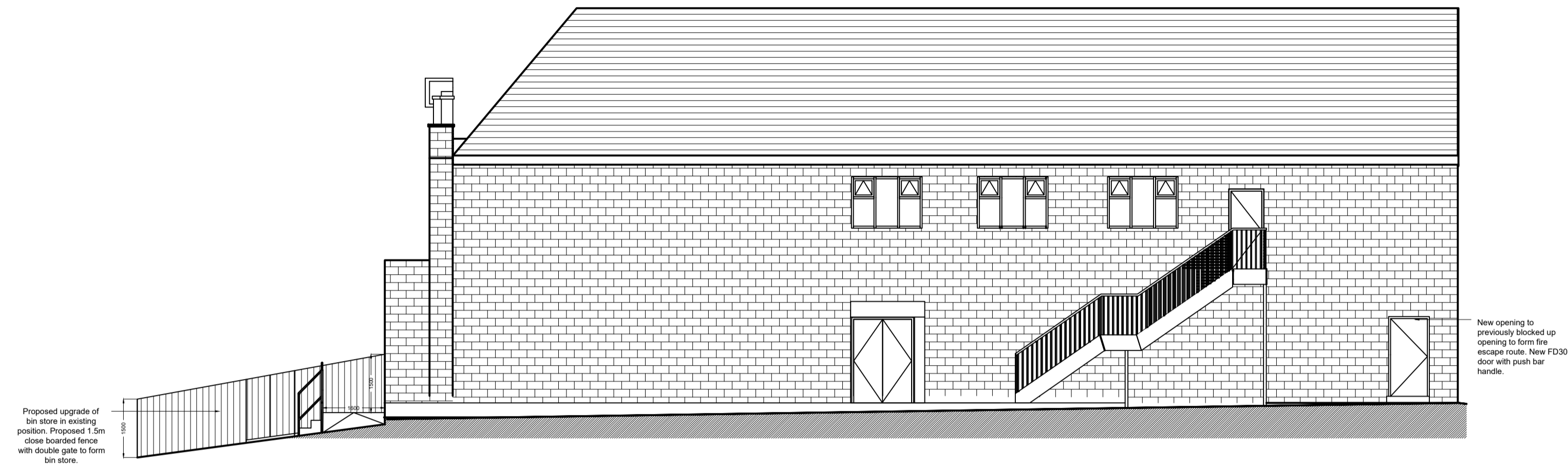
PROPOSED SIDE ELEVATION C

New opening to previously blocked up opening to form fire escape route. New FD30 door with push bar handle.

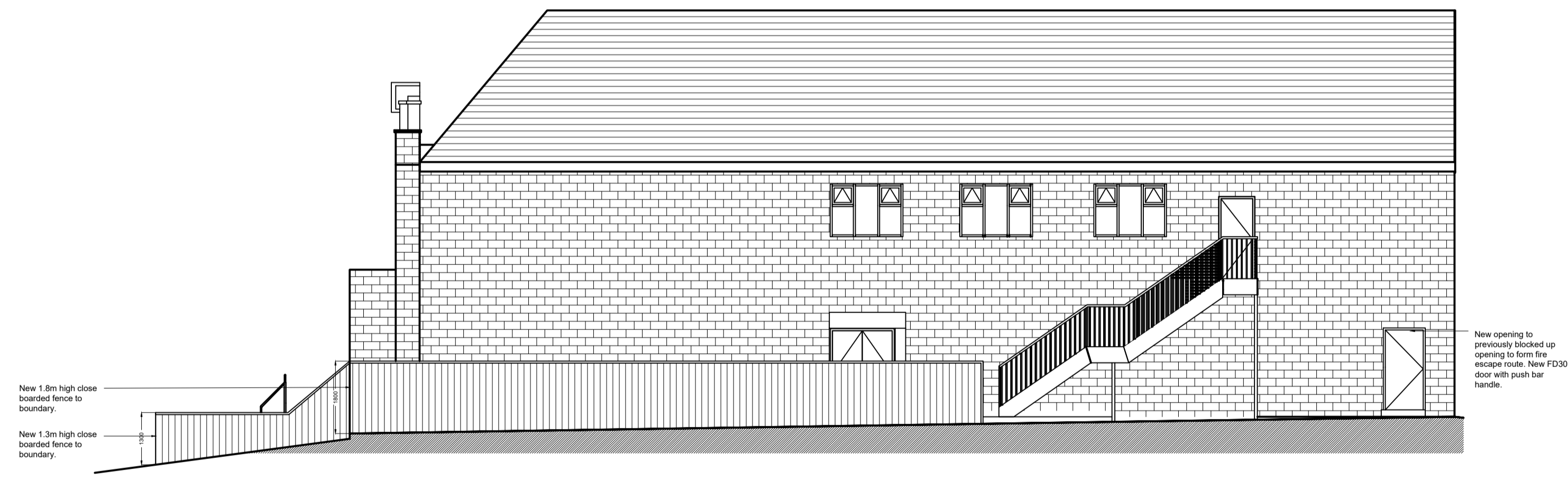
- G | 18.01.2024 Dimension added to the bin store fence
- F | 18.01.2024 Amendments to drawing titles.
- E | 20.12.2023 Amendments following clients request to remove external decking
- D | 09.11.23 Alterations to title block.
- C | 09.11.23 Proposed external area cut back to provide parking and prevent vision restrictions from road.
- B | 08.11.23 External fire escape staircase removed from elevation.
- A | 17.10.23 Addition of fire escape to rear right elevation.

Client KENISINGTONS			
Date	Aug 2023	Status	PLANNING
Drawn	RR	Checked	JS
Scale	1:100	Size	A1
Rev.	G	Drawing No.	547 - 403
Drawing Title Proposed Elevations			
Project Title Ikons 511 Bury New Rd, Prestwich, Manchester M25 3AJ			



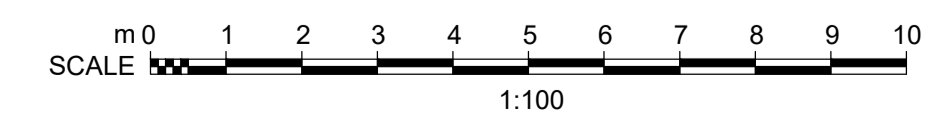


PROPOSED SIDE ELEVATION C



PROPOSED SIDE ELEVATION D

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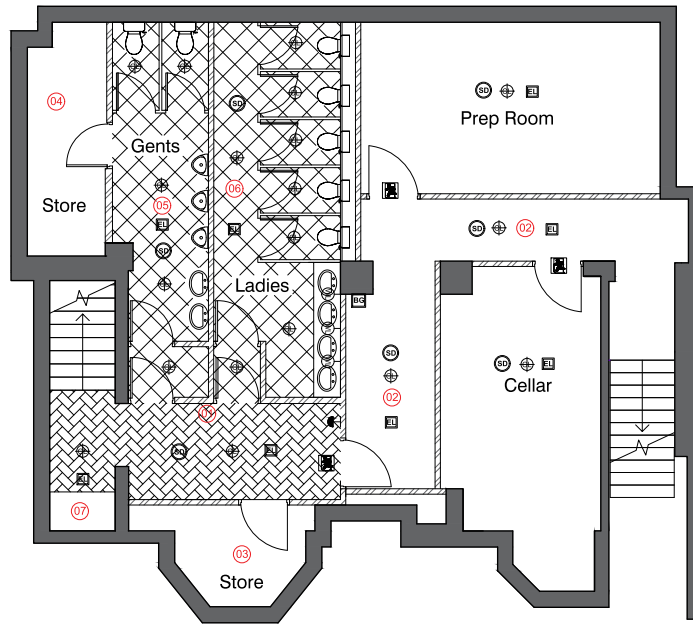
- D | 19.01.2024 Proposed fence sizes amended
- C | 18.01.2024 Proposed fence sizes amended and drawing titles.
- B | 20.12.2023 Amendments following clients request
- A | 09.11.23 Proposed fence cut back to provide prevent vision restrictions to road

Client
KENISINGTONS

Date	Aug 2023	Status	PLANNING
Drawn	EM	Checked	JS
Scale	1:100	Size	A1
Rev.	D	Drawing No.	547 - 404

Drawing Title
Proposed Fence Elevation & Bin Store Detail

Project Title
Ikons
511 Bury New Rd, Prestwich, Manchester
M25 3AJ



PROPOSED BASEMENT FLOOR PLAN
Scale 1:50

BASEMENT SCHEMATIC NOTES

General

1. Allow to form new ladies and gents toilet block from 100mm stud walls. Allow for necessary services.
2. Allow to form new fire escape corridor through cellar with FR doors and walls.
3. Allow to form new electric cupboard
4. Allow to form new store.

Gents

5. Allow for:
 - Full decorations
 - Form new soft wood cubical system to receive paint finish.
 - New sanitaryware including urinals and pedestal washbasins.
 - New full height wall tiling behind urinals
 - New 1/2 height wall tiling.
 - New non-slip decorative tile flooring.
 - New accessories
 - New extract
 - New antique brass wall lights
 - New lighting on PIR sensors
 - New bric a brac to toilets to include mirrors above vanity.

Ladies

6. Allow for:
 - Full decorations
 - Form new soft wood cubical system to receive paint finish.
 - New T&G IPS system with painted finish.
 - Form new vanity unit constructed of s/w framework to receive a marble effect Versital countertop. To be further detailed.
 - New sanitaryware:
 - New 1/2 height wall tiling.
 - New non-slip decorative tile flooring.
 - New accessories
 - New extract
 - New antique brass wall lights
 - New lighting on PIR sensors
- New bric a brac to toilets to include mirrors above vanity.

REV B

7. Allow to install new photobooth.

General Notes

- Allow for full internal redecoration to walls, ceiling, radiators and wood work including doors and frames.
- Allow for new internal doors and ironmongery.
- Allow for new decorative lighting throughout.
- Allow for new bric a brac scheme.
- Allow nominal fee for feature wallpapers.
- Allow for specialist sign writer to apply text and mural designs internally.
- Check both gas and electric meters are efficient and suitable, may need upgrade.
- Allow for R&D asbestos survey and allowance for removals if required.
- Allow for new fire alarm and emergency lighting system.
- Allow for new radiators/heating where required.
- Allow for new intruder alarm system.

Proposed Floor Finishes



PROPOSED NEW ENTRANCE MATTING

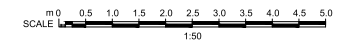


NEW DECORATIVE FLOOR TILES



PROPOSED NEW PARQUET FLOORING

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B 27/06/23 Amendments following site meeting

A 07/06/23 Updated fire escape route as per clients request.

Client
KENISINGTONS

Date Sept 2023 **Status** SCHEME

Drawn EM **Checked**

Scale 1:50 **Size** A1

Rev A **Drawing No.** 547 - 202

Drawing Title
Proposed Basement Plan

Project Title
Boris
511 Bury New Rd, Prestwich, Manchester
M25 3AJ



Ward: Prestwich - Sedgley

Item 02

Applicant: Mr Asim Humza

Location: 65 Windsor Road, Prestwich, Manchester, M25 0DB

Proposal: Change of use of ground floor from shop to restaurant (Use Class E) with opening times 07.30 - 21.00; canopy at front and installation of an external flue pipe at the side/rear (Temporary consent for 12 months)

Application Ref: 70340/Full

Target Date: 14/02/2024

Recommendation: Approve with Conditions

Description

The application is retrospective as the building work has been completed and the unit is open to customers. The building has a ground floor area of 67sqm and is situated at the end of a row of two storey commercial properties that forms a Neighbourhood Shopping Centre. The property was previously a jeweller's shop with a flat above. The unit had been vacant since closing in August 2022. The attached property on the east side is No.67 and is an accountant's office and the detached property (No.63B) on the west side is in residential use. Properties across Windsor Road and to the rear are also residential.

The proposal seeks to retain the building in its present form and use the ground floor as a restaurant/cafe which is in the same planning Use Class category, Class E, as a retail shop and as such does not require consent.

The proposal also includes the raised area bounded by a glazed balustrade below the external canopy on the frontage. The applicant has agreed that in the first instance to seek a temporary consent for 12 months. This would enable the business operations to be monitored in the light of any residential amenity issues such as noise and disturbance.

The first floor would remain in residential use with access via an external staircase at the rear.

The proposed extractor flue would be situated on the side elevation facing No.63B, towards the rear. Bin storage for the commercial unit and the flat on the first floor would be at the rear of the premises with access to the unmade road at the rear and also down the side of the property onto Windsor Road.

Hours of opening would be Monday to Saturday 07.30am to 9.00pm daily.

It is noted that this application follows a recent refusal of planning permission in October 2023 for a similar proposal. Following submission, the applicant has agreed to amend the proposed closing time to 9pm from the 11pm originally proposed. The applicant has also agreed not to facilitate customer seating outside, under the canopy.

Relevant Planning History

69917 - Change of use of ground floor from shop to restaurant (Class E) with installation of a external flue pipe at the rear of the building - Refused 26/10/2023 (activities associated with the proposed use (outside seating) and insufficient information in relation to refuse collection/management and proposed extractor flue).

23/0337 - Enforcement - Unauthorised change of use of property to restaurant/ take away and installation of flue at rear of building - 21/09/2023.

Publicity

Immediate neighbours notified by letters dated 20/12/24 and 17/01/2024 (revised).

Three objections received from a local resident and Councillors Quinn and Gold.

Objections from resident are summarised below.

- This is a residential area, which is served by local shops. The area, does not require any eateries, as there are many existing businesses nearby.
- The proposed opening hours are unacceptable. It shows a lack of respect for local residents.
- Parking concerns along Windsor Road which is already 'parked up'. The restaurant would make the situation worse We have already been notified of traffic calming measures which are being taken by Bury Council, to address ongoing traffic concerns, and this proposed restaurant will only exacerbate these issues.
- The restaurant will generate noise pollution, from people using the restaurant, traffic, music and late-night revelling.
- Cooking smells having a detrimental impact.
- There is an increasing rodent problem, which will be impacted upon, due to the high level of food wastage and its subsequent disposal.
- Decrease in property value, for local residents.
- Increasing problem with rubbish/litter.
- Will there be an alcohol licence issued for these premises? If so, will local residents be exposed to late night revelling and other people's noise pollution?
- Taxis will negatively impact upon the peace and quiet required late at night.

Objections from Councillors Quinn and Gold centre around the potential for anti-social behaviour related to the sale and consumption of alcohol and gathering of customers outside the premises especially later at night.

Statutory/Non-Statutory Consultations

Traffic Section - No comment to date.

Environmental Health - No objection.

Pre-start Conditions -Not applicable.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
EN1/8	Shop Fronts
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
EC4/1	Small Businesses
EC6/1	New Business, Industrial and Commercial
S1/5	Neighbourhood Centres and Local Shops
S2/6	Food and Drink

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, including relevant policies in the emerging Places for Everyone Joint

Development Plan.

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

S1/5 - Neighbourhood Centres and Local Shops. The Council will seek to retain retailing (Class A1), as the predominant use in small neighbourhood centres and in new or existing local shops, to cater primarily for the day to day needs of residents and businesses.

S2/6 - Food and Drink. The Council in considering all proposals which involve restaurants, hot food takeaways, cafes, snack bars, wine bars and public houses, together with any other uses contained within Class A3, will have regard to the following factors:

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

EN7/2 Noise Pollution. In seeking to limit noise pollution the Council will not permit:

- a) development which could lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users;
- b) development close to a permanent source of noise.

HT2/4 Car Parking and New Development. The Council will require all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards.

Places for Everyone

The Places for Everyone Joint Development Plan Document (PfE) is a joint plan covering nine of the ten Greater Manchester districts, including Bury, and is intended to provide the overarching framework to strategically manage growth across the boroughs. PfE was published in August 2021 and subsequently submitted to the Secretary of State in February 2022. Inspectors have been appointed to carry out an independent examination of the Plan with the hearing sessions commencing in November 2022 and were concluding in July 2023. The examination of the plan is on going.

Whilst PfE cannot be given full weight until it is adopted, its advanced stage of preparation means that it is now considered reasonable that the Plan (as proposed to be modified) should be given weight in the decision making process in line with paragraph 48 of the National Planning Policy Framework. Consequently, the principle of this application has been considered against the Plan (as proposed to be modified). However, the principle of this proposal does not give rise to any conflict with PfE policies.

Use - Whilst the loss of a retail shop unit is regrettable, the property has been vacant since closing in 2022. It is permitted development to interchange between uses within the same

use class. A shop and restaurant and café are all within Class E and as such, the use would otherwise be permitted development. As such, the replacement with a restaurant/cafe use (serving food and drink for consumption largely on the premises) is appropriate in land use terms.

Visual amenity - The existing property is an established commercial unit, previously in use as a jewellery store. It is clear that a continued vacancy period for the unit would not have a positive impact on the visual amenity and character of the shopping centre. The reuse of the unit is, in principle and legislatively, supported.

The proposal includes alterations to the forecourt including raising the level, installing a balustrade and creating a covered timber framed canopy projecting out from the shop frontage. It is noted that these works have which is already constructed.

Although relatively prominent within this part of the streetscape, the canopy would not have a seriously harmful visual impact. In principle, the establishment of a cafe/bar in this location would not be considered seriously harmful to the visual amenity of the streetscape. The proposal in principle would therefore not have a serious impact on visual amenity. Complies with UDP Policy EN1/2 Townscape and Built Design and S2/6 Food and Drink in terms of visual amenity.

Residential amenity - UDP Policy S2/6 Food and Drink states that the impact on the amenity of nearby residents from noise, fumes/smells, litter and opening hours is a crucial factor any assessment of a proposal of this kind.

Although the property has been in retail use for a number of years, the use, along with other businesses within the commercial row, have been more 'daytime only' uses that have not run into late evening operations and despite the commercial nature of the row, the area is relatively quiet. The first floor above is a flat and with the closest houses being located immediately next door at No.63B Windsor Road. There are houses immediately across the road and to the rear.

With a revised opening time to 9pm daily and restrictions on the use of the area under the canopy, the impact of the proposed use in terms of noise and disturbance would be significantly mitigated, particularly as the unit is relatively modest in size and is the only food and drink/cafe use within the commercial row. There would be limited disturbance when customers arrive and leave the premises but the impact would be not so serious as to warrant refusal of planning permission.

The proposed flue on the side of the premises would generate noise and fumes but the impact on surrounding residents would be mitigated, operating with the appropriate equipment and a suitable condition of any approval.

It is considered, given the more acceptable opening times and restrictions on the use of the external area, the proposed use would be acceptable for a preliminary 12 month period. This would allow operations to be assessed over this period before any more permanent change of use is assessed.

Given the operational restrictions set out above, it is not considered that the proposed use would have a particularly serious and detrimental impact on the residential amenity and as such would comply with UDP Policies S2/6 Food and Drink, EC4/1 Small Businesses and EN7/2 Noise Pollution.

Traffic - The premises, along with the majority of other businesses within the neighbourhood centre, has no specific/dedicated on-site parking. It is noted that the

immediate area is usually busy with cars parked in front the of commercial row in chevron formation.

The previous commercial uses have operated without parking. Whilst the proposed cafe/bar use could potentially generate additional vehicular traffic in the evenings when Windsor Road would be more 'parked up' than during the daytime, the impact may be negligible given that the parking area in front of the commercial 'daytime' businesses would be more available. Given the premises are relatively modest in scale, the impact on parking may not be so significant.

Whilst the Council's Traffic Team recognises parking issues along this part of Windsor Road, it is not considered that the proposal could be reasonably refused on traffic/ parking grounds, not least due to the considerations of permitted development. As such there is no objection from the traffic team and the proposal is considered acceptable and complies with UDP Policies S2/6 Food and Drink and HT2/4 Car Parking and New Development.

Waste management/litter - Refuse bins serving the residential unit at first floor would remain in the rear garden. The initial proposal to site a large commercial bin within an enclosure on the frontage has been amended and it is now proposed to locate smaller commercial bins in the rear yard, along with the bins for the flat above. A condition restricting commercial bin collection to opening hours would be attached to any approval.

Public representations - The material planning issues raised by objectors have been addressed in the above report. Concern about property prices is not material planning consideration. Concern about rodents is an issue that would be addressed by Environmental Health rather than planning.

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

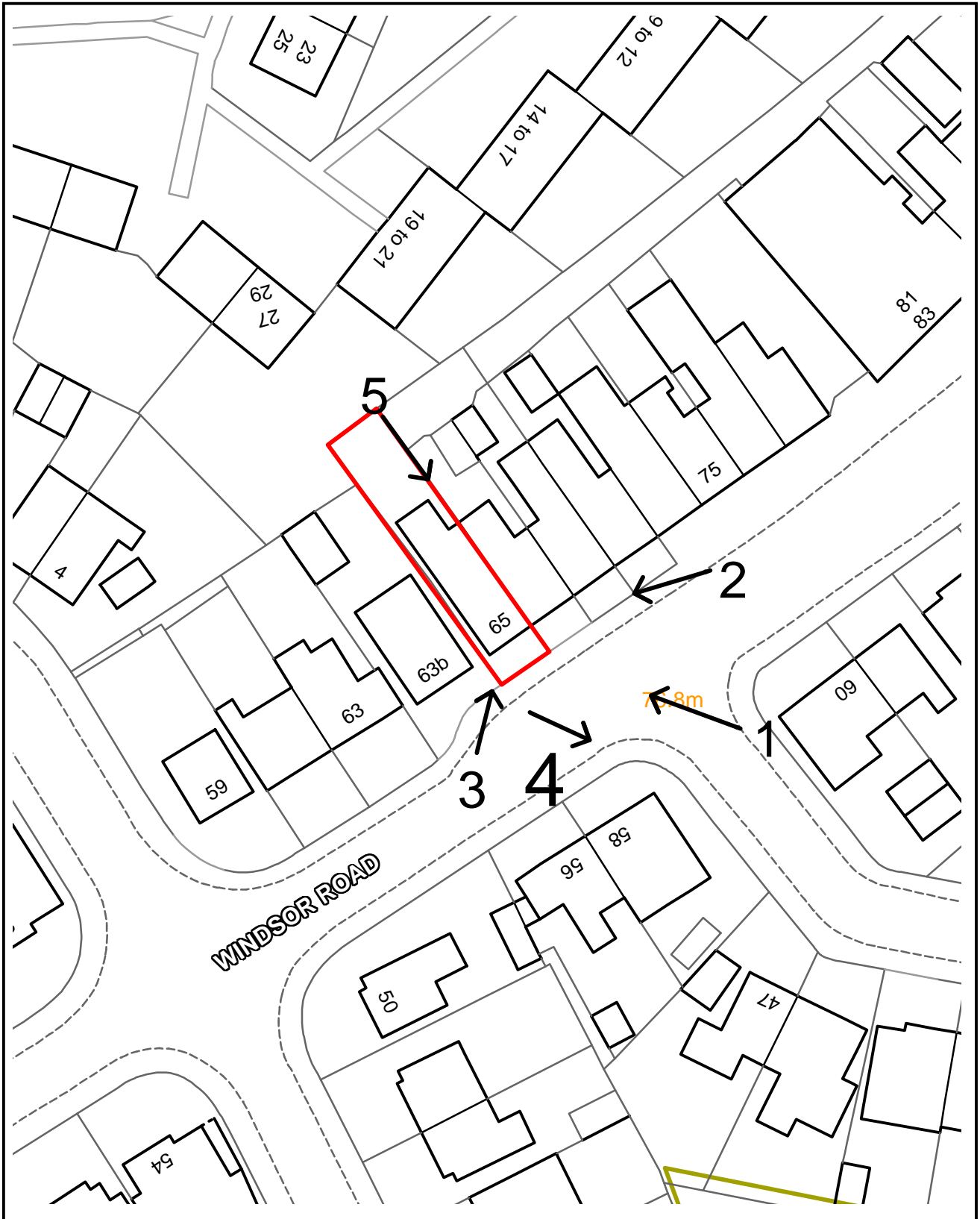
1. Permission is hereby granted for a limited period only, namely for a period expiring 12 months from the date of this decision notice, and the use comprising the development for which permission is hereby granted are required to be discontinued at the end of the said period and the external flue removed unless a valid application is received by the Local Planning Authority for its retention.
Reason. In view of the temporary nature of the development and in order to retain control over its continued use having regard to the particular nature of the site and surroundings pursuant to The National Planning Policy Framework.
2. This decision relates to drawings numbered 01, 02, 03, 04a, 05b, 06b and 07a and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of

design pursuant to the policies of the Bury Unitary Development Plan listed.

3. The use hereby permitted shall not be open to customers outside the following times: 07.30hrs to 21.00hrs daily.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policies S2/6 Food and Drink and EN7/2 Noise Pollution.
4. There shall be no customer service/seating in outside areas including under the canopy on the frontage.
Reason. In order to limit noise and disturbance in the interests of residential amenity pursuant to UDP Policy S2/6 Food and Drink.
5. Within one month details of a scheme to manage fumes, vapours and odours to be extracted from the flue shall to be submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall be implemented to the written satisfaction of the Local Planning Authority within one month.
Reason. In the interests of amenity pursuant to Policies S2/5 New Local Shopping Provision Outside Recognised Shopping Centres and S2/6 Food and Drink of the Bury Unitary Development Plan.
6. Commercial refuse collection shall only be within the following hours.
07.30hrs - 18.00hrs
Reason. In the interests of residential amenity pursuant to UDP Policies S2/6 Food and Drink and EN7/2 Noise Pollution.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 70340

ADDRESS: 65 Windsor Road, Prestwich, Manchester,



Bury
Council

Planning, Environmental and Regulatory Services

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70340

Photo 1



Photo 2



70340

Photo 3



Photo 4



70340

Photo 5

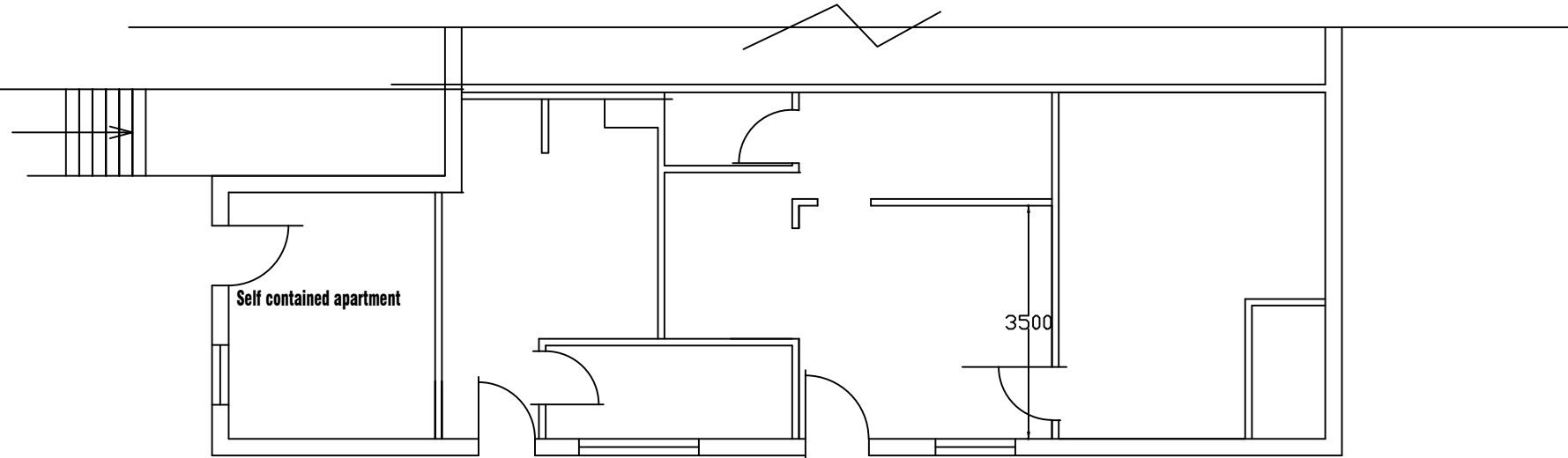


SITE LOCATION PLAN
AREA 2 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 383294, 403110



Supplied by Streetwise Maps Ltd
www.streetwise.net
Licence No: 100047474
25/09/2023 12:07

THE BUILDER MUST CHECK THE SITE AND THE APPROVED DRAWINGS BEFORE COMMENCING THE WORKS AND MUST TAKE ANY WORKING MEASUREMENTS AS NECESSARY. ANY DISCREPANCY IN THE DRAWING MUST BE REPORTED TO THE CLIENT .



Site Layout Plan

H S H 

Engineering Design Services Ltd
428 Cheetham Hill Road Cheetham Manchester
M8 9LE. UK 01617956385, 07940197 333

project title: Proposed change of the ground floor from a shop to restaurant including installation of an external flue pipe.

client: **Mr Asim Humza**

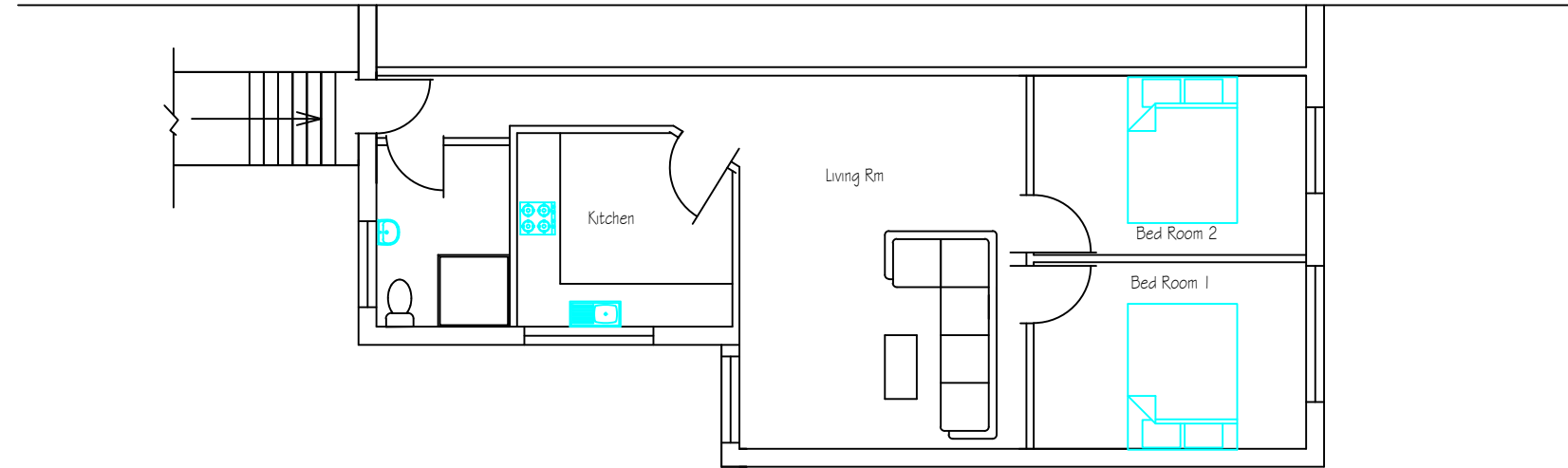
dwg. title: Existing Site Layout Plan

dwg. no.	sheet no.	scale.	job no.
01		1:100 @ A3	

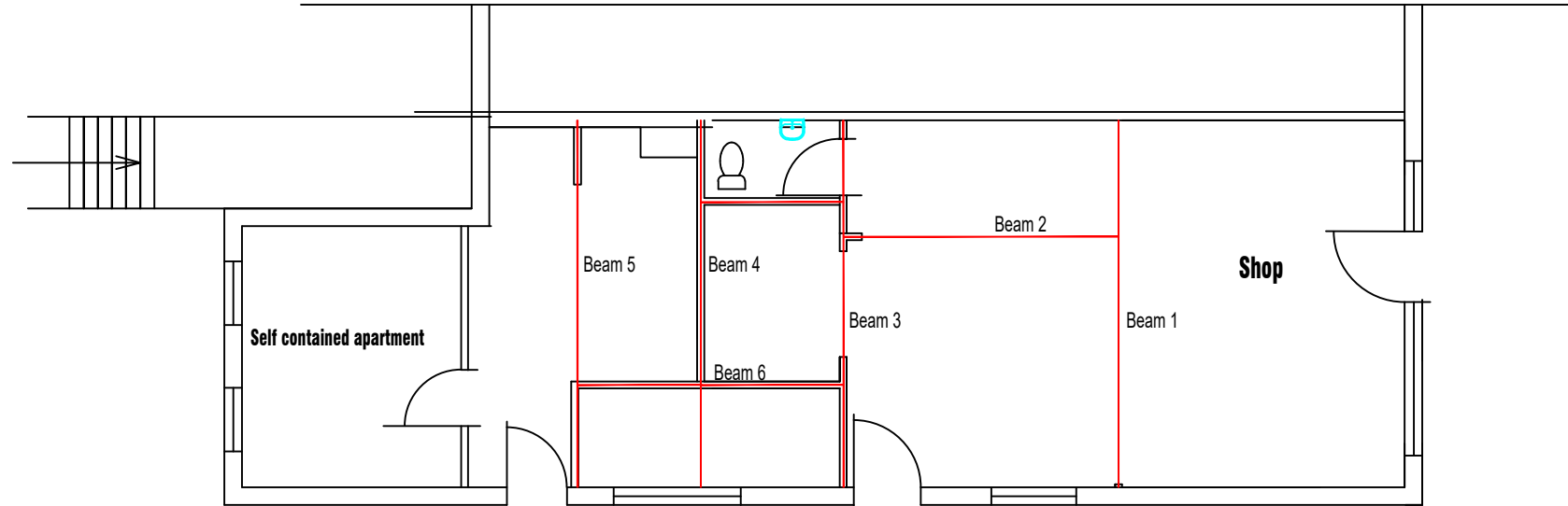
65 Windsor Road Pretwich M25 ODB

drawn by.	checked by.	approved by.	date
TZ			March 2023

THE BUILDER MUST CHECK THE SITE AND THE APPROVED DRAWINGS BEFORE COMMENCING THE WORKS AND MUST TAKE ANY WORKING MEASUREMENTS AS NECESSARY. ANY DISCREPANCY IN THE DRAWING MUST BE REPORTED TO THE CLIENT .



1st Floor Plan



Ground Floor Plan

H S H

Engineering Design Services Ltd
428 Cheetham Hill Road Cheetham Manchester
M8 9LE. UK 0161 7956385, 07940197 333



project title: Proposed change of the ground floor from a shop to restaurant including installation of an external flue pipe.

client: **Mr Asim Humza**

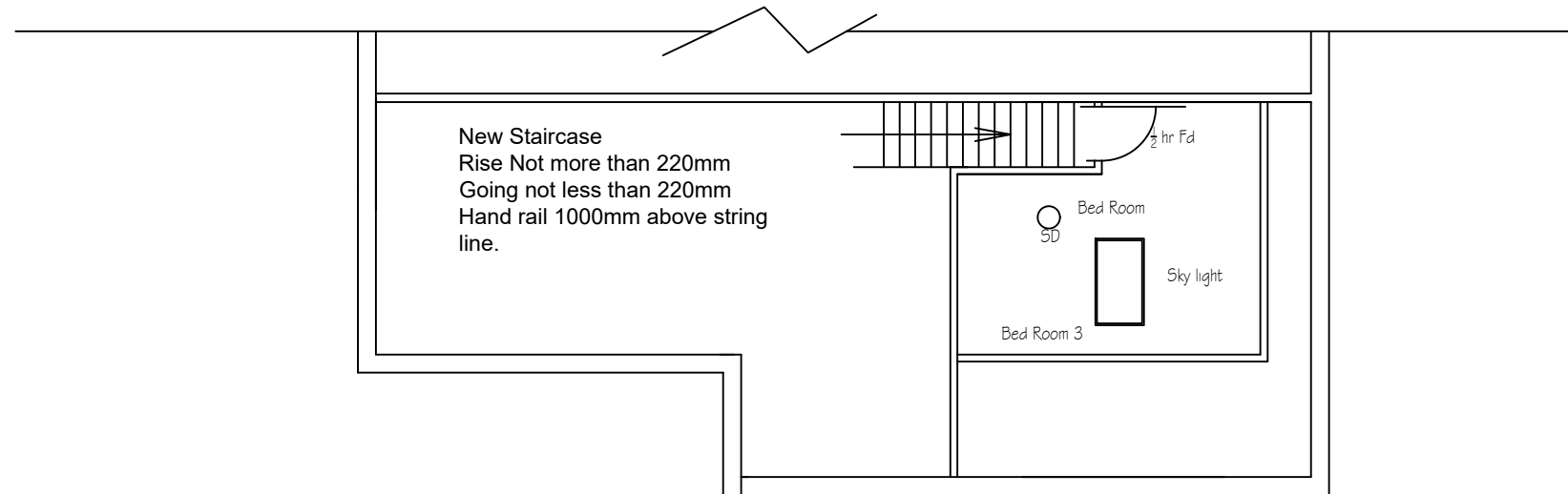
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dwg. no.	sheet no.	scale.	job no.
02		1:100 • A3	

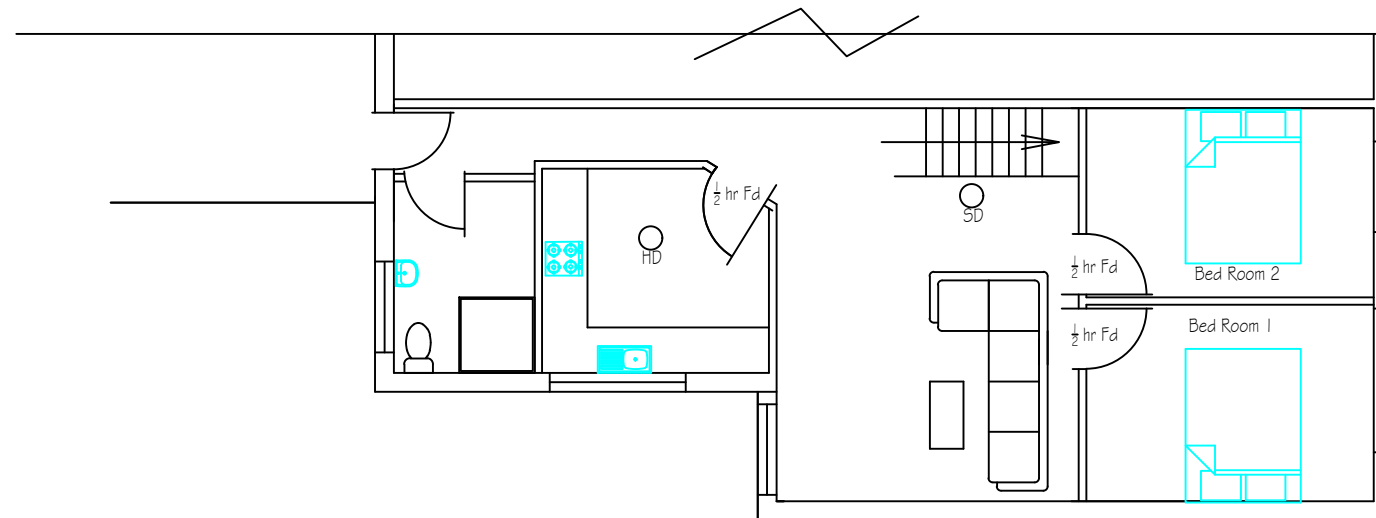
65 Windsor Road Pretwich M25 0DB

drawn by.	checked by.	approved by.	date
TZ			March 2023

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2nd Floor Plan



1st Floor Plan

H S H

Engineering Design Services Ltd
428 Cheetham Hill Road Cheetham Manchester
M8 9LE. UK 01617956385,07940197 333

project title: Proposed change of the ground floor from a shop to restaurant including installation of an external flue pipe.

client: **Mr Asim Humza**

dwg. title: Existing Plan

dwg.no.	sheet no.	scale.	job no.
03		1:100 @ A3	

65 Windsor Road Pretwich M25 ODB

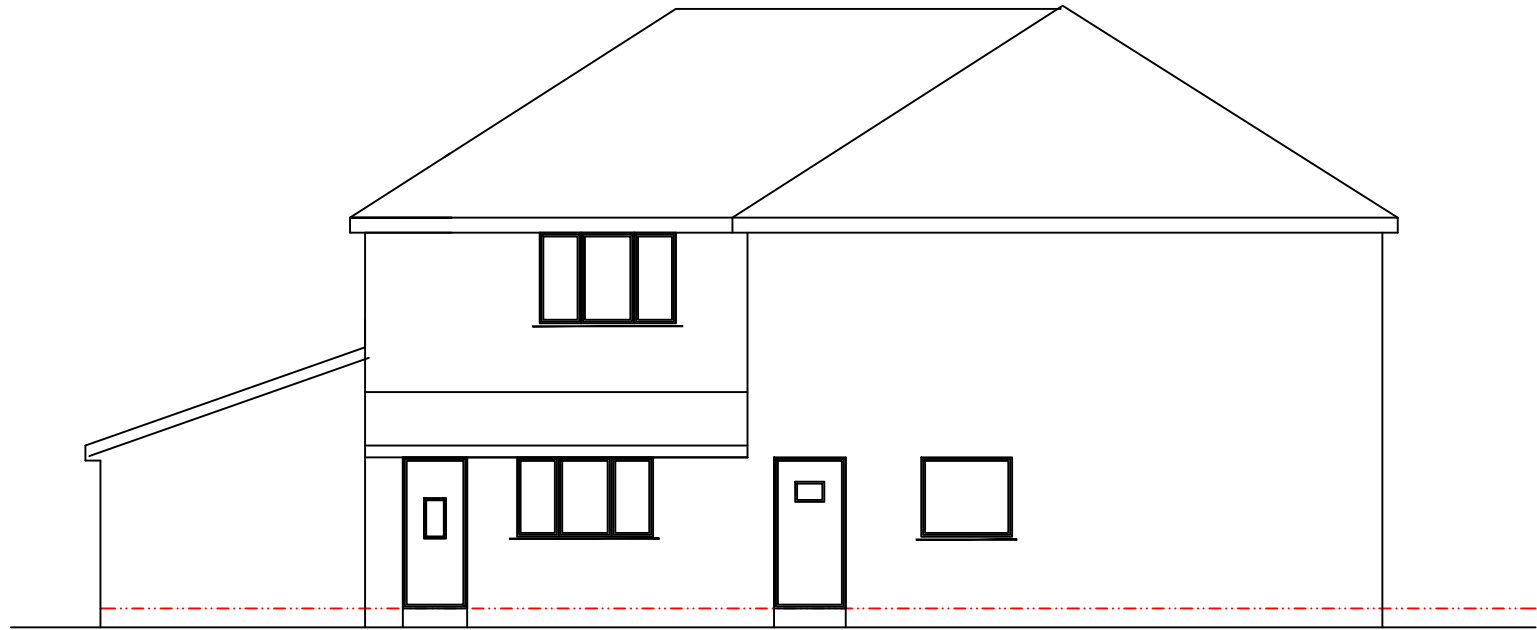
drawn by.	checked by.	approved by.	date
TZ			March 2023

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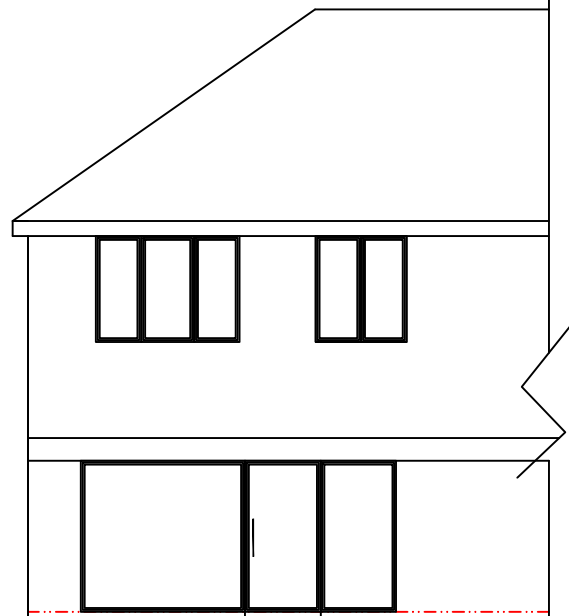


Rear Elevation

2600



Side Elevation



Front Elevation

Date	Rev	Description
07/06/28	A	Planning

H S H

Engineering Design Services Ltd

428 Cheetham Hill Road Cheetham Manchester
M8 9LE. UK 01617956385,07940197 333

project title: Proposed change of the ground floor from a shop to restaurant including installation of an external flue pipe.

