

<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>15 March 2016</b>
<b>By:</b>	<b>Development Manager</b>
<b>Status:</b>	<b>For Publication</b>

### **Executive Summary**

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

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

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

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

**Policy:** Identified in each case.

**Resources:** Not generally applicable.

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

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

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

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

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

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

## **Development Manager**

### **Background Documents**

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

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

<b>01</b>	<b>Township Forum - Ward:</b>	Bury West - Church	<b>App No.</b>	59488
	<b>Location:</b>	Unit 2, Victoria Retail Park, Victoria Street, Bury, BL8 1LE		
	<b>Proposal:</b>	Change of use from Class B1/B8 to any use within Class A1/A3/A5/B1/B8		
	<b>Recommendation:</b>	Approve with Conditions	<b>Site Visit:</b>	N
<b>02</b>	<b>Township Forum - Ward:</b>	Prestwich - Holyrood	<b>App No.</b>	59509
	<b>Location:</b>	Land at rear of 7-11 Carisbrook Avenue, Whitefield, Manchester, M45 6UP		
	<b>Proposal:</b>	Erection of 1 no. bungalow		
	<b>Recommendation:</b>	Approve with Conditions	<b>Site Visit:</b>	Y
<b>03</b>	<b>Township Forum - Ward:</b>	North Manor	<b>App No.</b>	59596
	<b>Location:</b>	Summerseat House, Summerseat Lane, Ramsbottom, Bury, BL0 9UD		
	<b>Proposal:</b>	Internal and external alterations of Summerseat House and including stable block, kitchen/dining block and link detached teaching block to create a development & training centre (DTC); Demolition of detached single storey teaching block and addition of new enclosed link corridor, associated car parking works for 114 spaces and landscaping		
	<b>Recommendation:</b>	Approve with Conditions	<b>Site Visit:</b>	Y
<b>04</b>	<b>Township Forum - Ward:</b>	North Manor	<b>App No.</b>	59630
	<b>Location:</b>	480 Bolton Road West, Ramsbottom, Bury, BL0 9RU		
	<b>Proposal:</b>	Demolition of existing dwelling and erection of 2 no. dwellings		
	<b>Recommendation:</b>	Approve with Conditions	<b>Site Visit:</b>	N
<b>05</b>	<b>Township Forum - Ward:</b>	Bury East - Redvales	<b>App No.</b>	59636
	<b>Location:</b>	William Kemp Heaton Centre, 1 Howarth Close, Bury, BL9 9SB		
	<b>Proposal:</b>	Demolition of existing day care centre and the erection of 60 no. extra care apartments, communal facilities and external works		
	<b>Recommendation:</b>	Approve with Conditions	<b>Site Visit:</b>	Y
<b>06</b>	<b>Township Forum - Ward:</b>	North Manor	<b>App No.</b>	59645
	<b>Location:</b>	Summerseat House, Summerseat Lane, Ramsbottom, Bury, BL0 9UD		
	<b>Proposal:</b>	Listed Building Consent - Internal and external alterations of Summerseat House and including stable block, kitchen/dining block and link detached teaching block to create a development & training centre (DTC); Demolition of detached single storey teaching block and addition of new enclosed link corridor, associated car parking works for 114 spaces and		

	landscaping		
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b>	Y
<hr/>			
<b>07</b>	<b>Township Forum - Ward:</b> Bury West - Elton	<b>App No.</b>	59693
	<b>Location:</b> Site of Olives Paper Mill, Tottington Road, Bury, BL8 1RU		
	<b>Proposal:</b> Application to remove planning obligation under Section 106A of the Town and Country Planning Act 1990 to provide a bridge link across the Kirklees Brook		
	<b>Recommendation:</b> Refuse	<b>Site Visit:</b>	N
<hr/>			
<b>08</b>	<b>Township Forum - Ward:</b> Bury East	<b>App No.</b>	59699
	<b>Location:</b> Moorgate Retail Park, Bury, BL9 7AQ		
	<b>Proposal:</b> 28 No. non-illuminated pole mounted car park management signs (retrospective)		
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b>	N
<hr/>			
<b>09</b>	<b>Township Forum - Ward:</b> Prestwich - Holyrood	<b>App No.</b>	59713
	<b>Location:</b> Land at rear of 62 Peveril Close, Whitefield, Manchester, M45 6NR		
	<b>Proposal:</b> Erection of 2 no. semi-detached dwellings (resubmission)		
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b>	N
<hr/>			
<b>10</b>	<b>Township Forum - Ward:</b> Whitefield + Unsworth - Unsworth	<b>App No.</b>	59714
	<b>Location:</b> Land at junction of Sunny Bank Road and Wastdale Avenue Bury, BL9 8HJ		
	<b>Proposal:</b> Prior notification of proposed telecommunications development comprising of replacement 10 metre monopole with 14.7 metre phase 4 monopole and 1 no. additional equipment cabinet		
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b>	N
<hr/>			
<b>11</b>	<b>Township Forum - Ward:</b> Whitefield + Unsworth - Pilkington Park	<b>App No.</b>	59722
	<b>Location:</b> 18 Dales Lane, Whitefield, Manchester, M45 7WW		
	<b>Proposal:</b> Variation of condition no. 2 (approved drawings) of application 51241 for addition of rear dormer (resubmission)		
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b>	N
<hr/>			

**Ward:** Bury West - Church

**Item** 01

**Applicant:** City Park Projects Limited

**Location:** Unit 2, Victoria Retail Park, Victoria Street, Bury, BL8 1LE

**Proposal:** Change of use from Class B1/B8 to any use within Class A1/A3/A5/B1/B8

**Application Ref:** 59488/Full

**Target Date:** 22/01/2016

**Recommendation:** Approve with Conditions

### **Description**

The site comprises part of a retail (A1) unit of 1598 square metres, a trade/bulky goods (A1) unit of 418 square metres and a 232 square metres B1/B8 (Business/Warehousing) unit. The retail units are occupied and trading, whilst the B1/B8 unit has remained empty. The site is located within the Bury Bridge/Daisyfield Employment Generating Area (EGA).

The site has highway frontages to Victoria Street to the east, Bolton Road to the south east and Ainsworth Road to the south, and is bounded by the elevated Manchester, Bolton and Bury Canal feeder to the west. On the opposite side of Victoria Road there is an 'island site' with mature trees and advertisement hoardings with a commercial/industrial mill building located further along Victoria Street. The nearest residential properties are to the south on the opposite side of Victoria Road.

The development of the site for the mixed use scheme was granted on appeal in 2014 (56249). A subsequent application to vary the approved plans to increase the footprint of the bulky goods/retail unit (A1) and reduce the floorspace of the industrial unit (B1/B8) was granted approval in 2015 (58382).