client: **Mr Asim Humza**

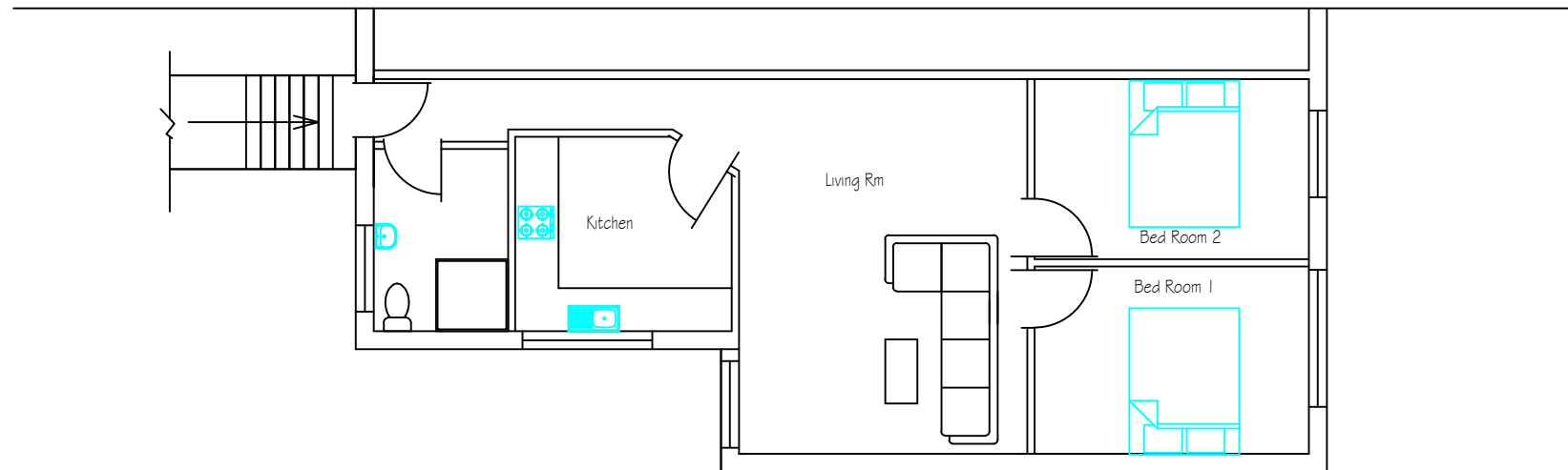
dwg. title: **Existing Elevations**

dwg. no.	sheet no.	scale.	job no.
04a		1:100 @ A3	

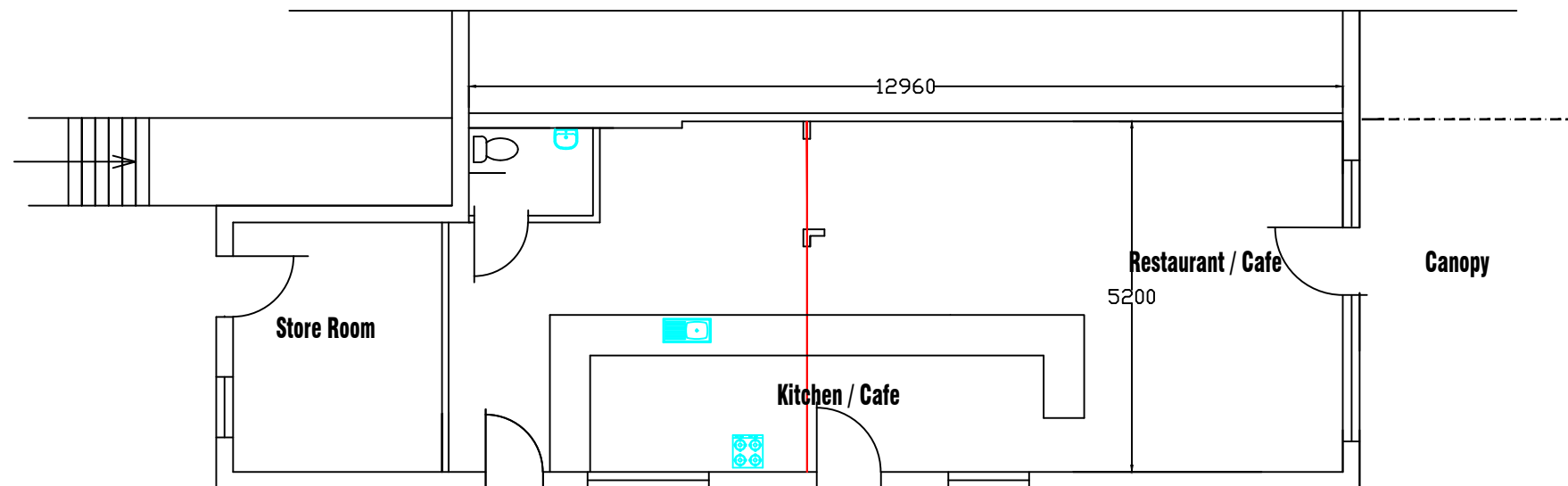
65 Windsor Road Pretwich M25 0DB

drawn by.	checked by.	approved by.	date
TZ		-	March 2023

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1st Floor Plan



Ground Floor Plan

Date	Rev	Description
25.9.23	A	Planning

H S H

Engineering Design Services Ltd
 428 Cheetham Hill Road Cheetham Manchester
 M8 9LE. UK. 0161 7956385, 07940197 333

project title: Proposed change of the ground floor from a shop to restaurant including installation of an external flue pipe.

client: Mr Asim Humza

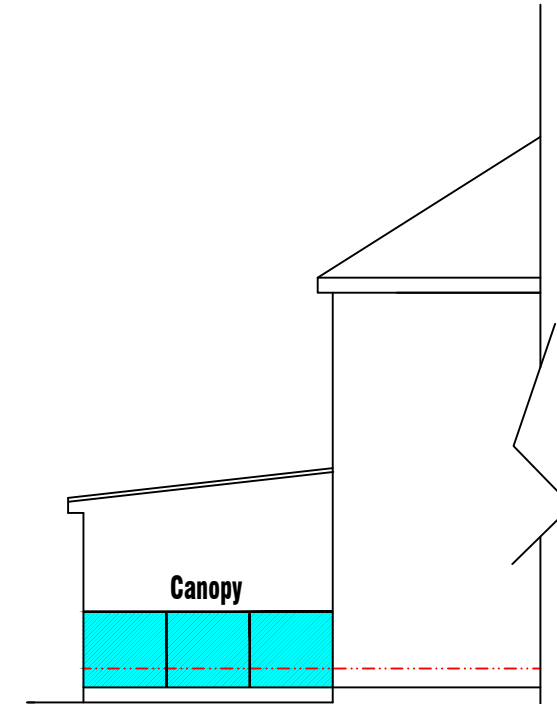
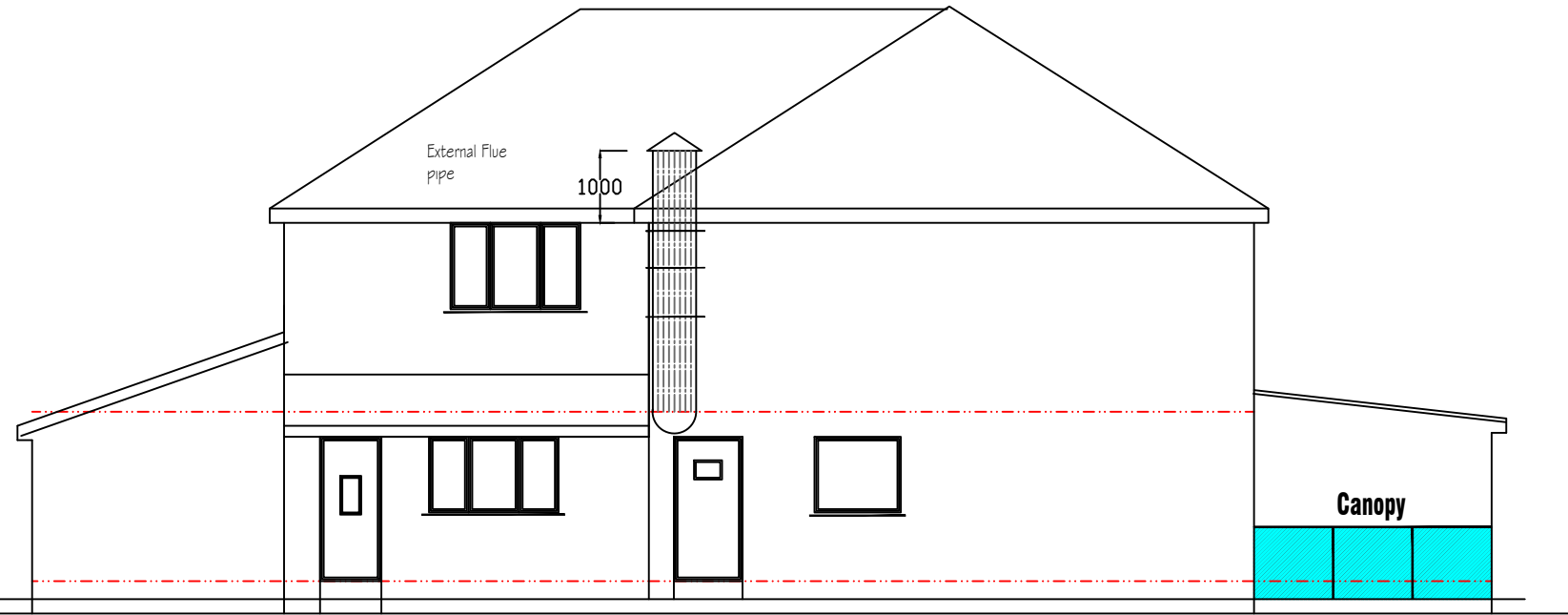
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dwg. no.	sheet no.	scale.	job no.
05A		1:100 @ A3	

65 Windsor Road Pretwich M25 0DB

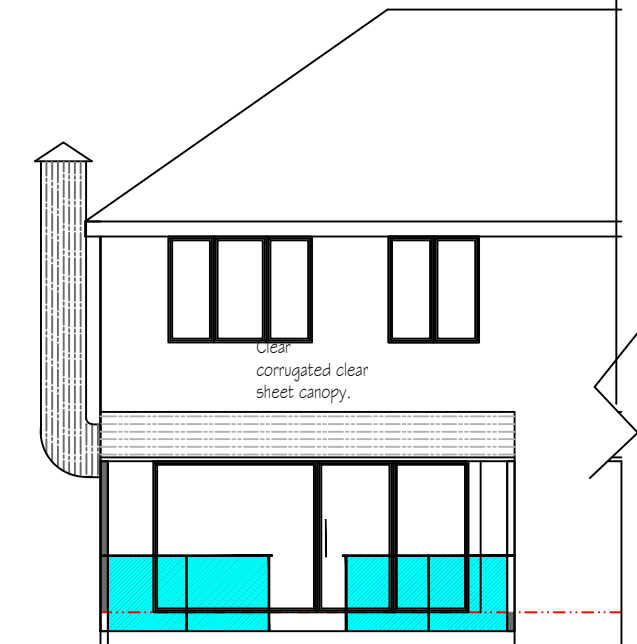
drawn by.	checked by.	approved by.	date
TZ			March 2023

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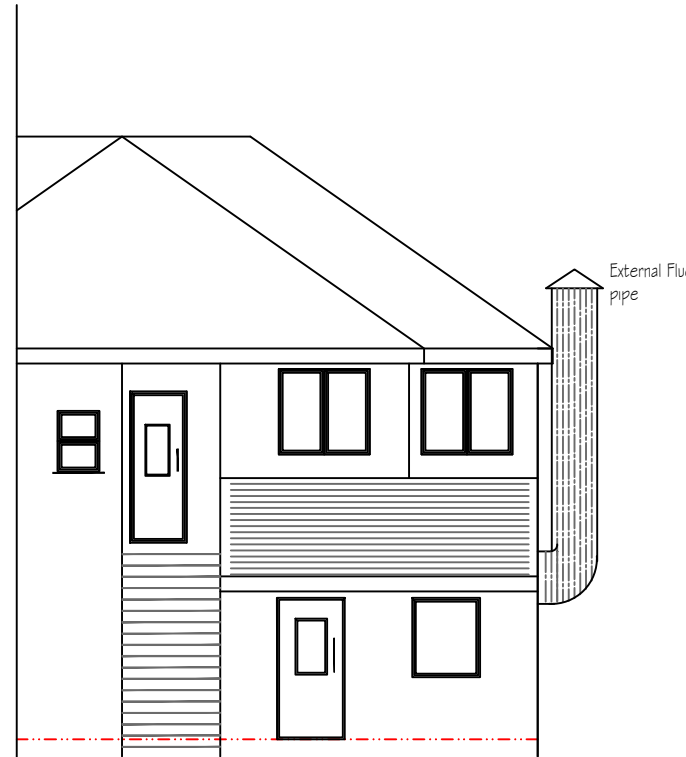


Elevation From No 67

Side Elevation



Front Elevation



Rear Elevation

Date	Rev	Description
25.9.23	A	Planning
24.01.24	B	Planning
25.01.24	C	Planning

H S H

Engineering Design Services Ltd

428 Cheetham Hill Road Cheetham Manchester
M8 9LE. UK 01617956385,07940197 333

project title: Proposed change of the ground floor from a shop to restaurant including installation of an external flue pipe.

client: **Mr Asim Humza**

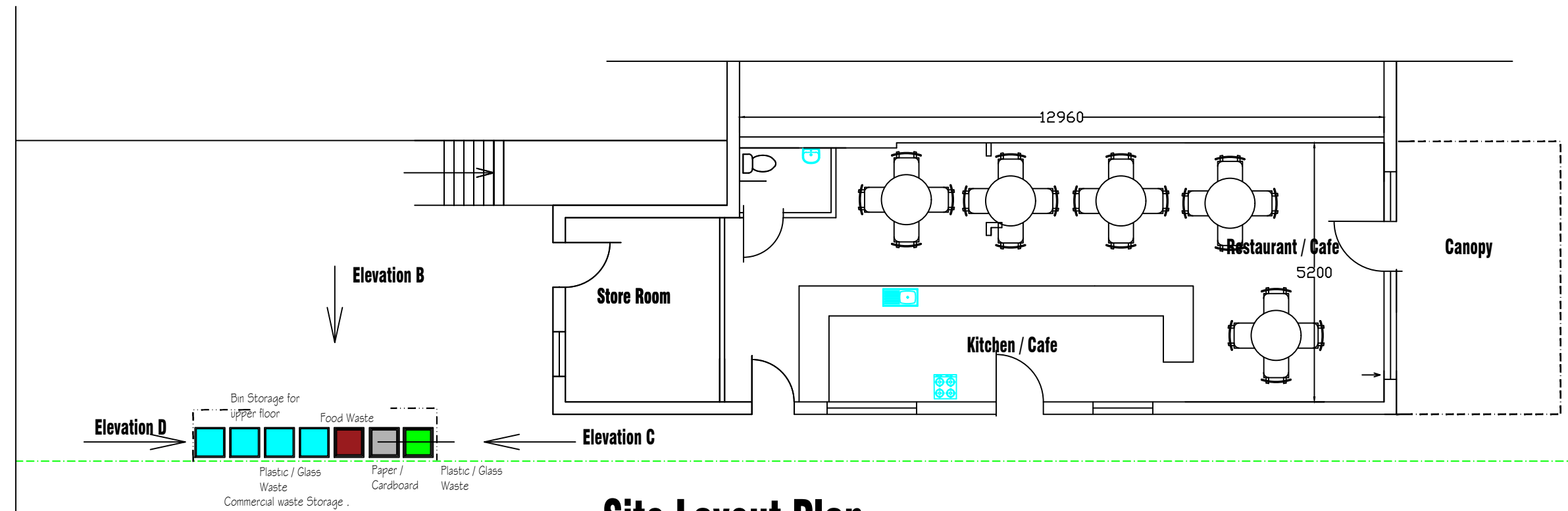
dwg. title: **Proposed Elevations**

dwg. no.	sheet no.	scale.	job no.
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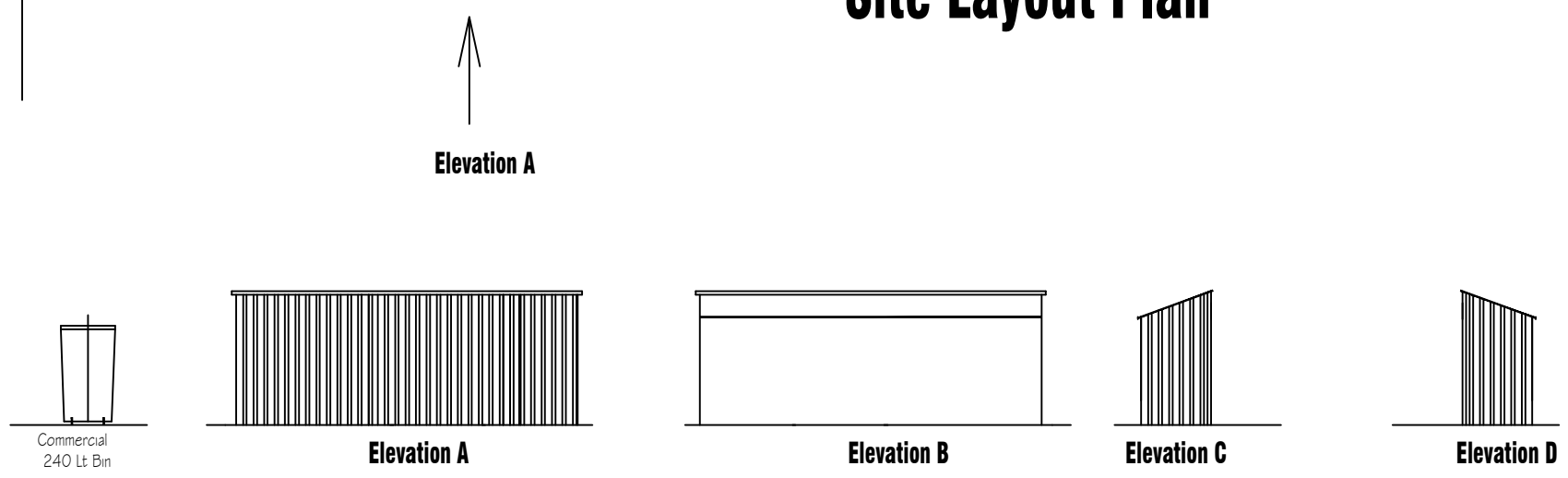
65 Windsor Road Pretwich M25 0DB

drawn by.	checked by.	approved by.	date
TZ			March 2023

THE BUILDER MUST CHECK THE SITE AND THE APPROVED DRAWINGS BEFORE COMMENCING THE WORKS AND MUST TAKE ANY WORKING MEASUREMENTS AS NECESSARY. ANY DISCREPANCY IN THE DRAWING MUST BE REPORTED TO THE CLIENT .



Site Layout Plan



H S H
 Engineering Design Services Ltd
 428 Cheetham Hill Road Cheetham Manchester
 M8 9LE. UK 01617956385,07940197333

project title	Proposed change of the ground floor from a shop to restaurant including installation of an external flue pipe.		
client	Mr Asim Humza		
dwg. title	Proposed Waste Bin Plan		
dwg. no.	sheet no.	scale.	job no.
07A		1:100	A3
65 Windsor Road Pretwich M25 ODB			
drawn by.	checked by.	approved by.	date
TZ			March 2023

Ward: Bury East

Item 03

Applicant: Mr & Mrs McGill

Location: 47 Fairfield Drive, Bury, BL9 7SL

Proposal: Demolition of existing conservatory and erection of single storey side extension

Application Ref: 70342/Full

Target Date: 12/02/2024

Recommendation: Approve with Conditions

The application is being considered by the Planning Control Committee as the applicant is a Councillor for Bury Council.

Description

The application relates to a two storey red brick semi-detached house on a residential road of similar styled properties. Driveway to the front and single storey outrigger at the side and conservatory at the rear. The attached neighbour at No.49 has not been extended. The unattached neighbour at No.45 has also not been extended and has a single storey outrigger along the shared side boundary with a door into a utility room. The neighbour has a stairwell and WC window at first floor.

The existing single storey outrigger to the side would be demolished along with the conservatory at the rear. A new single storey side extension would be located broadly on the same footprint as the side outrigger but would sit flush with the front and rear elevations of the dwelling, projecting out 3m and extending back 7.8m, from front to rear. It would stop 300mm short of the shared side boundary with the neighbour at No.45 Fairfield Drive. The extension would accommodate a study and utility room. The extension would be finished in brick and tile to match the house.

Relevant Planning History

69622 - Demolition of existing conservatory and erection of two storey side extension - Approve with Conditions 28/06/2023

Publicity

Immediate neighbours notified by 21/12/2024. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

Issues and Analysis

Visual Amenity - The proposed extension, in terms of scale, design and finish, would be in keeping with the existing house and would not appear prominent or incongruous within the streetscape. In terms of visual amenity, the proposal is acceptable and complies with UDP

Policy and guidance in SPD6.

Residential Amenity - Given the position of the extension at the side of the house, it would not extend beyond the rear elevation of the applicant's house or the neighbour's house at No.47 Fairfield Drive. With no habitable room windows on the side gable, there would be no serious detrimental impact on residential amenity.

In terms of residential amenity, the proposal is acceptable and complies with UDP Policy and guidance in SPD6.

Parking and Access - The existing driveway with access onto Fairfield Drive would remain as existing.

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.

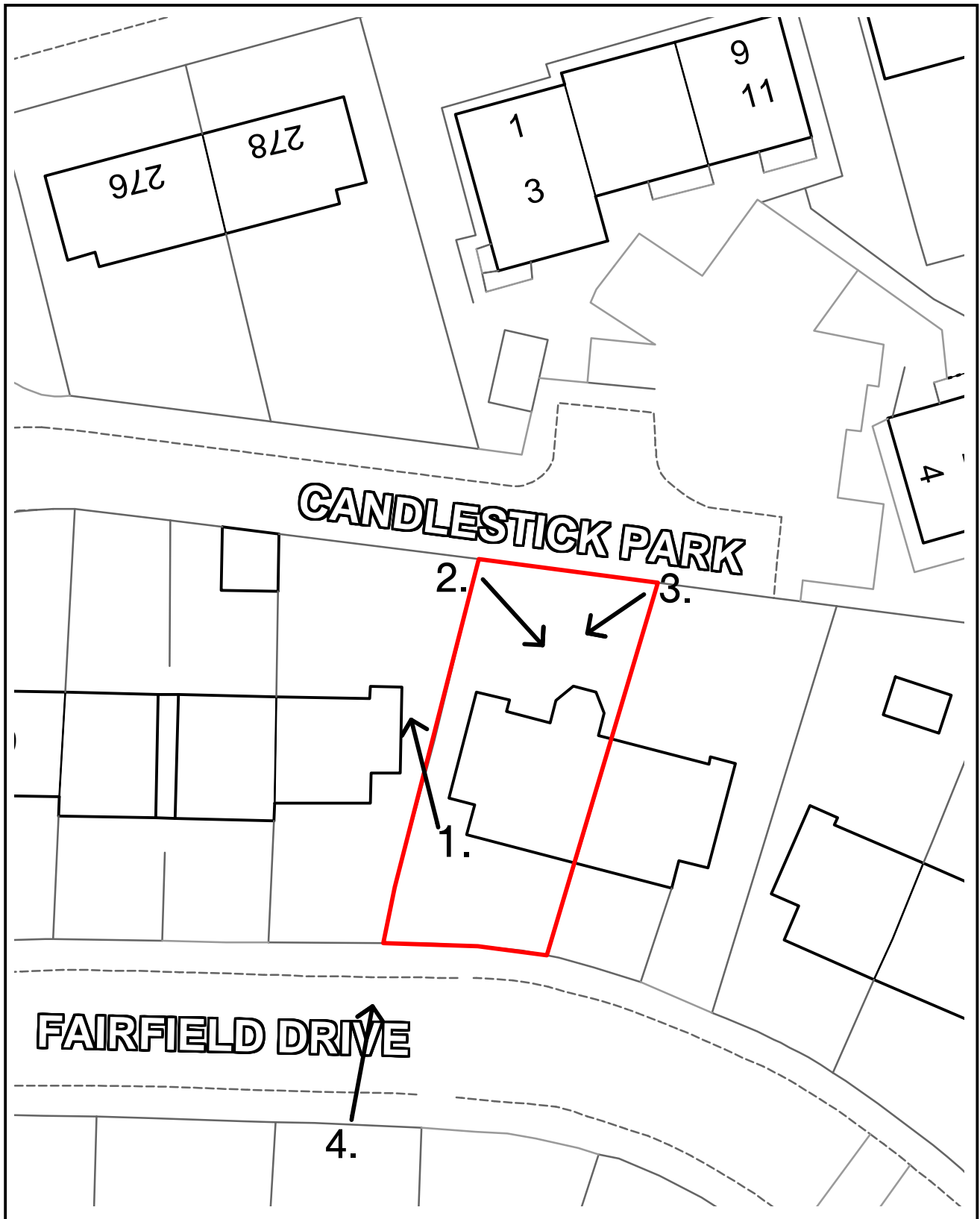
Recommendation: Approve with Conditions

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 R-0778-01, 02B and 03A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

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

Viewpoints - Item 01



PLANNING APPLICATION LOCATION PLAN



ADDRESS: 47 Fairfield Drive
Bury



Planning, Environmental and Regulatory Services

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Item 01 - 69622

Photo 1



Photo 2



Item 01 - 69622

Photo 3



Photo 4



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

All materials and workmanship to be in accordance with 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.

As with all construction projects the CDM 2015 regulations apply and the work on this project may require both the issue of a notification to the HSE (because of the duration of the works on site) and the client may also need to appoint a Principal Designer because there may be more than one contractor working on site. The Principal Designer will be able to coordinate the pre-construction information and also ensure that all duty holders under CDM comply with their relevant duties.

The building owner is to serve a Party Wall Act Notice as applicable to adjoining property owners as outlined in The Party Wall Act 1996. The Building Contractor is to verify the thickness of the party walls prior to commencement of the proposed works.



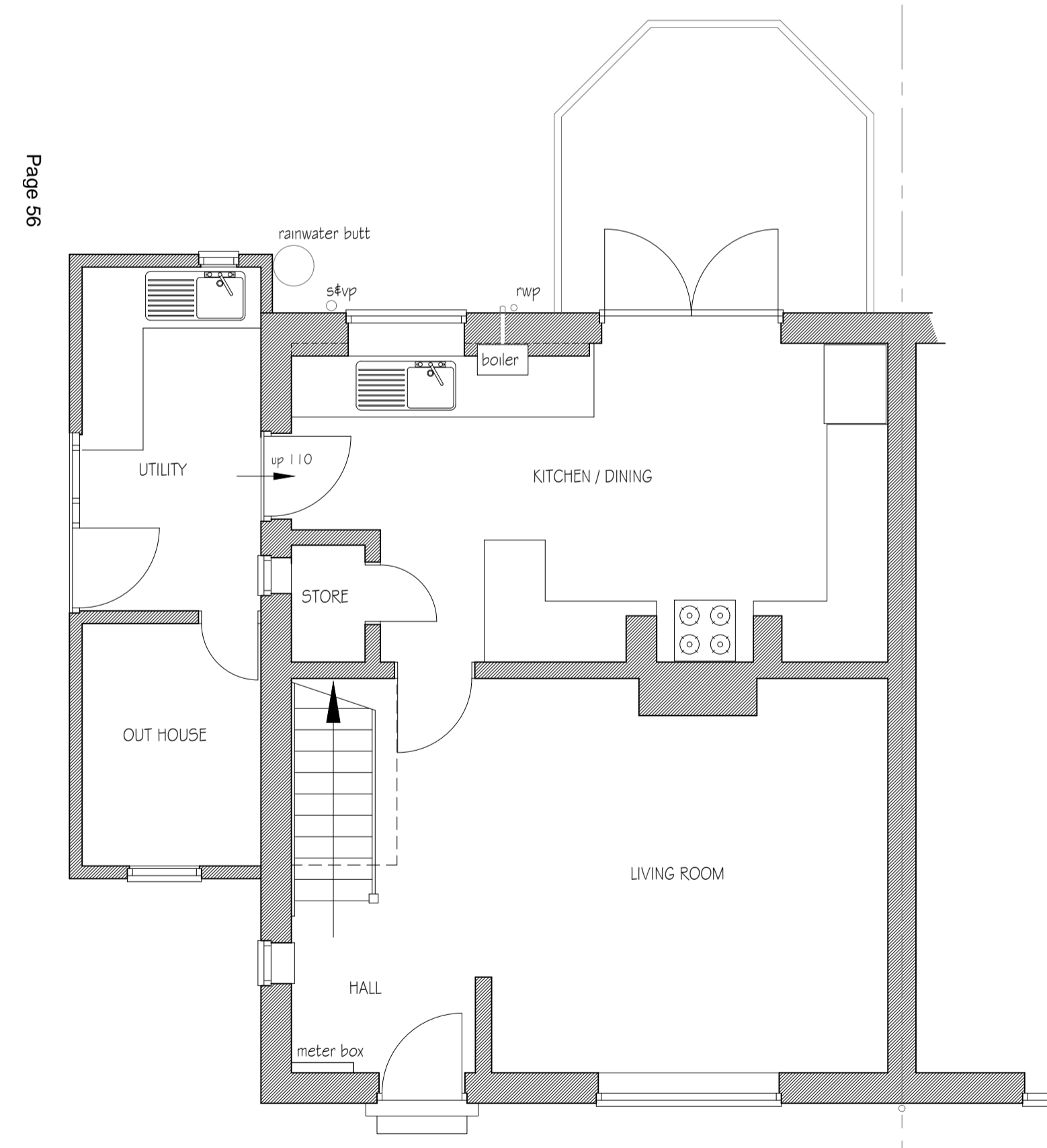
FRONT ELEVATION AS EXISTING



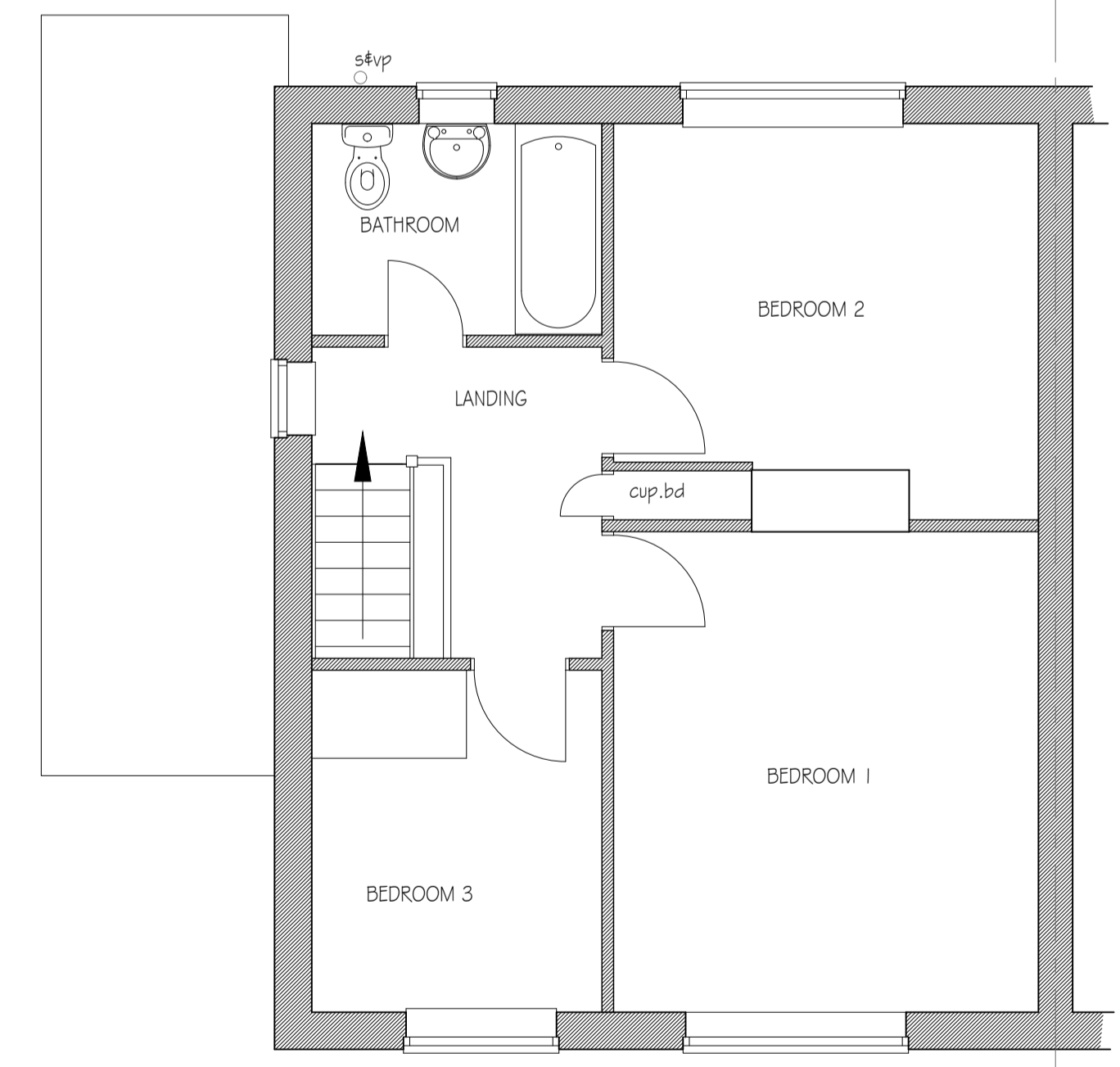
SIDE ELEVATION AS EXISTING



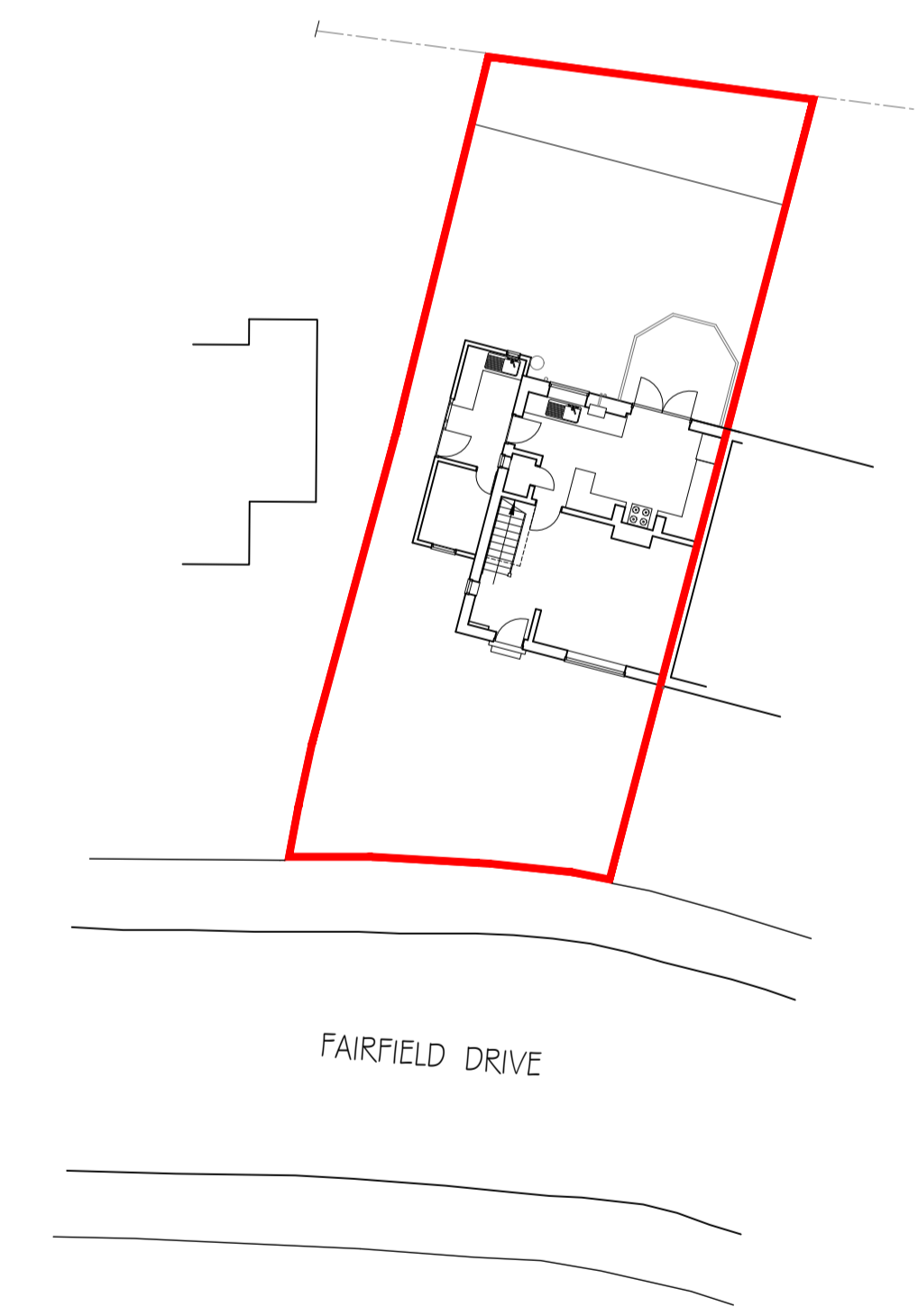
REAR ELEVATION AS EXISTING



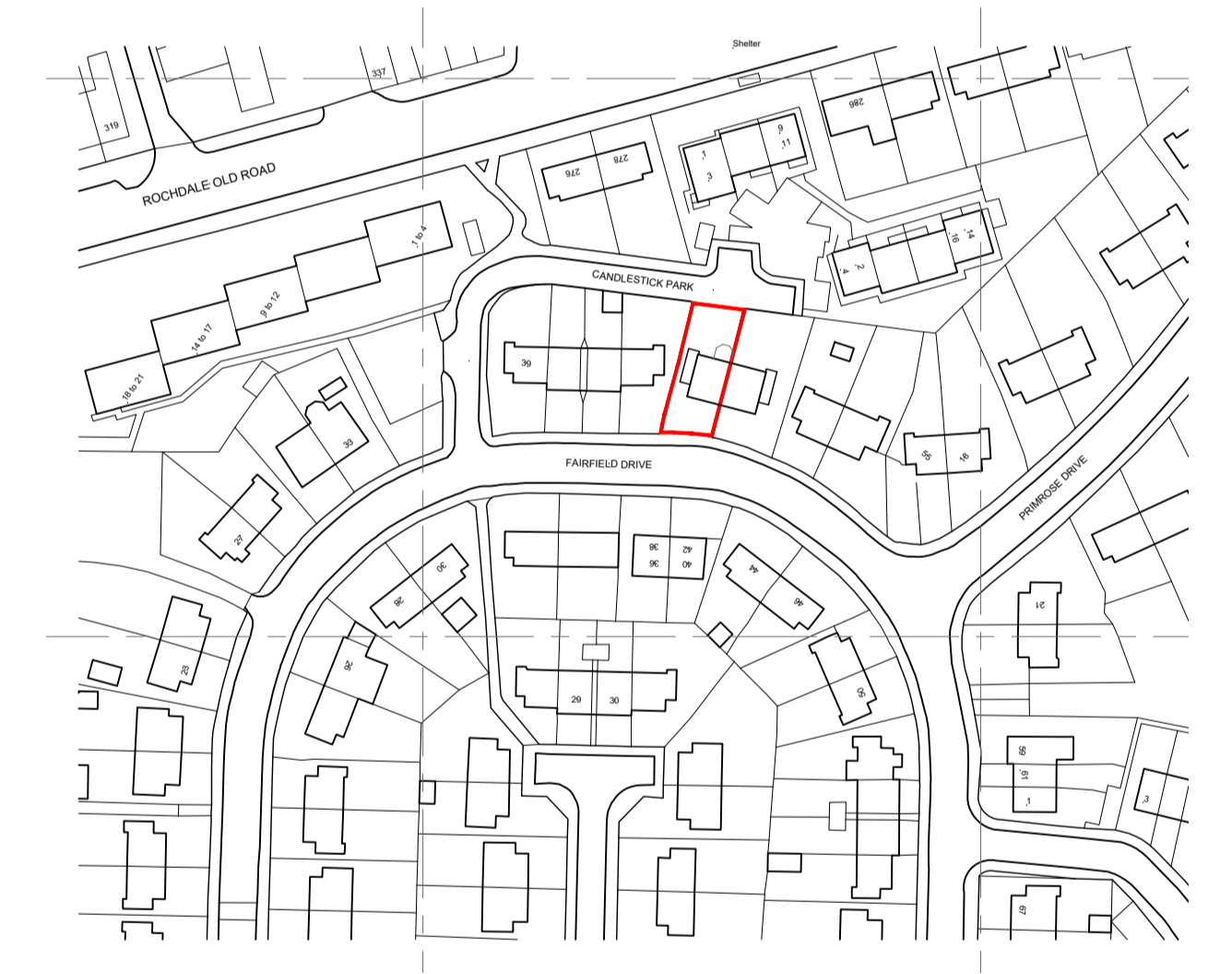
GROUND FLOOR PLAN AS EXISTING



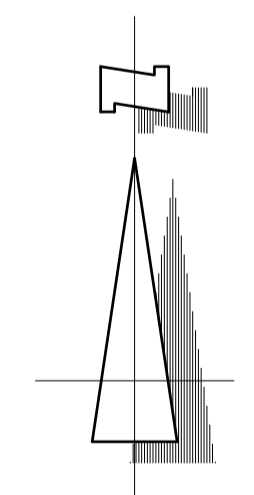
FIRST FLOOR PLAN AS EXISTING



1:200 SCALE SITE PLAN



1:1250 SCALE LOCATION PLAN
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REV	DESCRIPTION	CHECK	DATE

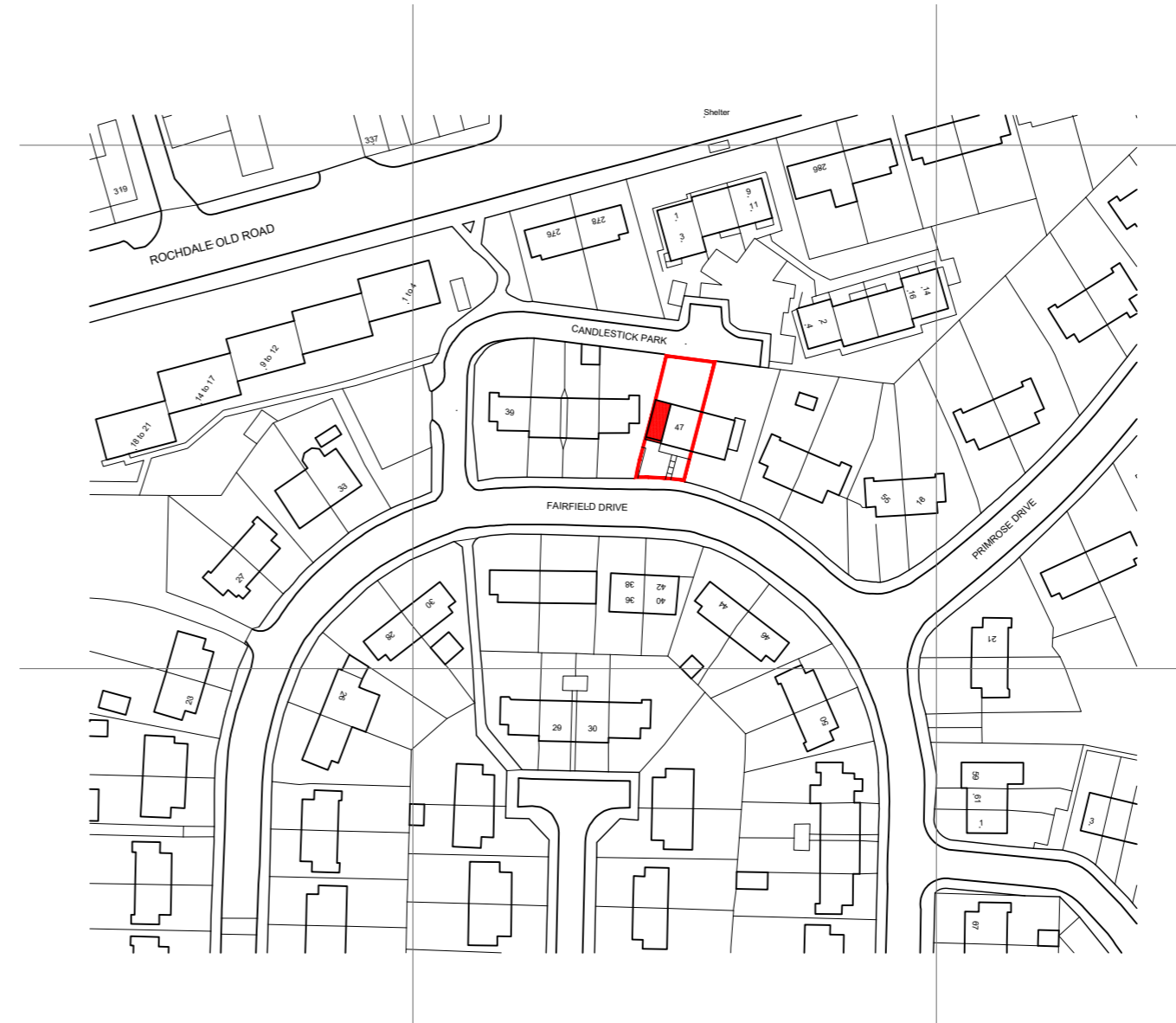
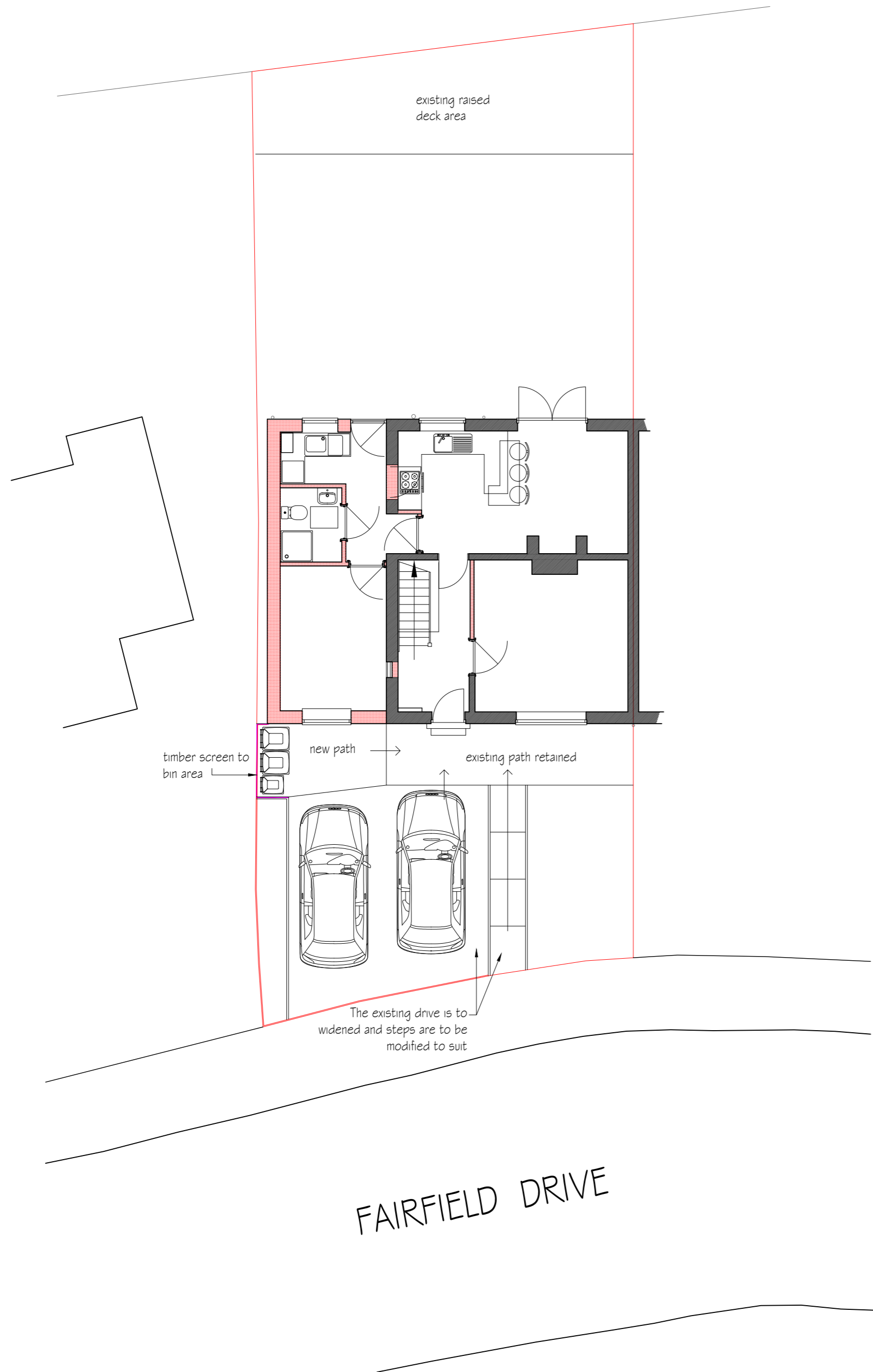
CLIENT
GAVIN and SALLY McGill