This application seeks the change of use of the B1/B8 unit to any use within B1, B8, A1, A3 or A5 (light industrial, storage, retail, restaurant/cafe or hot food takeaway).

### **Relevant Planning History**

44513 - Car showroom with associated valet bays and bodyshop at land at Bolton Road/Victoria Street, Bury. Withdrawn - 7 July 2005

48886 - Erection of 15 employment units within Class B1, B2 and B8 with ancillary trade sales areas at land at Bolton Road, Bury. Withdrawn - 8 January 2008

49607 - Erection of 14 employment units within Class B1, B2, and B8 with ancillary trade sales area (revised scheme to 48886) at land at Bolton Road, Bury. Approved with conditions - 23 May 2008

56249 - Erection of 1598 m2 retail foodstore (Class A1), 325 m2 (Class B1/B8) unit and 325 m2 trade/bulky goods unit (Class A1) together with car parking and landscaping at Former Gasworks, Victoria Street, Bury. Refused - 17 September 2013. Appeal allowed - 8 September 2014.

57077 - Erection of 1598 m2 retail foodstore (Class A1), 325 m2 (Class B1/B8) unit and 325 m2 trade/bulky goods unit (Class A1) together with car parking and landscaping (resubmission) at Former Gasworks, Victoria Street, Bury. Refused - 17 September 2013.

58382 - Variation of conditions 2 and 15 of planning permission 56249 to amend floodspace to 232 square metres Class B1/B8) unit and 418 square metres (Class A1 trade/bulky goods) unit at Former Gasworks, Victoria Street, Bury. Approved with conditions - 16 April 2015.

## **Publicity**

33 letters sent on 27/11/2015 to properties at Bolton Road, Heys Street, Arthur Street, Ainsworth Road and Victoria Street.

One letter of objection received on behalf of the owners of the Mill Gate Shopping Centre in Bury raising the following issues:

- The applicant is seeking an open A1/A3/A5 consent in an out of centre location which is not in accordance with established and emerging local planning policy and is of concern in the context of the potential impact on Bury town centre;
- Although adjoining Bury town centre, it is considered that the size of the proposed unit will have a negative impact on the health of the town centre and will serve to draw customers away, and be contrary to Bury UDP Policy S1/4.
- The original application (ref 56249) was allowed on appeal, the Inspector stated that 'the smaller building which includes the B1/B8 unit is an important component of the mixed-use development and a condition should be imposed to secure its provision alongside the foodstore'. It is clear the Inspector considers the B1/B8 use critical to ensuring a successful mixed use development;
- There is no suggestion that the range of goods sold at the proposed store should be restricted, as it could be operated by any retailer and directly compete with and impact upon the vitality and viability of the established town centre;
- Should the council be minded to approve the application, request that permission be subject to conditions which restrict both the type of goods sold to prevent direct competition within the town centre retail offer;
- Request that we have sight of draft conditions to be able to make comment and assist the Council in protecting Bury Town Centre from harmful out of centre development.

The objector has been notified of the Planning Control Committee meeting.

## **Consultations**

**Planning Policy** - No objection.

**Traffic Section** -

**Pollution Control** - No objection subject to a condition to submit a scheme for ventilation and treatment of fumes.

## **Unitary Development Plan and Policies**

EC1/1	Land for Business (B1) (B2) (B8)
EC2	Existing Industrial Areas and Premises
EC2/1	Employment Generating Areas
EN1/2	Townscape and Built Design
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/5	Waste Water Management
S1/4	Local Shopping Centres
S2/1	All New Retail Proposals: Assessment Criteria
S2/6	Food and Drink
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
SPD11	Parking Standards in Bury
SPD14	Employment Land and Premises
NPPF	National Planning Policy Framework

## **Issues and Analysis**

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are

considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

**Principle - Employment land** - The employment allocation under UDP Policy EC1/1 has effectively been superseded by the development of the site itself, which was allowed on appeal by the Planning Inspectorate. However, the site does still sit within the Bury Bridge/Daisyfield Employment Generating Area (EGA) as defined under UDP Policy EC2/1. and the provision of the smaller B1/B8 unit was integral to the Inspector's decision making process and is referenced in the appeal decision letter.

Within the EGA, the Council will only allow development for Business (B1), General Industry (B2) and Warehousing (B8). Other uses will only be permitted where they constitute limited development or where it would not substantially detract from the area value as an EGA.

The proposed widening of the uses to include A1, A3 or A5 uses are inconsistent with the EGA designation. The issue is then, whether the proposal represents limited development or does not substantially detract from the area's value as an EGA.

The Inspector acknowledged that SPD14 does not generally relate to EGAs, but considered it to be reasonable to have regard to the tests within the SPD as a way of determining whether there was any prospect of an employment site being used for its intended purpose.

The applicant has employed an agent to market the site since September 2014 and the marketing has included advertising the property on the website, sending mail shots to B1 and B8 trade users. The unit was marketed in the region of £8 per square foot, which is a reasonable level for a new unit of this type. The marketing generated limited interest in the site but the traders preferred to be located on trade parks where there are a number of supporting trades. The agent has confirmed that there has been no interest in the unit since the application was submitted.

The proposed development would broaden the mix of uses to include A1, A3 and A5 uses but would retain the option of a B1 or B8 use. It is considered that on balance, the proposed development would constitute limited development within the EGA. Therefore, the proposed development would be in accordance with Policy EC2/1 of the Bury Unitary Development Plan and the NPPF.

**Design and appearance** - The proposed development would not include any external changes and would not be a prominent feature in the streetscene. The proposed development includes a cafe or hot food takeaway use and a flue or ventilation equipment would be required. It is envisaged that the proposed ventilation equipment would be located on the side or rear elevation and as such, would not be a prominent feature within the streetscene. Therefore, the proposed development would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

**Impact on residential amenity** - The current use of the unit is as a B1 or B8 unit and the proposed development seeks to widen the choice of uses to A1, A3 or A5. The proposed additional uses would not generate any greater noise than the current commercial uses on site and the nearest residential properties would be 45 metres away. Given the distance and the level of potential noise, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties. Therefore, the proposed development would be in accordance with Policy EN7/2 of the Bury Unitary Development Plan.

**Parking** - The scheme approved on appeal provided a total of 104 parking spaces and there would be no change to this provision. according to the maximum standards stated in SPD11, uses which fall within Classes A1/A3/A5 would demand a higher parking ratio per sqm. The site is located off Bolton Road and is well connected to public transport. The

scale of the unit would also be significantly smaller than the combined area of the existing two retail units. In this instance, and this particular location, it is therefore considered that a total of 104 spaces would adequately provide for the site as a whole and the existing parking provision would be acceptable. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

**Applicant's response to the objector -**

- The objector accepts that the application is located within the Local Centre, where retail policy at all levels directs the delivery of proposals for new retail development - the potential impact on Bury town centre is not relevant;
- Even if located outside a defined town centre, the objector has failed to attach any weight to paragraph 26 of the NPPF and the 2,500 sqm threshold for impact assessment.
- The proposal is akin to a local shop and not a large retail unit as inferred;
- It is inconceivable that a 232 sqm unit for A1/A3/A5/B1/B8 use would have a greater impact than the 2 larger unrestricted retail units that have also been permitted;
- Unclear why the change of use is of greater concern than the impact of the permitted 1,923 sq m adjacent;
- The objector has not provided any evidence to demonstrate that a significant adverse impact is likely to result from the proposed development;
- the above points are not exhaustive but serve to demonstrate that no weight whatsoever can be attached to the grounds of objection.

**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 Paragraphs 186-187 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 1127 23 A, 1127 C04, 1127 05 C and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. No development shall commence to bring the unit into use as an A3 or A5 unit, unless and until a scheme for treating, diluting and dispersing fumes and odours has been submitted to and approved in writing by the Local Planning Authority. The scheme submitted shall include a written statement from a suitably qualified person who is a member of the Heating and Ventilation Contractors Association (HVCA) or an equivalent professional body, stating that the fume treatment to be installed complies with or exceeds the 'Minimum Requirements For Odour Control' provided by the Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems :DEFRA 2005 (or if applicable such



superseding guidance as shall prevail at the time of commencement of the development).

The scheme to be submitted shall also include the relevant manufacturer and installer instructions for any associated equipment with details of maintenance requirements.

The scheme as approved shall be implemented, available for use and maintained in accordance with the approved scheme whilst it shall serve the development.

Reason. To protect the residential amenities of nearby residential properties from impact upon from fumes and odour pursuant to UDP Policy S2/6 - Food and Drink and EN1/2 - Townscape and Built Design.

4. The car parking, servicing and turning areas and cycle stands shall be available for use in accordance with Drawing No 1127/01/Rev H and thereafter retained for parking, servicing and turning.

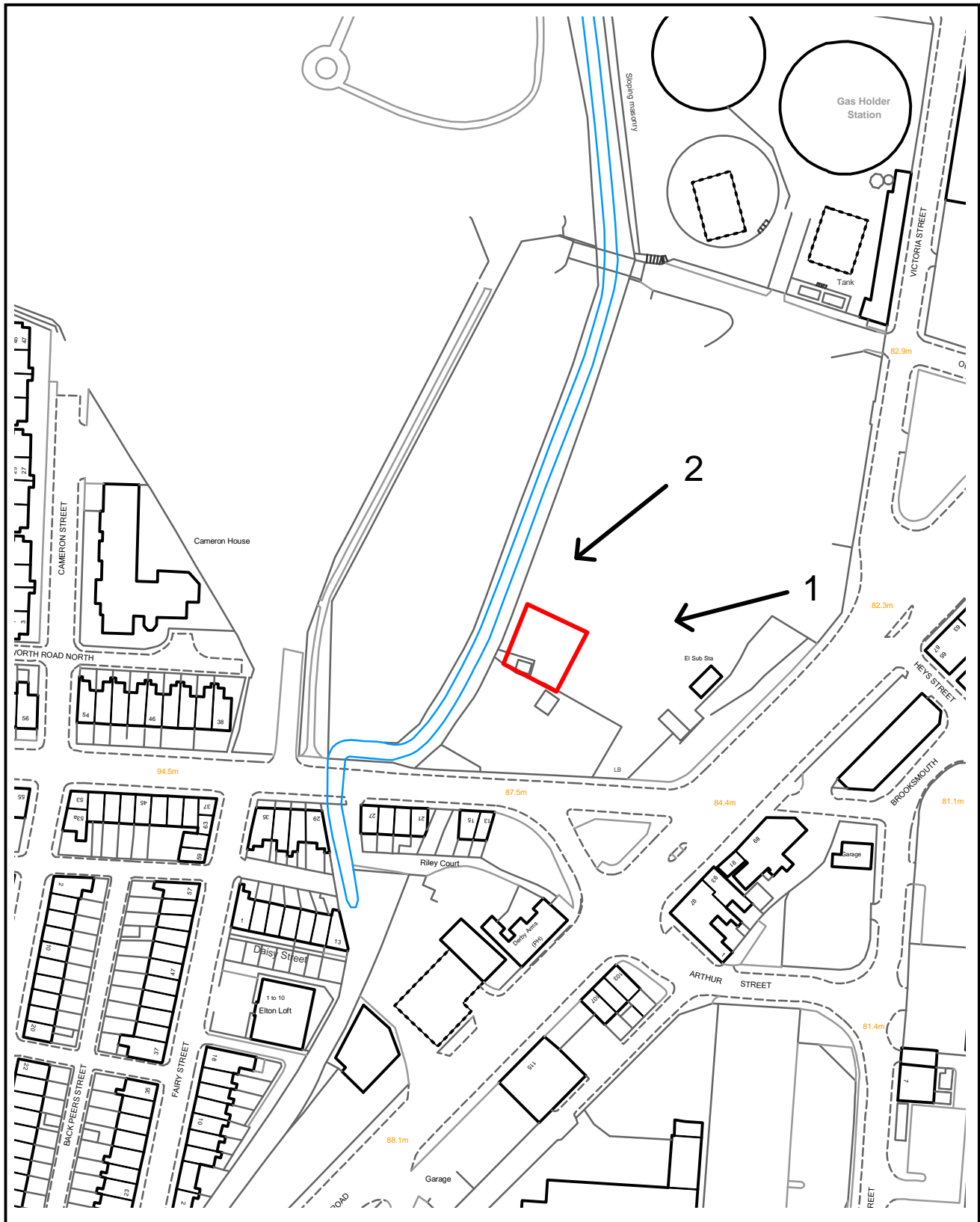
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

5. The development hereby approved shall adhere to the Car Parking Management Strategy contained in the letter dated 22 December 2014 whenever the development is in use.