PROJECT
**Proposed Extension and Alterations
47 Fairfield Drive, Bury, BL9 7SL**

DRAWING
Plans and Elevations as Existing

SCALE	DATE	DRAWN	CHECKED
1:50 @ A1	April 2023	agw	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0778-01			

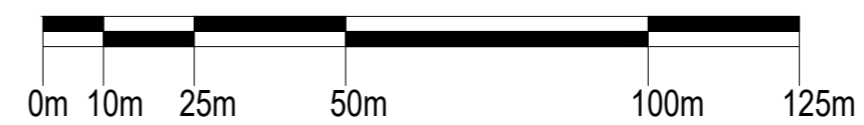




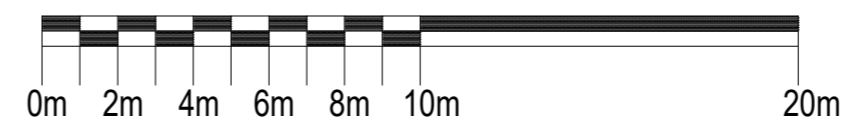
1:1250 SCALE LOCATION PLAN

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1:1250 SCALE



1:200 SCALE



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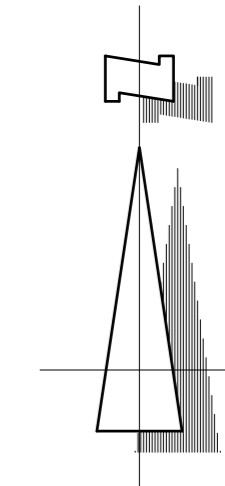
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This drawing is to be read in conjunction with all relevant Architectural, Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.

As with all construction projects the CDM 2015 regulations apply and the work on this project may require both the issue of a notification to the HSE (because of the duration of the works on site) and the client may also need to appoint a Principal Designer because there may be more than one contractor working on site.

The Principal Designer will be able to coordinate the pre-construction information and also ensure that all duty holders under CDM comply with their relevant duties.

The building owner is to serve a Party Wall Act Notice as applicable to adjoining property owners as outlined in The Party Wall Act 1996. The Building Contractor is to verify the thickness of the party walls prior to commencement of the proposed works.



REV	DESCRIPTION	DATE
A	Amended scheme to ground floor extension only	05.12.2023

CLIENT
GAVIN and SALLY MCGILL

PROJECT
Proposed Extension and Alterations
47 Fairfield Drive, Bury, BL9 7SL

DRAWING
Site Plan as Proposed
and Site Location Plan

SCALE	DATE	DRAWN	CHECKED
1:100 @ A2	April 2023	agw	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0778-03		A	



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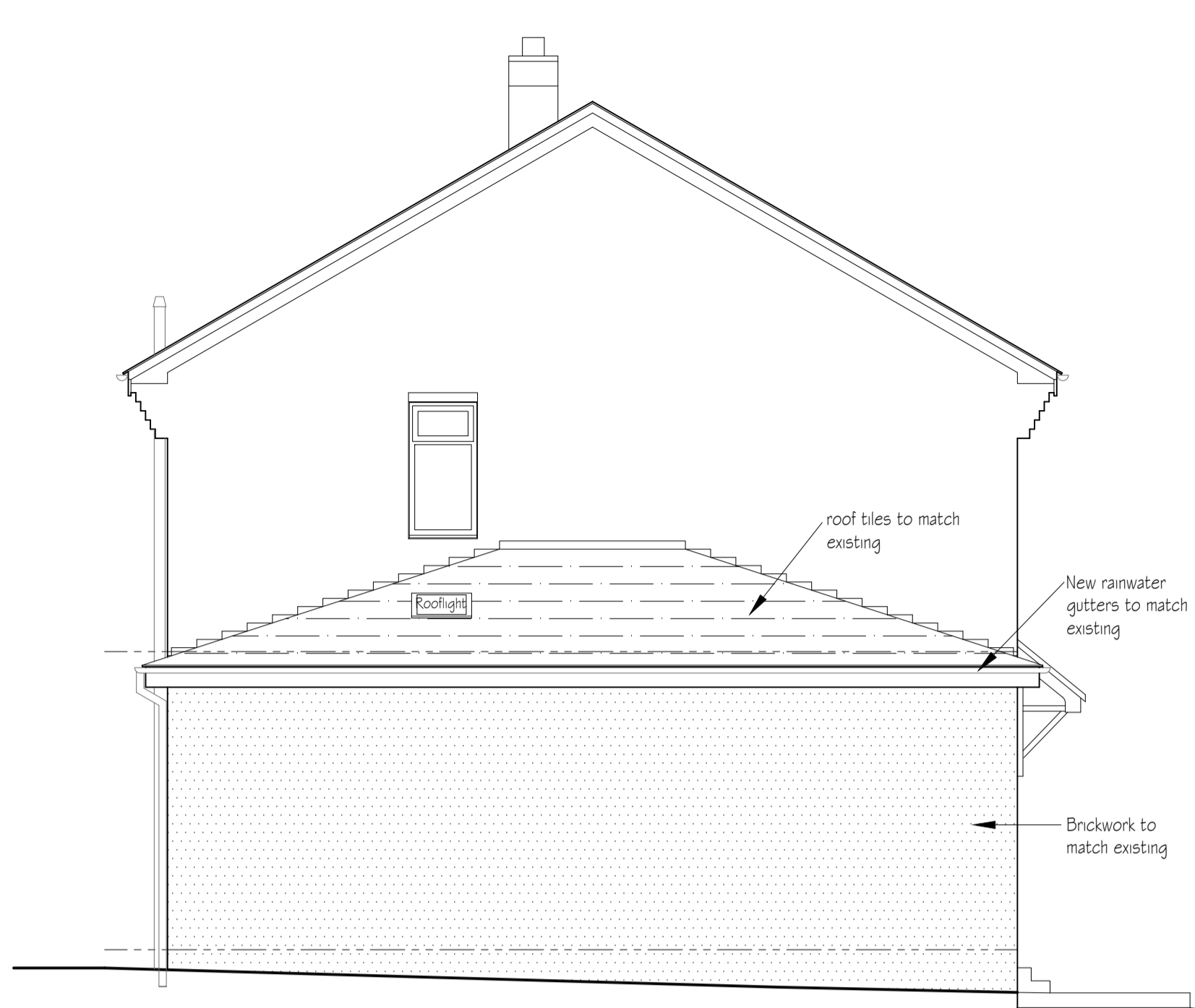
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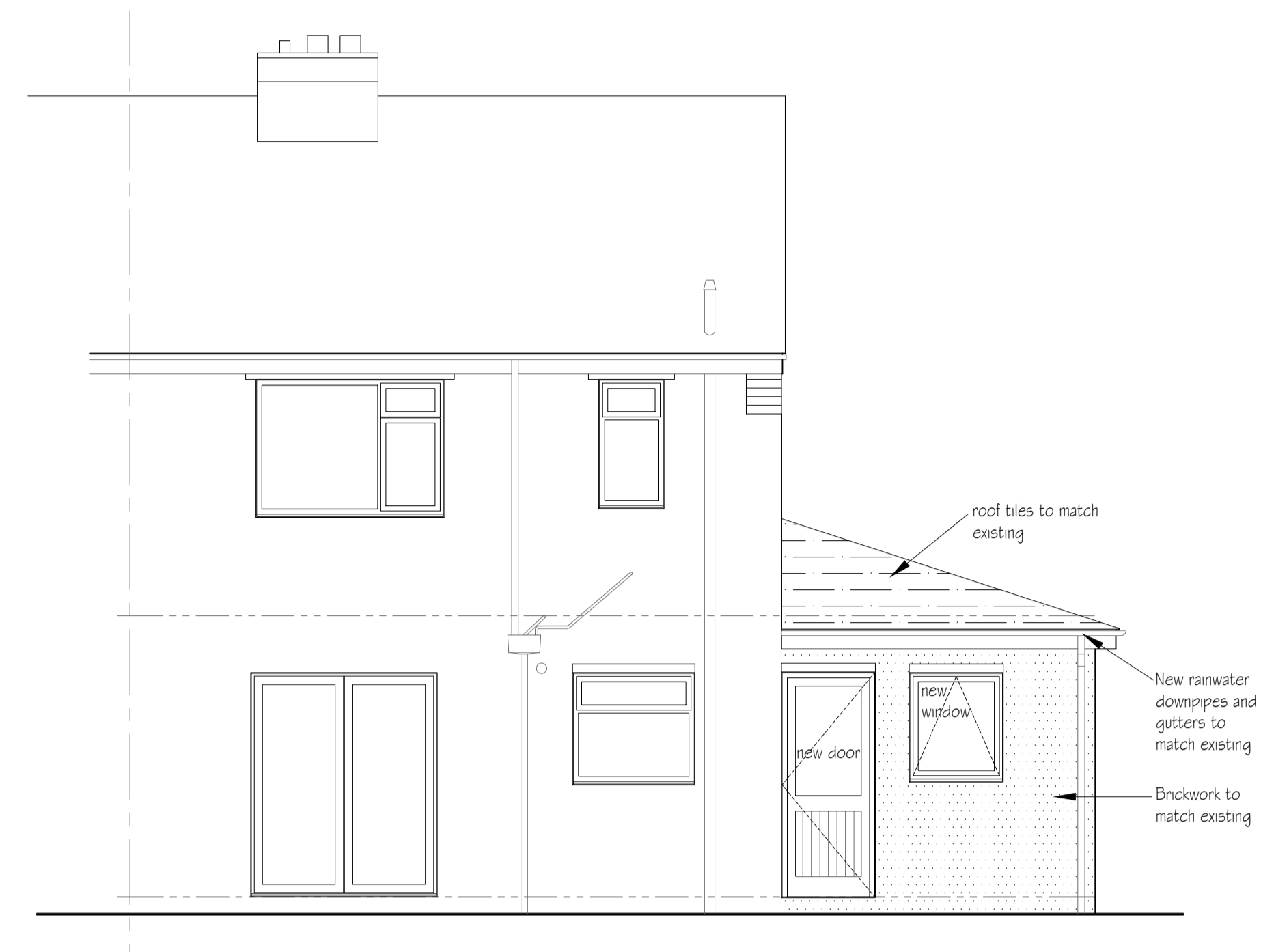
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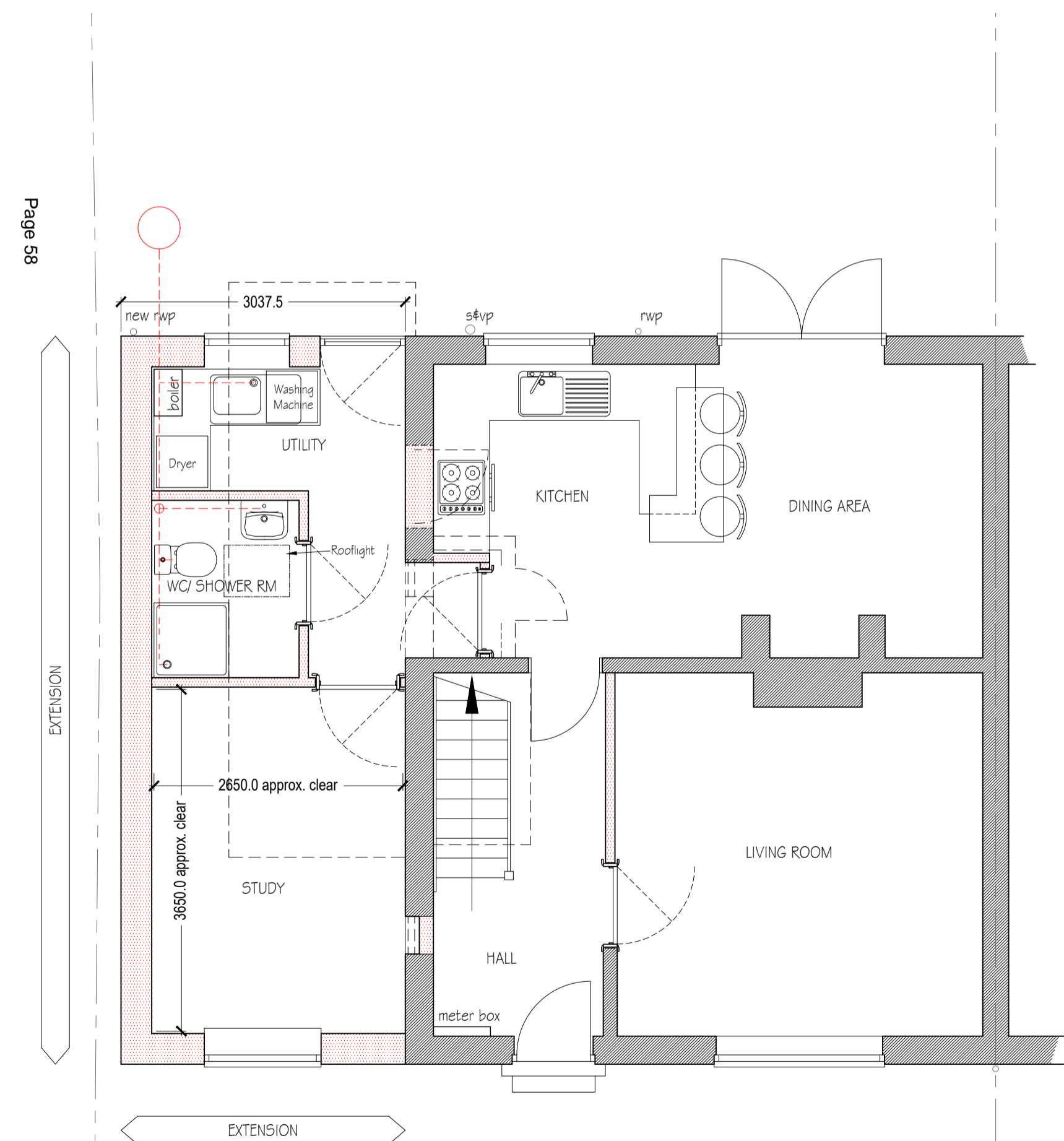
FRONT ELEVATION AS PROPOSED



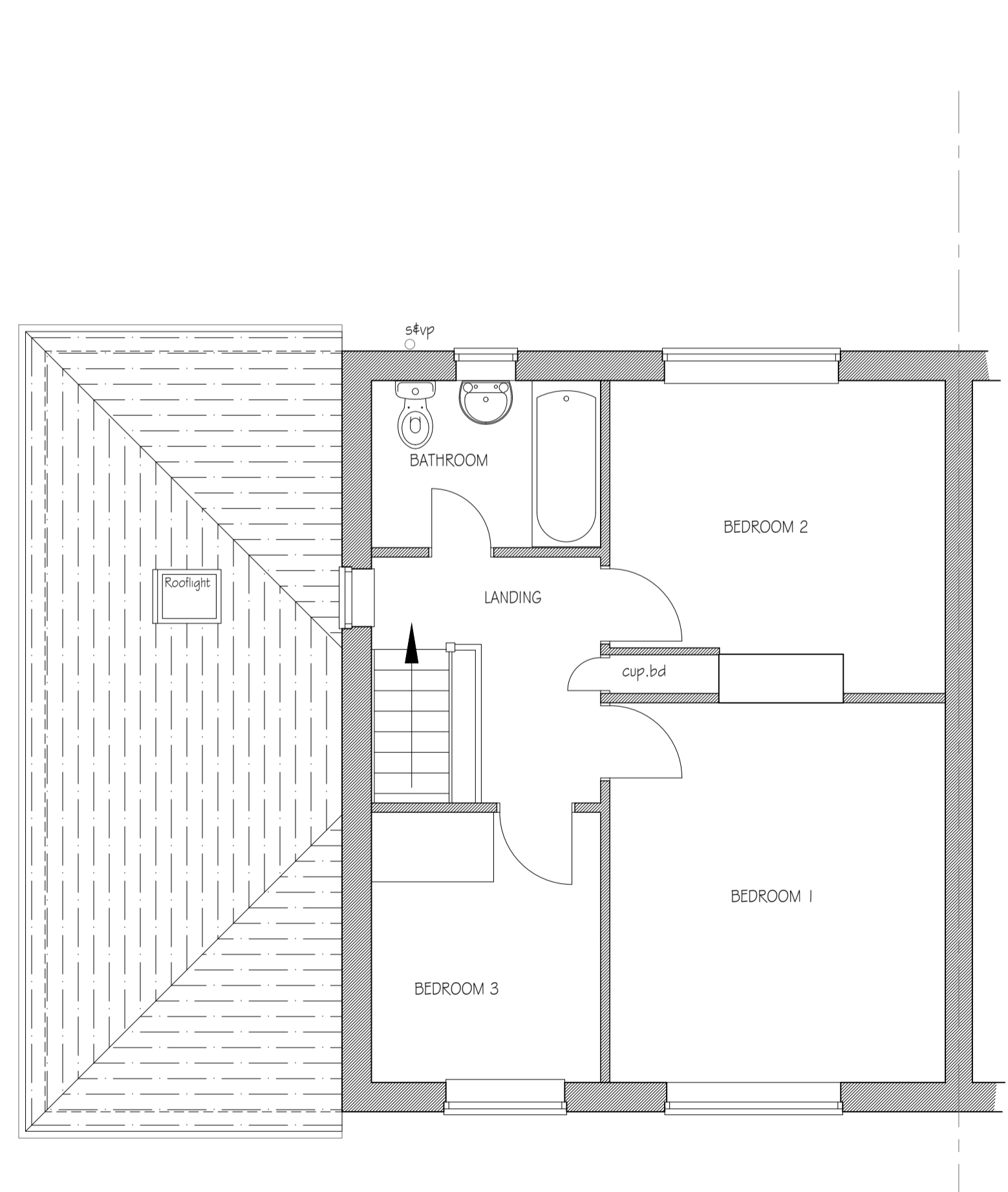
SIDE ELEVATION AS PROPOSED



REAR ELEVATION AS PROPOSED





GROUND FLOOR PLAN AS PROPOSED



FIRST FLOOR PLAN AS PROPOSED

KEY

-  Existing walls
-  Proposed walls

B	Amended scheme to ground floor extension only	05.12.2023
A	Client revisions	23.04.2023
REV	DESCRIPTION	DATE

CLIENT
GAVIN and SALLY McGILL

PROJECT
**Proposed Extension and Alterations
47 Fairfield Drive, Bury, BL9 7SL**

DRAWING
Plans and Elevations as Proposed

SCALE	DATE	DRAWN	CHECKED
1:50 @ A1	April 2023	agw	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0778-02		B	



Ward: Radcliffe - North and Ainsworth

Item 04

Applicant: Mrs Janet Leach

Location: 210 Turks Road, Radcliffe, Manchester, M26 3NW

Proposal: Single storey extension at side

Application Ref: 70367/Full

Target Date: 29/02/2024

Recommendation: Approve with Conditions

The application is being considered by the Planning Control Committee as the applicant is related to a planning officer within Bury Council.

Description

The application relates to a semi-detached bungalow on the corner of Turks road and Freshfields. There is a driveway and garage to the rear of the garden with access onto Freshfields.

The proposed side extension would project out 3.3m towards the side boundary with Freshfields leaving a gap of 2.7m. It would be set back 4.5m from the front and run back 5.2m to the rear elevation. It would have a pitched roof to 3.9m, below the existing ridge and be finished in a render. The extension would comprise a conservatory/additional living space.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 05/01/2024. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

Issues and Analysis

Visual amenity - The side extension would be modest in scale and subservient to the main dwellinghouse. In design terms, it would be in keeping with the existing bungalow and would not be incongruous within streetscape. It would be acceptable in terms of visual amenity and comply with UDP Policy H2/3 and guidance in SPD6 relating to extensions and alterations.

Residential amenity - Given the modest scale of the proposed extension and its siting within the plot, there are no issues relating to residential amenity. In terms of residential amenity, the extension is acceptable and complies with UDP Policy H2/3 Extensions and

Alterations and associated guidance in SPD6.

Parking and access - The proposal would not have an impact on the existing driveway and parking to the rear of the plot. The extension is acceptable and complies with UDP Policy H2/3 Extensions and Alterations and associated guidance in SPD6 in relation to parking and access.

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

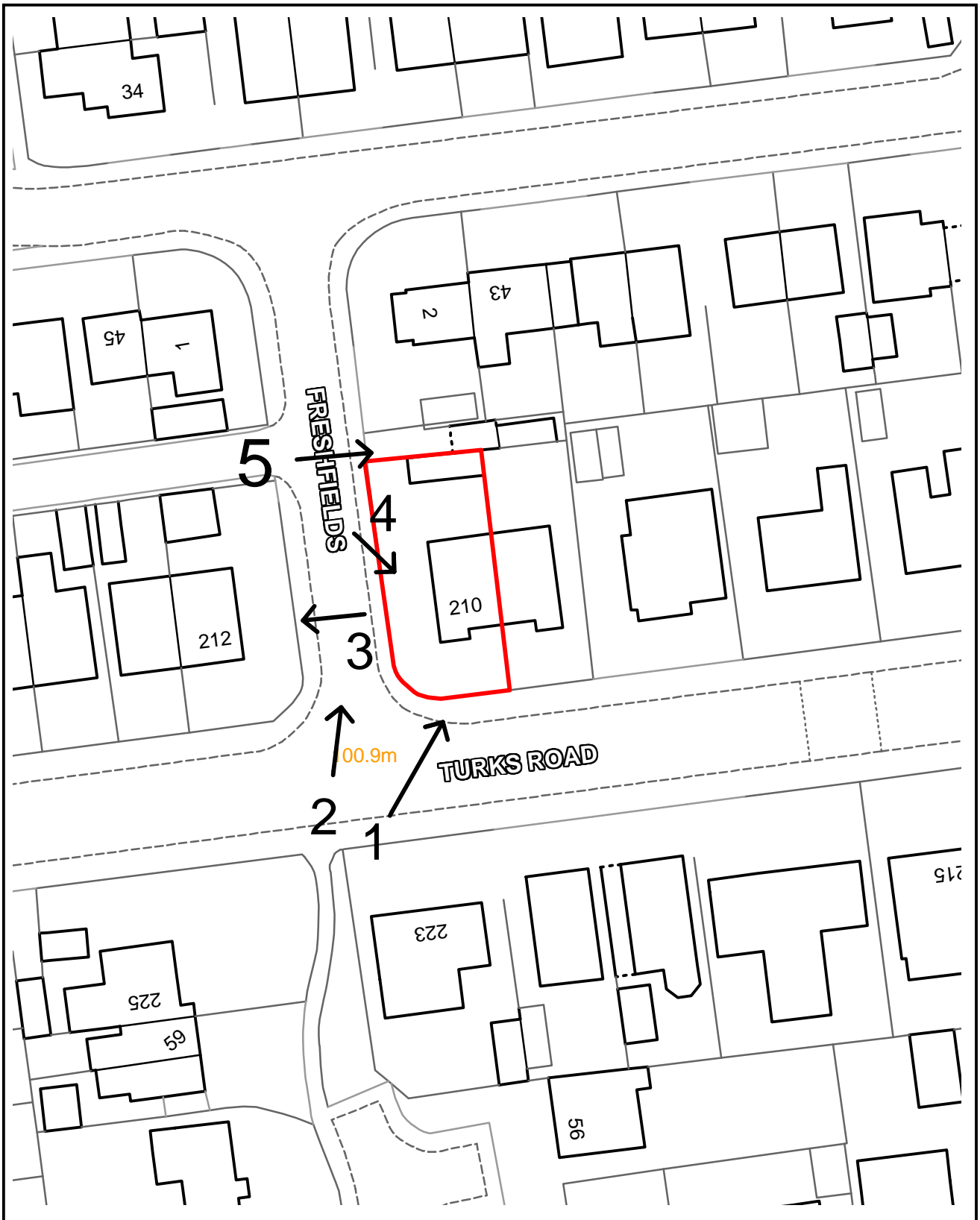
The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 1/34/2024 and 2/34/2023 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

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



PLANNING APPLICATION LOCATION PLAN

APP. NO 70367

ADDRESS: 210 Turks Road, Radcliffe,



Planning, Environmental and Regulatory Services

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70367

Photo 1



Photo 2



70367

Photo 3



Photo 4



70367

Photo 5



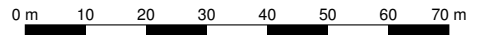


Date of Production: December 20th, 2023

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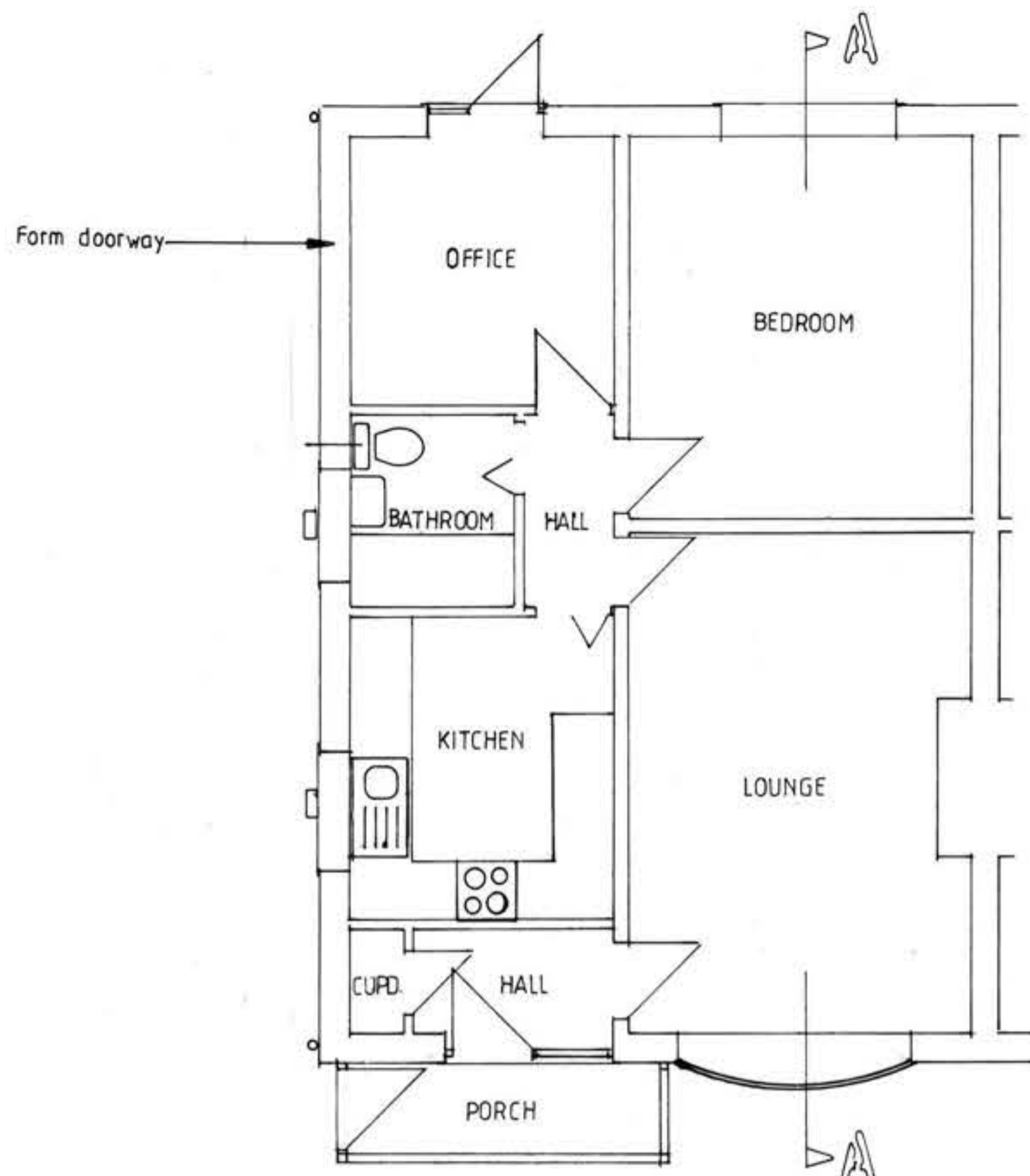
The representation of a road, track or path is no evidence of a right of way.
The representation of features and lines is no evidence of a property boundary.

Order Licence Reference: SP37444

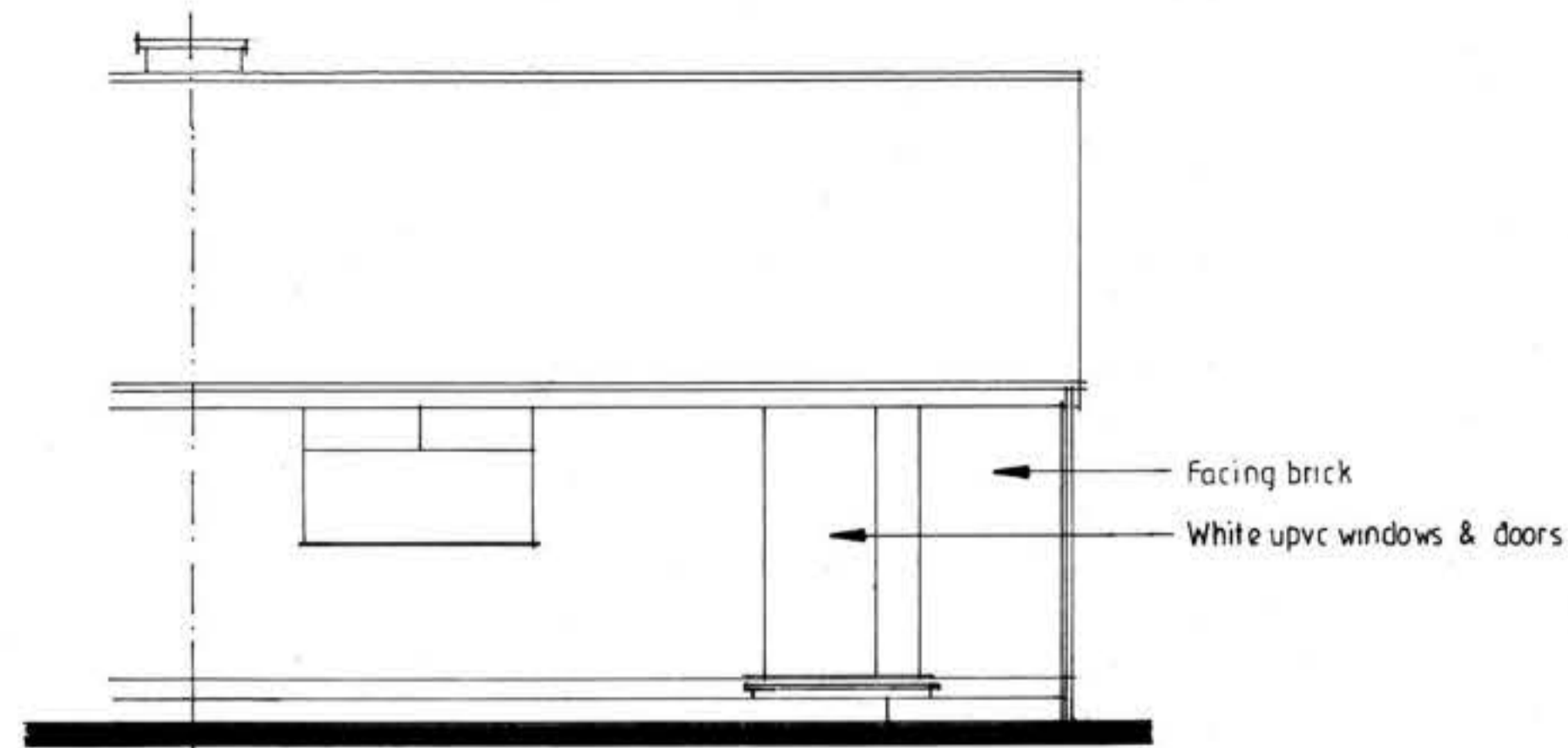


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Center: 376828 408178
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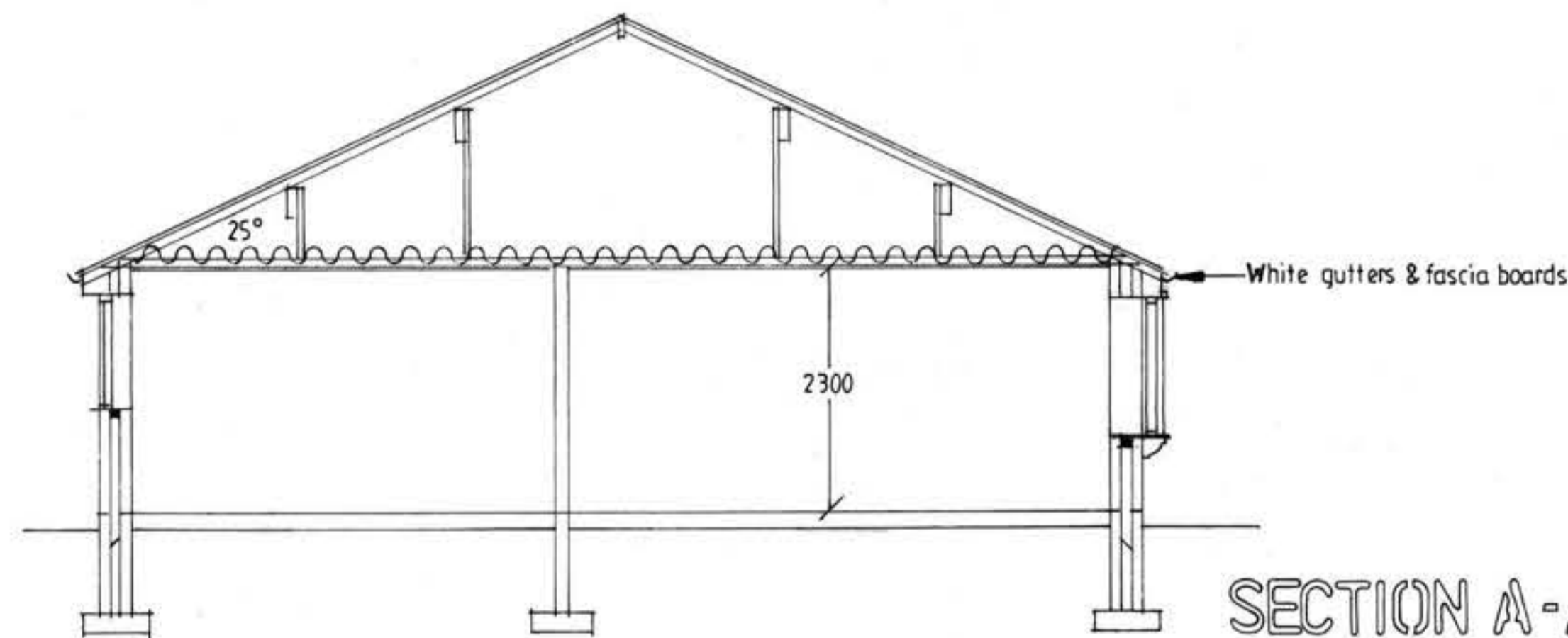
210, TURKS ROAD, RADCLIFFE,
MANCHESTER, M26 3NW