Reason. To mitigate the loss of existing on-street loading facilities on Victoria Street required to ensure the implementation of adequate site access arrangements pursuant to Policy S2/1 - All new retail proposals: Assessment criteria of the Bury Unitary Development Plan.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59488**

**ADDRESS: Unit 2 Victoria Retail Park  
Victoria Street, Bury**

**Planning, Environmental and Regulatory Services**

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



**Bury**  
COUNCIL

59488

Photo 1



Photo 2





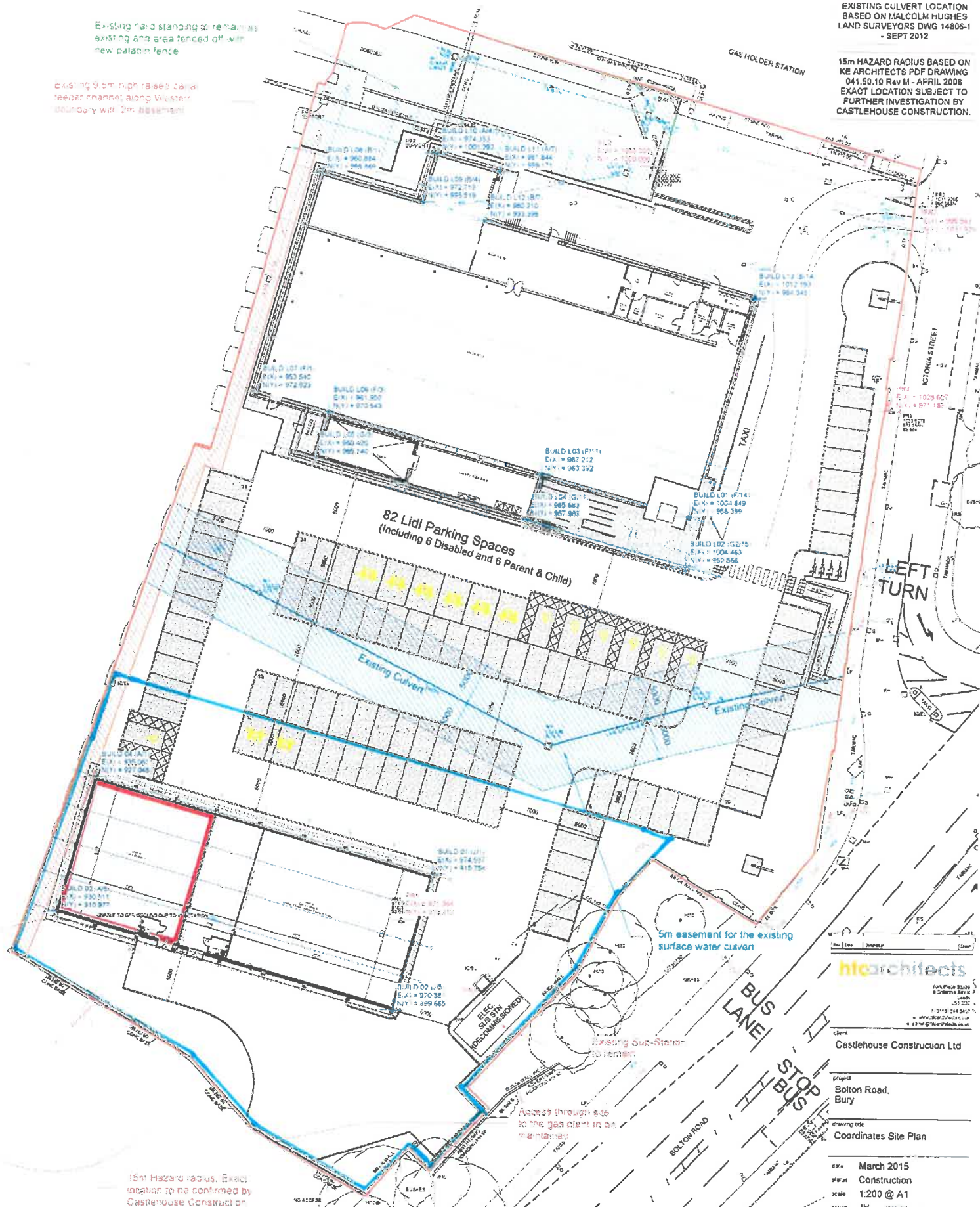
DRAWING BASED ON MALCOLM  
HUGHES LAND SURVEYORS  
DWG 14806-1 - SEPT 2012

EXISTING CULVERT LOCATION  
BASED ON MALCOLM HUGHES  
LAND SURVEYORS DWG 14806-1  
- SEPT 2012

15m HAZARD RADIUS BASED ON  
KE ARCHITECTS PDF DRAWING  
041.50.10 Rev M - APRIL 2008  
EXACT LOCATION SUBJECT TO  
FURTHER INVESTIGATION BY  
CASTLEHOUSE CONSTRUCTION.

Existing hard standing to remain as existing and area fenced off with new palisade fence.

existing 9.0m high raised canal feeder channel along Western boundary with 2m high bank



15m Hazard radius. Exact location to be confirmed by Castlehouse Construction.

# hlc architects

100% Phosphate Based  
6 Grams per Liter  
Leads to  
51% Increase in  
Protein in Milk