GROUND FLOOR PLAN



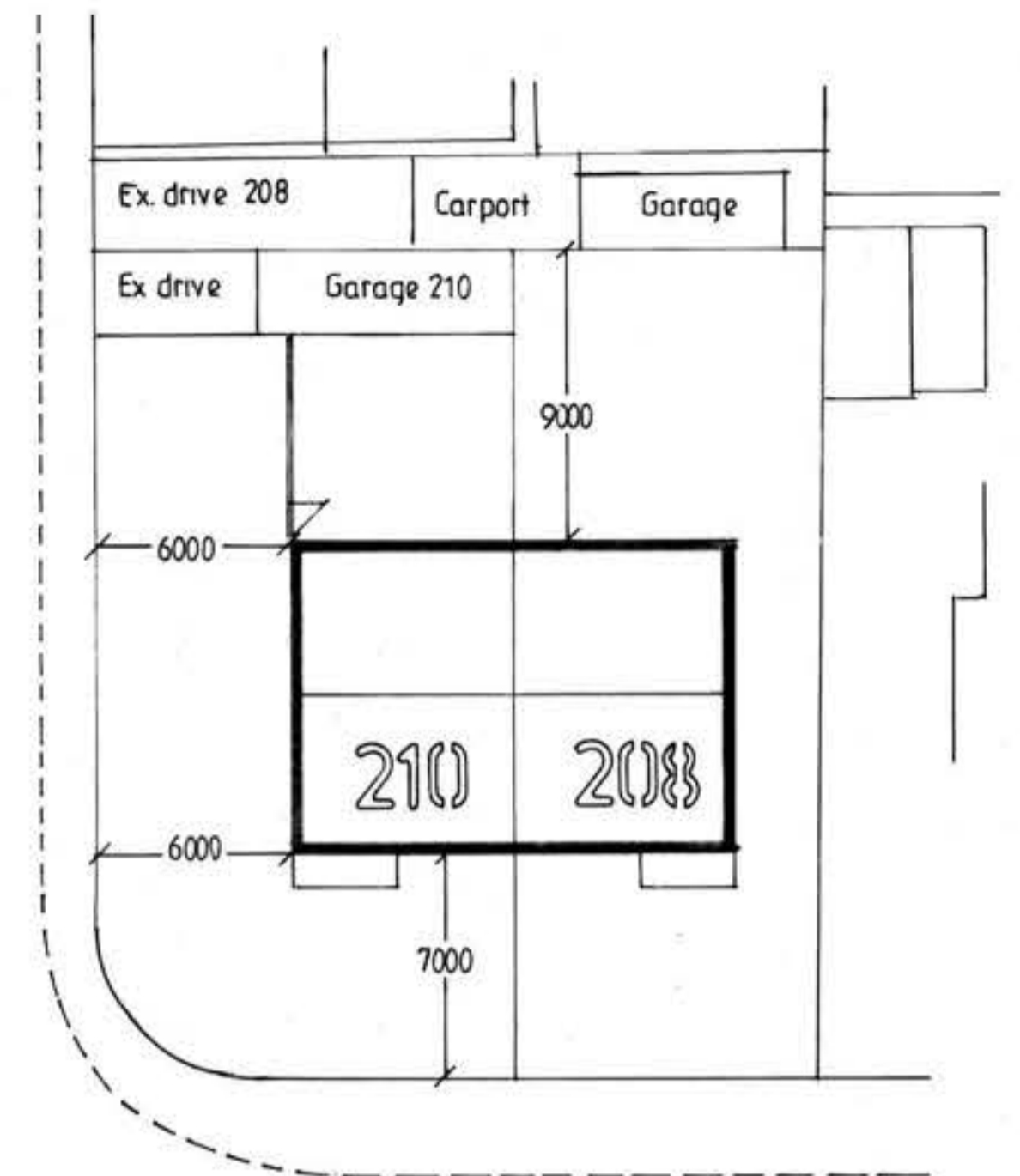
REAR ELEVATION



SECTION A-A



Freshfields

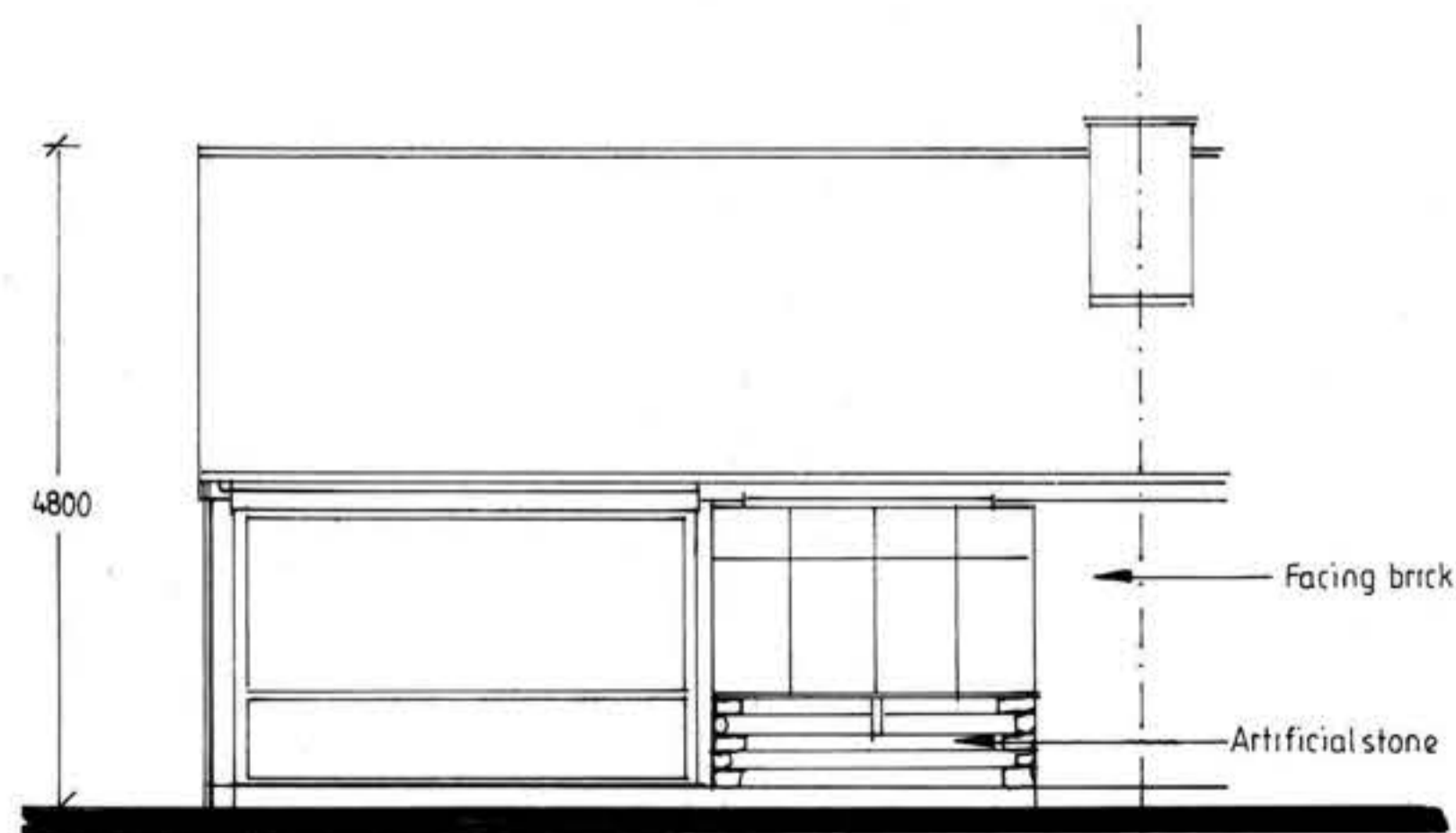


Turks Road

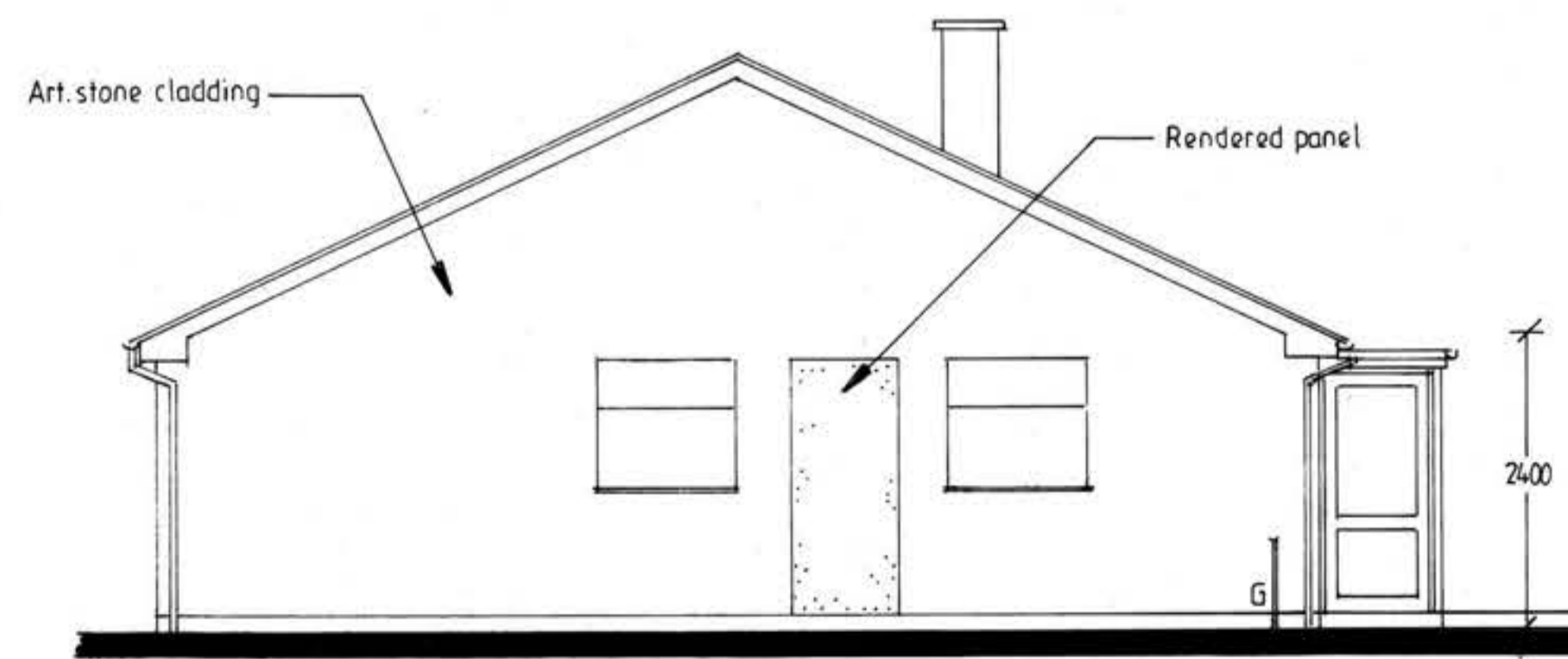
SITE PLAN 1:200



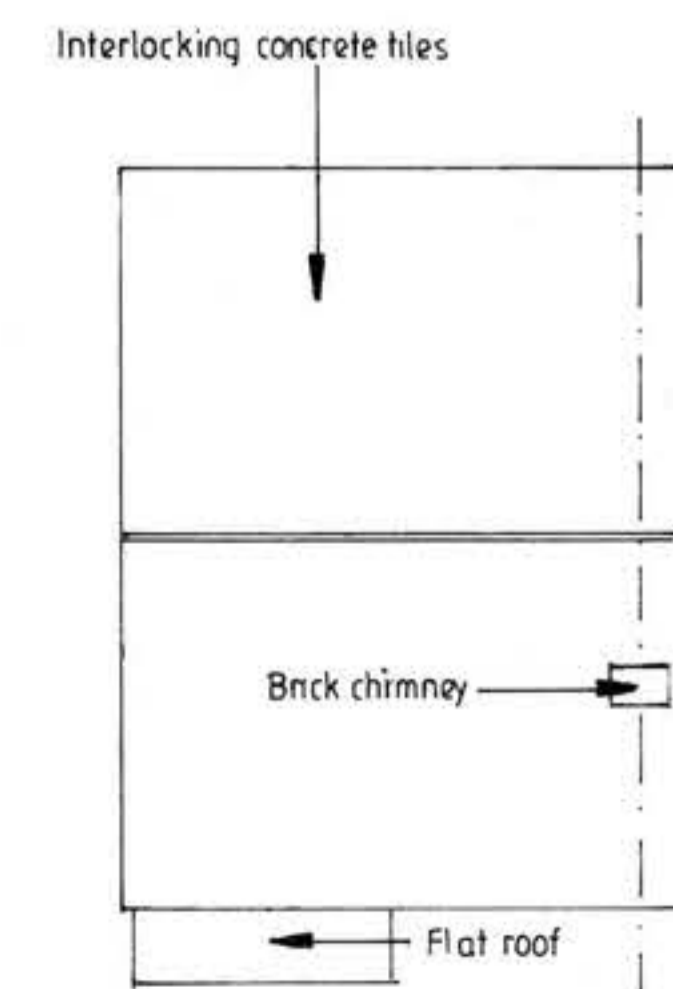
EXISTING FLOOR PLAN, ELEVATIONS AND SECTION 1:50



FRONT ELEVATION



SIDE ELEVATION



ROOF PLAN 1:100

PROPOSED SINGLE STOREY EXTENSION TO SIDE

FOR JANET LEACH
AT 210 TURKS ROAD
RADCLIFFE
M26 3NW

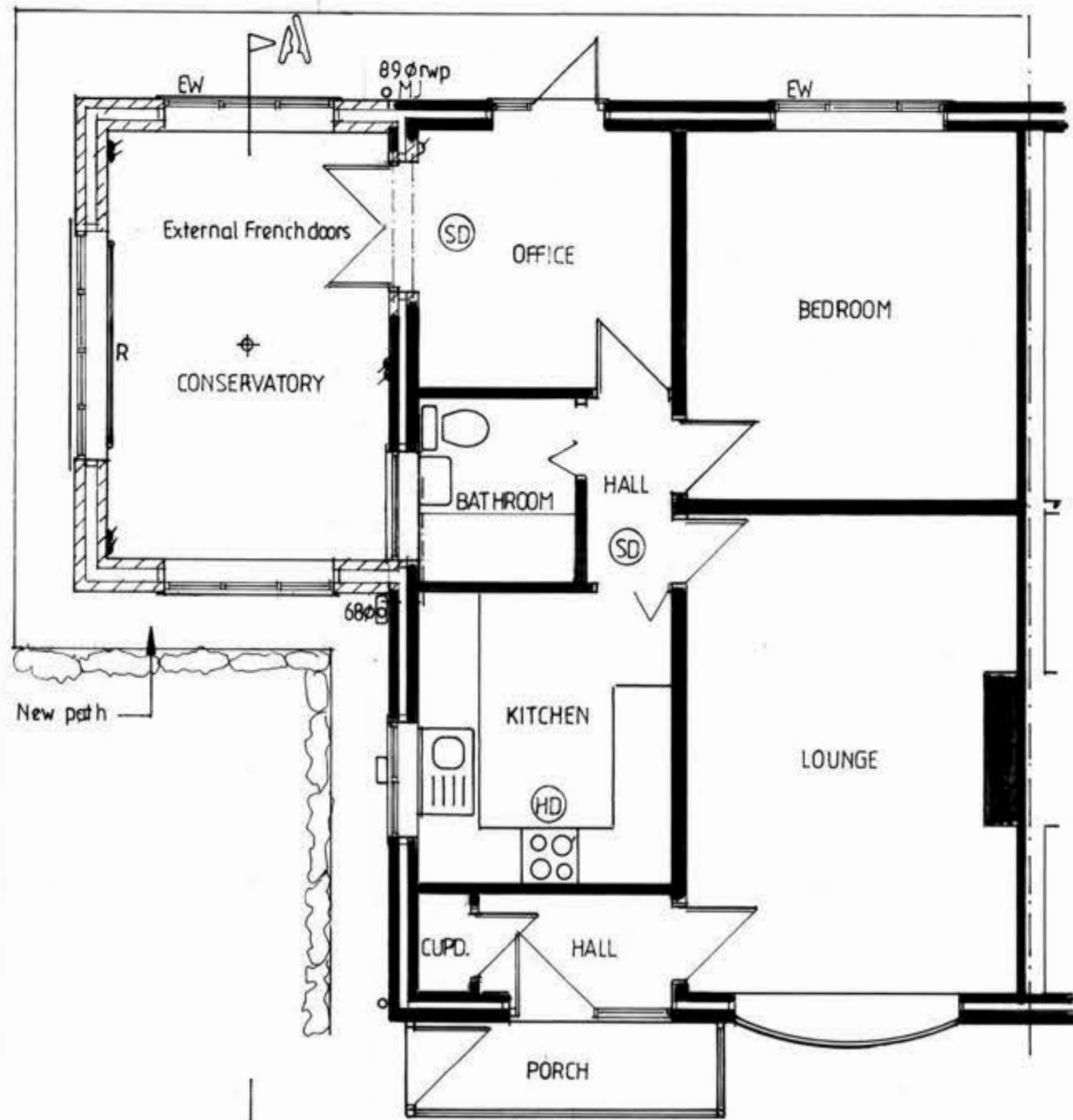
ADRIAN HUGHES
ARCHITECTURAL SERVICES

SCALE 150 1:100

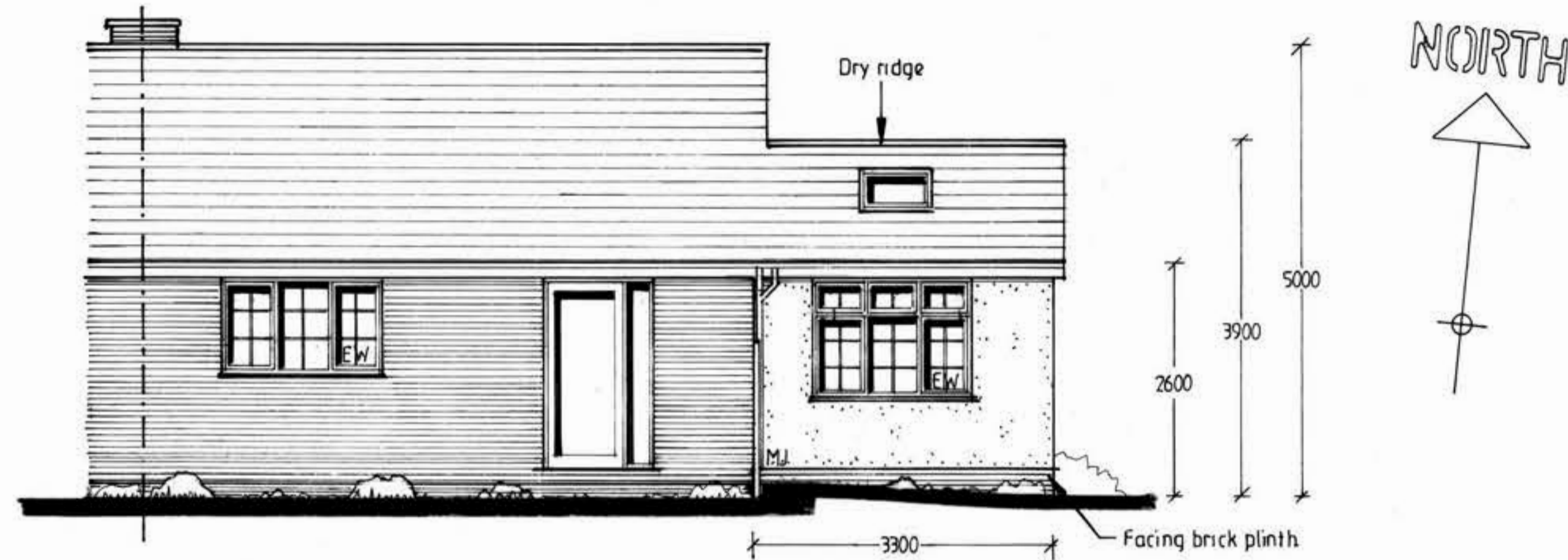
DATE DEC.2023

DRAWING NO.

1/34/2023

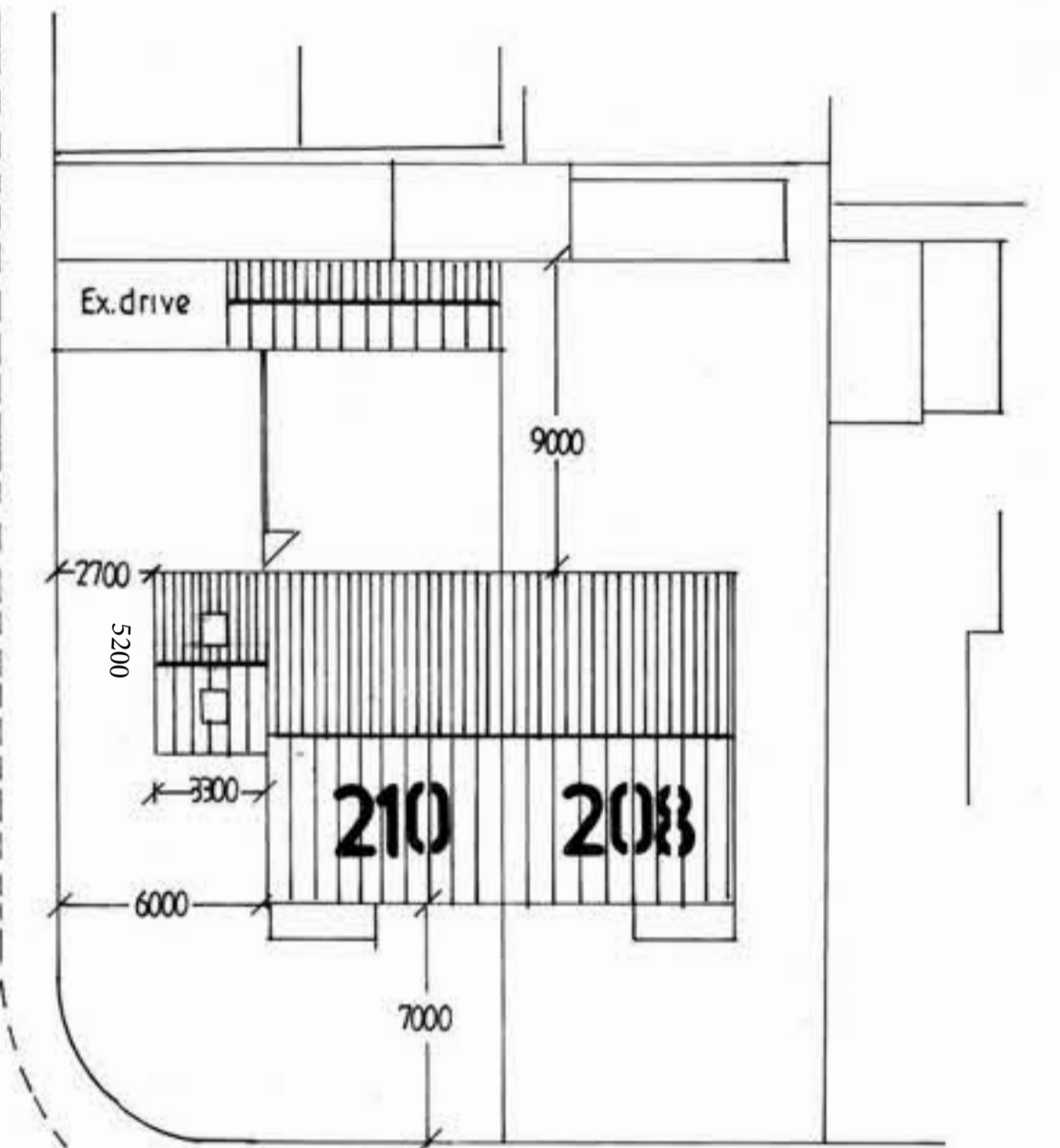


GROUND FLOOR PLAN



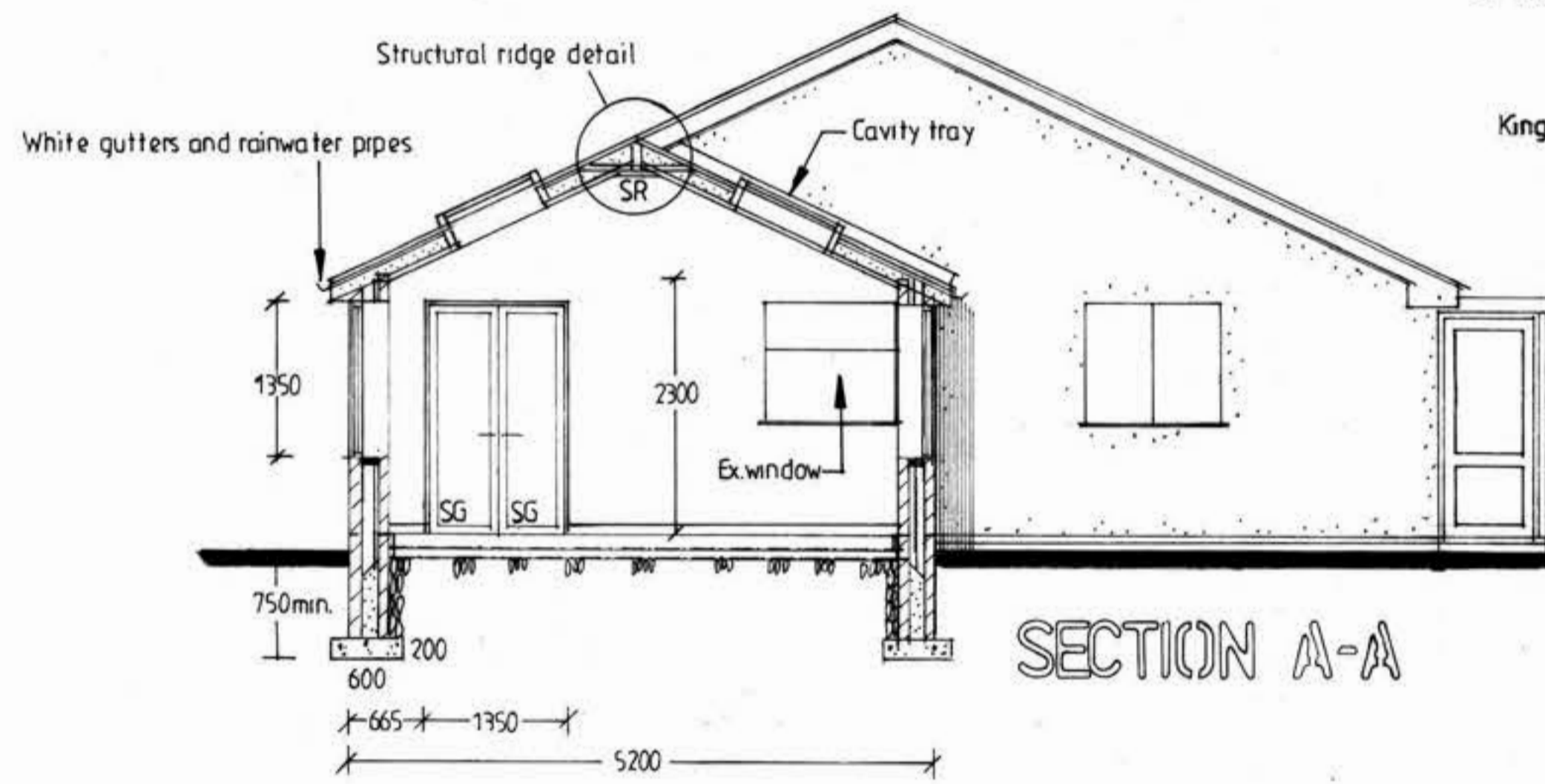
REAR ELEVATION

Freshfields



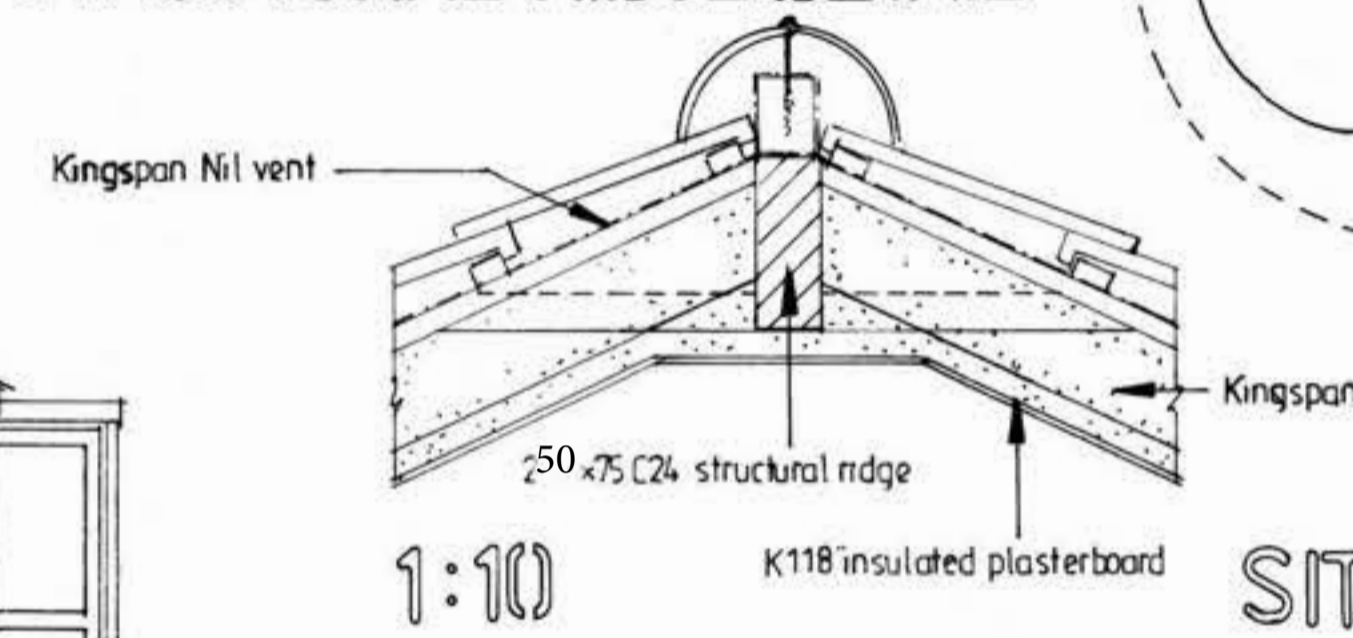
Turks Road

SITE PLAN 1:200

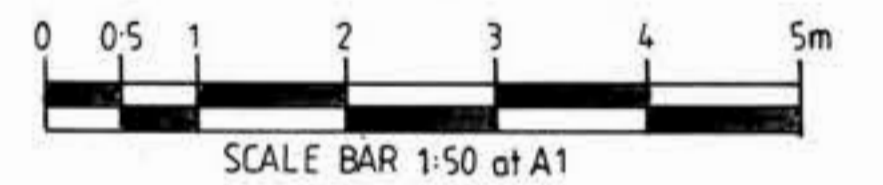


SECTION A-A

STRUCTURAL RIDGE DETAIL

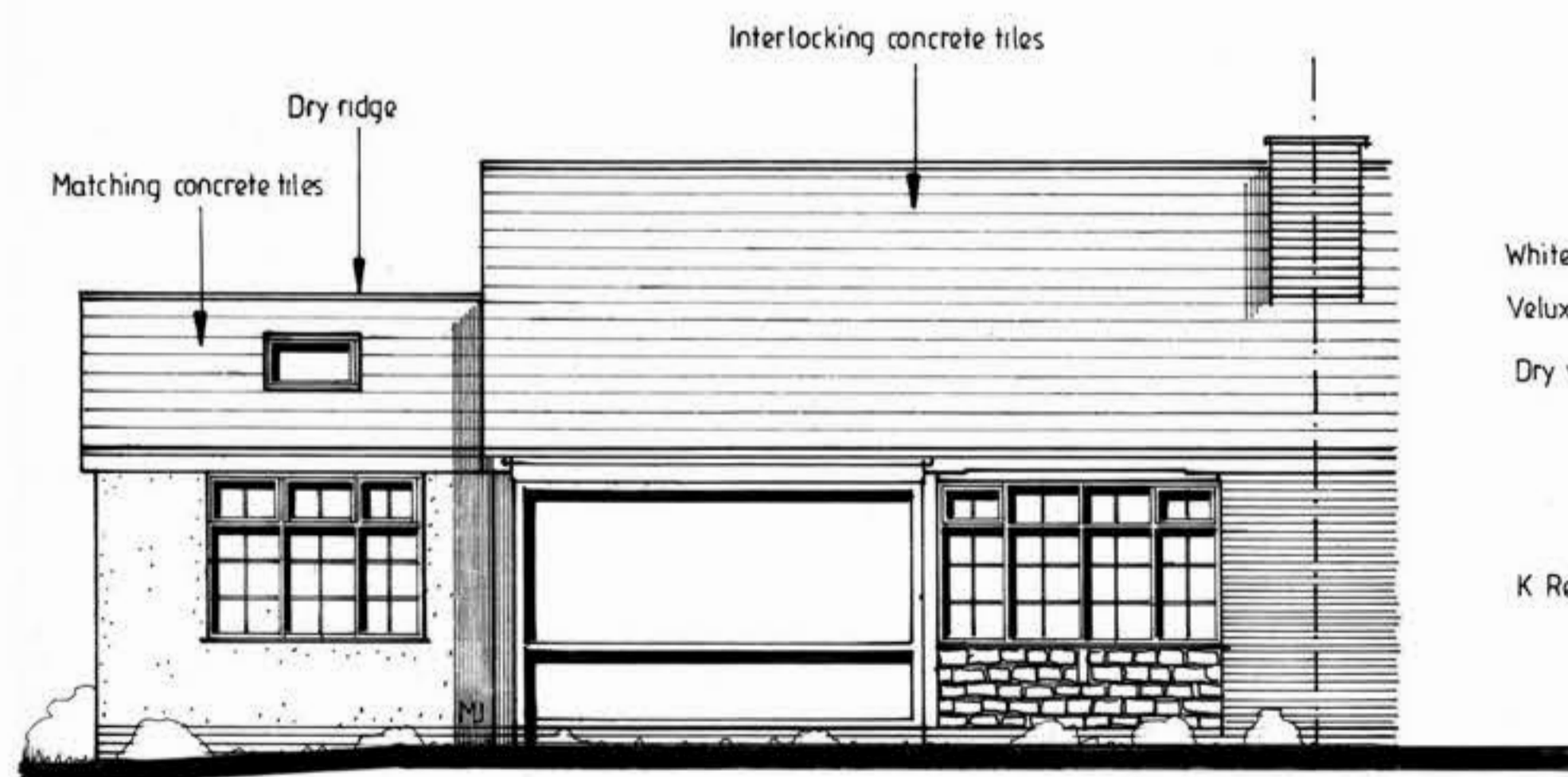


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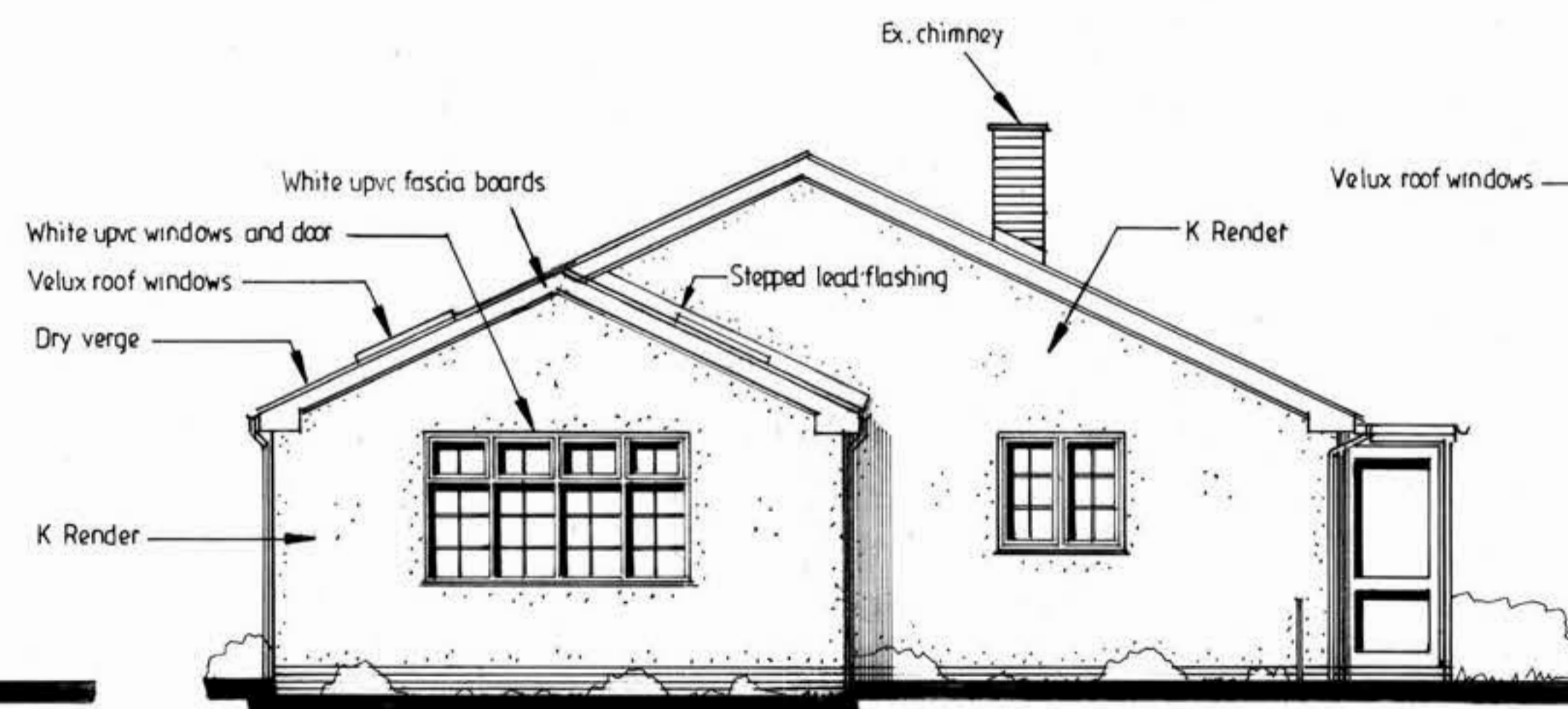


SCALE BAR 1:50 at A1

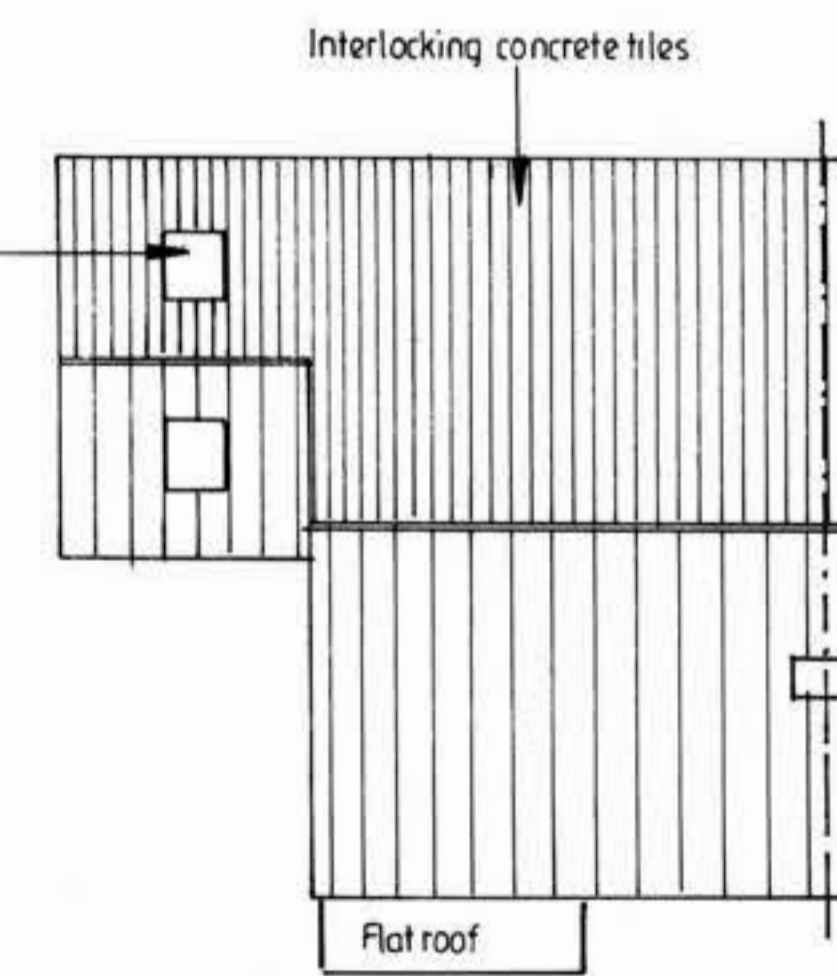
PROPOSED FLOOR PLAN, ELEVATIONS & SECTION 1:50



FRONT ELEVATION



SIDE ELEVATION



ROOF PLAN 1:100

PROPOSED SINGLE STOREY EXTENSION TO SIDE

FOR JANET LEACH
AT 210 TURKS ROAD
RADCLIFFE
M26 3NW

ADRIAN HUGHES
ARCHITECTURAL SERVICES

SCALE 1:50 1:100

DATE DEC. 2023

DRAWING NO.

2/34/2023

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Ward: Prestwich - Holyrood

Item 05

Applicant: Manchester Eruv Committee

Location: 3 no. sites on Sandgate Road, 2 no. sites on Heys Road and 1 no. site on Heywood Road, Willow Road, Fairfax Road and St Margarets Road

Proposal: Erection of poles, TPK's and Flat panels to create an Eruv on 9 no. sites

Application Ref: 70011/Full

Target Date: 06/12/2023

Recommendation: Approve with Conditions

Description

The application site comprises of various locations in Whitefield and Prestwich at Sandgate Road, Heys Road, Heywood Road, Willow Road, Fairfax Road and St Margaret's Road.

The application is for the erection of structures which comprise 6m high poles, flat panels and TKP's or 'door frames/gateways' at 9 locations in connection with an Eruv.

The posts would be similar to lampposts or telegraph poles albeit slimmer in diameter. A wire would be attached to the top of the poles to bridge the poles and form what is know as a gateway.

An Eruv is a formally recognised continuous boundary or a 'virtual' enclosed area which defined using Rabbinic principles, that designates an area whereby orthodox Jewish people are able to carry out day to day activities on the Sabbath whilst observing the requirements of the Sabbath.

In the most part, the Eruv can be made up of pre-existing boundary walls and structures but in some areas the Eruv may be 'breached' or 'broken up' by a gap which needs to be bridged to continue the Eruv boundary or extend the current boundary.

The concept of an Eruv does not require planning permission, it is the erection of the structures that do.

In terms of using existing structures, the applicant states that existing infrastructure which is owned by many different stakeholders cannot be relied on due to inevitable maintenance, removal or replacement and this can cause disruptions to the Eruv. In addition, many of the locations, existing lampposts and telegraph poles for instance do not meet Eruv requirements.

In the case, the applicant is seeking to extend the current Eruv boundary by erecting structures in the 9 proposed locations as follows:

Heys Road (WH1) - Arch across footpath to tram station entrance

Heys Road (WH2) - Flat panel under bridge

Fairfax road (WH3) - Flat panel under bridge

Willow Road (WH4) - Flat panel under bridge

Sandgate Road (WH5) - 2 x 6m high poles

Sandgate Road (WH6) - 2 x 6m high poles to entrance of Prestwich Heys AFC

Sandgate Road (WH7) - TPK across pedestrian entrance to Prestwich Heys AFC

Heywood road (WH8) - 2 x 6m high poles

St Margarets Road (WH9) - 2 x 6m high poles.

To clarify the type of structures proposed -

TPK - This is an abbreviation of three Hebrew words devised by the Eruv committee as there was no proper description for these types of structure which is essentially a metal framed 'doorway' or 'archway', often with a central scroll design.

Flat panel - A profiled steel panel generally fitted to walls.

Poles - 6m high galvanised posts usually fitted on public footways on streets.

Relevant Planning History

60184 - Erection of 2.3m and 6m high poles (some connected with string) at 3 sites, to create an Eruv - Approved 7/9/2016

55356 - Variation of condition 2 of planning permission 54353 to include amendments to the location of poles - Approved 10/8/2012

54353 - 31 Locations: 6-8m high poles, 1.2m high poles, gating enclosures, 1.2m high fencing and associated works - Approved 18/10/2011

Publicity

21 properties directly affected by the position of the structures were notified by means of letter on 16/10/23.

Site notices posted on 23/10/23.

Four objections received (from 3 addresses) with issues as follows:

- What is a TPK or a Flat Panel?
- Would like to know where exactly on St Margarets Road the pole is planned to be.
- St Margarets Road - No objection to the Eruv but do object to the erection of two poles at the park entrance particularly as there are telegraph poles on other side of the park entrance which could be adapted to carry the Eruv wire
- visually intrusive: The proposed poles are unsightly and not in keeping with the attractive brick park walls, the old gatekeepers cottage and woodland backdrop which exist in the area. The addition of two very high grey poles will ruin the existing aesthetic.
- Particularly concerned that the proposed pole on the pavement side of the park entrance will further reduce the width of an already narrow paved entrance.
- Concerned that the proposed poles will also make it easier for people to scale the park walls at night to gain entrance to the park when it's closed which has been an ongoing problem over a number of years.
- Heaton Park should be for people of all faiths and none symbolism should be used above the park entrance.
- Essentially claiming a public area as a private area and therefore taking over a public space for a religious purpose.
- Concerned additional poles will impact visibility at the busy entrance risking pedestrians/bikes/animals/vehicles. There has already been a fatal accident in this area. The Eruv 'gateway' may distract users at the park gate which is already tight (blind corner / bus stop).
- The pedestrian gate and pavement was recently widened at cost to park/council allowing prams/wheelchairs easier access. A pole is planned in that exact area negating improvements & wasting money spent.
- Poses a danger to birds and bats can fly into the thin wire between the posts and injure themselves.
- Organisations state that where poles are available they'll be used instead of new poles, I'm therefore unsure why there would be a requirement for additional poles for the purposes of the Eruv.
- It does not for fill any tangible real world purpose, unlike the limited other 'street furniture' (a street light and electricity pole which services the community) it is non-essential.

Revised plan received to show poles re-positioned at the entrance to Heaton Park, reduced in diameter to 76mm and painted black.
Neighbours re-notified of the changes on 11/1/24.

- Painting the two six foot tall poles black will not significantly reduce the visual impact they make. The colour also conflicts with the green colour used for the adjacent park gates. The proposed Eruv structure remains intrusive.
- The proximity of the pole located to the left of the park gates to the perimeter wall means it will be targeted and used by people to scale the park walls when it is closed. As well as the being a security risk and potentially leading to anti-social behaviour, it would likely cause damage to the Eruv itself, which will lead to further disruption when it requires repairing.
- I do not believe the views and concerns of local residents have been adequately considered.
- Eruv pole locations have been adjusted slightly; this doesn't satisfactorily address concerns re: visibility and access issues (two people have sadly died in collisions with cars at this location). Any reduction in space for people entering / exiting the park increases the risk of accidents.
- Existing telegraph poles located at the park gates could be utilised to carry the wire; these poles have been in this location for many years and are highly unlikely to be relocated. Have sufficient efforts been made to assess the viability of using these?
- The Eruv would fulfill the same purpose if located inside the park gates / entrance.

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection in principle.

Transport for Greater Manchester - No objection in principle.

Public Rights of Way Officer - No response received

Manchester City Council - No response received.

Metrolink - No objection in principle and require a condition to agree the design and installation of the structures.

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

EN1/2 Townscape and Built Design

EN1/4 Street Furniture

EN1/7 Throughroutes and Gateways

HT5/1 Access For Those with Special Needs

HT6/2 Pedestrian/Vehicular Conflict

HT6/1 Pedestrian and Cyclist Movement

RT1/1 Protection of Recreation Provision in the Urban Area

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.

Public Sector Equality Duty

Section 149 of the Equality Act places a general duty on public bodies to have due regard to the need to eliminate discrimination and promote equality with regard to those with protected characteristics such as race, disability, religion or belief, gender and sex and to foster good relations between different groups when discharging its functions. It is not considered that any one group would be disadvantaged by the proposed Eruv, however, those who observe Jewish law against carrying on the Sabbath would benefit from the proposal. As such there would be benefits to groups with protected characteristics, including parents and grandparents of young children, the disabled and elderly as well as their families. The proposal is therefore considered to benefit these protected groups and advance equality of opportunity. There is no evidence to suggest other such proposals elsewhere in Bury have had an adverse impact on community cohesion.

Places for Everyone

The Places for Everyone Joint Development Plan Document (PfE) is a joint plan covering nine of the ten Greater Manchester districts, including Bury, and is intended to provide the overarching framework to strategically manage growth across the boroughs. PfE was published in August 2021 and subsequently submitted to the Secretary of State in February 2022. Inspectors have been appointed to carry out an independent examination of the Plan with the hearing sessions commencing in November 2022 and were concluding in July 2023. The examination of the plan is on going.

Whilst PfE cannot be given full weight until it is adopted, its advanced stage of preparation means that it is now considered reasonable that the Plan (as proposed to be modified) should be given weight in the decision making process in line with paragraph 48 of the National Planning Policy Framework. Consequently, the principle of this application has been considered against the Plan (as proposed to be modified). However, the principle of this proposal does not give rise to any conflict with PfE policies.

Siting, design and appearance

The application proposes 3 types of structures - poles, flat panels and a 'doorframe' or gateway design.

The arched frame proposed to be located to the pedestrian entrance of the Metrolink Station at Heys Road would be steel portal yellow powder coated, to reflect the branding of Metrolink portals and structures on the network which would directly relate to the character of the Metrolink setting.

The archway structure proposed next to the pedestrian entrance to Prestwich Heys on the other hand would comprise two slimline black poles with a central scroll design and finished in a black colour. It would be set at the back edge of the highway and the design would be uncomplicated and modest and considered not to be an obtrusive addition within the street scene and this setting.

The flat panels would be located on walls which form an underpass at Metrolink Bridges. The panels would be approximately 1.2m high and 0.5m wide and would be erected so as not to protrude from the bridge structure or obstruct pedestrian access. The panels would be steel powder coated black. The applicant would need to enter into an agreement with Metrolink to establish the liability for the panels themselves and also the ongoing maintenance required in relation to both the bridge structure and the panels. This would be a civil matter.

The proposed posts which would be located on the highway would be 6m high and a simple tubular design. The exterior would be finished in a galvanised grey steel and the posts would be erected next to walls, boundaries or at the back edge of the footway. The erection of the poles would not add a significant number of pieces of street furniture to the area, and the poles would appear similar to street columns which are found in residential streets. Given their siting and appearance it is considered the poles would not be prominent or intrusive to the visual amenities of the area.

The poles which would be located at the entrance to Heaton Park on St Margarets Road would be set back against the stone boundary wall to the park and would have a black exterior finish which would be appropriate against the backdrop of the park.

The erection of the poles would not add a significant number of pieces of street furniture to the area, and the poles would appear similar to street columns which are found in residential streets.

It is therefore considered that the proposed Eruv structures would have a similar design and appearance to other street furniture which are commonly found on streets and in areas within the locality of each of these sites. It is considered the proposed development would therefore not harm the visual amenity of the areas and would comply with UDP EN1/2 - Townscape and Built Design.

Residential amenity

Where the structures would be located near to residential properties, they would either be located in between houses or set at the back of edge of pavement where it would not be unusual to site a telegraph pole or a lamppost. These new posts would resemble lampposts and telegraph poles, both of which are exempt from the need for planning permission when erected by the Council or Statutory Undertaker. They would not look so out of place as to be a detriment to the residential amenity of the neighbouring properties.

It is considered that the structures would be sensitively sited and would not have a detrimental impact on the residential amenity and would comply with EN1/2 - Townscape and Built Design.

Highway issues

The proposed posts would be located in areas that would not impede accessibility along the pedestrian footway.

The poles which are proposed at Sandgate Road (WH5) and Heywood Road (WH8) would be linked by a wire across the highway which would clear the highway at a minimum height of 5.5m which is shown on the proposed site plans. TfGM have been consulted and have noted the minimum height which they state should not be an issue.

No objections have been received from the Traffic Section with regard to the siting of any any of the structures. An appropriate management and maintenance agreement between the applicant and the Highway Authority would need to be entered into with a scope and specifications for the foundations which should be designed to be clear of any statutory undertakers plant. This would be covered under the Highway Act and for the applicant to obtain a license. An informative to the applicant would be included to this effect.

As such, the proposed development is considered acceptable and would not conflict with UDP Policy HT6/1 - Pedestrian and Cyclist Movement.

Metrolink

In relation to the sites numbered WH1, WH2, WH3 and WH4, these directly impact Metrolink infrastructure and Metrolink have no objection to the principle of the proposals. The exact locations, nature, fixings would need to be agreed with Metrolink which is a civil matter and an informative included to advise the applicant to contact Metrolink directly. From a planning perspective, the proposals are considered acceptable.

Transport for Greater Manchester

The quantum of development would not trigger the requirement for a highway impact review by TfGM.

In terms of other comments, TfGM would note the following:

- For site WH8, it would need to be ensured that the Eruv would not impact on the bus route or the bus stops. The site plan for WH8 outlines that the arch would be at a minimum height of 5.5m for cars, which should not be an issue.
- The applicant is advised to confirm with TfGM whether the proposals would be acceptable or whether the existing bus stop would need to be relocated. If relocation proposals are necessary, these would need to be progressed and agreed through the statutory process and would need to be wholly funded by the applicant and be in accordance with TfGM's bus stop design guidelines.
- Should construction works impact upon the use of the bus stop, TfGM would advise the applicant to liaise with TfGM prior to undertaking any works on site.

An informative to the applicant to advise they liaise directly with TfGM with regards to the above issues would be included.

Response to objectors

- The poles proposed to the entrance to Heaton Park have been changed and it is now proposed to finish the exterior in a black colour which would be less visually intrusive and locate the poles at the back edge of the footway to avoid any obstructions in this area.
- In terms of the wires (which would be affixed to the top of the poles to form a connection between the poles to create the Eruv) these would be similar to telegraph poles and as such it is considered that there would be no more harm to wildlife or bats and birds than from similar existing structures located in these areas.
- The applicant has stated that utilising existing structures would cause issues of ownership and the potential for future maintenance, relocation or even removal of existing structures.
- Regarding Site WH9 - St Margaret's Road, there is existing street furniture already located close to the wall and it is considered that the location and pole structures themselves would not add to any increase in security breaches or acts of vandalism than could already occur.
- All representations received to the application have been reported and considered.
- All other issues have been covered in the above report.

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

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

Recommendation: 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 -
Heys Road (WH1) - DA23033. 401. C
Heys Road (WH2) - DA23033. 402. A
Fairfax road (WH3) - DA23033. 403. A
Willow Road (WH4) - DA23033. 404. A
Sandgate Road (WH5) - DA23033. 405. A
Sandgate Road (WH6) -DA23033. 406. A
Sandgate Road (WH7) - DA23033. 407. A
Heywood road (WH8) - DA23033. 408. B
St Margarets Road (WH9) - DA23033. 409. 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. The structures (relating to the Eruv) hereby approved are required to be respectively removed as soon as reasonably practicable after it is no longer required for the purposes of serving the Eruv and the land restored to its condition before the development took place.
Reason. In the interests of visual and residential amenity pursuant to Bury Unitary development Plan Policies EN1/2 - Townscape and Built Design

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

70011

Photo 1 – Site WH4 Willow Road



Photo 2 – Site WH3 Fairfax Road



70011

Photo 3 – Site WH1 Heys Road



Photo 4 - Site WH2 Heys Road



70011

Photo 5 – Site WH7 Sandgate Road



Photo 6 – Site WH6 Sandgate Road



70011

Photo 7 – Site WH5 Sandgate Road



Photo 8 – Site WH8 Heywood Road



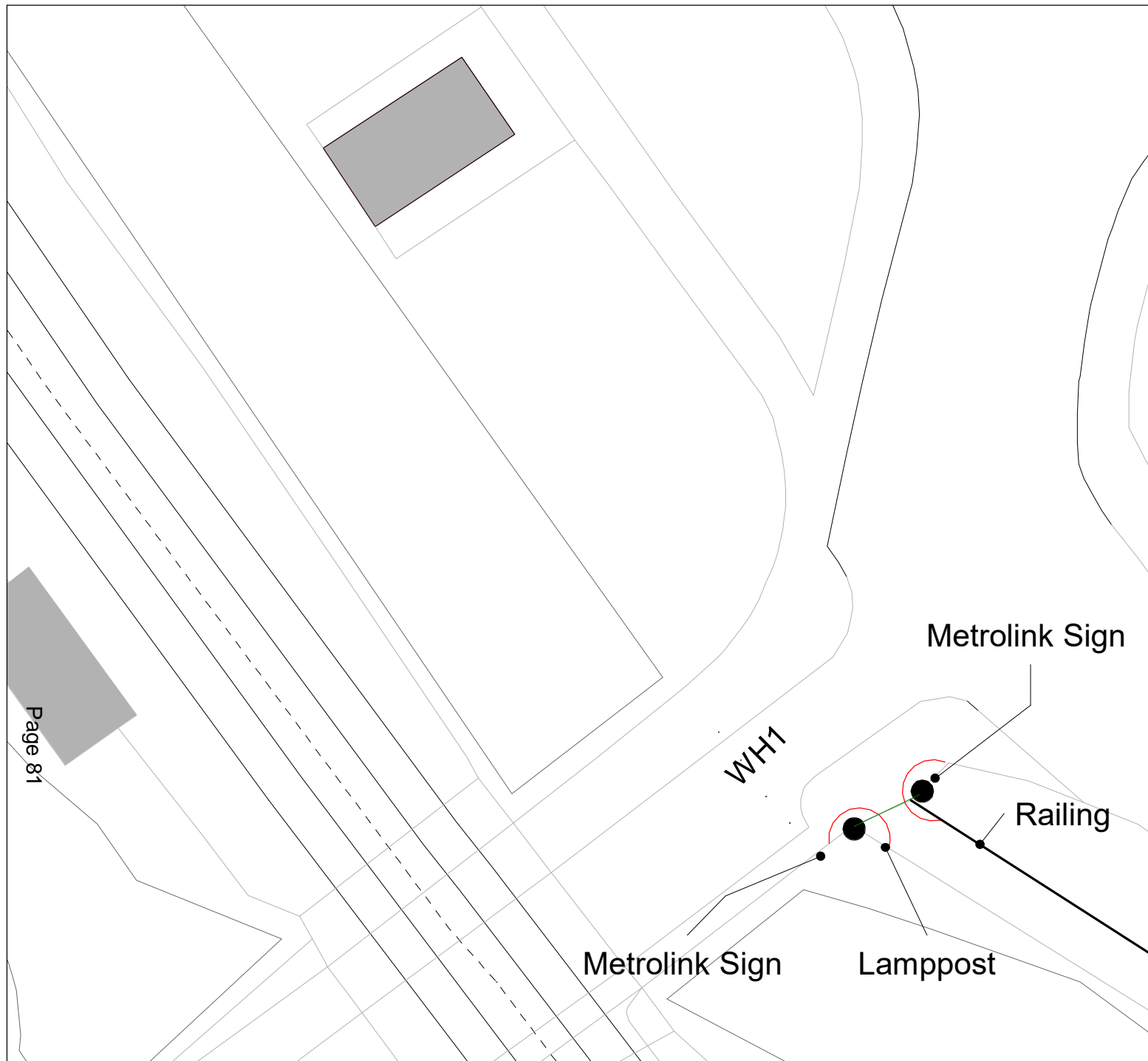
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Photo 9 – Site WH8 Heywood Road

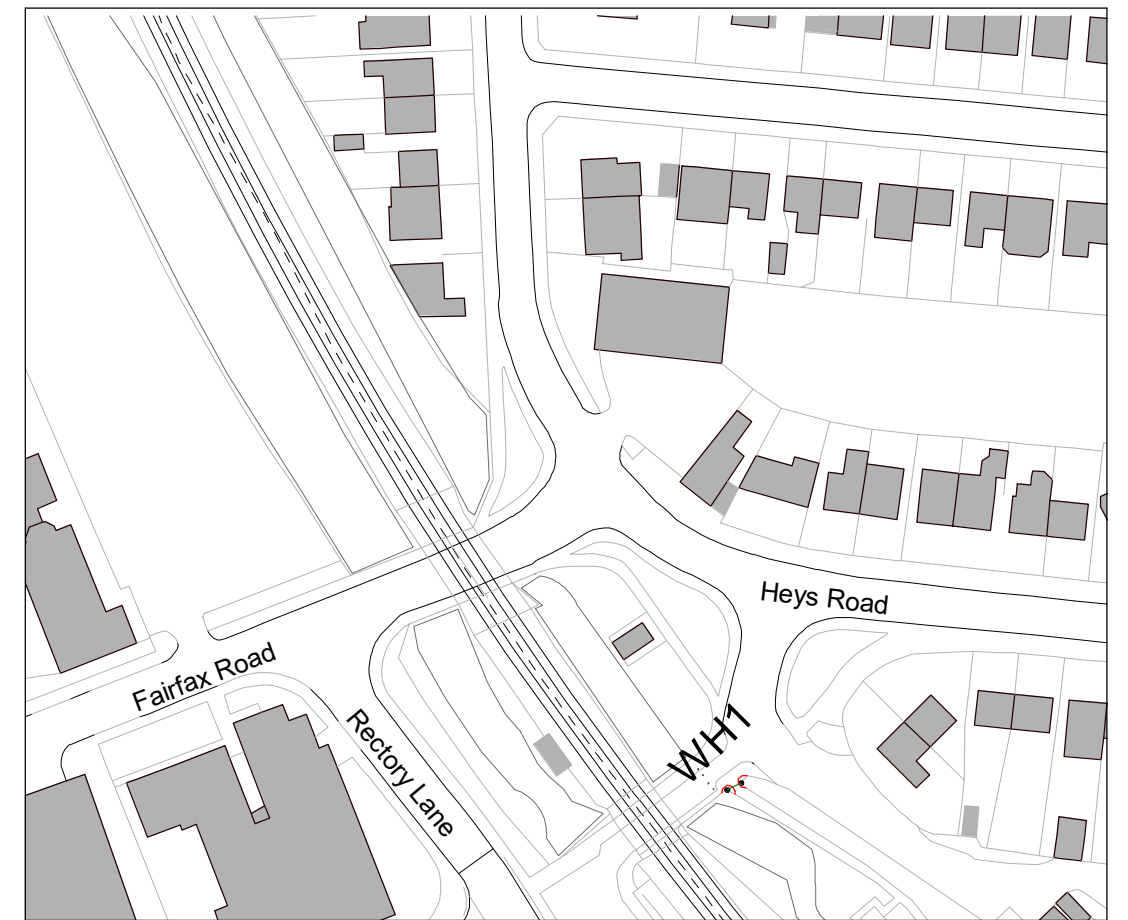


Photo 10 – Site WH9 St Margarets Road



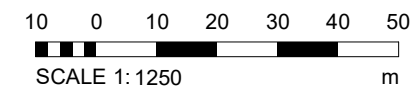
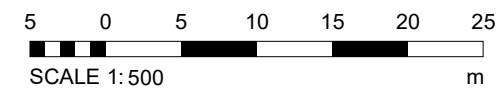
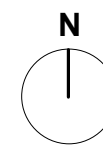


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1. Site - WH1 - Location Plan

1 : 1250



2. Site - WH1 - Site Plan

1 : 200

WH1 - TPK
 TPK across footpath leading up to tram station from Heys Road .
 (Ref 1) - steel portal Yellow powder coated. Exact design and dimensions TBC with Metrolink

Arch to be a minimum height of 2.5m for pedestrians or 2.7m for cyclists

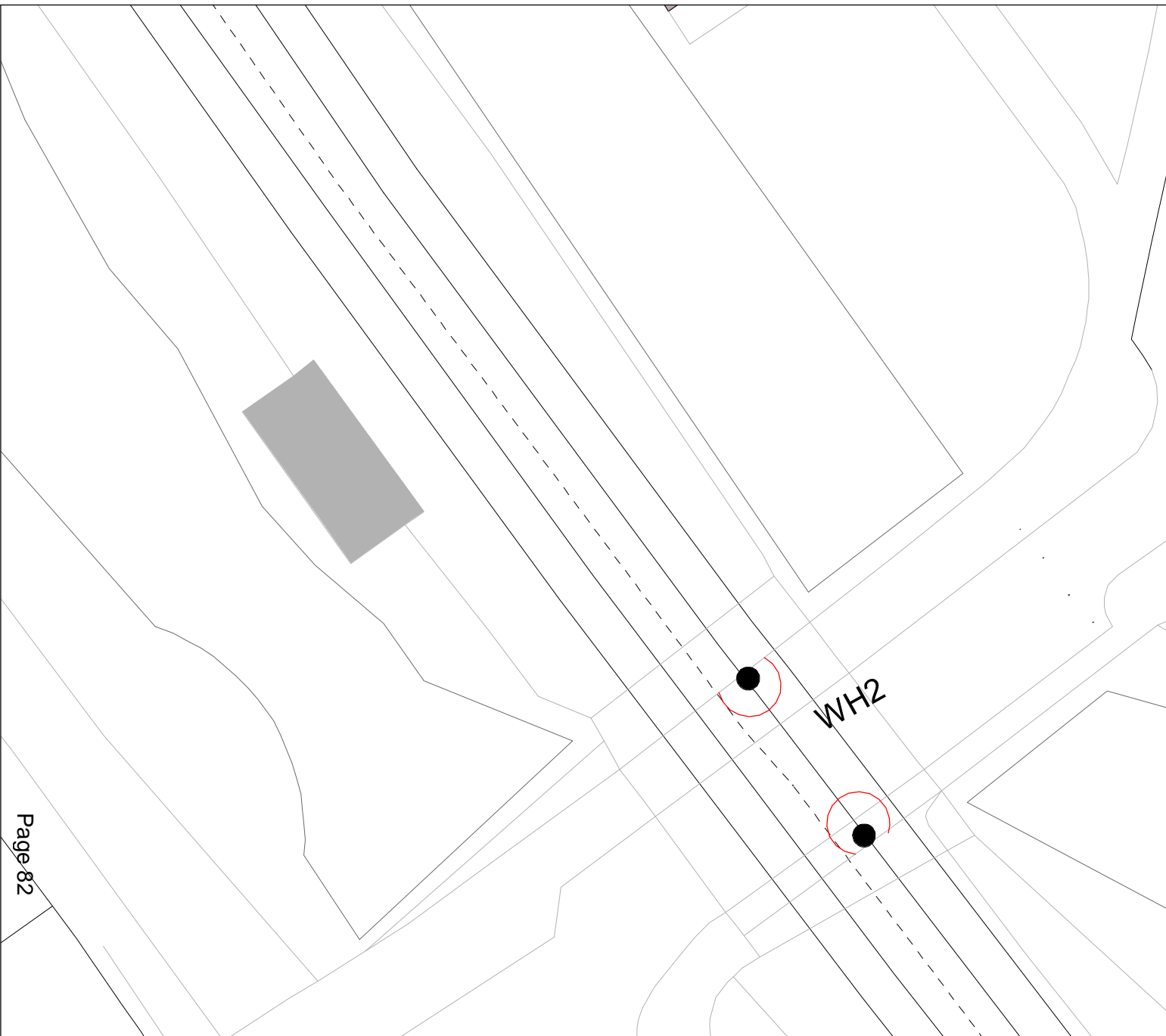


Ref - 1



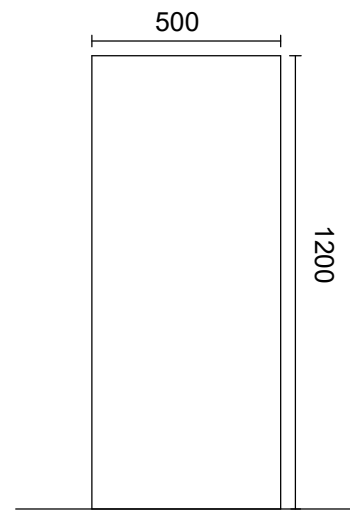
C	WH1 - Metrolink portal	YM	Date 5
B	WH1 - amend colour of TPK	YM	19/01/24
A	Validation changes	YM	10/10/23
REV	DESCRIPTION	BY	DATE

PROJECT	SCALE @ A3	DATE	DRAWN BY
Eruv Extension - Whitefield	As indicated	26 JUL 2023	YM
CLIENT	STATUS		
Manchester Community Eruv	Planning		
TITLE	PROJECT NO.	DRAWING NO.	REV.
WH1 - Heys Road, M25 1JY	DA23033.	401.	C
			
<small>NOTES</small> THIS DRAWING MUST NOT BE REPRODUCED WITHOUT PRIOR WRITTEN CONSENT. DRAWING TO BE USED FOR THE STATUS INDICATED ONLY. ALL DIMENSIONS AND SETTING OUT SHALL BE CHECKED AND CONFIRMED ON SITE. ANY DISCREPANCIES TO BE REPORTED TO THE DESIGNER PRIOR TO THE COMMENCEMENT OF ANY WORK. ALL WORK AND MATERIALS TO BE IN ACCORDANCE WITH CURRENT STATUTORY LEGISLATION, RELEVANT CODES OF PRACTICE AND BRITISH STANDARDS. ALL DIMENSIONS ON THIS DRAWING ARE IN MILLIMETRES (UNLESS OTHERWISE STATED).			



1. Site - WH2 - Site Plan

1 : 200



WH2 - Flat Panel Under Bridge

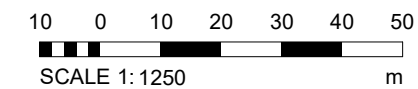
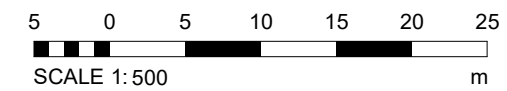
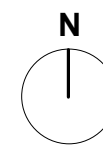
1200mm high and 500mm wide.
 profiled steel panel screwed into the wall. Powder coated black.

Either side of the bridge - at corresponding opposites at ground level



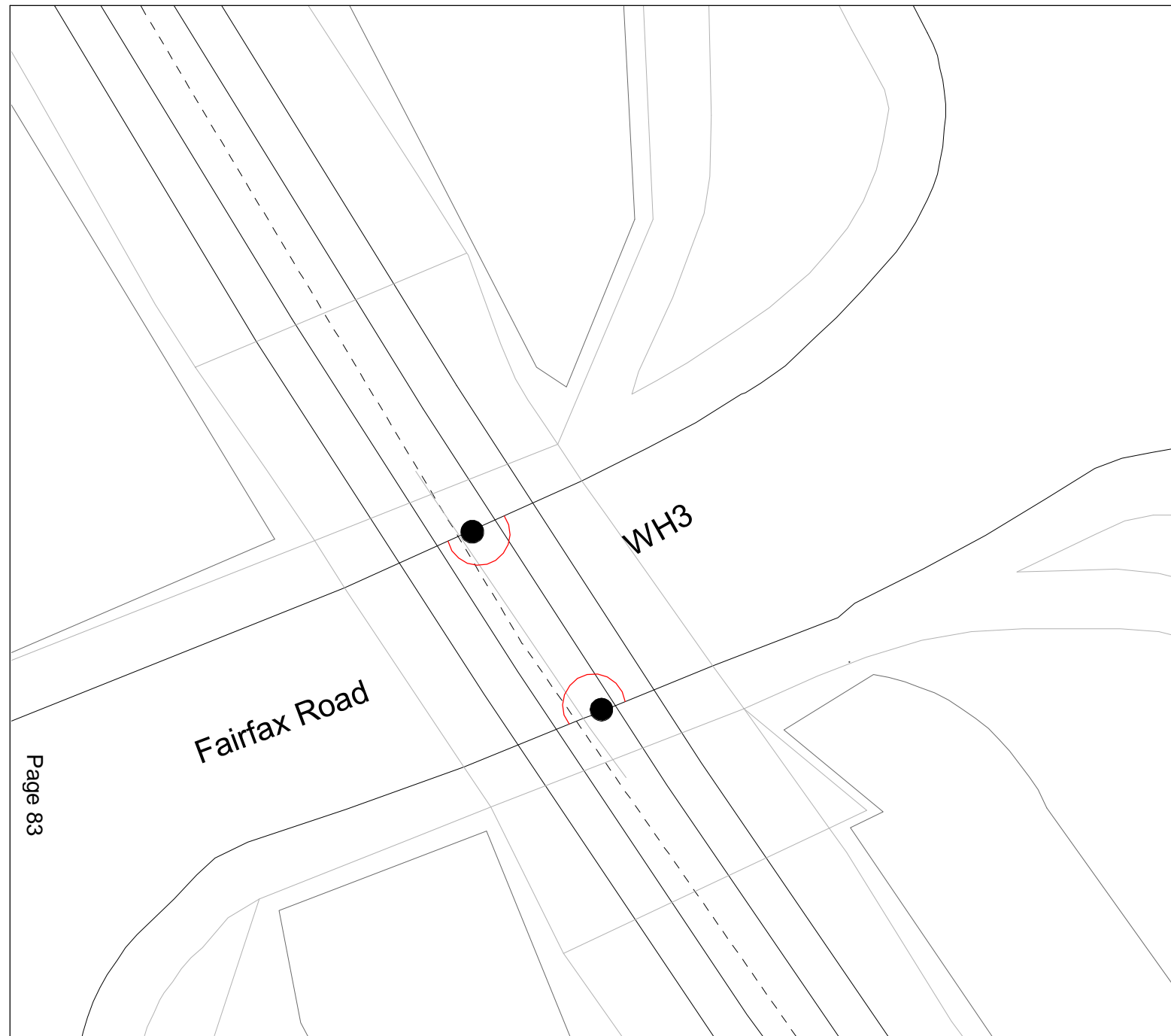
2. Site - WH2 - Site Plan - Location Plan

1 : 1250



REV	DESCRIPTION	DATE	BY	DATE
A	Validation changes		YM	10/10/23

PROJECT	SCALE @ A3	DATE	DRAWN BY
Eruv Extension - Whitefield	As indicated	26 JUN 2023	YM
CLIENT	STATUS		
Manchester Community Eruv	Planning		
TITLE	PROJECT NO.	DRAWING NO.	REV.
WH2 - Heys Road, M25 1JY	DA23033.	402.	A
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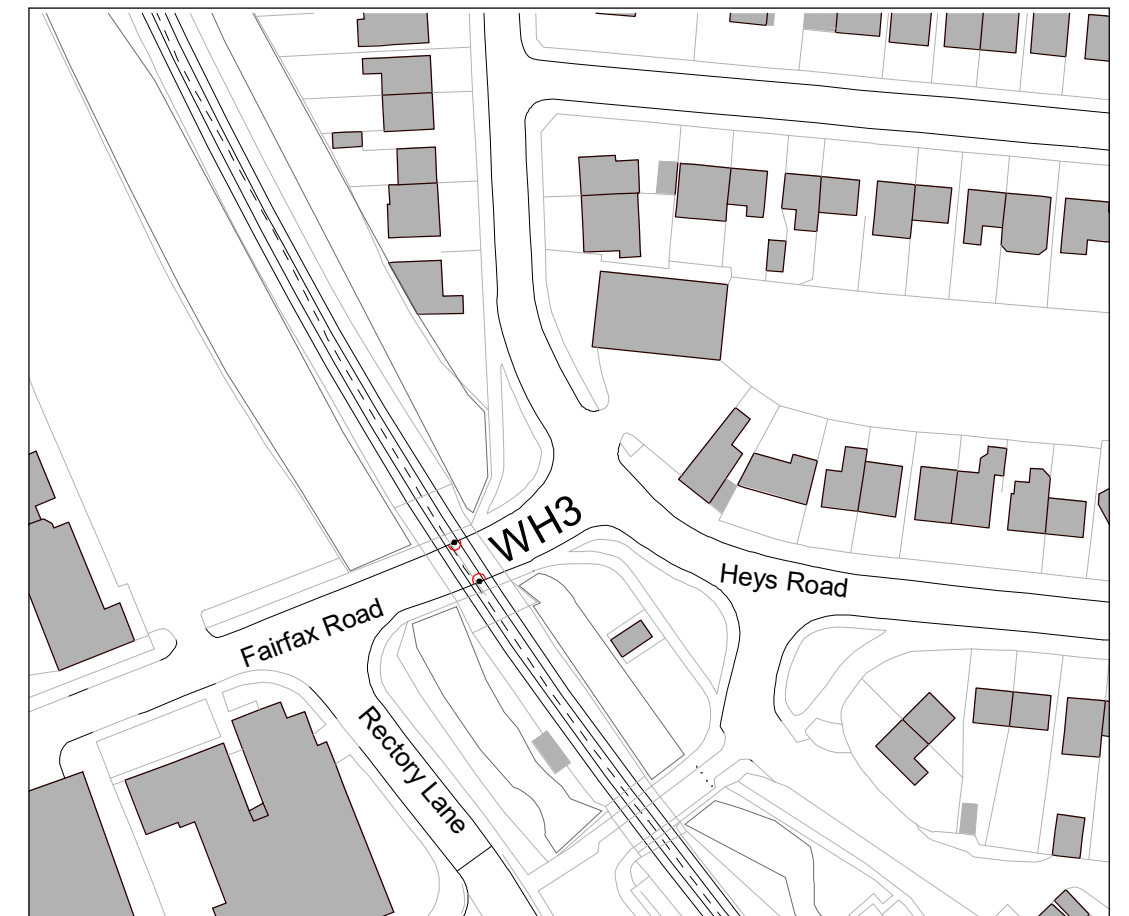
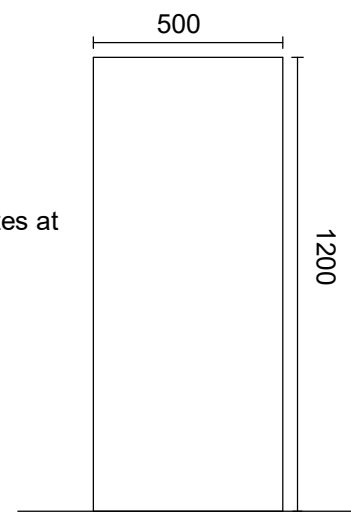
1. Site - WH3 - Site Plan

1 : 200

WH3 - Flat Panel Under Bridge

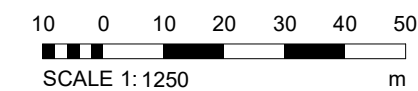
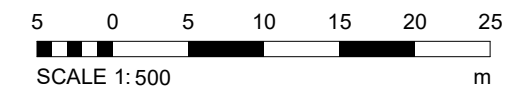
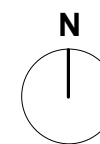
1200mm high and 500mm wide. profiled steel panel screwed into the wall. Powder coated black.

Either side of the bridge - at corresponding opposites at ground level



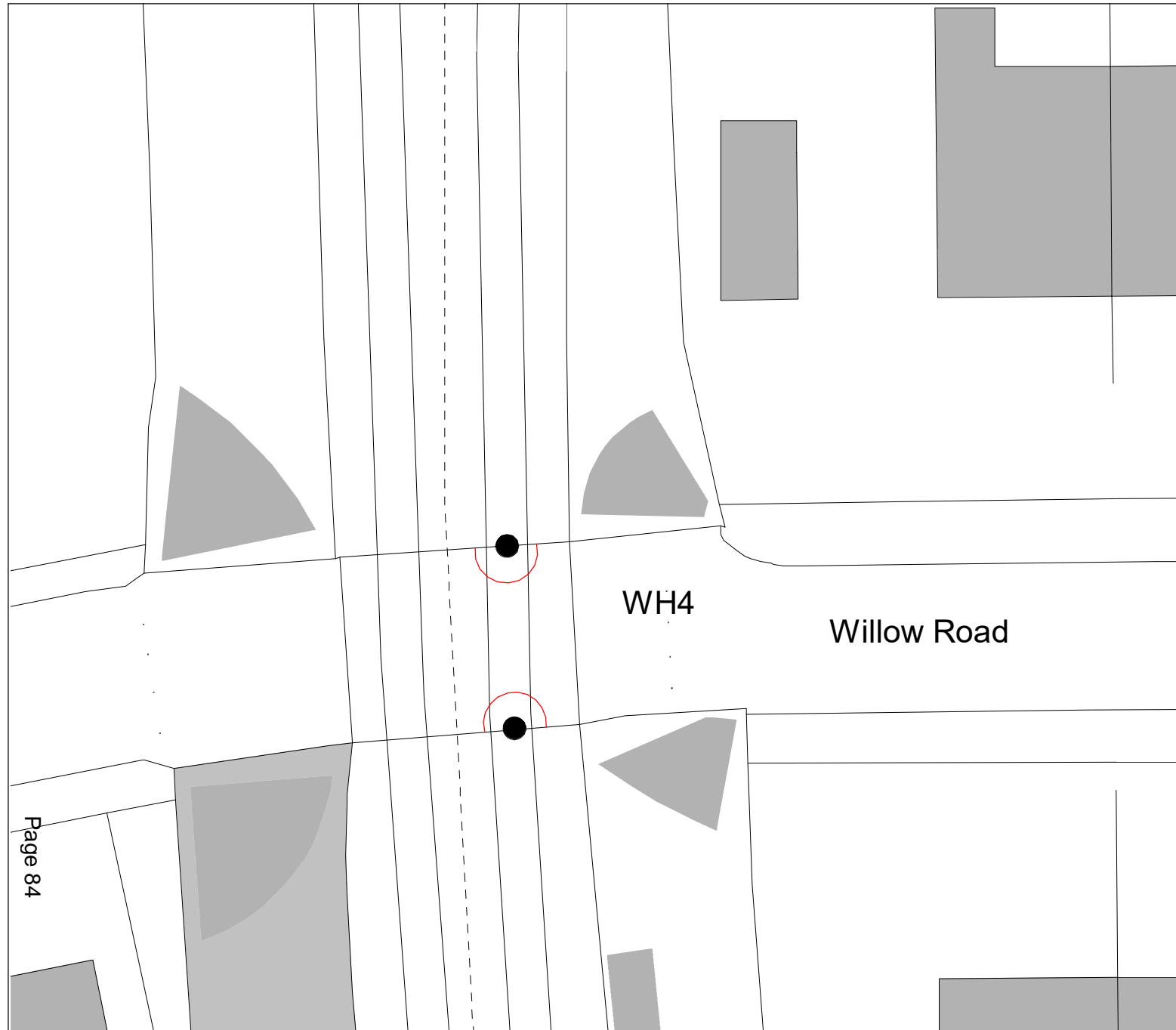
2. Site - WH3 - Site Plan - Location Plan

1 : 1250



A	Validation changes	YM	10/10/23
REV	DESCRIPTION	BY	DATE

PROJECT	SCALE @ A3	DATE	DRAWN BY
Eruv Extension - Whitefield	As indicated	28 JUL 2023	YM
CLIENT	STATUS		
Manchester Community Eruv	Planning		
TITLE	PROJECT NO.	DRAWING NO.	REV.
WH3 - Fairfax Road, M25 3AY	DA23033.	403.	A
NOTES			
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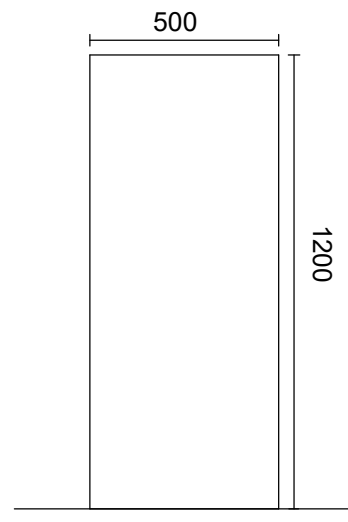
1. Site - WH4 - Site Plan

1 : 200

WH4 - Flat Panel Under Bridge

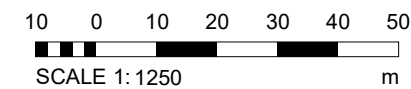
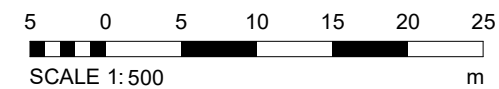
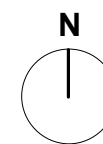
1200mm high and 500mm wide.
 profiled steel panel screwed into the wall. Powder coated black.

Either side of the bridge - at corresponding opposites at ground level



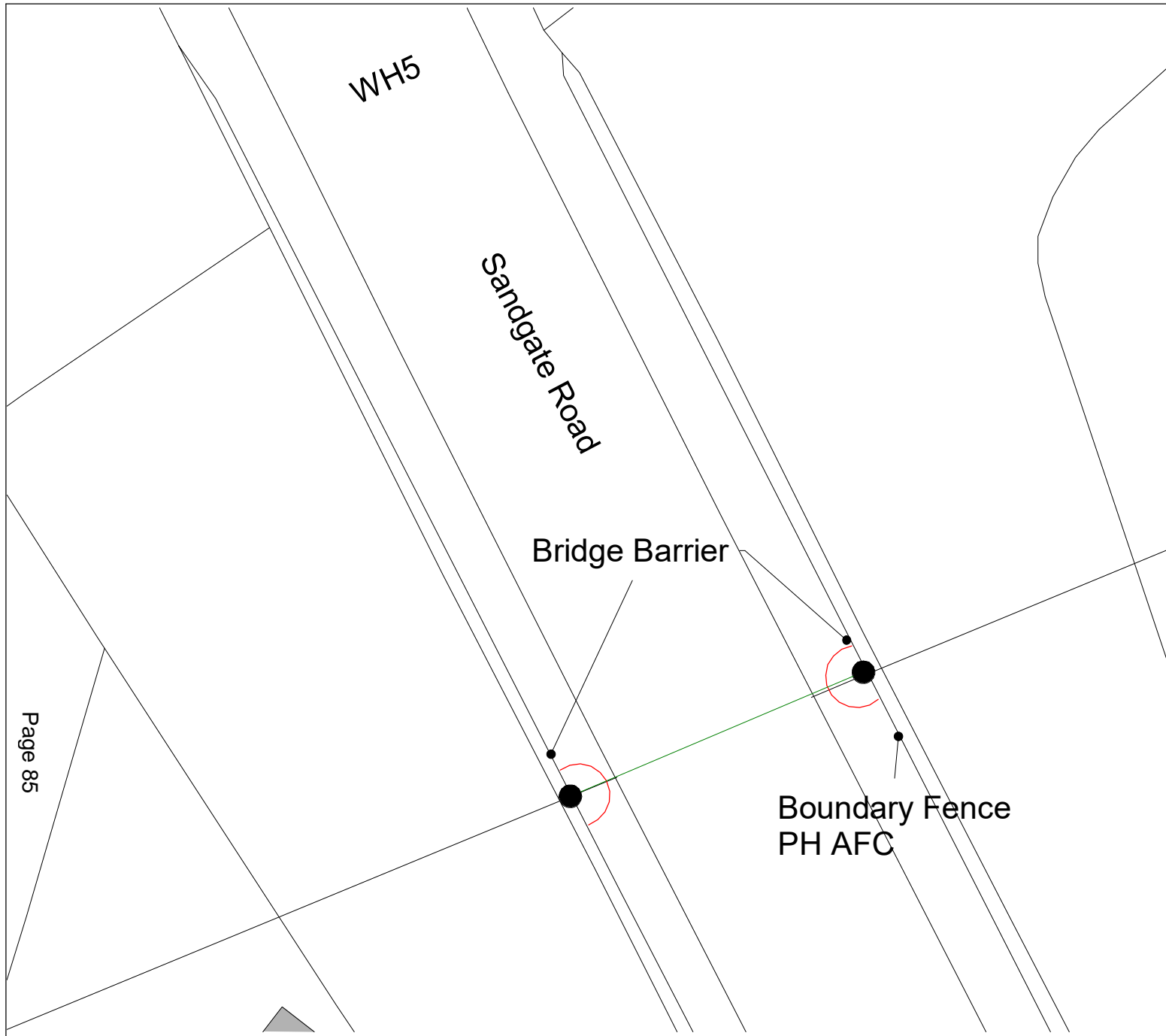
2. Site - WH4 - Site Plan - Location Plan

1 : 1250

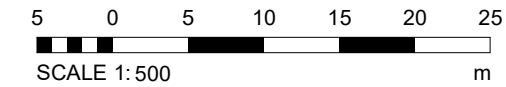
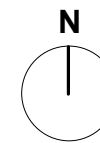


REV	DESCRIPTION	DATE	BY	DATE
A	Validation changes		YM	10/10/23

PROJECT	SCALE @ A3	DATE	DRAWN BY
Eruv Extension - Whitefield	As indicated	31 Jul 2023	YM
CLIENT	STATUS		
Manchester Community Eruv	Planning		
TITLE	PROJECT NO.	DRAWING NO.	REV.
WH4 - Willow Road, M25 3DZ	DA23033.	404.	A
			
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2. Site - WH5 - Site Plan - Location Plan
1 : 1250



1. Site - WH5 - Site Plan
1 : 200

WH5 - TP
2 x 6 m High
89 mm Dia - Galvanised steel post across
Sandgate Road.

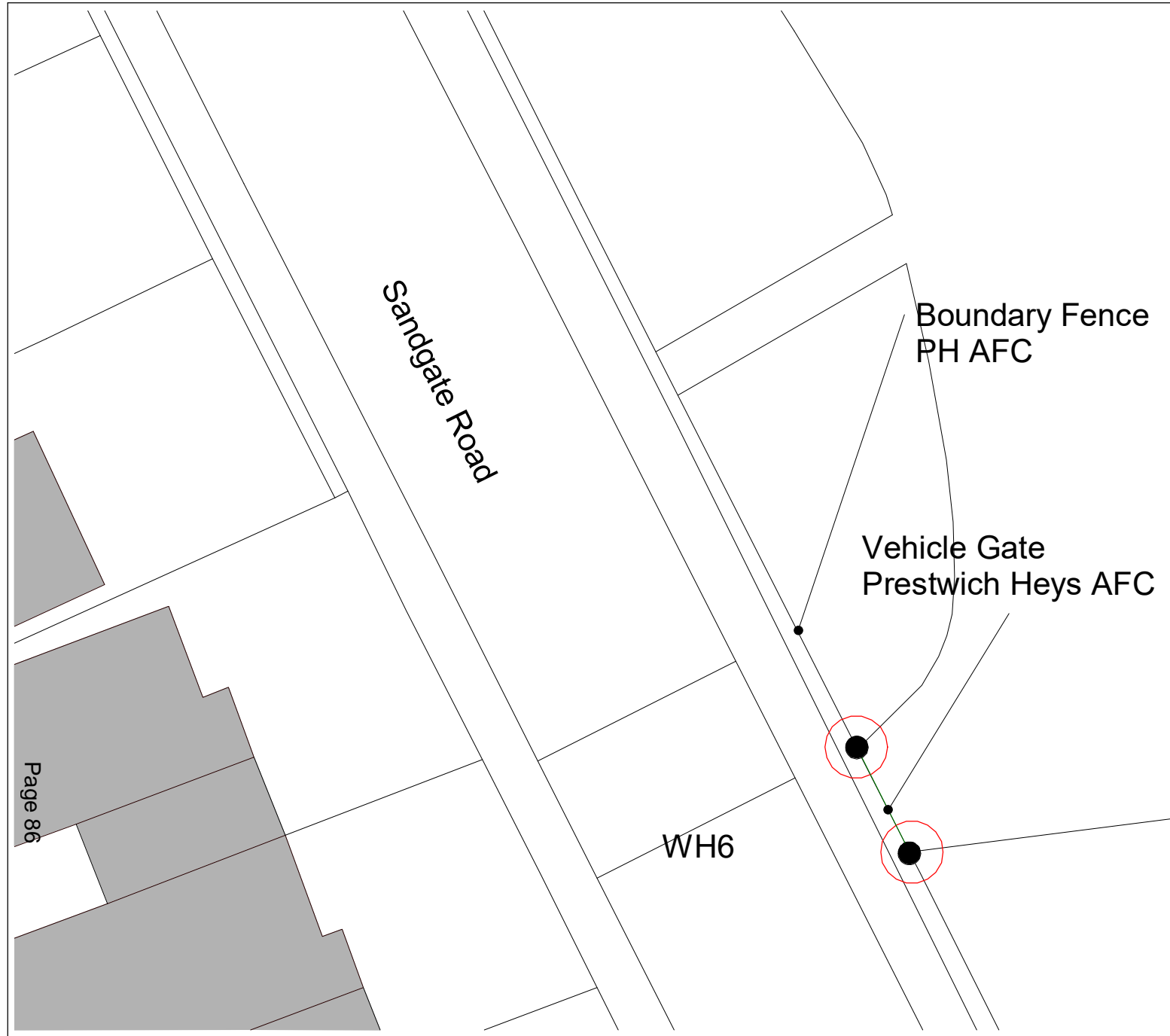
Arch to be at a minimum height 5.5m for cars.