**Castlehouse Construction Ltd**

Bolton Road,  
Bury

drawing title  
**Coordinates Site Plan**

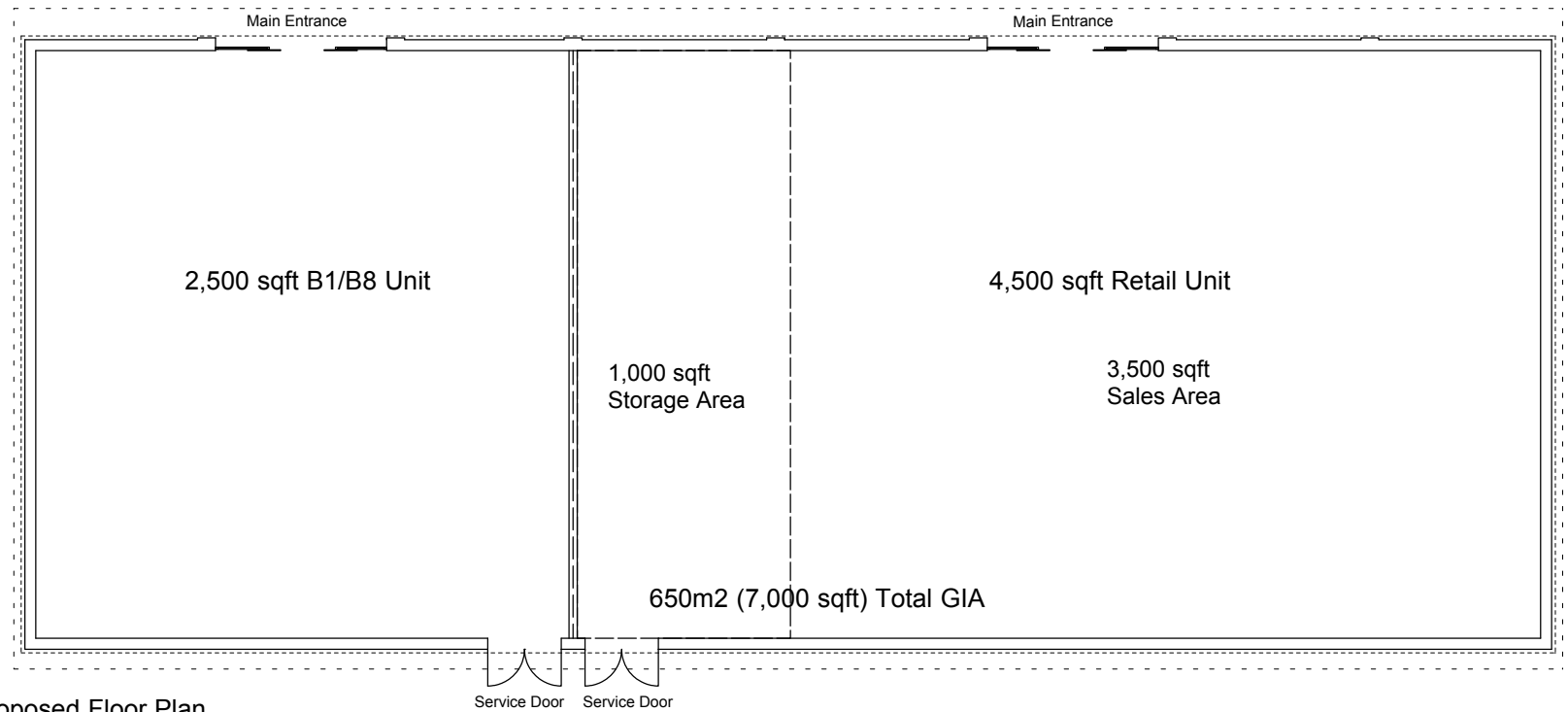
March 2015

March 2015  
Construction

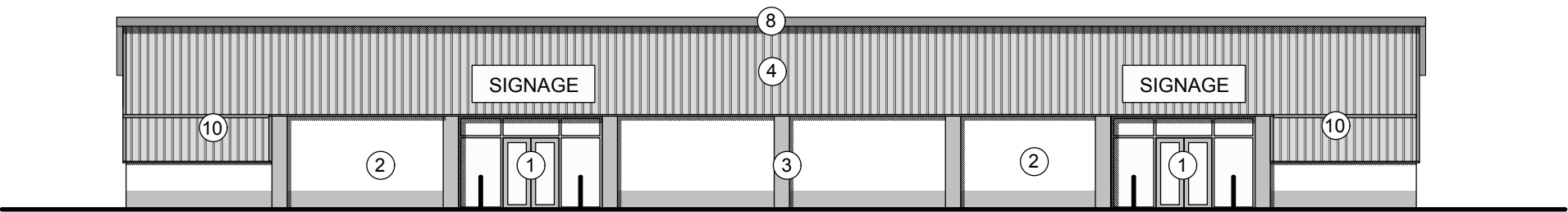
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xalt 1:200 @ A1
crash JH checked -

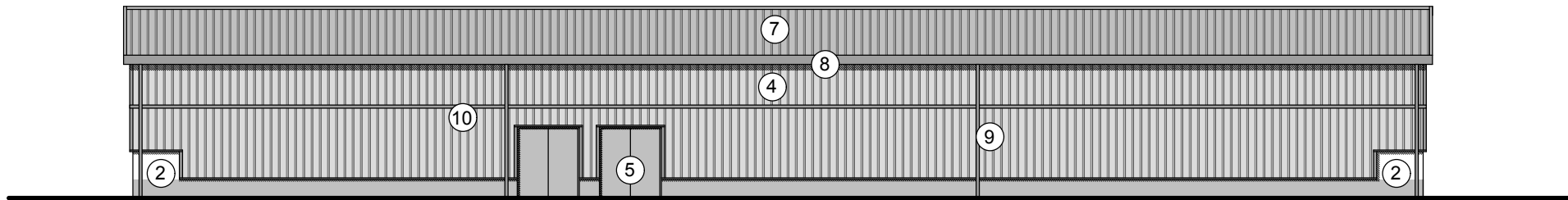
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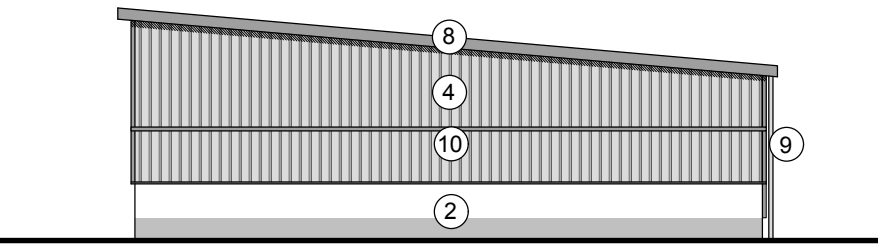
Proposed Floor Plan



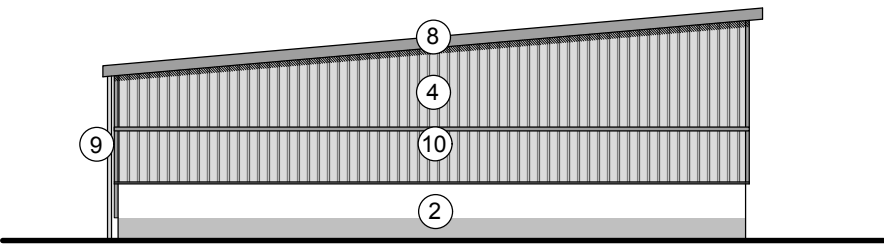
Proposed Front Elevation



Proposed Rear Elevation



Proposed Side Elevation



Proposed Side Elevation

Material Key

- ① Powder coated aluminium double glazed doors and screens  
Colour: Grey (RAL 7038)
- ② White (RAL 9010) grained finish rendered walls, incorporating Agate Grey (RAL 7038) plinth.
- ③ Grained finish rendered piers Agate Grey (RAL 7038).
- ④ Metal profiled wall cladding.  
Colour : Silver (RAL 9006)
- ⑤ Powder coated steel doors and frames  
Colour: Grey (RAL 7038)
- ⑥ Painted steel bollards.  
Colour: Black
- ⑦ Metal profiled roof cladding.  
Colour: Goosewing Grey
- ⑧ Metal eaves, soffits and fascias.  
Colour: Dark Grey
- ⑨ Plastic round downpipes  
Colour: Dark Grey
- ⑩ Cladded feature band  
Colour: Dark Grey

C.	07.01.15	Unit areas updated. Heavy goods unit changed to 4,500sqft retail unit, including 1,000 sqft storage area. Main entrance and delivery door positions updated.	JH
B.	13.05.13	Updated following client comments.	JH
A.	10.05.13	Updated following client comments.	JH
Rev	Date	Description	Drawn

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w: www.htcarchitects.co.uk  
e: admin@htcarchitects.co.uk

client  
**Lidl UK GmbH**



project  
**Bolton Road,  
Bury**

drawing title  
**Proposed Unit 2 Floor Plan &  
Elevations**

date **May 2013**  
status **Preliminary Planning**  
scale **1:200 @ A3**  
drawn **JH** checked **PH**  
job no. **1127** dwg no. **05** rev. **C**

**Ward:** Prestwich - Holyrood

**Item** 02

**Applicant:** Ms Katy Moghimi

**Location:** Land at rear of 7-11 Carisbrook Avenue, Whitefield, Manchester, M45 6UP

**Proposal:** Erection of 1 no. bungalow

**Application Ref:** 59509/Full

**Target Date:** 26/01/2016

**Recommendation:** Approve with Conditions

**The application has been deferred for a committee site visit on 15/3/2016 prior to the meeting taking place.**

### **Description**

The application site relates to a vacant backland plot which is located in the middle of an established residential estate. The site is overgrown with vegetation and trees and is bound by timber fencing, which forms the rear boundaries of the houses surrounding the site. There is an existing access into the site between Nos 9-11 Carisbrook Avenue, which runs the length of these 2 properties and opens out into the wider site area.

The land is relatively level, sloping gently towards the rear of the site. The houses to the east, south and west are at a similar level as the site, with the properties on Tamworth Avenue to the north, sited at a lower level by approximately one storey. The housing stock in the area is predominantly characterised by 2 storey red brick built semi detached dwellings.

The application seeks the erection of 1 No. 3 bedroomed bungalow. It would be positioned more or less centrally within the plot and orientated to face northwards. The existing access would be utilised and lead to a turning area and hardstanding for the parking of 2 cars. The southern part of the site would provide garden amenity space.

The dwelling proposes a footprint of approximately 130 sq m and would comprise living accommodation of a lounge, dining kitchen, hall, porch and bathroom and 3 bedrooms. The roof would be pitched to a ridge height of approximately 5.2m with elevations of red/brown facing brickwork.

### **Relevant Planning History**

44406 - Outline - Residential development - one dwelling (resubmission) - Refused in 2005 for oversupply of housing in the Borough

42266 - Outline - residential development - 2 dwellings - Refused 2004 for inappropriate development on greenfield site, undesirable backland development by reason of disturbance and traffic, intensification of a substandard access

### **Publicity**

28 letters sent on 1/12/2015 to properties at Nos 17-43 (odds) Derby Road, 2-14 (evens) Tamworth Avenue, 5,7,9,11,22,24,26 Carisbrook Avenue.

Twelve letters received from Nos 21, 23, 29, 35 Derby Road, 6, 8,10,12,14 Tamworth Avenue, 5, 9, 26 Carisbrook Avenue

- The proposed building would be too close to the rear of many houses, and vehicles coming in and out of the property would bring unwanted noise and pollution to existing residents, plus car headlights at night would inevitably shine directly at existing houses.
- There is no authorised road for vehicles entering or exiting this land, and also the

entrance area is very limited for such procedures - imagine this could be quite dangerous, so close to existing properties.

- Protection of the green belt should be considered.
- On a recent attempted clearance of the land, there were endless days of black bellowing smoke drifting on to surrounding properties. This would be a worry if any building procedures were not handled professionally;
- Reduce the value of homes in the area;
- Light and noise pollution from the dwelling which will have health and safety issues;
- There would be limited access for the fire service;
- There would be an open aspect from Carisbrook causing massive security risks to homes;
- Detrimental impact on a wildlife area;
- Two previous applications were refused in 2004/5, none of the circumstances have changed within what is a greenfield site; refused for poor access;
- The access is sub-standard in terms of width and pedestrian visibility at its junction with Carisbrook Avenue - detrimental to road safety and maintaining the free flow of traffic;
- Problems of drainage from this land;
- The oak tree shown behind No 14 Tamworth Avenue is actually located behind No 12;
- The land in the corner behind No 14 Tamworth is incorrectly shown as being owned by the applicant - is actually owned by No 14;
- No mention of the removal of the raised kerb currently preventing access to the site;
- No dimensions shown on the plan detailing actual lengths/widths;
- Connection to the main sewer would need to be sought;
- The applicant has no right to comment on the retention of any fences to the property which are paid for by each resident;
- Previous attempts by the landowner to develop the site have disturbed the water table, exacerbating drainage problems to Tamworth Avenue;
- The building of a bungalow would not improve the security or visual aspect of the area;
- No evidence the existing 2m high fences would prevent overlooking; Loss of privacy;
- The bungalow would be overlooked by the houses;
- The driveway would provide an access point at the back of properties on Derby Road making it less secure and a much higher risk;
- The application states there are no trees or hedges on the adjacent land though most properties have these;
- What other service lines would be used - for water etc?
- Disturbance to the land would cause untold damage to surrounding properties;
- Believe there is sufficient land available for residential development within the borough to make it unnecessary to change the purpose of non residential land;

Comment received from a local resident (no address provided):

- What happens if our land is damaged due to heavy vehicles delivering materials;
- How will we know who is residing there;
- How will emergency services get through if required.

The objectors have been informed of the Planning Control Committee meeting.

### **Consultations**

**Traffic Section** - No objection subject to conditions.

**Drainage Section** - No objection subject to condition.

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

**Waste Management** - No objection.

**United Utilities (Water and Waste)** - No comments received.

**The Coal Authority** - No objection.

**Greater Manchester Ecology Unit** - No objection subject to conditions and informatives.

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

NPPF      National Planning Policy Framework  
H1/2      Further Housing Development

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/3	Extensions and Alterations
H2/6	Garden and Backland Development
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN6/3	Features of Ecological Value
HT2/4	Car Parking and New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

### **Issues and Analysis**

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

**Principle** - Following revocation of the North West Regional Strategy on 20th May 2013, there is no statutory housing target for Bury. Work has commenced on the Greater Manchester Spatial Framework and this will bring forward a new statutory housing target for the Borough. This will subsequently be incorporated into Bury's future Local Plan.

In the meantime, the National Planning Policy Framework should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. There is a particular emphasis, as in previous national planning guidance, to identify a rolling five year supply of deliverable land.

UDP 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.

UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development takes into consideration factors relating to the height and roof type of adjacent buildings, the impact of developments on residential amenity, the density and character of the surrounding area and the position and proximity of neighbouring properties. Regard is also given to parking provision and access, landscaping and protection of trees/hedgerows and external areas.

UDP Policy H2/6 - Garden and Backland Development - Proposals would not be permitted which result in the loss of private gardens and backland for infill development unless it can be demonstrate that proposals would not adversely affect the character and amenity of the area. special regard would be had to the concentration of such development in the surrounding area, the relative density, the impact on neighbouring properties and local environment and access arrangements.

Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties provides useful guidance in terms of acceptable aspect standards between dwellings and design criteria.

The proposed development would be located within an established residential estate within the urban area and would therefore not conflict with the local environment in terms of character and the surrounding land uses. There is existing infrastructure in place to facilitate the development, and the scale of the proposal would not result in over



development of the site.

As such, the principle of residential use is considered to be acceptable and would be in compliance with the NPPF and UDP Policies H1/2, H2/1, H2/2 and H2/6.

Details of the layout, design, proximity to residential properties and access and parking are discussed below

**Layout and siting** - The position of the dwelling would be largely dictated by the shape of the site and the surrounding houses. It would not be possible for the dwelling to follow any of the established building lines in the area, and as a result, the most appropriate solution would be to site it fairly centrally with the frontage facing the existing access and the rear of properties on Carisbrook Avenue.

The property would provide modest accommodation, comprising living areas and 3 bedrooms, with a large rectangular piece of land at the rear providing garden amenity area. The existing access into the site in between Nos 9 and 11 Carisbrook Avenue would be utilised, and lead to the parking and turning area which would be located in front of the dwelling. The site is bounded on all sides by the existing timber fences which enclose the garden areas of the surrounding properties and these would be retained.

Whilst the site is not uniform or regular in shape, it is considered that the proposal would make best use of the available land to provide a dwelling with adequate parking and garden areas, without compromising the amenity of either future occupiers or surrounding residential properties.

As such, the layout is considered to be acceptable and would comply with H2/1 - The Form of Residential development, H2/2 - The Layout of New Residential Development and H2/6 - Garden and Backland Development.

**Design and appearance** - The new dwelling would be a bungalow, and a different housetype to those in the immediate area. It would be located on fully enclosed land and surrounded on all sides by residential properties, save for the access point. It would not be visible from the public domain, and therefore it is considered that as an individual unit, the proposed housetype would be acceptable.

In terms of height and massing, the bungalow would be relatively modest, incorporating a gabled pitched roof and front pitched projection. Elevationally, symmetrical standard window openings would be positioned on the front and rear elevations, with minimal intrusions proposed to the fenestration of the property, resulting in an unfussy and understated design.

Materials would comprise facing red/brown brickwork and roof tiles, details to be approved by condition.

Whilst the dwelling would be a different design and type to the other properties in the area, it would be a modest addition within an area characterised by fairly traditionally built semi detached houses, and as such considered to be acceptable in the locality, in compliance with UDP Policies H2/1 - The Form of New Residential Development and EN1/2 - Townscape and Built Design.

**Impact on residential amenity** - SPD6 advises that a distance of 20m should be maintained between habitable room windows in 2 properties and 13m between a ground floor habitable room windows and a 2 storey blank wall.

There would be a distance of more than 20m between the proposed property and the dwellings to the east, south and west, and as such aspect standards would be satisfied.

To the north, the rear of dwellings on Tamworth Avenue are set at a lower level, by

approximately one storey and would be 16.4m away. As the new dwelling would be a bungalow, the relationship to these houses would be similar to a relationship between two single storey buildings. There would be one window on the elevation which would face these houses. This would be a narrow, high level window, and not a principle habitable room window. As such, there would be no direct overlooking and separation distances to the houses on Tamworth Avenue would therefore be acceptable and in compliance with SPD6.

There are existing fences to the perimeter all of the properties which form the boundary to the site and which would also afford some screening of the lower part of the dwelling. It would also protect these properties from car headlights at night.

The proposed layout demonstrates that the siting of the single bungalow could be comfortably accommodated on the size and topography of the site without compromise to the privacy or outlook to the surrounding residential properties. The access into the site for a single dwelling is considered would not lead to significant intensification of vehicular traffic to the area.

Notwithstanding the acceptability of the proposed scheme, and in order to control the impact which any future additions may have on the amenity of the area, it is considered reasonable to include a condition to restrict permitted development rights for extension.

As such, it is considered that there would be an acceptable relationship between the proposed dwelling and the surrounding residential dwellings and would be in compliance with UDP Policies H2/1, H2/2, H2/6 and SPD 6.

**Access and parking** - There is an existing access to the site between Nos 9-11 Carisbrook Avenue which would serve the development and is of a width reflecting that of a private driveway. It is proposed to install gates which would be set 5m into the site and which would ensure a vehicle could enter without detriment to highway or pedestrian safety. It would lead to a turning and parking area for at least 2 cars, with ample room to manoeuvre within the site to enable exit in a forward gear. The addition of 1 dwelling in this location would not significantly intensify traffic to the area or as a result create undue highway safety issues, given the speed that cars would have to enter and exist the site.

In terms of parking, SPD11 states a maximum requirement of 2 spaces for a 3 bed property, and as such standards would be satisfied.

The Highways Section have not raised any objection to the access, subject to conditions.

The proposal is therefore considered to be acceptable and would therefore be compliant with UDP Policies H2/2, HT2/4 and SPD11.

**Coal Authority** - The site falls within a defined Development High Risk Area, and the Coal Authority (CA) records indicate that within the site and surrounding area there are coal mining features and hazards which should be considered as part of the proposals. The CA have considered the mining legacy matters affecting the site further. There is an outcropping coal seam which is likely to be under a significant thickness of superficial drift deposits at a depth in excess of 30m. The CA therefore consider that a coal mining risk assessment is not necessary for this proposal and does not object to the planning proposal.

**Ecology** - The site is a well vegetated and semi-natural habitat, with tree and shrub planting. An Ecological Survey has been submitted and GMEU have been consulted on the application. No significant ecological constraints were identified and GMEU are satisfied that minor issues relating to invasive species, nesting birds and ecological mitigation identified in the report can be resolved by condition or informative.

**Invasive species** - Two species listed under schedule 9 part 2 of the Wildlife and Countryside Act 1981 (as amended) were identified on site, monbretia and variegated

yellow archangel. The site is not wild and therefore if there is no exportation of soil from the site there would be no risk of an offence. A condition and informative are recommended advising the applicant of the required measures should invasive species be found on site.

Trees and nesting birds - The site has been assessed as low risk, with the remaining trees to be retained. An informative has therefore been recommended advising the applicant of their responsibilities under the Wildlife and Countryside Act.

Ecological mitigation - The mature trees are the most important ecological feature on site and these are to be retained. The Ecological Report has suggested relocating these species to an alternative site. This would not be something reasonable in planning terms as it would be outside the control of the applicant's land. It would therefore be better to be dealt with in more general terms as part of the wider ecological mitigation and can be conditioned as part of the general landscape proposals.