A	Validation changes	YM	10/10/23
REV	DESCRIPTION	BY	DATE

PROJECT	SCALE @ A3	DATE	DRAWN BY
Eruv Extension - Whitefield	As indicated	31 JUL 2023	YM
CLIENT	STATUS		
Manchester Community Eruv	Planning		
TITLE	PROJECT NO.	DRAWING NO.	REV.
WH5 - Sandgate Road, M45 6NT	DA23033.	405.	A
NOTES			
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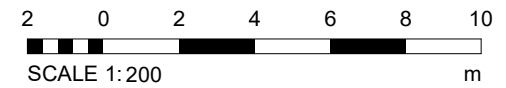
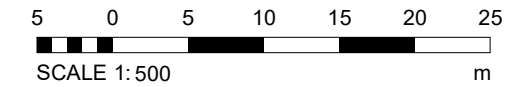
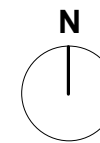
1. Site - WH6- Site Plan
1 : 200

WH6 - TP
2 x 6 m High
89 mm Dia - Galvanised steel post across
vehcile entrance to Prestwich Hays AFC

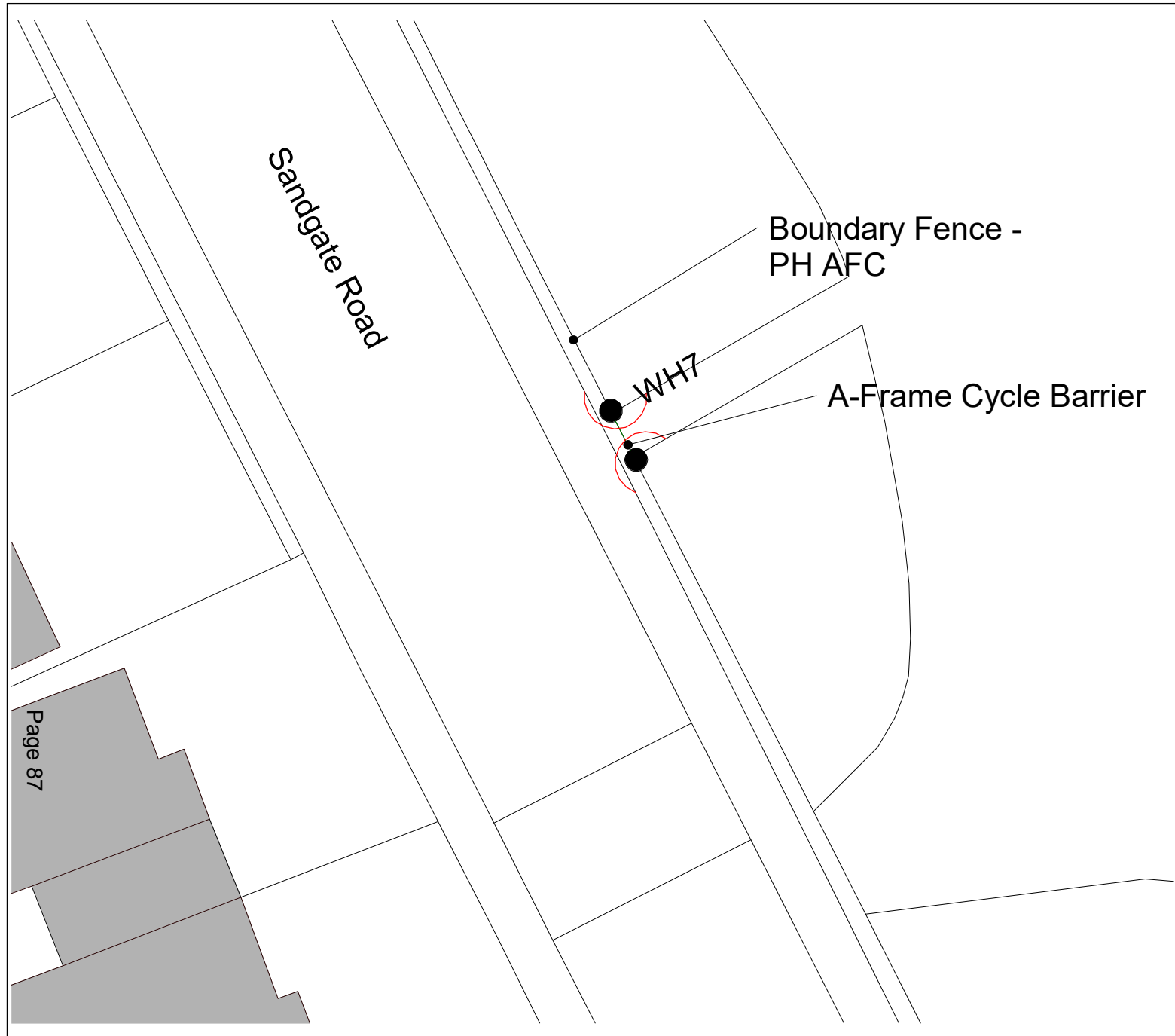
Arch to be at a minimum height 5.5m for cars.



2. Site - WH6- Site Plan - Location Plan
1 : 1250



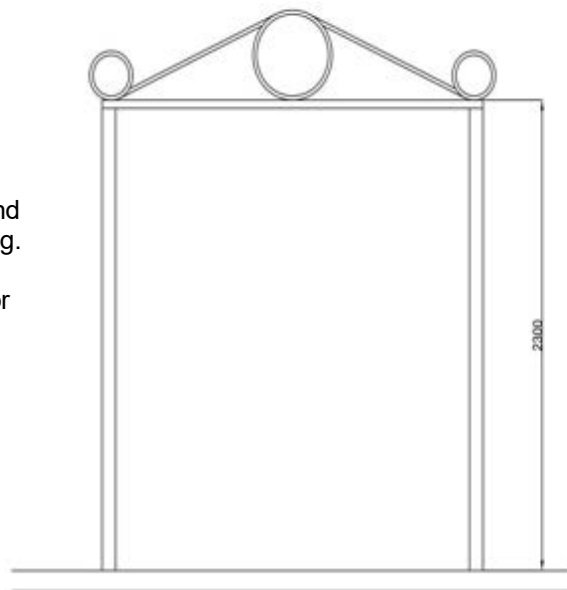
PROJECT	SCALE @ A3	DATE	DRAWN BY
Eruv Extension - Whitefield	As indicated	31Jul 2023	YM
CLIENT	STATUS		REV
Manchester Community Eruv	Planning		
TITLE	PROJECT NO.	DRAWING NO.	REV.
WH6 - Sandgate Road, M45 6NT	DA23033.	406.	A
NOTES			
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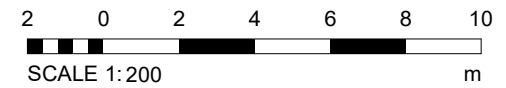
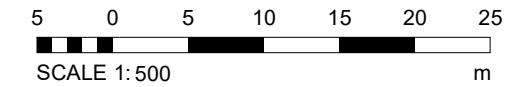
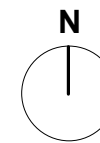
1. Site - WH7- Site Plan
1 : 200

WH7 - TPK
TPK across pedestrian entrance to Prestwich Heys AFC .
2300mm High x 75mm Dia - Galvanised steel post and wrought iron scrollwork atop with black powder coating.

Arch to be a minimum height of 2.5m for pedestrians or 2.7m for cyclists

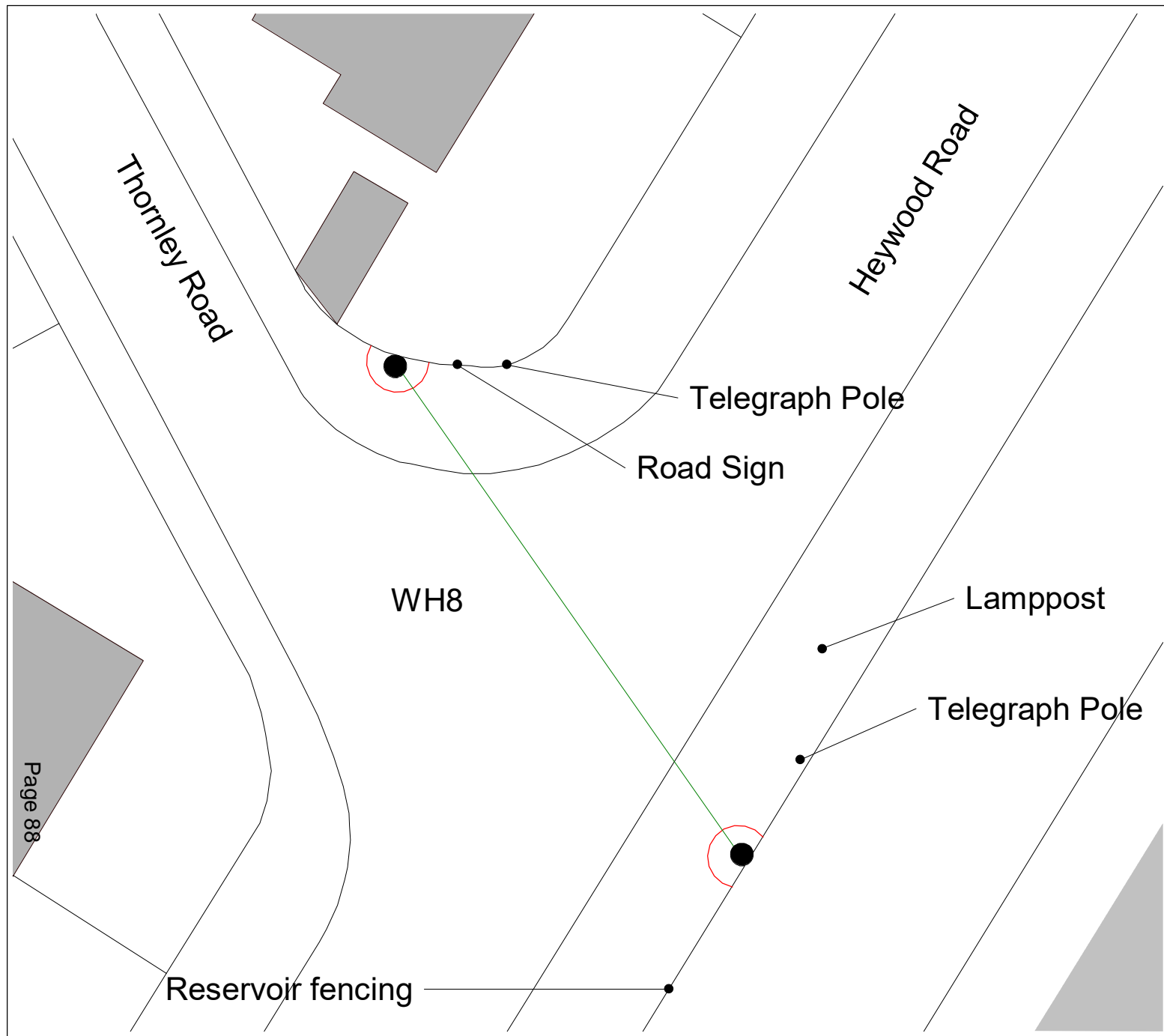


2. Site - WH7- Site Plan - Location Plan
1 : 1250



PROJECT	SCALE @ A3	DATE	DRAWN BY
Eruv Extension - Whitefield	As indicated	31JUL 2023	YM
CLIENT	STATUS		REV
Manchester Community Eruv	Planning		
TITLE	PROJECT NO.	DRAWING NO.	REV.
WH7 - Sandagte Road, M45 6NT	DA23033.	407.	A
NOTES			
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1. Site - WH8 - Site Plan

1 : 200

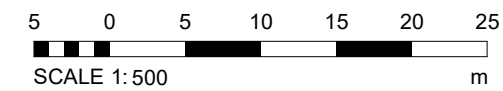
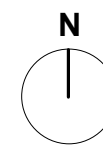
WH8 - TP
 2 x 6 m High
 89 mm Dia - Galvanised steel post across
 Heywood Road.

Arch to be at a minimum height 5.5m for cars.



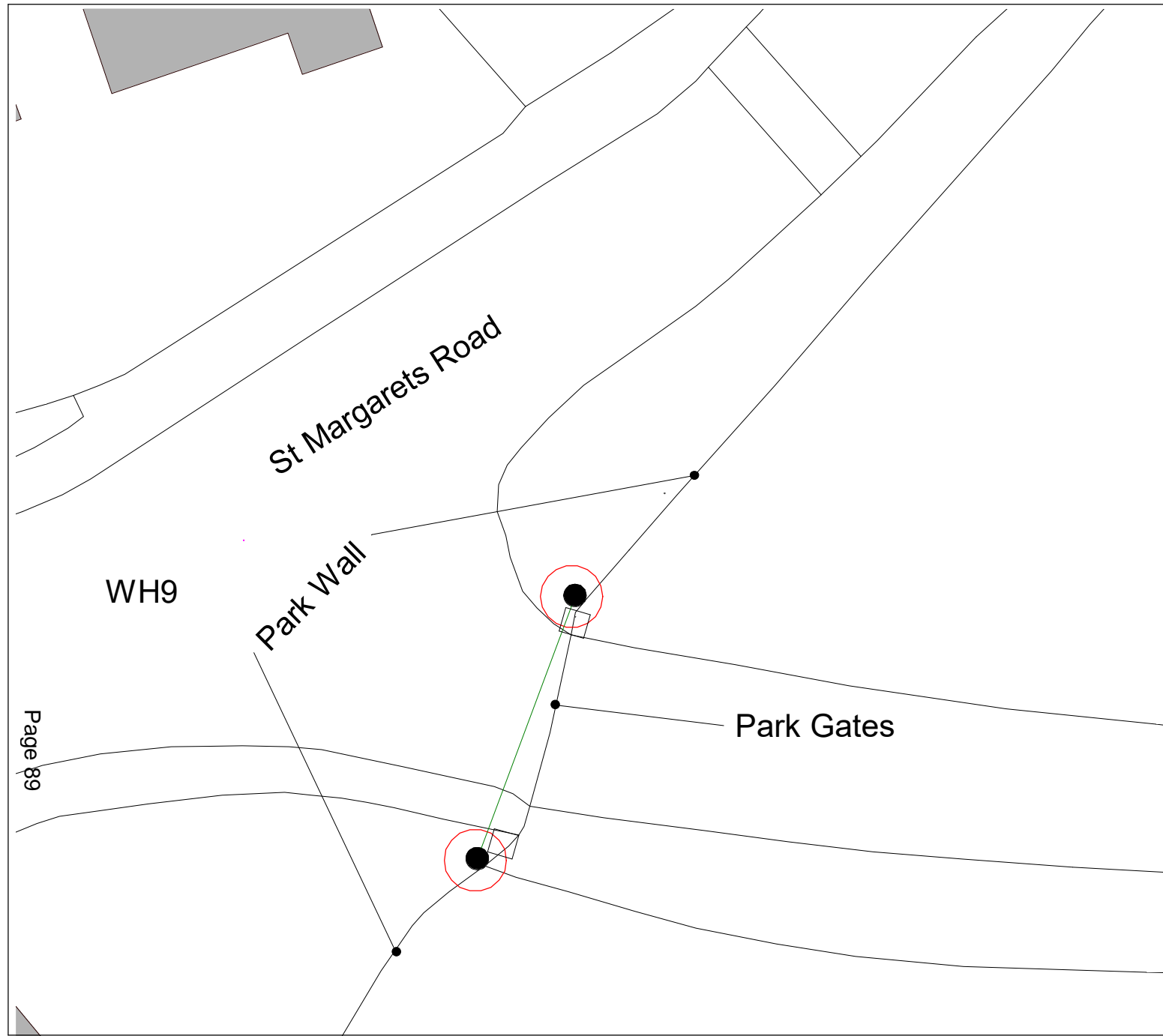
2. Site - WH8 - Site Plan - Location Plan

1 : 1250



B	WH* - new telegraph pole	YM	11/12/23
A	Validation changes	YM	10/10/23
REV	DESCRIPTION	BY	DATE

PROJECT	SCALE @ A3	DATE	DRAWN BY
Eruv Extension - Whitefield	As indicated	31JUL 2023	YM
CLIENT	STATUS		
Manchester Community Eruv	Planning		
TITLE	PROJECT NO.	DRAWING NO.	REV.
WH8 - 317 Heywood Road, M25 2RF	DA23033.	408.	B
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1. Site - WH9 - Site Plan

1 : 200

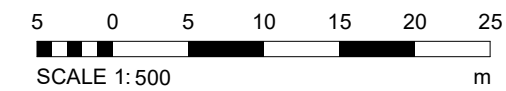
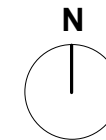
WH6 - TP
 2 x 6 m High
 76 mm Dia - Black polyester powder coated steel post across
 entrance to Heaton Park.

Arch to be at a minimum height 5.5m for cars.



2. Site - WH9 - Site Plan - Location Plan

1 : 1250



REV	DESCRIPTION	BY	DATE
B	WH9 - eruv poles moved and made green	YM	04/01/23
A	Validation changes	YM	10/10/23

PROJECT	SCALE @ A3	DATE	DRAWN BY
Eruv Extension - Whitefield	As indicated	01 AUG 2023	YM
CLIENT	STATUS		
Manchester Community Eruv	Planning		
TITLE	PROJECT NO.	DRAWING NO.	REV.
WH9 - St Margarets Road, M25 2GT	DA23033.	409.	B



NOTES

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 ACCORDANCE WITH CURRENT STATUTORY LEGISLATION, RELEVANT CODES OF
 PRACTICE AND BRITISH STANDARDS. ALL DIMENSIONS ON THIS DRAWING ARE IN
 MILLIMETRES (UNLESS OTHERWISE STATED).

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Ward: Radcliffe - East

Item 06

Applicant: Miss Hannah Kaikal

Location: 21 Church Street East, Radcliffe, Manchester, M26 2PG

Proposal: Change of use of ground floor to 7 bedroom House in Multiple Occupation (Sui Generis); Single storey rear extension; Alterations to include new windows and doors

Application Ref: 70136/Full

Target Date: 15/01/2024

Recommendation: Approve with Conditions

This application has been referred to Planning Control Committee as the proposal is subject to more than 2 objections.

Description

The proposal relates to the former Papermakers Arms, which used to immediately oppose the main entrance into East Lancashire Paper Mill and was framed by traditional terraced dwellings on all sides (now largely demolished). The building ceased operating as a public house many years ago and there have been intervening unauthorised uses since its closure, including as a gym with pharmacy.

The existing building is two storey with brick elevations and a tile roof, with single storey additions on the north side that project into the private curtilage which is enclosed by a high brick wall and there is dropped kerb access into this area from Cock Clod Street. There is a two bedroom flat at first floor. The entire building is presently vacant.

The site is flanked by a disused car park to the south-west that will become a landscaped open space associated with the ongoing construction of a residential development for 27 dwellings (planning permission 67965), traditional terraced dwellings to the north and the presently vacant site of the former East Lancashire Paper Mill to the east and south, across Cock Clod Street and Church Street East (currently subject to an undetermined reserved matters application relating to the development of 400 dwellings).

The site falls within the Radcliffe East Employment Generating Area and the Inner Radcliffe Housing Improvement Area in the Bury Unitary Development Plan (UDP). The site falls within Flood Zone 2.

The proposal is for the change of use of ground floor to 7 bedroom House in Multiple Occupation (HMO), single storey rear extension (following demolition of the existing rear extensions) and other alterations to include new windows and doors. The rear curtilage would be split for separate usage of the occupants of the existing first floor flat and the proposed ground floor HMO and a secure cycle storage outbuilding would be installed with storage space for 6 bicycles. No off-street parking would be provided.

The proposal is supported by a Design and Access Statement and a further statement that provides greater detail on the type of accommodation to be provided. It states that the aim for the property is to provide a Co-living standard of attractiveness (Co-living is where the accommodation is of a modern high quality shared living experience where the accommodation affords things such as personal en-suites, double sized room standards for single occupants, home working facilities built in, high spec kitchens and therefore longer

expected tenancies).

Relevant Planning History

No relevant history.

Publicity

Direct neighbour notification letters sent 28/11/2023.

Site notice erected 30/11/2023.

18 representations have been received raising objections that can be summarised as follows:

Councillor A Booth

The prolific number of single person accommodation/HMO's is already unmanageable in this area.

The negative impact on health services in an area with the highest mortality rate and a town with no leisure facilities.

It is difficult to understand this application fully, without knowing the plans for the upstairs area of the building. Potentially this 7-bed ground floor could accommodate 14 adults.

I appreciate that the residential area upstairs does not require change of use to residential like the downstairs does, but one can only assume that upstairs will become yet more bedrooms and therefore a much bigger prospect than the 7 bed accommodation being proposed.

Ultimately, if 5 or more double bedrooms are created upstairs, there could be upwards of 25 individuals, living in this building.

HMO standards for bedroom sizes are, 6.5sqm for person over the age of ten and 10.2sqm for double occupancy. As all of these bedrooms are larger than 10.2sqm, it would seem that the owner is either very generous or intends to rent these as double rooms.

The communal living area shows one sink and one hob which does not seem a reasonable facility for 7 individuals/7 couples (assuming upstairs has its own kitchen).

There are 7 dining chairs and 6 other chairs depicted which also does not seem enough if these are indeed double rooms (and upstairs has its own lounge/diner).

The application states they will be using the main sewer but contradicts itself by saying they won't be connecting to the main drain.

The application also states that there is no water nearby, that may affect the development. The River Irwell is 100m away and has history of flooding.

The plans show 4 refuse bins in the back yard. This is the standard for an ordinary family home where meals etc. are shared. 7-12+ individually rented rooms will generate far more waste than a single family. As this is a commercial enterprise, they should have commercial waste bins to avoid fly tipping and rats.

If this development is approved, it will have to be a registered HMO due to its size. I am not confident that Bury MBC have the capacity to ensure any HMO in the area is managed to a high standard, as they already have a number of registered HMO's that are currently out of licence. Radcliffe has a significant number of single occupancy smaller HMO's, and single person accommodation with many more in the pipeline. It absolutely does not need any more of this type of development.

This building is situated in the middle of family homes where local amenities are scarce. The plan to build hundreds of homes directly opposite would suggest that this building should be

retained as a community facility (pub or food shop) of some description. There are no good quality amenities for new families moving in, or for those already living here.

The property does not own the adjacent car park which is a space known for anti social behaviour, as are the areas around the site. Fly tipping and illegal activity are a daily occurrence. When the East Lancs Papermill site is built on, this building may find itself, with no street parking, on the corner of an access road into a development of family homes, which would put it at odds with its neighbours. HMO's tenants are by their nature a transient population and unlikely to contribute to our community.

Councillor Carol Birchmore

I am assuming from the proposed size of the bedrooms that the majority or all the bedrooms will be double bedrooms which could potentially result in 14 new residents to the area.

This proposed development is close to the centre of Radcliffe. Radcliffe town centre has an index of multiple of deprivation of 1 which means that it is in 10% most deprived areas in the country.

According to the Census 2021 data released by the Office of National Statistics, 39.6% of all accommodation in Radcliffe town centre is flats, maisonettes or apartment buildings compared to an average of 14.3% for Bury MBC as a whole. There is a significantly higher number of 1 and two bedroom properties compared to the average number for Bury MBC (19.3% compared to 8.9% one bedroom and 52% compared to 29.1% for two bedrooms).

The general health of the residents in the area is lower than the average for Bury which means that the support services in the area are already struggling to meet demand. A significant number of residents living in the town centre are reliant on some kind of benefit, health and welfare services and support offered by the voluntary sector all of which appear to be struggling to keep up with demand.

The area already has a number of HMOs in properties close to this one as well as a much higher percentage of social housing.

The site bordering this proposed development has been earmarked for building over 400 homes as part of the redevelopment of the East Lancashire Papermill site. The development of this site will hopefully bring some much needed affordable 3 bedroom family homes. The site is close to the new development by Great Places Housing of 3 bedroom family homes at Cock Clod Street and so while the site may currently appear to be relatively isolated it will soon be located within an important new development.

The plans show that owner has not purchased the car park next to the site so the footprint of the land on which the development is to take place is very restrictive with no facility for any off-street parking. It should be noted that many of the surrounding roads are permit parking only and demand for parking is likely to increase in this area with the completion of the 20 apartments which make up part of the Great Places Development.

The area close to the proposed development consist of 2 and 3 bedroom terraced housing and residents have expressed concerns about the potential noise and the risk of antisocial behaviour a seven bedroom HMO could bring. Residents have already experienced problems with some of the industrial operations in the area and will undoubtedly experience significant disruption when larger scale building commences on the East Lancashire Paper Mill site.

Given the issues outlined above it should be questioned whether this is a suitable location for a HMO of this size.

Other third party representations

Highways and traffic

There is no provision for parking and the proposed development of 400 homes on the East Lancs Papermill site would create congestion and reduced air quality in the area.

There is only one (vehicular) entrance into the area, which is already choked with traffic at busy times and there will be a new school that will add additional traffic, which would be a potential danger to young students.

When the East Lancs Papermill site is built on, this building may find itself, with no street parking, on the corner of an access road into a development.

Amenity

A HMO may generate anti-social behaviour and the area has enough HMO's and the site is adjacent to family housing, new proposed housing, including on the former papermill site and walking routes.

HMO tenants are transient and unlikely to contribute to our community.

The lack of waste and recycling provision will impact on rubbish and fly-tipping and affect the Council's achievement of net zero.

There is drug use and high crime in the area that doesn't need encouraging.

As the proposed room sizes far exceed the minimum standards, these could be occupied as double or family rooms, putting the capacity to over 20. Therefore, the communal areas do not seem adequate.

The communal living area shows one sink and one hob, which does not seem a reasonable facility for 7 individuals /couples and there aren't enough dining chairs indicated.

They should have commercial waste bins to avoid fly tipping and rats.

Planning policy

Having regard to the size and type of accommodation proposed, the proposal should be considered with respect to the on-going Radcliffe Strategic Regeneration Framework.

Drainage and flooding

No flood statement has been submitted when the site falls within an area of flooding.

Other matters

There is already a high number of both registered and unregistered HMO's in this area. With currently few to no leisure and recreation facilities in the vicinity. Occupation of the HMO would add additional pressure on local services (e.g. GP's/dentists).

Radcliffe is already overloaded/overstretched.

People from other areas usually occupy HMO's.

There was anti-social behaviour when the site was used as a gym.

Manchester and Salford Councils have used HMO's to house their residents.

No electric vehicle chargepoints are to be provided.

The application is similar in scale to the Hawthorn Hotel, which was refused due to impacts on residential amenity of the nearby occupiers.

The developers plans for the first floor is unknown (how many people would be living upstairs).

Four refuse bins is the standard for an ordinary family and occupation of the proposed development would generate far more waste than a single family.

The proposed HMO would have to be registered (licensed), due to its size. Doubtful that Bury MBC has the capacity to ensure that any HMO in the area is managed to a high standard.

Radcliffe is a dilapidated run-down area which requires investment, not left to be a dumping ground for the unwanted and unnecessary issues in the our area.

Statutory/Non-Statutory Consultations

Traffic Section: No objection, subject to conditions relating to off-site highway works and refuse storage.

Environmental Health - Pollution Control: No objection.

Waste Management: No comments provided.

Greater Manchester Police - designforsecurity: No comments provided.

Greater Manchester Ecology Unit: No objection, subject to a precautionary condition relating to bats and the provision of a bat box.

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

EC2/1	Employment Generating Areas
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD13	Conversion of Buildings to Houses in Multiple Occupation
SPD11	Parking Standards in Bury
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
SPD13	Conversion of Buildings to Houses in Multiple Occupation
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, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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 - Employment Generating Area

The application site is located within the Radcliffe East Employment Generating Area (EGA) as designated under Policy EC2/1 of the UDP.

UDP Policy EC2/1 states that within the Radcliffe East EGA, the Council will only allow development for B1, B2 and B8 uses. Other uses will only be permitted where they

constitute limited development or do not substantially detract from an area's value as an EGA.

In coming to a view on this proposal, it is necessary to consider the change in circumstances in Radcliffe East since the EGA designation was originally made. In particular, the closure and subsequent demolition of the East Lancashire Paper Mill in 2001, which occupied the majority of the EGA.

Nevertheless, the application site remains designated as an EGA and should be considered within the context of UDP policy EC2/1 but, in doing so, needs to take account of the change in circumstances arising from the loss of a significant occupier within the EGA.

The key consideration is to determine whether the proposal would substantially detract from the area's value as an EGA and to consider the relationship of the site with the remaining employment uses within this EGA. In this respect, due to the closure of the paper mill, the remaining employment uses along Milltown Street and at Pioneer Mills are significantly detached from the application site and are separated by the River Irwell.

Paragraph 122 of the NPPF states that planning policies and decisions need to reflect changes in the demand for land. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:

a) they should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and

b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.

On balance, given the closure of the East Lancashire Paper Mill, it is considered that the proposal would not substantially detract from the area's value as an EGA and, consequently would be in conformity with UDP Policy EC2/1.

The Places for Everyone Joint Development Plan Document (PfE) is a joint plan covering nine of the ten Greater Manchester districts, including Bury, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

PfE was published in August 2021 and subsequently submitted to the Secretary of State in February 2022. Inspectors have been appointed to carry out an independent examination of the Plan with the hearing sessions commencing in November 2022 and were concluding in July 2023. The examination of the plan is on-going.

Given the advanced stage in the preparation of PfE, it is already considered reasonable that the Plan (as proposed to be modified) should be given weight in the decision-making process in line with paragraph 48 of the National Planning Policy Framework.

Consequently, the principle of this application has been considered against PfE (as proposed to be modified). However, the principle of this proposal does not give rise to any conflict with PfE policies.

Principle - Housing

For clarification, a house in multiple occupation is a form of housing tenure, where occupants live together forming more than one household (i.e. where facilities such as kitchen, bathroom or toilet facilities are shared with other tenants).

The National Planning Policy Framework (NPPF), should be treated as a material planning

consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. With regard to HMOs, the conversion of buildings into residential can make an important contribution to the local housing stock and can utilise vacant or underused space more efficiently.

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

The site is located within the urban area, surrounded by established residential areas and close to routes well served by public transport and to facilities, goods and services.

As such, the site is the most sequentially preferable for the release of land for housing. Furthermore, the site falls in a sustainable location with regard to services and public transport. Thus, the principle of the development is acceptable, subject to consideration of the subsequent matters.

UDP Policy H2/4 - Conversions, has specific regard to effects on amenity of neighbouring properties, general character of the area, amenity of occupants, effects from external changes on the street scene and car parking and servicing requirements. This is supported by SPD 13 - The Conversion of Buildings to Houses in Multiple Occupation that seeks to ensure that properties are of a sufficient size to accommodate the proposals and are large enough to offer satisfactory levels of accommodation for future residents. This document also seeks to ensure that HMOs are located in suitable locations.

Within the Radcliffe Strategic Regeneration Framework (SRF) the site falls within the East Lancashire Paper Mill Site allocation for residential development (noting it as an existing building within the Illustrative Masterplan). The SRF has a stated objective to provide higher density development with strong linkages to the core of the town centre and Metrolink via Rectory Lane.

Character of the Area and concentration of flats (HMO's)

UDP Policy H2/4 does not specify what would constitute an over-concentration of flats or HMOs.

According to the Bury register of licensed HMO's, there are 3 registered HMO's identified within the vicinity of the site, and all are over 130m from the property. On this basis, it is not considered that the proposed development would contribute to an over-concentration of HMOs within the area, in particular to an extent that would have an adverse effect on residential amenity and the character of the area.

Layout and Design (including amenity for future occupants)

Externally, existing roller shutters and surround railings (to windows) would be removed and new windows inserted to the principal and side elevations. The proposed single storey rear extension would have a shallow lean-to roof with a partial flat roof element and be finished in matching red brick and tiles. The existing external stair would be removed (as would the existing extensions) and access to the existing first floor flat would be internalised. Other alterations to the rear elevation would include the insertion of new windows at first floor.

Overall, the proposal would substantially improve the appearance and character of the building in the street scene.

Internally (at ground floor), the proposal would provide 7 ensuite bedrooms of between 10.3 - 18.4 square metres (sq.m.) and a communal kitchen/dining area of 33 sq.m. Communal

access would be from the existing main entrance into a generous hallway and every bedroom would be accessed from this. The existing first floor flat (which is not subject to consideration, would be accessed from a new dedicated access via the proposed rear extension.

The kitchen/dining area and bedrooms would satisfy HMO licensing standards (noting that compliance with such standards is not a material planning consideration) and each bedroom would include ensuite bathroom facilities. All bedrooms would also accord with the nationally described space standards (NDSS) (for single occupancy, as proposed). Overall, the internal layout of the development would provide satisfactory living accommodation for future occupiers of the site.

The objective of the proposal is to provide good quality accommodation to a Co-Living standard for single occupancy of each bedroom, as noted in the description of the development above. As such, the bedroom sizes would far exceed the minimum HMO standard of 6.5 sq.m. or the NDSS standard of 7.5 sq.m.

Externally, the generous rear curtilage area would be accessed from the kitchen/diner and from a new access gate from Cock Clod Street and this would provide ample space for refuse storage (and which could accommodate far in excess of the 4 bins indicated on the proposed plans), outdoor seating, clothes drying and bicycle storage.

Given the above, the proposal is considered to accord with the requirements of UDP Policies H2/4 and EN1/2.

Neighbouring residential amenity

The existing building has a lawful 1st floor flat that has habitable room windows to the south, east and north facing elevations. The proposed alterations would not therefore introduce habitable room windows that would project closer to existing or future neighbouring properties. The ground floor windows serving proposed rooms 6 and 7 would overlook the proposed landscaped open space area to the west.

In terms of residential amenity, the proposal is therefore considered to be acceptable and thus complies with UDP Policy and guidance relating to HMO's.

The applicant states that prior to the submission of the application a targetted engagement with the properties on Cock Clod Street and Baybutt Street (these are the nearest neighbouring dwellings to the site) and that the response was overwhelmingly supportive for the building to be brought back into active use and management (which would discourage vandalism and anti-social behaviour (which is noted in objections). No objections have come from occupants these two streets and are in the main from much further afield.

HMO licencing, which would be required, relates to matters of management. This is not a material planning consideration.

Access and highway safety

There is no specific car parking standard for HMO's in SPD11 Parking Standards in Bury. SPD 13 The Conversion of Buildings to Houses in Multiple Occupation gives some general advice. It states 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.

HMO's are best located in sustainable areas well served by public transport and close to amenities, services and facilities, which can reduce the demand for vehicle ownership, and hence parking. In this regard, the application site is in a highly accessible area and within

200m of bus stops on Spring Lane, 450m of Radcliffe Metrolink station and 850m of Radcliffe Bus Station. In relation to access to goods, services and recreation facilities, the site is within 700m of Radcliffe town centre and the Radcliffe Hub (which is under construction). The site clearly in a highly accessible area.

Both Cock Clod Street and Church Street East would be subject to alterations and improvements in relation to the reserved matters application for the adjacent 400 dwelling residential scheme. However, these are cognisant of the existing on-street parking arrangement for the existing neighbouring dwellings.

Parking provision

There is no parking provision proposed at this site and this is the historical situation in relation to the former public house (as terraced dwellings used to flank the building to the west).

Whilst it is generally recognised that car ownership tends to be lower for those who occupy HMOs compared to other households (and particularly given the highly sustainable location of the site). Further, SPD11 does not specify any parking standards in relation to either HMOs or public houses, the lawful use of the premises. Therefore, to substitute one use for another is likely to have no additional impacts on parking demand. Furthermore, the proposal would include cycle storage provision so that occupants would have an alternative to public transport and/or walking.

Occupation of a 7-bedroom HMO could have the potential to generate some demand for car parking. Whilst some residents of the HMO may not require access to a car, there is no means to secure this through the planning system and any cars associated with the use would have to park on nearby streets alongside other residents in the locality. The Highway Authority considers there are no highway safety reasons to resist these proposals given the accessible location of the site.

Given the location of the site in relative to access to good quality public transport options and goods, recreation and services together with the cycle storage proposed, it is considered that it would not be sustainable or justified to refuse the proposal on traffic/parking grounds.

In terms of servicing the site, the Council's Waste Management Service has indicated that the level of occupancy would necessitate the need to provide 4 x 1100 litre refuse bins; 2 to be used for general rubbish and 2 to be used for the paper and plastic recycling service offered by the Council. The applicant has demonstrated that this level of refuse storage provision can be accommodated within the rear yard area, subject to the rear yard gate being widened. Given an adopted highway exists to the rear of the site, the Highway Authority has asked for a condition to be imposed requiring details of this, to ensure the adopted highway is not compromised by this element of the proposals. Such a condition is duly recommended, along with a condition requiring the necessary refuse storage provision to be provided.

Subject to the recommended planning conditions, the proposal would be acceptable and would accord with UDP policies H2/4, HT2/4 and SPD13 with regard to HMO development.

Other matters

Flooding - The site is located within Flood Zone 2 and is therefore supported by a Flood Risk Assessment, which confirms that the proposal is of a more vulnerable classification and that the site is considered to be at a low to moderate risk of flooding of fluvial flooding (from rivers or canals), subject to internal mitigation measures (e.g. raised wiring and power outlets/waterproof plasterboard), which could be secured by condition.

Ecology - The GMEU have confirmed that the proposal would not have any unacceptable impact upon ecological interests and that the provision of one bat box should be secured by condition.

Response to objections

It is considered that the above assessment has regard to many of the matters raised in the objections to the proposal. Of the remaining issues:

Councillor A Booth

- The communal living area shows one sink and one hob which does not seem a reasonable facility for 7 individuals/7 couples (assuming upstairs has its own kitchen). There are 7 dining chairs and 6 other chairs depicted which also does not seem enough if these are indeed double rooms (and upstairs has its own lounge/diner).

Matters of internal facilities/fixtures are not a material planning consideration and are subject to the HMO licensing regime.

- The application states they will be using the main sewer but contradicts itself by saying they won't be connecting to the main drain.

The property is already linked to United Utilities assets for drainage.

- The plans show 4 refuse bins in the back yard. This is the standard for an ordinary family home where meals etc. are shared. 7-12+ individually rented rooms will generate far more waste than a single family. As this is a commercial enterprise, they should have commercial waste bins to avoid fly tipping and rats.

There is ample space in the rear garden area to store more bins if this proves to be necessary. It is within the gift of the developer to determine whether to engage a commercial waste contractor.

- If this development is approved, it will have to be a registered HMO due to its size. I am not confident that Bury MBC have the capacity to ensure any HMO in the area is managed to a high standard, as they already have a number of registered HMO's that are currently out of licence.

This is not a material planning consideration and relates to the HMO licensing regime.

Councillor Carol Birchmore

- The area close to the proposed development consist of 2 and 3 bedroom terraced housing and residents have expressed concerns about the potential noise and the risk of anti-social behaviour a seven bedroom HMO could bring.

No objections have been received from the nearest properties at Cock Clod Street and Baybutt Street. The proposal would introduce a viable new use and bring occupation to a currently vacant building that is subject to attack and vandalism (this is noted as a present problem in the objections). No evidence has been presented that would demonstrate that potential occupants would cause anti-social behaviour problems. The ground floor (which is the subject of the proposal) would be occupied by 7 individuals sharing common facilities.

Other representations

- The proposal should be considered with respect to the on-going Radcliffe Strategic Regeneration Framework (RSRF).

The proposal has been assessed against the relevant policies of the UDP and the National

Planning Policy Framework, as required. Nevertheless, the site falls within a housing regeneration area in the RSRF and adjacent to a key pedestrian route into the town centre.

- People from other areas usually occupy HMO's. Manchester and Salford Councils have used HMO's to house their residents.

Where a potential occupier is from or the housing policies in other areas is not a material planning consideration.

- No electric vehicle chargepoints are to be provided.

The proposal would not have any off-street parking spaces.

- The application is similar in scale to the Hawthorn Hotel (ref. 70000), which was refused due to impacts on residential amenity of the nearby occupiers.

Every application is to be considered on its individual merits and this proposal is significantly smaller in scale and of a different nature and thus an entirely different proposition. The above assessment finds that the proposal would not be contrary to the relevant policies or have any unacceptable impacts.

- Radcliffe is a dilapidated run-down area which requires investment, not left to be a dumping ground for the unwanted and unnecessary issues in the our area.

The proposal would necessitate significant investment in a currently vacant and unkempt site to bring it back into a viable new use.

CONCLUSION

There is fallback position of the lawful public house and has been taken into account in assessing the appropriateness of the proposal.

The proposal would bring back into viable long-term use a property has been vacant for many years and that has had intervening unauthorised uses that representations suggest had associated anti-social behaviour issues.

The above assessment demonstrates that the proposal is acceptable in principle finds that no unacceptable impacts would pertain and that the proposal would deliver a good quality of accommodation.

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 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
Site Location Plan: Existing Site Plan (Dwg No. 21/STE/199/PL)
Proposed Site Plan (Dwg No. 21/STE/200/PL)
Proposed Floor Plans (Dwg No. 21STE/205/PL)
Proposed Elevations (Dwg No. 21/STE/206/PL)
and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The development hereby approved shall be carried out in accordance with the mitigation measures set out in the flood risk mitigation measures in the submitted Flood Risk Assessment (Ref. AEG02958_M26_Manchester_01) by Aegaea.
Reason: To reduce the risk of flooding pursuant to the NPPF and UDP Policy EN5/1 New Development and Flood Risk.
5. A landscaping scheme shall be submitted to and approved by the Local Planning Authority prior to the erection of any external walls of the development. The contents of the scheme should also include the provision of a bat box, which shall be installed prior to first occupation. The approved landscaping scheme shall thereafter be implemented not later than 12 months from the date the dwelling is first occupied or within the first available tree planting season and any trees, hedgerows 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 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.
6. Notwithstanding the details indicated on the approved plans, the use hereby approved shall not be commenced unless and until full details of the reinstatement of the redundant vehicular access to the site from Cock Clod Street and formation of the two yard/entrance pedestrian accesses, incorporating the reinstatement of the redundant access to adjacent footway levels, demarcation of the limits of the (currently) unadopted highway, provision of inward opening pedestrian gates, level pedestrian accesses at the back of the footway and all associated highway remedial and accommodation works within the curtilage of the site, have been submitted to the Local Planning Authority. The details subsequently approved shall be implemented satisfaction of the Local Planning Authority prior to the use hereby approved commencing.
Reason. To ensure good highway design in the interests of road safety and to

maintain the integrity of the adopted highway, pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

7. The bin storage facilities shall be made available prior to the use hereby approved commencing and maintained thereafter.

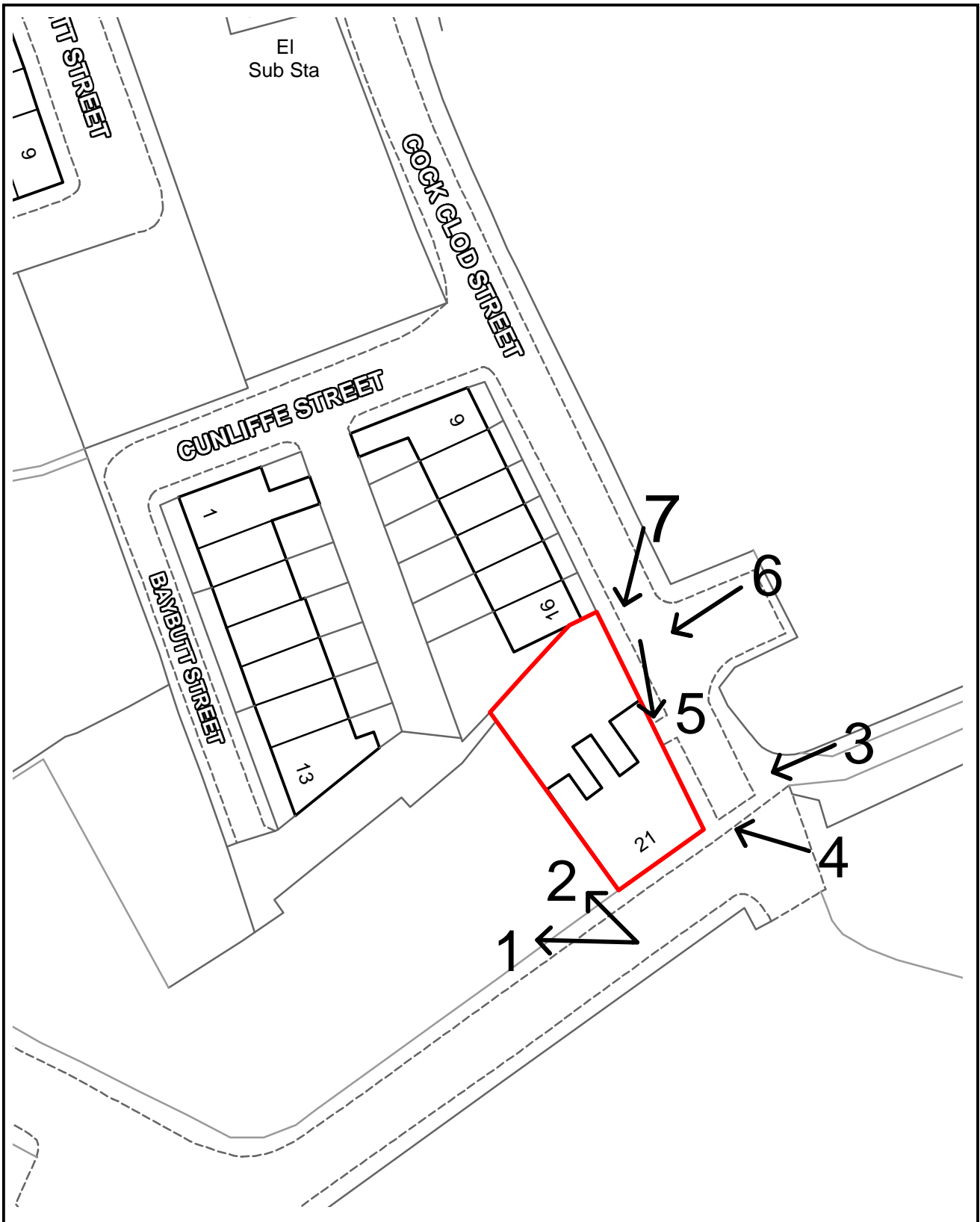
Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling, pursuant to policies H2/2 and EN1/2 of the Bury Unitary Development Plan.

8. The secure cycle storage facilities indicated in the approved plans shall be provided in full before the development hereby approved is first brought into use and shall thereafter remain available for use for the lifetime of the development.

Reason. To ensure adequate cycle storage and in order to promote sustainable means of travel pursuant to policy HT6/1 of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 70136

ADDRESS: 21 Church Street East, Radcliffe



Bury
Council

Planning, Environmental and Regulatory Services

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70136

Photo 1 - Area to the west of the building to become a landscaped area



Photo 2 - Panning right to side of subject building



70136

Photo 3 - Subject building from the east



Photo 4 - Principal and east side elevation



70136

Photo 5 - Rear elevation



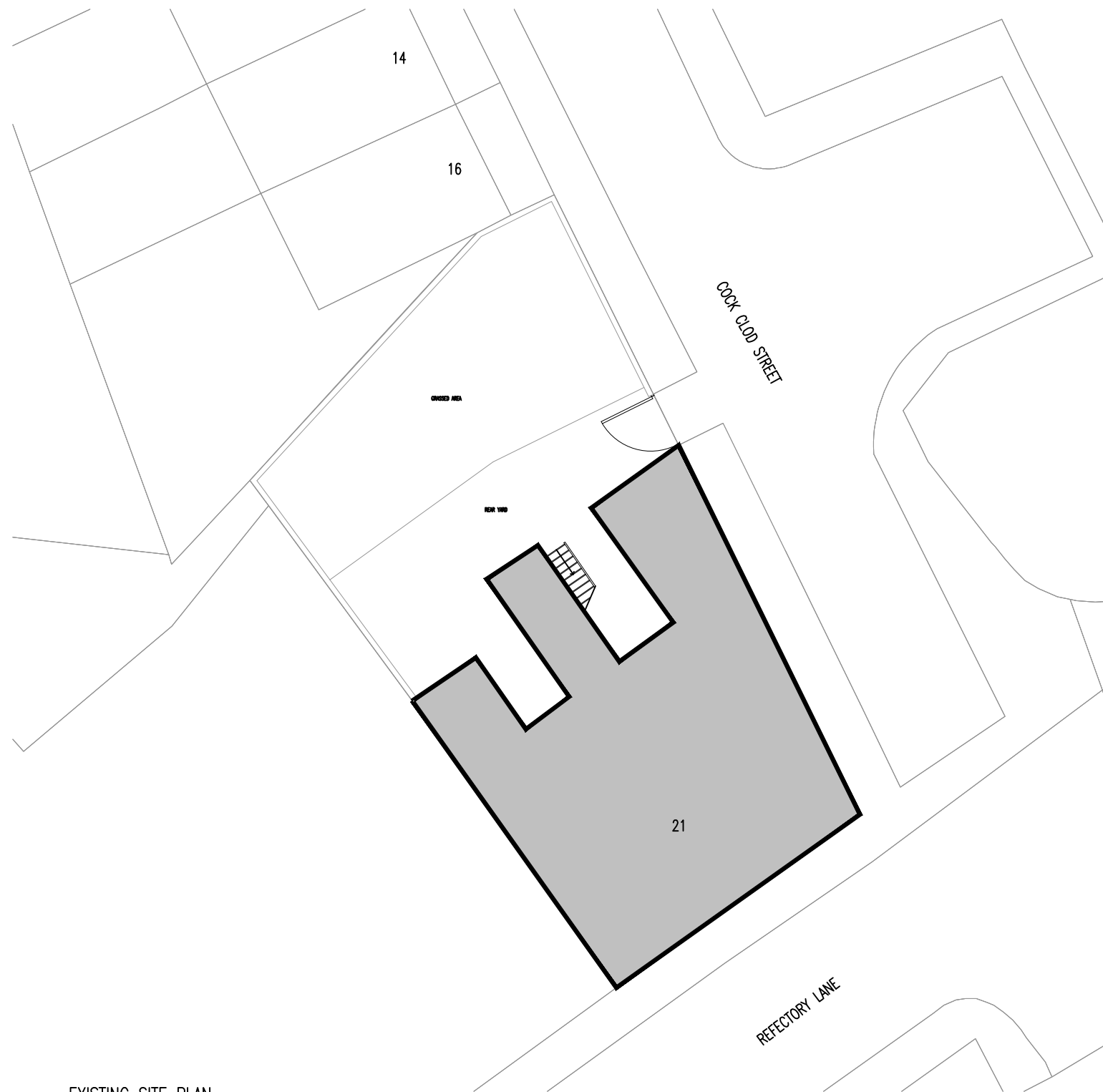
Photo 6 - East elevation and boundary wall to Cock Clod Street



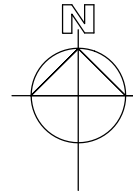
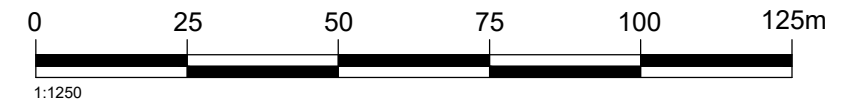
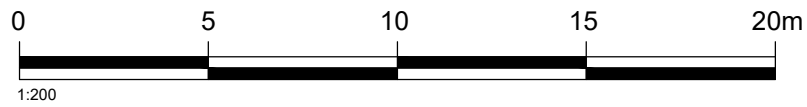
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Photo 7 - South along Cock Clod Street to site





EXISTING SITE PLAN
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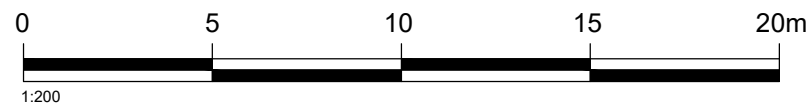


SITE LOCATION PLAN (322sqm)
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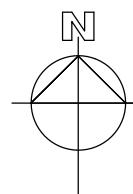
Rev	Amendments	Date	Ints
Mark Gordon Design + Associates			
Project			
21 CHURCH STREET EAST RADCLIFFE, M26 2PG			
Drawing Title			
SITE LOCATION PLAN EXISTING SITE PLAN			
Drawn	TW	Checked	-
Date	JULY 2023	Scale@A3	1 : 100
Drawing No.	21STE/199/PL		Rev.



PROPOSED SITE PLAN
1:200@A3



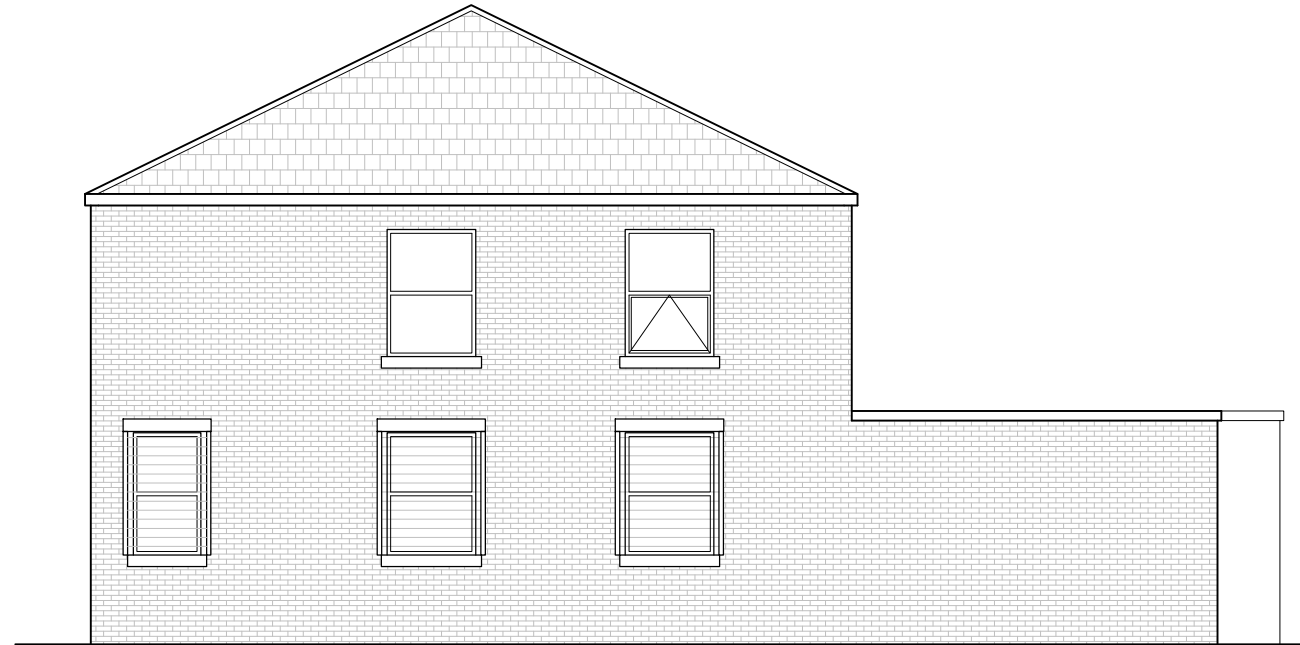
METAL SHED FOR 6no CYCLES BEING 2740mm DEEP AND 1580mm WIDE, WITH A HEIGHT OF 2030mm, POLICE APPROVED. SECURE WITH PADLOCK TO A MIN OF SOLD SECURE SILVER STANDARD. ALSO WITHIN UNIT PROVIDE 3no SHEFFIELD RACKS SECURED TO A SOLID FOUNDATION.



Rev	Amendments	Date	Ints
Project			
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Drawing Title			
PROPOSED SITE PLAN			
Drawn	TW	Checked	-
Date	JULY 2023	Scale	@A3 1 : 100
Drawing No.	21STE/200/PL	Rev.	



EXISTING FRONT ELEVATION
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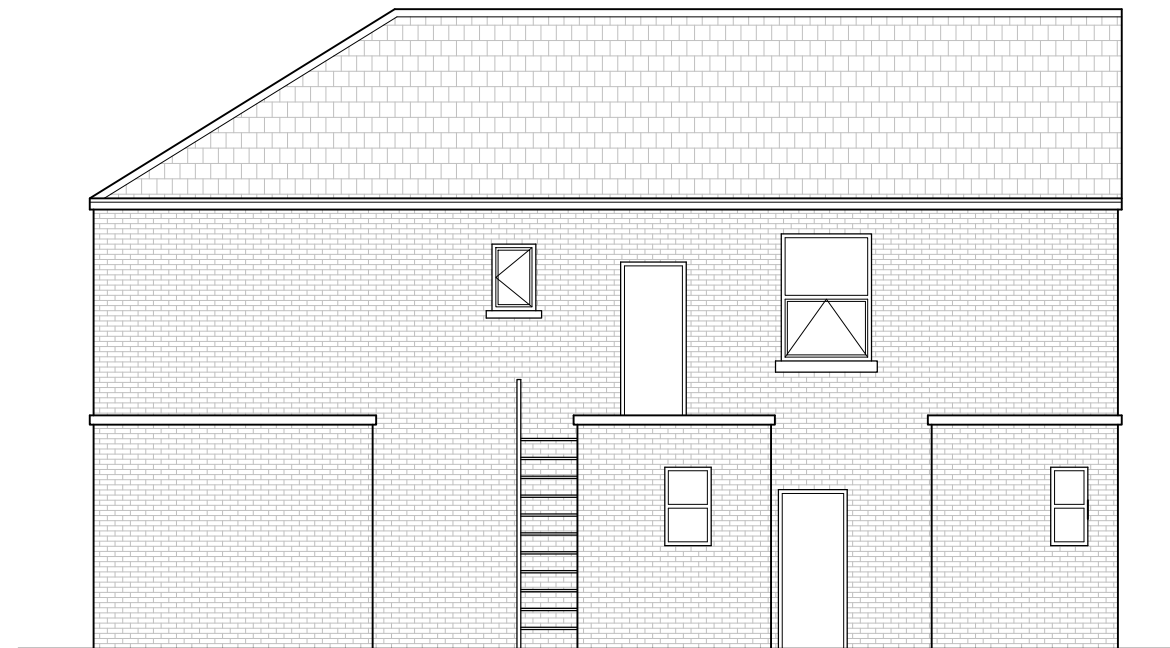


EXISTING SIDE ELEVATION
1:100 @ A3

Page 111



EXISTING SIDE ELEVATION
1:100 @ A3



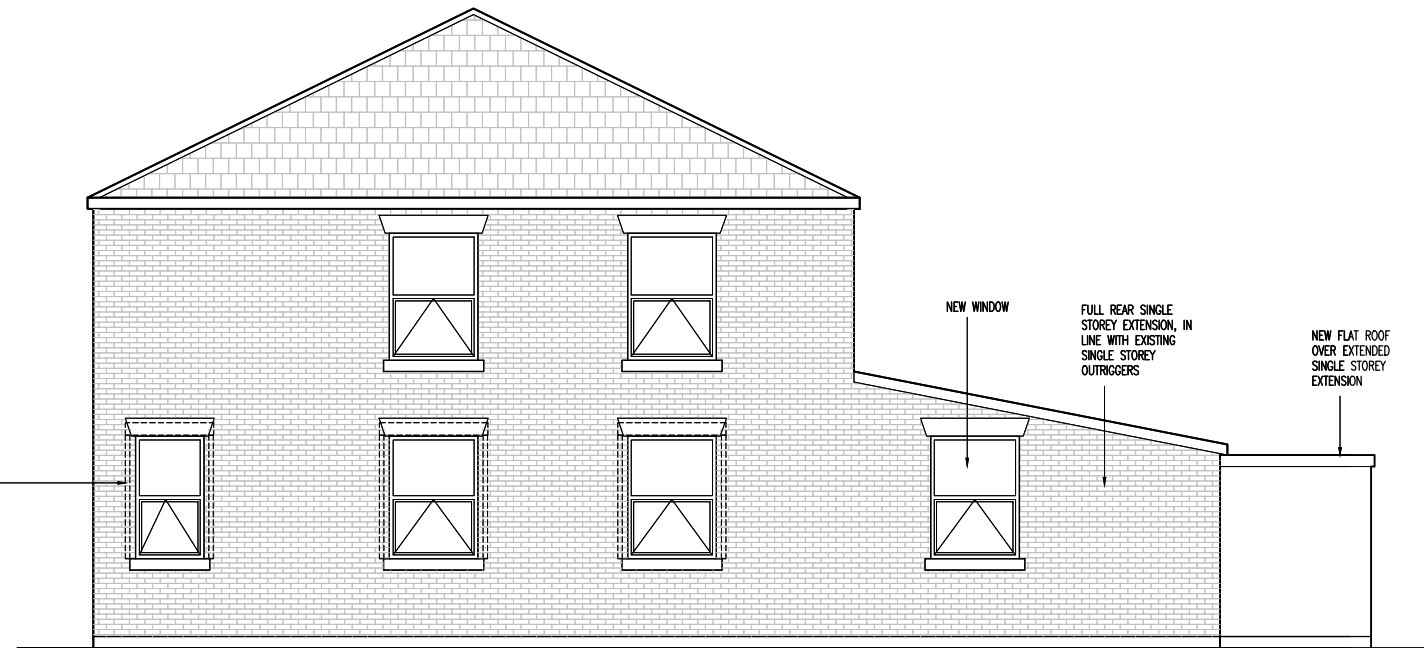
EXISTING REAR ELEVATION
1:100 @ A3



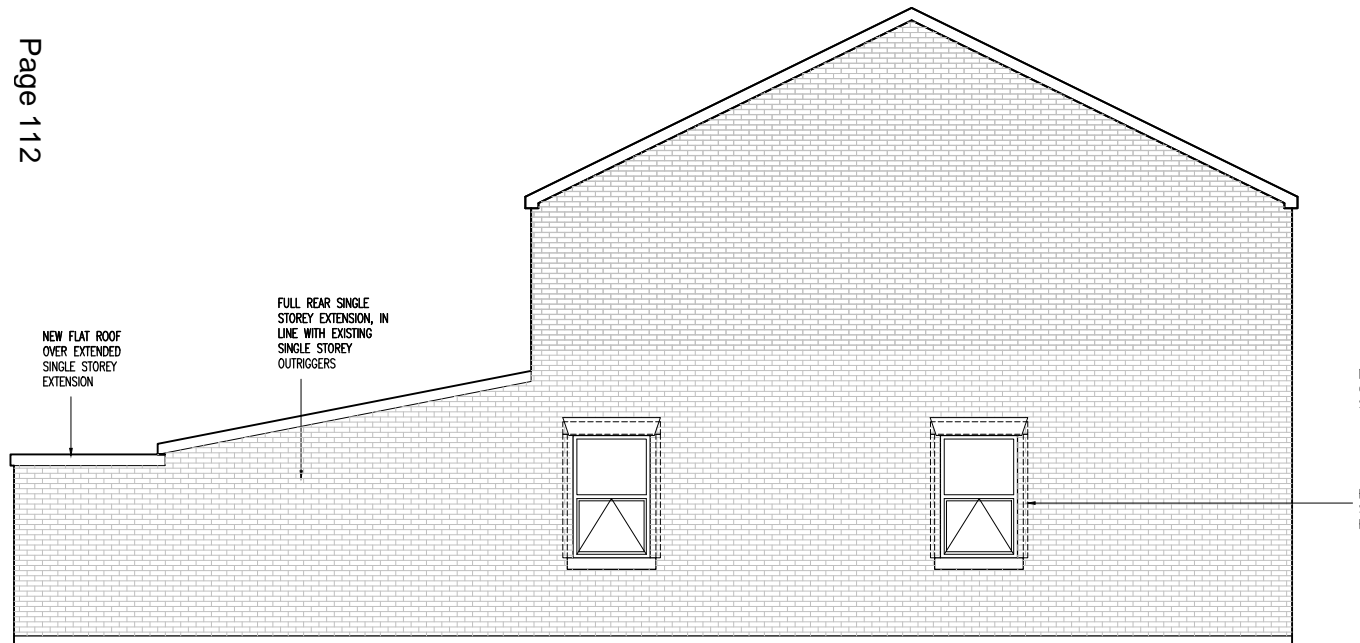
Rev	Amendments	Date	Ints
			
Project			
21 CHURCH STREET EAST RADCLIFFE, M26 2PG			
Drawing Title			
EXISTING ELEVATIONS			
Drawn	TW	Checked	-
Date	JULY 2023	Scale	A3 1 : 100
Drawing No.	21STE/202/PL		Rev.



PROPOSED FRONT ELEVATION
1:100 @ A3



PROPOSED SIDE ELEVATION
1:100 @ A3

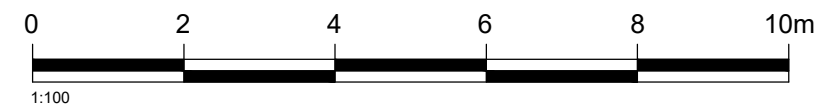


PROPOSED SIDE ELEVATION
1:100 @ A3



PROPOSED REAR ELEVATION
1:100 @ A3

Page 112



Rev	Amendments	Date	Ints

Mark Gordon
Design + Associates

Project
**21 CHURCH STREET EAST
RADCLIFFE, M26 2PG**

Drawing Title
PROPOSED ELEVATIONS

Drawn TW	Checked -
Date JULY 2023	Scale @ A3 1 : 100
Drawing No. 21STE/206/PL	Rev.

Ward: Radcliffe - East

Item 07

Applicant: Mr Richard Barfoot

Location: 36 Irwell Street, Radcliffe, Manchester, M26 1LR

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

Application Ref: 70256/Full

Target Date: 24/01/2024

Recommendation: Approve with Conditions

Description

The proposal relates to a traditional 5-bedroomed end terraced property on a residential street. The property has a large two storey outrigger at the rear. It is immediately bounded by similar properties to the east and west, further housing to the north on the opposing side of Irwell Street (served by dedicated car parks). Coronation Park is located beyond a rear alleyway serving all dwellings on the south side of the street and rises above the rear of the dwellings. The subject property has a small rear yard area. Resident's cars (those who live on the south side of Irwell Street) generally rely on on-street parking.

The proposal is for the change of use from the current 5 bedroom dwellinghouse (Class C3) to children's residential care home (Class C2) for the occupation of up to 3 children and staff. No alterations are proposed to either the external elevations or the room layout.

The existing dwelling presently comprises 3 reception rooms with kitchen at ground floor and 5 bedrooms at first floor.

The supporting statements confirm that the home would be used for the care of 3 children between 10-18 years old (of any gender and having suffered with any trauma or diagnosed with mental health illness). They would receive 1 to 1 care from appropriately qualified staff and there would be a maximum of 4 staff (1 manager - present 09:00 - 17:00 and 3 carers (2 on a 24 hour shift and 2 on a 12 hour shift).

Resident children would be enrolled in school, although some may be home schooled depending on circumstances and the level of care required. Specialist treatment (e.g. psychologist/therapist) is likely to occur off site. Children would be supported to have independent time in a risk assessed and managed way, mirroring how a parent would do (not to be able to come and go as they pleased). There would be curfews and the house would be locked at a certain time, reflecting that of a family home and the security and wellbeing of young people.

The current occupiers of the property have 3 vehicles parked on the street (occasionally 4 due to an adult child of the owner). The submission notes that there are public car parks at the end of Irwell Street (not the residents only car parks) and Stand Lane and that St. John's Street, close to the site has unrestricted parking (in addition to Irwell Street). It is expected that some of the staff will drive, but this cannot be determined at this stage (as they are yet to be employed). It notes that Radcliffe has good public transport links.

Relevant Planning History

No relevant history.

Publicity

Direct notification undertaken on 01/12/2023 and 12/12/2023. Representations received from 13 separate addresses raising objections that can be summarised as follows:

Highways and parking

Parking on the street is already at full capacity and current residents struggle to park.

The site would not provide dedicated off-street parking for staff/visitors.

Adjacent streets that give access to Irwell Street are congested with parked cars and additional vehicles could exacerbate existing problems and block access e.g. for refuse vehicles.

The street is blocked from regular visits from ambulances and the street is a dead end.

The submission misrepresents the parking situation on Irwell Street. The car parks noted in the parking evidence are for residents of Six Town Housing only, which may not be at full capacity due to low car ownership. Irwell Street is normally at full capacity.

Amenity

There are already 2 care facilities within 100m of the site that cause problems. The addition of another care home with a 24 hour open door policy for young people with complex mental health issues, which is attached to neighbouring dwellings in a residential neighbourhood, would have a negative impact due to noise, disturbance and the safety of the occupants and the local community.

There is a first-floor window that opens up over neighbouring gardens (that would enable occupants to launch objects).

The use would encourage other young adults to the area, which would have a negative impact on younger children and generate anti-social behaviour.

The park adjacent to the site suffers from anti-social behaviour/drug users, which would therefore be unsuitable for the intended vulnerable occupiers. Other violent incidents have occurred in the locality.

The use would add to noise pollution.

It would be inappropriate to operate a business use in a residential street.

A mental home in the middle of a block of terrace houses is highly inappropriate. The patients at Prestwich escaped often. What's to stop them escaping from the house and bothering people in the community?

Other matters

The proposed use would impact on house prices.

It would put more pressure on already stretched local services e.g. doctors, dentists.

Would modifications be required to access gates and boundary walls to make them safe and secure?

If approved, this would set a precedent that would alter the fabric of the community.

There has been a lack of community consultation.

Alternative locations should be considered that takes into account proximity to medical facilities, public transport and a more appropriate environment for residents.

The proposal would be a strain on emergency services and it should be verified whether infrastructure such as hospitals and police services can provide adequate support.

Statutory/Non-Statutory Consultations

Traffic Section: No objection.

Environmental Health - Pollution Control: The proposed site is in a row of terraced houses. Unable to determine if the end users would cause noise nuisance due to their mental health. Unable to carry out noise assessment for this. Don't know what impact noise

could have on neighbouring houses.

Public comments are noted and there are concerns with regards ASB. This is something that EH cannot action either.

Greater Manchester Police - designforsecurity: Comments to be reported.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
CF1	Proposals for New and Improved Community Facilities
CF1/1	Location of New Community Facilities
CF3	Social Services
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
H4/2	Special Needs Housing
EN7/2	Noise Pollution
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), the adopted Bury Unitary Development Plan (UDP) and the Places for Everyone Joint Development Plan (PfE), 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

Section 149 of the Equality Act places a general duty on public bodies to have due regard to the need to eliminate discrimination and promote equality with regard to those with protected characteristics such as age, race, disability, religion or belief, gender and sex and to foster good relations between different groups when discharging its functions. It is not considered that any one group would be disadvantaged by the proposed development, however, children between the ages of 10-18 who suffer from trauma / have been diagnosed with a mental illness (which may be considered a disability) would benefit from the proposal. As such, there would be benefits to groups with protected characteristics.

Policy

The NPPF advocates the objectives to achieve sustainable development. Paragraph 8 states that one such objective is to support strong, vibrant and healthy communities by fostering well-designed and safe built environments with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

Chapter 8 of the NPPF relates to promoting healthy and safe communities and paragraph 96 states that policies and decisions should aim to achieve healthy, inclusive and safe places which, amongst things, promote social interaction, are safe and accessible and enable and support healthy lifestyles.

Paragraph 97 of the NPPF states that planning policies and decisions should take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

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

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

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

Principle

Objections refer to the proposal being inappropriate in a (family orientated) residential area, by reason of traffic congestion/lack of parking, noise, anti-social behaviour/community safety and access for occupants to social and health facilities and public transport.

The proposal relates to an end-terraced 5 bedroom family dwelling located within a well-established residential area. The application proposes to provide living accommodation for children in a setting that would be as close to a family environment as practicable. The property would not be required to be extended or altered and permanent residents (i.e. the children) and support carers would occupy the dwelling in a manner broadly akin to occupation by a family. It is also noted that the property could be utilised as a 6 bedroom house in multiple occupation without the need for planning permission.

The principle of the development would therefore be acceptable. Given the above, the proposed use would provide a valuable facility for more vulnerable members of society and as such, would be compliant with the above UDP policies and the principles of the NPPF.

Design and visual amenity

The proposed layout or the appearance of the property would not change from the current arrangements.

Impact on residential amenity

The objections concerning impacts on residential amenity are reported above.

It is considered that the character and the scale of the use would be consistent with that of a family household occupying the existing 5-bedroom dwelling. One of the key objectives of the proposal is to provide an environment which would be consistent with 'normal' residential living conditions and the regularity of daily living, reflecting that of a family home and providing security and the wellbeing of young people. It is intended the care home would function discreetly within the neighbourhood.

The supporting information sets out that the children would occupy the dwelling in a manner that would not be materially different to how a family would occupy it. Each child would have

their own bedroom and use of communal spaces (e.g. kitchen/dining room/lounge), which would be shared between occupants. The children would attend school or be home schooled and would socialise and partake in recreational activities, as one would expect a child would when in a typical family setting.

Changeover between staff would occur twice a day and would entail the transition of two staff early morning and evening. A Home Manager would be in attendance during typical office hours.

Clearly, households can take many forms and the current dwelling could be occupied by a family of up to around 6 individuals (possibly more if a reception room was to be utilised as bedroom). Furthermore, without planning permission, the dwelling could be utilised as a house in multiple occupation for up to 6 occupants.

Some objections refer to the potential for anti-social behaviour and allude to the 'type' of occupants, claiming that they may pose a danger for existing residents due to abusive, threatening and violent behaviour.

In relation to other proposals for a care home of a similar scale and nature, Greater Manchester Police have not supported such claims, stating that such uses are best situated within the community (as in this case). Regardless, the behavioural characteristics of individuals that may come to occupy a care home is not a material planning consideration. The assessment of impact on residential amenity relates to the nature of occupation (as a care home) and not (assumptions concerning) the character of individuals. The property would be occupied by children between the ages of 10-18, living as a family would and cared for by qualified staff. The objective would be to offer the best possible outcome for children and to prepare them for adulthood. The objective would be that occupation of the property would be passively routine and it would function akin to a typical residential dwelling.

The response of GM Police to this specific proposal will be reported in the supplementary report.

Although the Council's Environmental Health Officer is unable to determine if the end users would cause noise nuisance, as noted above, the property would be occupied as would a 'typical' family would occupy a dwelling. Similarly, potential noise nuisance from the occupation of the property by a family could not be determined (before occupation).

Given such circumstances, and the potential alternative iterations for occupation of the dwelling, it is not considered that the proposed change of use of the dwelling would have a materially greater impact upon neighbouring amenity. Occupants would engage in education, social and recreational activities, as any child could when occupying the dwelling as a family home and carers would manage and supervise in a manner similar to that of parents.

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

Highways issues

Supplementary Planning Guidance (SPD) note 11 - Parking Standards in Bury, sets a maximum standard for type of C2 care home at a rate of 1 space per 4 beds. Applications are to be assessed on their own merits and in consideration of their location and nature of intended occupation.

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

The applicable parking standard is 1 space for every 4 beds. The applicable standard for 4 plus bedroom dwellings is a maximum 3 spaces.

Whilst the property does not benefit from off-street parking, the site is located within the urban area of Radcliffe, within an approximately 600m or 800m walk from Radcliffe Bus Station and Metrolink Stations respectively. Thus, the site is in a highly sustainable location. By contrast, as a 5-bed dwelling, the property could potentially be occupied by up to 5 car owners (adult children may be car owners), plus there could be additional trips to the site by visitors, friends/family and from deliveries or servicing requirements associated with day to day living.

On-street parking is not restricted and there are public car parks in the locality and within easy walking distance. Vehicles would be able to park freely in the vicinity without obstructing the carriageway or footway. Given that the site is located in a high accessibility area, it would be reasonable to consider that some staff members could travel by public transport (but this could not be controlled).

Unitary Development Plan Policy H4/2 - Special Needs Housing requires consideration of the sites gradient. However, the proposal would not cater for those with physical disabilities and regardless, the gradient of the short private front forecourt is level with a low step.

SPD 11 indicates that cycle storage provision should be provided for two bicycles. This could be secured by condition.

The Highway Officer does not object to the proposal.

In such circumstances, it is not considered that the proposal would have unacceptable impacts on highway safety that would warrant or sustain an objection to the application. Paragraph 115 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Response to objectors

Many matters raised in objections are not material to the assessment and determination of the planning application. Therefore, the matters referred to below omit those that have been addressed in the above assessment or where they would not be material.

- The submission misrepresents the parking situation on Irwell Street. The car parks noted in the parking evidence are for residents of Six Town Housing only, which may not be at full capacity due to low car ownership. Irwell Street is normally at full capacity.

This is noted and the section above relating to 'Highway issues' covers this point.

- There is a first floor window that opens up over neighbouring gardens (that would enable occupants to launch objects).

This could potentially occur with occupation of the property as a dwelling.

- The park adjacent to the site suffers from anti-social behaviour/drug users, which would therefore be unsuitable for the intended vulnerable occupiers. Other violent incidents have occurred in the locality.

This is noted in the representation as a current issue. The proposed use would be operated

as would a dwelling occupied by a family with the well-being and supervision of the child occupiers being a central objective.

- The proposed use would impact on house prices.

Such a perception is not a material planning consideration.

- It would put more pressure on already stretched local services e.g. doctors, dentists. It should be verified whether infrastructure such as hospitals and police services can provide adequate support.

The proposal is minor in scale and the site would be occupied as a family could occupy the present dwelling (with the associated requirements for access to such local services).

- Would modifications be required to access gates and boundary walls to make them safe and secure?

This is not a material planning consideration.

- If approved, this would set a precedent that would alter the fabric of the community.

Each application would be considered on its merits and assessed against the relevant planning policies and material considerations.

- There has been a lack of community consultation.

The proposal was advertised as required in the relevant Regulations (resulting in 13 objections).

CONCLUSION

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

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

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

The 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

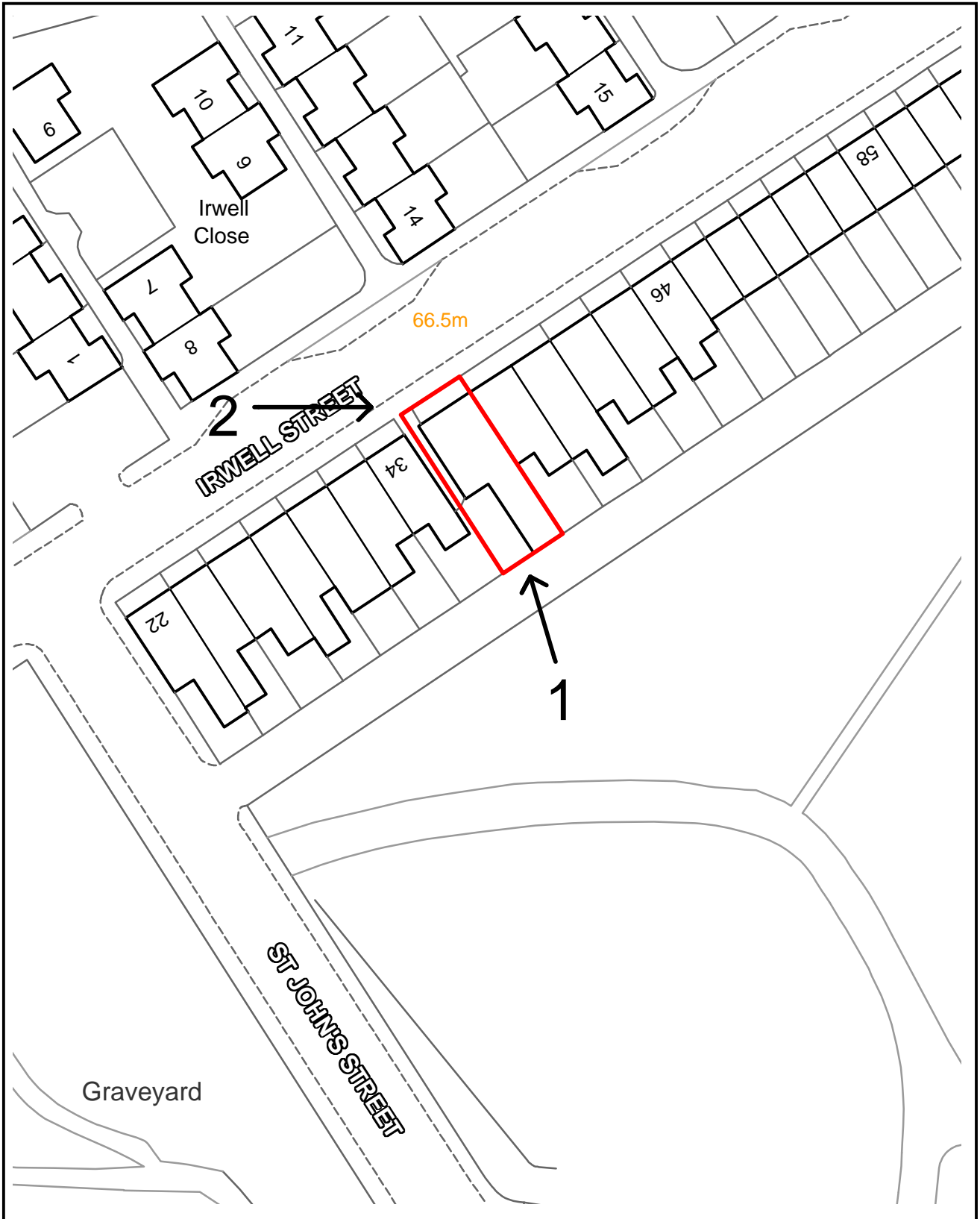
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act

1990.

2. This decision relates to drawings
Location Plan dated 20/11/2023
Proposed Site Plan (Dwg No. 01A)
Existing and Proposed Roof Plan (Dwg No. 04)
Existing and Proposed Elevations (Dwg No. 05)
Proposed Floor Plans (Dwg No. 06)
and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The premises to which this approval relates shall be used for residential care only and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).
Reason. To ensure the intensification and scale of uses in the property does not extend beyond acceptable levels which could cause impact to residential amenity and highway safety in respect of the associated parking, access and servicing requirements or general activity and disturbance pursuant to policies EN1/2 - Townscape and Built Design, CF3 - Social Services, H4/2 - Special Needs Housing, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan.
4. The use of the building hereby approved shall not commence until secure cycle parking for two bicycles have been provided at the site. The facility shall remain available for users of the development thereafter.
Reason. To secure satisfactory cycle facilities on site and in accordance with Unitary Development Policies HT6 - Pedestrians and Cyclists; HT6/1 - Pedestrians and Cycle Movement.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 70256

ADDRESS: 36 Irwell Street, Radcliffe



Bury
Council

Planning, Environmental and Regulatory Services

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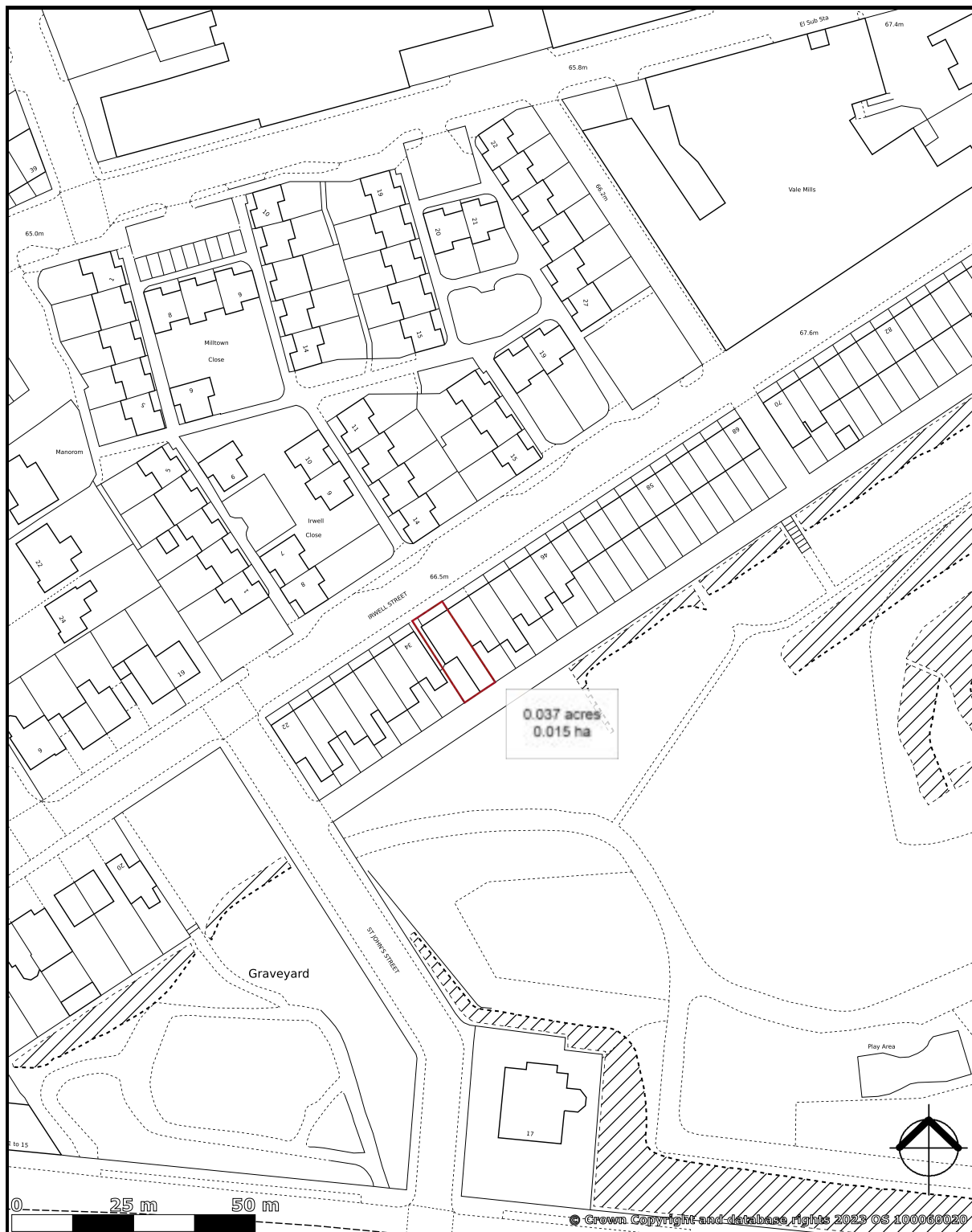
70256

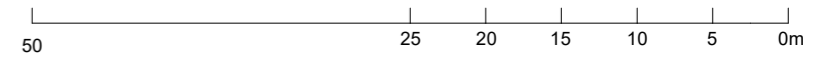
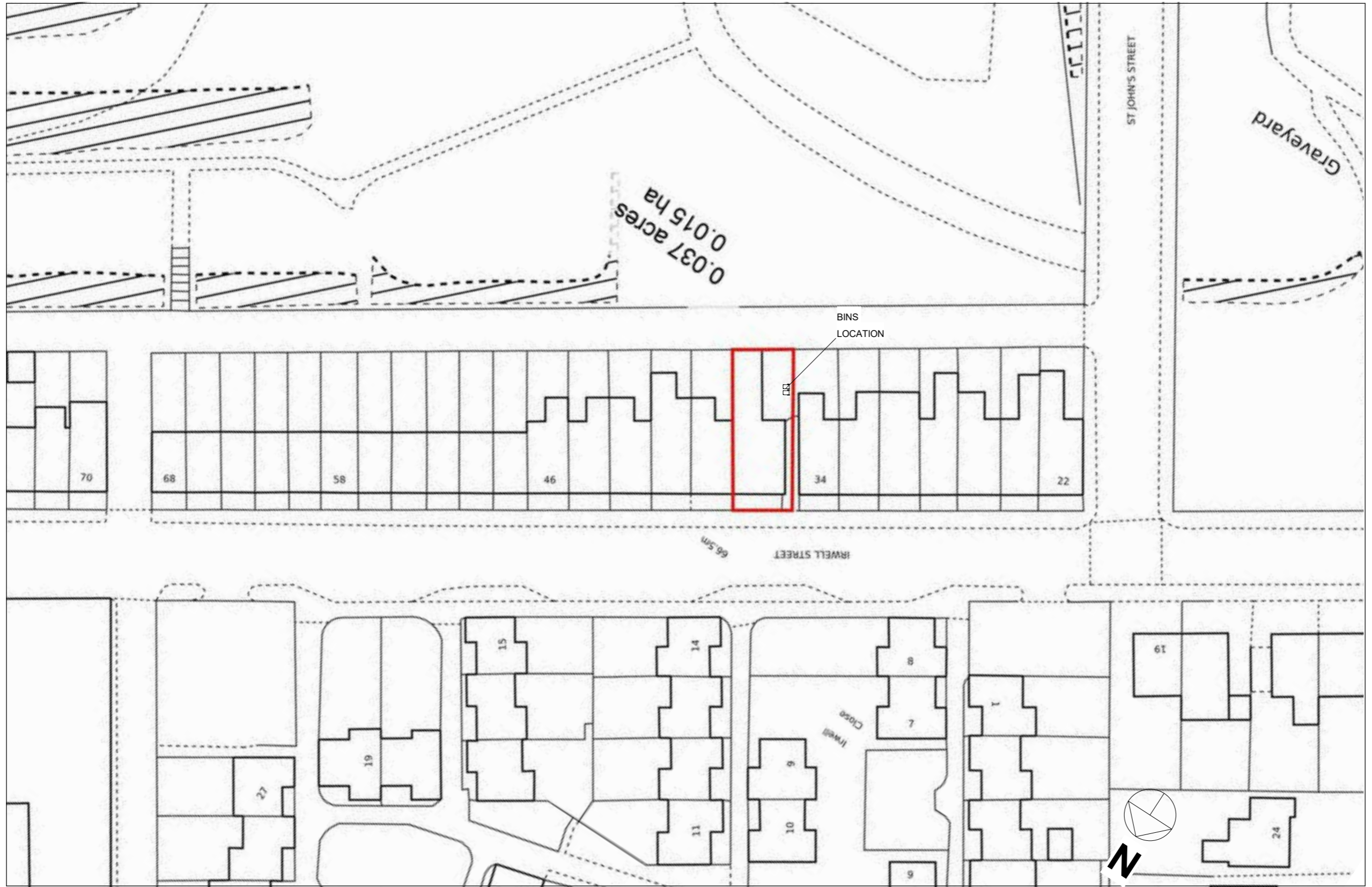
Photo 1 - Rear of 36 Irwell Street



Photo 2 – Irwell Street (no. 36 - white fronted, centre)







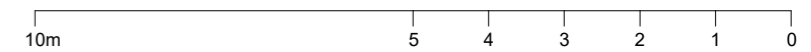
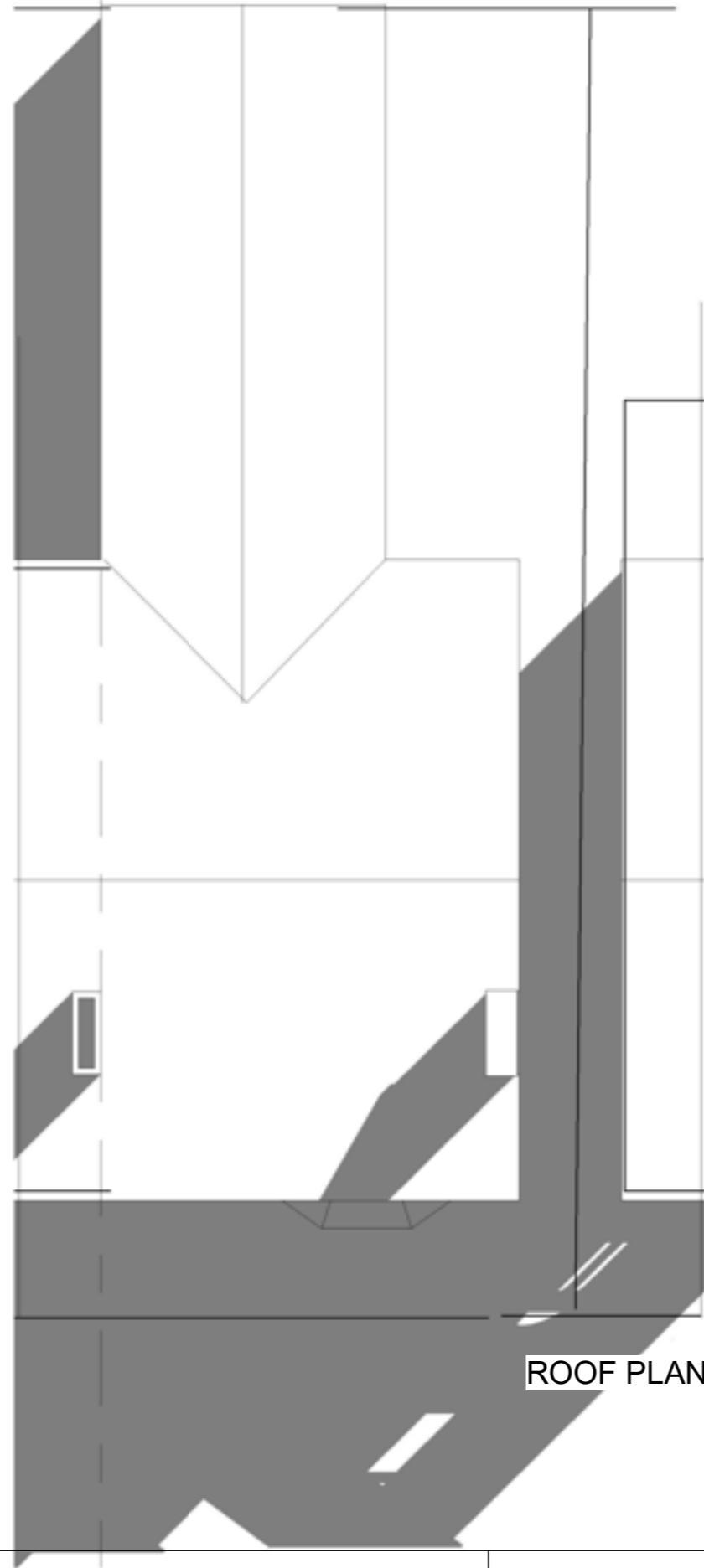
PLANNING BY DESIGN
FROM CONCEPT TO COMPLETION

ALL DIMENSIONS TO BE VERIFIED ON SITE
THIS DRAWING IS NOT FOR CONSTRUCTION

Rev	
A 29.11.2023 BINS	

**36 Irwell Street
Radcliffe
Manchester M26 1LR**

EXISTING AND PROPOSED BLOCK PLAN			
Date	16.10.2023	Scale @ A3	No.
By	JL	1:500	01A
Drwg ref:	36IrwellStreetExistingAndProposedBlockPlanV2		



ROOF PLAN



ALL DIMENSIONS TO BE VERIFIED ON SITE
THIS DRAWING IS NOT FOR CONSTRUCTION

Rev

36 Irwell Street
Radcliffe
Manchester M26 1LR

EXISTING AND PROPOSED ROOF PLAN

Date	16.10.2023	Scale @ A3	1:100	No.	04
By	JL				
Drwg ref:	36IrwellStreetExistingRoofPlanV1				

First floor
2700

Ground floor
0



NORTHWEST (FRONT) ELEVATION

PROPERTY
BOUNDARY

PROPERTY
BOUNDARY



SOUTHWEST ELEVATION

Page 126

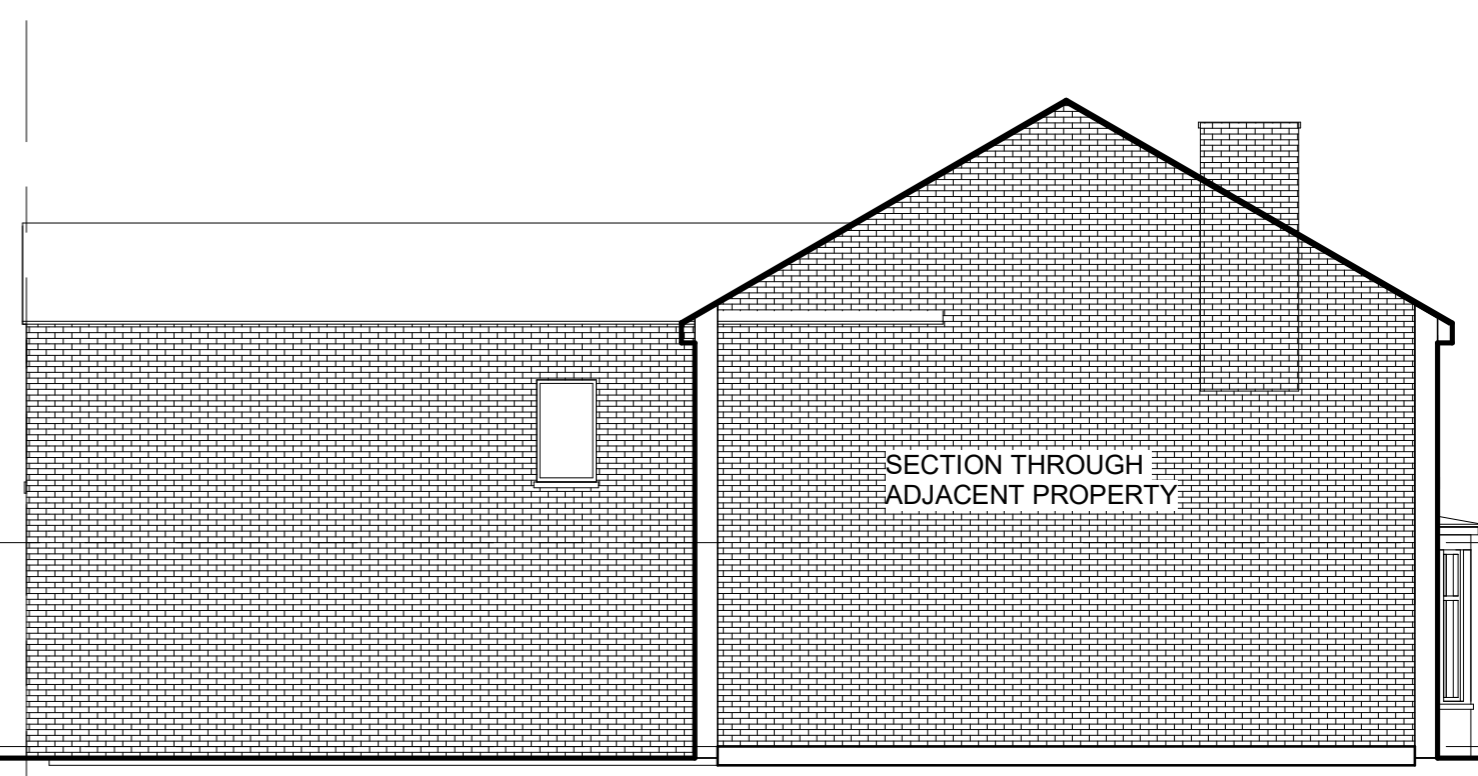
First floor
2700

Ground floor
0



SOUTHEAST (REAR) ELEVATION

REAR BOUNDARY
FENCE SHOWN
DOTTED FOR CLARITY



NORTHEAST ELEVATION/SECTION

10m 5 4 3 2 1 0



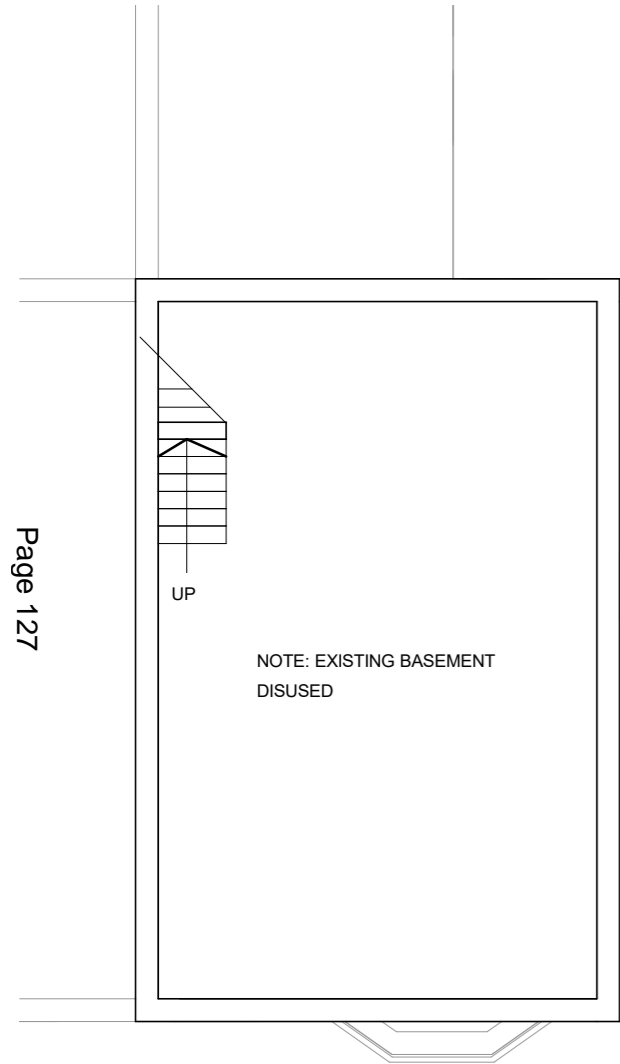
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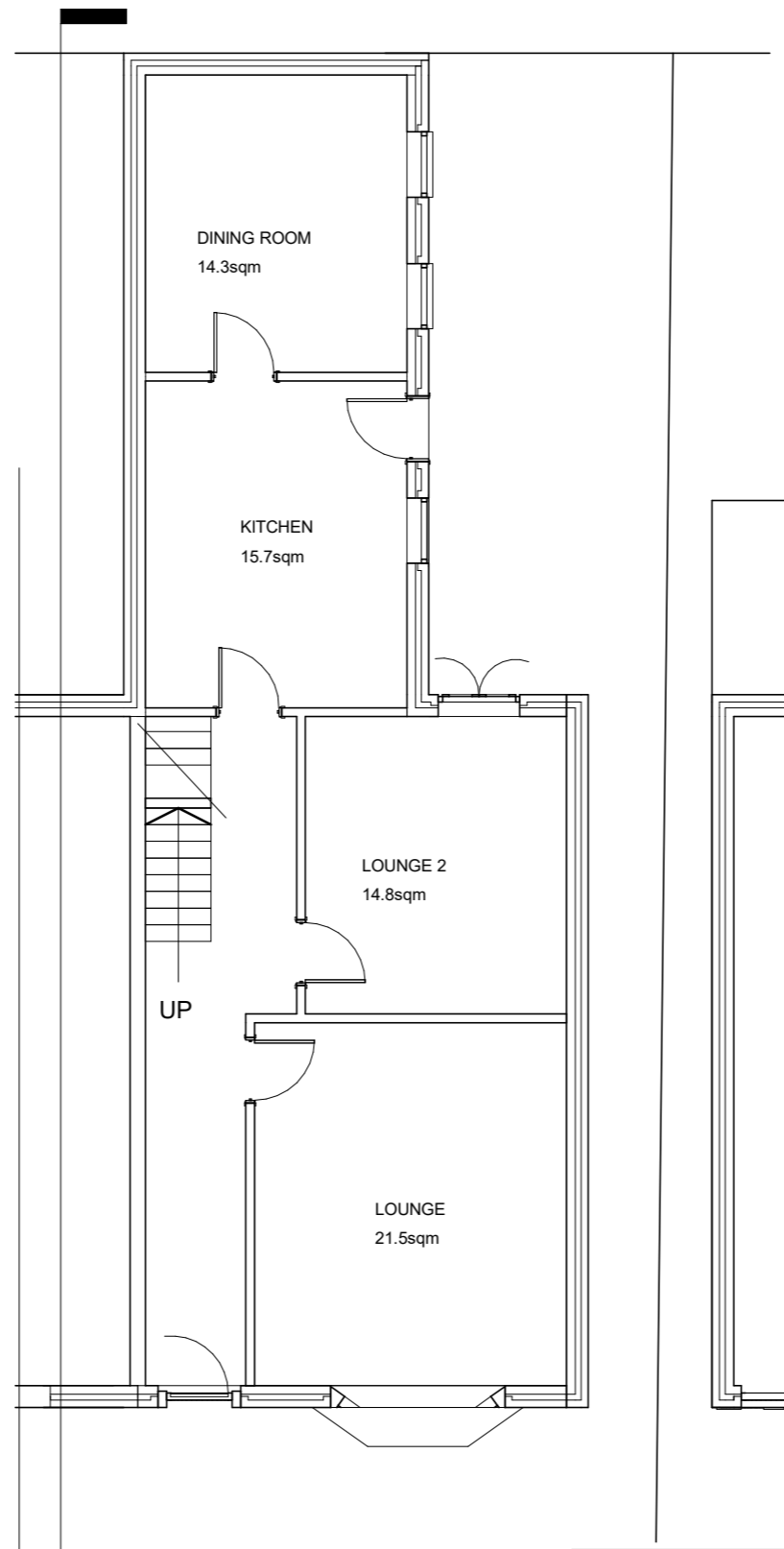
36 Irwell Street
Radcliffe
Manchester M26 1LR

EXISTING AND PROPOSED ELEVATIONS

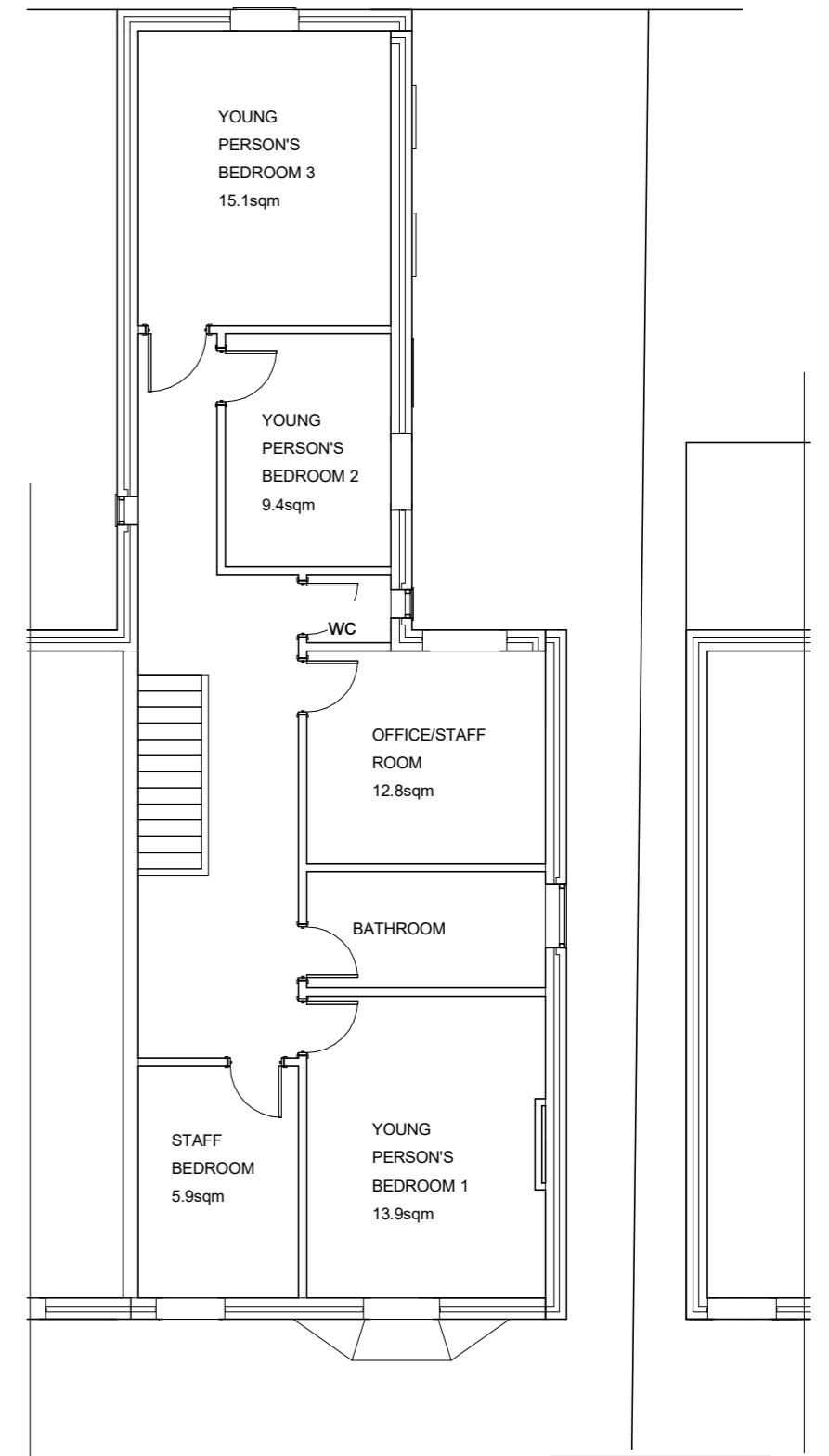
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By	JL				
Drwg ref:	36IrwellStreetExistingElevationsV2				



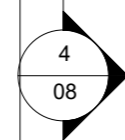
BASEMENT



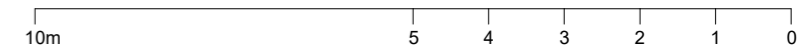
GROUND FLOOR PLAN



FIRST FLOOR PLAN



TOTAL INTERNAL FLOOR AREA: 171.2sqm



PLANNING BY DESIGN
FROM CONCEPT TO COMPLETION

ALL DIMENSIONS TO BE VERIFIED ON SITE
THIS DRAWING IS NOT FOR CONSTRUCTION

Rev

36 Irwell Street
Radcliffe
Manchester M26 1LR

PROPOSED FLOOR PLANS			
Date	16.10.2023	Scale @ A3	No.
By	JL	1:100	06
Drwg ref:	36IrwellStreetExistingPlansAndRoofPlanV2		

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REPORT FOR NOTING

Agenda Item	5
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DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	20 February 2024
SUBJECT:	DELEGATED DECISIONS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	The report lists: Recent delegated planning decisions since the last PCC
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A
Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS**DIRECTOR:**

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

1.0 BACKGROUND

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

2.0 CONCLUSION

That the item be noted.

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

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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

**Planning applications decided using Delegated Powers
Between 15/01/2024 and 11/02/2024**



Ward: Bury East

Application No.: 69796 **App. Type:** P3JPA 08/02/2024 Prior Approval Required and Granted

Location: 12 Bolton Street, Bury, BL9 0LQ

Proposal: Prior approval for proposed change of use from from commercial, business and service (Class E) to mixed use including 2 No. Flats (Class C3)

Application No.: 70251 **App. Type:** FUL 26/01/2024 Approve with Conditions

Location: Tetrosyl, Bridge Hall Lane, Bury, BL9 7NY

Proposal: 2 no. Sprinkler tanks (10.85m diameter, 8.5m height) to include a small kiosk and pump room with GRP housing with associated pipework to connect the tanks and pump room

Application No.: 70259 **App. Type:** FUL 17/01/2024 Refused

Location: 212A Bell Lane, Bury, BL9 6HS

Proposal: Single storey extension at rear to form 1 no. ground floor flat

Application No.: 70320 **App. Type:** FUL 07/02/2024 Refused

Location: 5 Crompton Street, Bury, BL9 0AD

Proposal: Replace existing windows and doors - Removal of three doors and reinstatement of full length windows; Partial removal of bricked door with insertion of window; 3 no. windows with railings to be removed and replaced with larger windows

Application No.: 70346 **App. Type:** GPDE 24/01/2024 Prior Approval Not Required - Extension

Location: 28 Openshaw Street, Pimhole, Bury, BL9 7EH

Proposal: Prior approval for single storey rear extension

Ward: Bury East - Moorside

Application No.: 70290 **App. Type:** FUL 26/01/2024 Approve with Conditions

Location: 291 Hornby Street, Bury, BL9 5DR

Proposal: Single storey extension at front

Application No.: 70294 **App. Type:** FUL 24/01/2024 Approve with Conditions

Location: 29 Canning Street, Bury, BL9 5AS

Proposal: Single storey rear extension; Front porch

Ward: Bury East - Redvales

Application No.: 70064 **App. Type:** FUL 18/01/2024 Approve with Conditions

Location: 9 Birch Lea Close, Bury, BL9 9RZ

Proposal: Variation of condition 2 (approved plans) of planning permission 68464: Front porch; various alterations to windows (front, side and rear); pitched roof, parapet wall raised; additional render; dormer cladding and rear doors changed to window.

Application No.: 70247 **App. Type:** GPDE 17/01/2024 Prior Approval Not Required - Extension
Location: 9 Rhiwlas Drive, Bury, BL9 9DD
Proposal: Prior approval for proposed single storey rear extension

Application No.: 70295 **App. Type:** FUL 26/01/2024 Approve with Conditions
Location: Bury College Woodbury Centre, Market Street, Bury, BL9 0BG
Proposal: Proposed new glazed entrance enclosure to form principal entrance, alteration of existing window openings, closure of vehicular access, and provision of new public realm including wheelchair accessible route

Application No.: 70327 **App. Type:** FUL 26/01/2024 Approve with Conditions
Location: 3 Prescott Close, Bury, BL9 9DZ
Proposal: Single storey rear extension

Application No.: 70328 **App. Type:** FUL 08/02/2024 Refused
Location: 2 Albany Drive, Bury, BL9 9RD
Proposal: Single storey rear extension and external alterations

Application No.: 70356 **App. Type:** FUL 25/01/2024 Approve with Conditions
Location: 21 Parkhills Close, Bury, BL9 9HB
Proposal: Single storey side/front porch extension

Ward: **Bury West - Elton**

Application No.: 70250 **App. Type:** LDGP 24/01/2024 Lawful Development
Location: 50 Kingsbury Close, Tottington, Bury, BL8 1WB
Proposal: Lawful development certificate for proposed bi-fold door in kitchen diner; Install shorter height window in kitchen diner with brick beneath window; Install internal french door between kitchen and living room in stud partition wall non-load bearing and Increase footprint of en-suite bathroom.

Application No.: 70302 **App. Type:** FUL 29/01/2024 Refused
Location: 2 Skegness Close, Bury, BL8 1EQ
Proposal: Erection of boundary wall/pillars to front/side/rear (maximum height of 2.4 M) with new vehicular access/dropped kerb

Application No.: 70305 **App. Type:** FUL 19/01/2024 Approve with Conditions
Location: 25 Jesmond Drive, Bury, BL8 1EE
Proposal: Two storey side extension

Application No.: 70337 **App. Type:** FUL 22/01/2024 Approve with Conditions
Location: 168 Brandlesholme Road, Bury, BL8 1AX
Proposal: Single storey rear extension

Ward: **Bury West - West**

Application No.: 70258 **App. Type:** FUL 06/02/2024 Approve with Conditions
Location: 23 Holcombe Avenue, Bury, BL8 2RN
Proposal: Two storey side extension; Hip to gable roof extension; Loft conversion with rear dormer

Application No.: 70260 **App. Type:** FUL 22/01/2024 Refused
Location: 37 Ashington Drive, Bury, BL8 2TS
Proposal: Erection of new boundary fence

Application No.: 70283 **App. Type:** FUL 07/02/2024 Refused
Location: 219 Ainsworth Road, Bury, BL8 2SQ
Proposal: Dormer extensions to front & side elevations; Single storey side extension and enlargement of bay window

Application No.: 70292 **App. Type:** FUL 08/02/2024 Approve with Conditions
Location: 12 Rothbury Close, Bury, BL8 2TT
Proposal: Single storey side extension; external alterations and render to elevations.

Application No.: 70311 **App. Type:** FUL 16/01/2024 Approve with Conditions
Location: 508 Bolton Road, Bury, BL8 2DU
Proposal: Erection of detached outbuilding in rear garden to accommodate storage, jacuzzi and snooker room.

Ward: **North Manor**

Application No.: 70154 **App. Type:** FUL 22/01/2024 Refused
Location: 44A Newcombe Road, Ramsbottom, Bury, BL0 9UT
Proposal: Proposed Loft Conversion with Front and Rear Dormers

Application No.: 70184 **App. Type:** FUL 02/02/2024 Approve with Conditions
Location: 18 Pinewood Crescent, Ramsbottom, Bury, BL0 9XE
Proposal: Installation of air source heat pump at rear

Application No.: 70244 **App. Type:** FUL 18/01/2024 Approve with Conditions
Location: Chest Wheel Farm, Rowlands Road, Bury, BL9 5PB
Proposal: First floor extension; Single storey rear extension; Single storey side extension

Application No.: 70293 **App. Type:** FUL 26/01/2024 Approve with Conditions
Location: 522 Holcombe Road, Ramsbottom, Bury, BL8 4EJ
Proposal: Two storey side extension; Formation of new vehicular access

Application No.: 70298 **App. Type:** FUL 25/01/2024 Approve with Conditions
Location: 16 Pinewood Crescent, Ramsbottom, Bury, BL0 9XE
Proposal: Two storey side/rear extension

Application No.: 70318 **App. Type:** LDCP 01/02/2024 Lawful Development
Location: 259 Holcombe Road, Tottington, Bury, BL8 4BD
Proposal: Lawful development certificate for proposed single storey rear extension

Application No.: 70348 **App. Type:** FUL 31/01/2024 Approve with Conditions
Location: 35 Brookside Crescent, Tottington, Bury, BL8 4BG
Proposal: Single storey side/rear extension

Ward: **Prestwich - Holyrood**

Application No.: 70299 **App. Type:** FUL 23/01/2024 Approve with Conditions
Location: 2 Taunton Grove, Whitefield, Manchester, M45 6TJ
Proposal: Two storey rear extension

Application No.: 70308 **App. Type:** FUL 07/02/2024 Approve with Conditions
Location: 85 Simister Lane, Prestwich, Manchester, M25 2SU
Proposal: Single storey front extension; single storey extension and conservatory at rear.

Ward: **Prestwich - Sedgley**

Application No.: 70231 **App. Type:** FUL 29/01/2024 Approve with Conditions
Location: 8 Sandringham Grange, Prestwich, Manchester, M25 0BY
Proposal: First floor rear extension and pitched roof to existing single storey extension at side/rear

Application No.: 70263 **App. Type:** LDCP 19/01/2024 Lawful Development
Location: 10 Russell Street, Prestwich, Manchester, M25 1EQ
Proposal: Lawful development certificate for proposed change to the rear elevation of the dwelling involving the replacement of a first-floor window opening with a French window opening and associated safety railing.

Application No.: 70285 **App. Type:** FUL 17/01/2024 Approve with Conditions
Location: 191 Bury Old Road, Prestwich, Manchester, M25 1JF
Proposal: Single storey rear extension

Application No.: 70319 **App. Type:** FUL 06/02/2024 Approve with Conditions
Location: 54 Windsor Road, Prestwich, Manchester, M25 0FF
Proposal: Two/single storey extension at side/rear; Front porch extension; Loft conversion with rear dormer; White render to all elevations

Application No.: 70363 **App. Type:** FUL 26/01/2024 Approve with Conditions
Location: 74 Sheepfoot Lane, Prestwich, Manchester, M25 0DT
Proposal: Two storey side extension and single storey extension at side/rear, front porch and loft conversion with rear dormer and hip to gable roof extension to form second floor; Boundary wall/railings to front and side.

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

Application No.: 70304 **App. Type:** FUL 07/02/2024 Approve with Conditions

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

Proposal: Two storey rear extension to include 2 no. windows to rear elevation and 1 no. window to existing side elevation 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; New air conditioning unit installed at parapet wall level to the rear elevation

Application No.: 70326 **App. Type:** FUL 06/02/2024 Approve with Conditions

Location: 59 Agecroft Road East, Prestwich, Manchester, M25 9RQ

Proposal: Two storey/single storey rear extension with fenced balcony; Front porch with associated steps

Ward: **Radcliffe - East**

Application No.: 70102 **App. Type:** FUL 19/01/2024 Refused

Location: 78-80, Church Street West, Radcliffe, M26 2SY

Proposal: Change of use from former showroom/workshop to 35 no. bedroom (double occupancy) building of multiple residential occupation (Sui Generis)

Ward: **Radcliffe - North and Ainsworth**

Application No.: 70385 **App. Type:** FUL 07/02/2024 Approve with Conditions

Location: 53 Cockey Moor Road, Ainsworth, Bolton, BL2 5RE

Proposal: Conversion of swimming pool building at rear to family annexe

Ward: **Radcliffe - West**

Application No.: 70364 **App. Type:** PIP 07/02/2024 Approve

Location: Ainsworth Road Garage, 4 Ainsworth Road, Radcliffe, Manchester, M26 4DJ

Proposal: Application for permission in principle for residential development of up to 7 no. dwellings

Ward: **Ramsbottom + Tottington - Tottington**

Application No.: 70331 **App. Type:** FUL 22/01/2024 Approve with Conditions

Location: 8 Beechwood Court, Tottington, Bury, BL8 3HE

Proposal: Single storey extension at rear

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.: 69996 **App. Type:** FUL 18/01/2024 Approve with Conditions

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

Proposal: Conversion of 1no. dwelling and workshop to 2no. flats and 3no. dwellings with single storey rear extensions, new roof with raised eaves and replacement windows.

Application No.: 70043 **App. Type:** FUL 01/02/2024 Approve with Conditions
Location: 38 Cheshire Court, Ramsbottom, Bury, BL0 0BL
Proposal: Installation of air source heat pump at rear

Application No.: 70135 **App. Type:** FUL 18/01/2024 Approve with Conditions
Location: 99 Bury New Road, Ramsbottom, Bury, BL0 0BZ
Proposal: Erection of 1 no. dwelling in side garden of 99 Bury New Road with associated parking

Application No.: 70206 **App. Type:** FUL 31/01/2024 Approve with Conditions
Location: 9 Dalton Close, Ramsbottom, Bury, BL0 9SG
Proposal: Demolition of existing garage and erection of single storey side extension

Application No.: 70207 **App. Type:** FUL 17/01/2024 Approve with Conditions
Location: ISM Waste & Recycling, Kenyon Street, Ramsbottom, BL0 0AB
Proposal: Two storey extension; New pitched roof to existing building and External walkway and staircase

Application No.: 70239 **App. Type:** FUL 17/01/2024 Approve with Conditions
Location: Bast House, Manchester Road, Ramsbottom, Bury, BL9 5LZ
Proposal: Variation of condition 2 of planning permission 60870 (Conversion of two redundant agricultural outbuildings to create 6 no. dwellings): Landscaping changes to incorporate more green space and relocation of parking, Addition of juliet balconies and amendment to one window.

Application No.: 70240 **App. Type:** FUL 24/01/2024 Refused
Location: Moorbottom Fold, Moorbottom Road, Ramsbottom, Bury, BL8 4NP
Proposal: Change of use of part of field to extend residential curtilage/garden and erection of detached double garage

Application No.: 70255 **App. Type:** FUL 26/01/2024 Approve with Conditions
Location: 7 Palmerston Close, Ramsbottom, Bury, BL0 9YN
Proposal: Single storey rear extension

Application No.: 70277 **App. Type:** ADV 29/01/2024 Approve with Conditions
Location: 208 Bolton Street, Ramsbottom, Bury, BL0 9JE
Proposal: 1 no. non-illuminated sign

Application No.: 70316 **App. Type:** FUL 19/01/2024 Approve with Conditions
Location: Redlands, Rawsons Rake, Ramsbottom, Bury, BL0 9HH
Proposal: Extension of roof over the existing garage to provide covered storage area; Modifications to existing front elevation to include removal of all brick facings and replacement with natural coursed stone/stone sills and a steel stanchion to replace the brick column; Replacement balustrade/canopy at side; Creation of new garden area over the existing driveway at front

Ward: **Whitefield + Unsworth - Besses**

Application No.: 70115 **App. Type:** FUL 25/01/2024 Approve with Conditions
Location: 4 Kenmore Road, Whitefield, Manchester, M45 8ER
Proposal: Two storey extension at side/rear

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

Application No.: 70091 **App. Type:** FUL 31/01/2024 Approve with Conditions
Location: 3 Leyburn Close, Whitefield, Manchester, M45 7UE
Proposal: Single storey front & rear extensions; Loft conversion with rear dormer; Conversion of garage to living accommodation

Application No.: 70105 **App. Type:** FUL 16/01/2024 Approve with Conditions
Location: 3 Sunningdale Avenue, Whitefield, Manchester, M45 7GW
Proposal: Demolition of existing dwelling and erection of 1 no. dwelling

Application No.: 70181 **App. Type:** FUL 17/01/2024 Approve with Conditions
Location: 78 Ringley Road, Whitefield, Manchester, M45 7LN
Proposal: Two storey rear extension with juliette balcony, single storey side/rear extension and porch extension at side

Application No.: 70269 **App. Type:** FUL 07/02/2024 Approve with Conditions
Location: Stand Cricket And Tennis Club, Hamilton Road, Whitefield, Manchester, M45 7WF
Proposal: Single storey extension at rear of existing changing rooms and erection of porch; refurbishment of existing scoreboard building including external alterations, new entrance porch and disabled access to form new toilets and members bar, new timber decking to provide spectators area in front of clubhouse.

Application No.: 70314 **App. Type:** FUL 01/02/2024 Approve with Conditions
Location: 10 Ringley Chase, Whitefield, Manchester, M45 7UA
Proposal: Garage conversion

Total Number of Applications Decided: 58

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REPORT FOR NOTING

Agenda Item	6
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DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	20 February 2024
SUBJECT:	PLANNING APPEALS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>Planning Appeals:</p> <ul style="list-style-type: none"> - Lodged - Determined <p>Enforcement Appeals</p> <ul style="list-style-type: none"> - Lodged - Determined
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

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

1.0 BACKGROUND

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

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

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-

Contact Details:-

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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

**Planning Appeals Lodged
between 15/01/2024 and 11/02/2024**



Application No.: 69581/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr Niall Gunn

Location Sheepgate Farm Cottage, Bradshaw Road, Walshaw, Tottington, Bury, BL8 3PL

Proposal Modifications to roof/first floor roof extension to accommodate additional living space to first floor; Porch to front elevation; Reduction in size of existing garage; External alterations to include solar panels to front/rear roof slopes, new stone/render finish to external elevations and alterations to doors/windows/glazing with 2 no. juliet balconies to rear elevation

Appeal lodged: 22/01/2024

Appeal Type: Written Representations

Application No.: 69923/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr Chris Prest

Location 73A Simister Lane, Prestwich, Manchester, M25 2SU

Proposal First floor side extension; garage conversion to habitable space; raise roof ridge height, loft conversion with rear dormers; front porch; electric gate on front boundary and elevational changes to existing facade/windows

Appeal lodged: 24/01/2024

Appeal Type: Written Representations

Application No.: 69976/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr Raj Singh

Location 56 Windsor Road, Prestwich, Manchester, M25 0DE

Proposal Loft conversion with rear dormer extension; Two storey extension at side; Addition of first floor window to side elevation; Two storey extension at rear with amendment to balcony; New cladding to front elevation; Installation of 2 ventilation mechanical intake extract units to side elevation

Appeal lodged: 05/02/2024

Appeal Type: Written Representations

Application No.: 70154/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr and Mrs Walker

Location 44A Newcombe Road, Ramsbottom, Bury, BL0 9UT

Proposal Proposed Loft Conversion with Front and Rear Dormers

Appeal lodged: 29/01/2024

Appeal Type: Written Representations

Application No.: 70259/FUL

Appeal lodged: 02/02/2024

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Refuse

Applicant: Mr Scott Jones

Location 212A Bell Lane, Bury, BL9 6HS

Proposal Single storey extension at rear to form 1 no. ground floor flat

Total Number of Appeals Lodged: 5

**Planning Appeals Decided
between 15/01/2024 and 11/02/2024**



Application No.: 69336/TEL

Decision level: DEL

Recommended Decision: Prior Approval Required

Applicant: CK Hutchison Networks (UK) Ltd

Location: Pavement outside Radcliffe Hall C of E Methodist Primary School, Bury Street,

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

Appeal Decision: Dismissed

Date: 22/01/2024

Appeal type: Written Representations



Appeal Decision

Site visit made on 5 December 2023

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2024

Appeal Ref: APP/T4210/W/23/3322990

Bury Street Works, Bury Street, Bury M26 2GB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Cooke of CK Hutchison Networks (UK) Ltd against the decision of Bury Metropolitan Borough Council.
 - The application Ref 69336, dated 8 February 2023, was refused by notice dated 15 March 2023.
 - The development proposed is described as proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the Local Planning Authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.
3. There is no requirement to have regard to the development plan as there would be for any development requiring planning permission. Nevertheless, Policies EN1/2 and EN1/10 of the Bury Unitary Development Plan¹ are material considerations as they relate to issues of siting and appearance.
4. The National Planning Policy Framework (the Framework) was revised on 19 December 2023 and updated on 20 December 2023. However, there are no material changes in the revision or the update relevant to the substance of this appeal. The Framework is a material consideration including its section on supporting high quality communications.

Main Issues

5. The main issues are the effect of the siting and appearance of the proposed installation on the character and appearance of the surrounding area, the living conditions of the occupiers of surrounding residential properties due to outlook and, if any harm would occur, whether this is outweighed by the need for the

¹ Bury Unitary Development Plan – Written Statement Adopted by Bury Metropolitan Borough Council 29 August 1997.

installation to be sited as proposed taking into account any suitable alternatives.

Reasons

6. The proposed installation would be located within an area of pavement adjacent to a car park to Radcliffe Hall C of E Methodist Primary School. There are houses on the opposite side of Bury Street and a small cul-de-sac runs off Bury Street to the north of the appeal site to serve Bealey Row which also comprises residential properties.
7. There is signage for the school, street lighting and trees within the surrounding area including two modest sized trees to the south-east of the appeal site and trees in a grassed area to the north-west of the appeal site along with a bus stop. This urban area is characterised by its residential properties not exceeding two-stories in height and the school is a one and two-storey building. The pavement is noticeably wide and the grass verge small and a lack of obstacles within it contribute to the openness of this urban setting.
8. In the context of the low scale of the surrounding buildings and the open appearance of the school car park, the proposed 15 metre high pole would be very intrusive and prominent within the street scene. Moreover, the nearby trees are not sufficiently close to the appeal site to provide any substantial screening and the lighting columns are not especially high to enable the proposed pole to blend in with the existing street furniture. The equipment cabins and pole would appear cluttered within the pavement compared with its current uncluttered appearance.
9. Furthermore, the occupiers of the nearby houses, especially those on the opposite side of Bury Street, would look directly at the installation from their front windows. The 15 metre high pole in particular, would be visually intrusive due to its height and proximity and therefore have a harmful effect on their outlook within this domestic environment.
10. The proposal is required to extend 5G mast infrastructure and the appellant explains that a new site is required to meet the appellant's operational requirements to provide much needed coverage in this densely populated area. Moreover, paragraph 122 of the Framework makes clear that need for electronic communications systems should not be questioned. The intended target/search area has a radius of approximately 100 metres centred on Bury Street. A list of alternative sites are included in the submission together with a plan identifying their location.
11. However, these have been discounted for reasons relating to the area being very residential or for technical reasons relating to the practicalities of their installation with regard to insufficient or unsuitable pavements and visibility splays. I note that the Council has referred to a nearby neighbourhood shopping centre where there are several commercial and industrial buildings which could be used for the installation of equipment. However, although the sequential approach gives priority to existing sites and mast sharing, there is no information before me as to why the Council's suggestion has been discounted.
12. I appreciate that this scheme proposes an alternative to a previous refusal for an 18 metre high pole but from the information submitted, the previous

scheme was on the same site as the one before me now. Therefore, whilst I appreciate that the area is generally densely populated, I am not convinced that a less visually intrusive location could not be found within the wider urban area that would meet the appellant's requirements.

13. Consequently, the proposed installation would have a harmful effect on the character and appearance of the surrounding area due to its siting and appearance and on the living conditions of the occupiers of surrounding residential properties due to outlook and I am not convinced that less harmful alternatives capable of fulfilling the appellant's requirements could not be found.

Other Matters

14. I appreciate the appellant's objectives to follow Government commitment to improving high speed 5G mobile connectivity and the economic and social benefits that would arise from this. However, these matters have not been taken into account in considering the matters of siting and appearance.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

J D Clark

INSPECTOR

**Details of New Enforcement Appeals Lodged
between 15/01/2024 and 11/02/2024**



Case Ref: 23/0183

Date of Appeal: 01/01/2024
Appeal Type: REP

Location: Lake Hill, Walshaw Road, Bury, BL8 1PT

Issue: Unauthorised building works

Total Number of Appeal Cases: 01

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