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

- Whereas in 2005, planning policy resisted residential development due to an oversupply of housing stock, and hence the previous applications were refused, there is now a need to significantly boost the supply of housing, as advocated by the Government and set out in chapter 6 - Delivering a wide choice of high quality home, of the NPPF.
- The issues raised with regard to the access, highway and pedestrian safety, impact on residential amenity, overlooking and privacy and the principle of residential amenity and ecology have been covered in the above report.
- The Drainage Engineer has raised no objection subject to the submission of a drainage scheme for the property which would require approval prior to the commencement of any development.
- There is no reason to assume that the site would be any less secure than other residential, backhand or garden developments.
- One additional dwelling to the area would not significantly increase noise or disturbance to the area, anymore than already exists.
- The applicant has stated that the land is wholly within their ownership, and if proved otherwise, is not a material planning consideration.
- House valuation is not a material planning consideration.
- The land is not allocated as Green Belt.

#### **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 Paragraphs 186-187 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 Block plan 15020 SK 1; Planning drawing 01 Revision C and the development shall not be carried out except in

accordance with the drawings hereby approved.

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

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

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

5. No development shall commence unless and until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. The proposed scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented and thereafter maintained.

Reason. The application does not contain sufficient information to fully assess the impact and to promote sustainable development pursuant to chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

6. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. The content of the plan should include elements to mitigate for loss of ecological interest associated with the site including ground flora and bird nesting habitat. The approved plan shall be implemented in accordance with the approved details, and to an approved timetable. Any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

7. Notwithstanding the terms of the Town and Country Planning (General Permitted

Development) Order 2015, no development shall be carried out within the terms of Classes A to F of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Bury Unitary Development Plan H2/1 - The Form of Residential Development, H2/2 - The layout of New Residential Development, H2/6 - Garden and Backland Development and H2/3 - Extensions and Alterations.

8. Details and samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 Townscape and Built Design and H2/1 - The Form of New Residential Development.

9. The new footway crossing onto Carisbrook Avenue indicated on approved plan reference 12000 01 Revision C shall be implemented in full to the approval of the Local Planning Authority prior to occupation of the dwelling hereby approved.

Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

10. The gates indicated on approved plan reference 12000 01 Revision C shall be set back a minimum of 5m from the back of the adopted footway and thereafter maintained.

Reason. To ensure good highway design in the interests of pedestrian safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

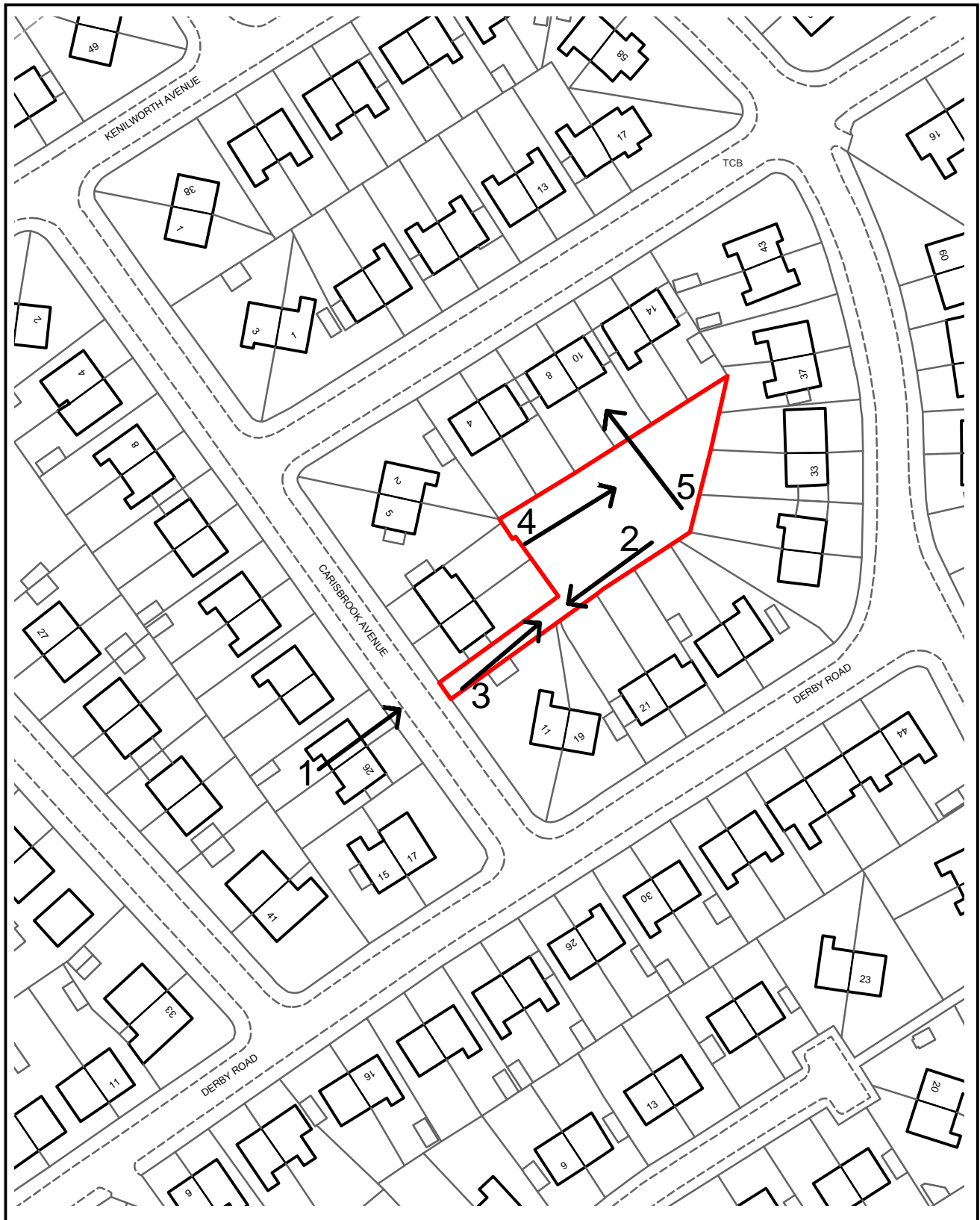
11. The turning facilities indicated on the approved plans shall be provided before the development is first occupied and shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

12. No development shall commence until full details of a scheme for the eradication and/or control of Monbretia and Variegated Yellow Archangel has been and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

Reason. The scheme does not provide full details of the actual extent of Invasive Species in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59509**

**ADDRESS:** Land at rear of 7-11 Carisbrook Avenue  
Whitefield



**Bury**  
COUNCIL

**Planning, Environmental and Regulatory Services**

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

59509

Photo 1



Photo 2





59509

Photo 3



Photo 4





59509

Photo 5



NOTES

1. Roof covering: large format profiled concrete tiles, e.g. Marley Ludlow Major or Marley Modern, colour to L.A. approval

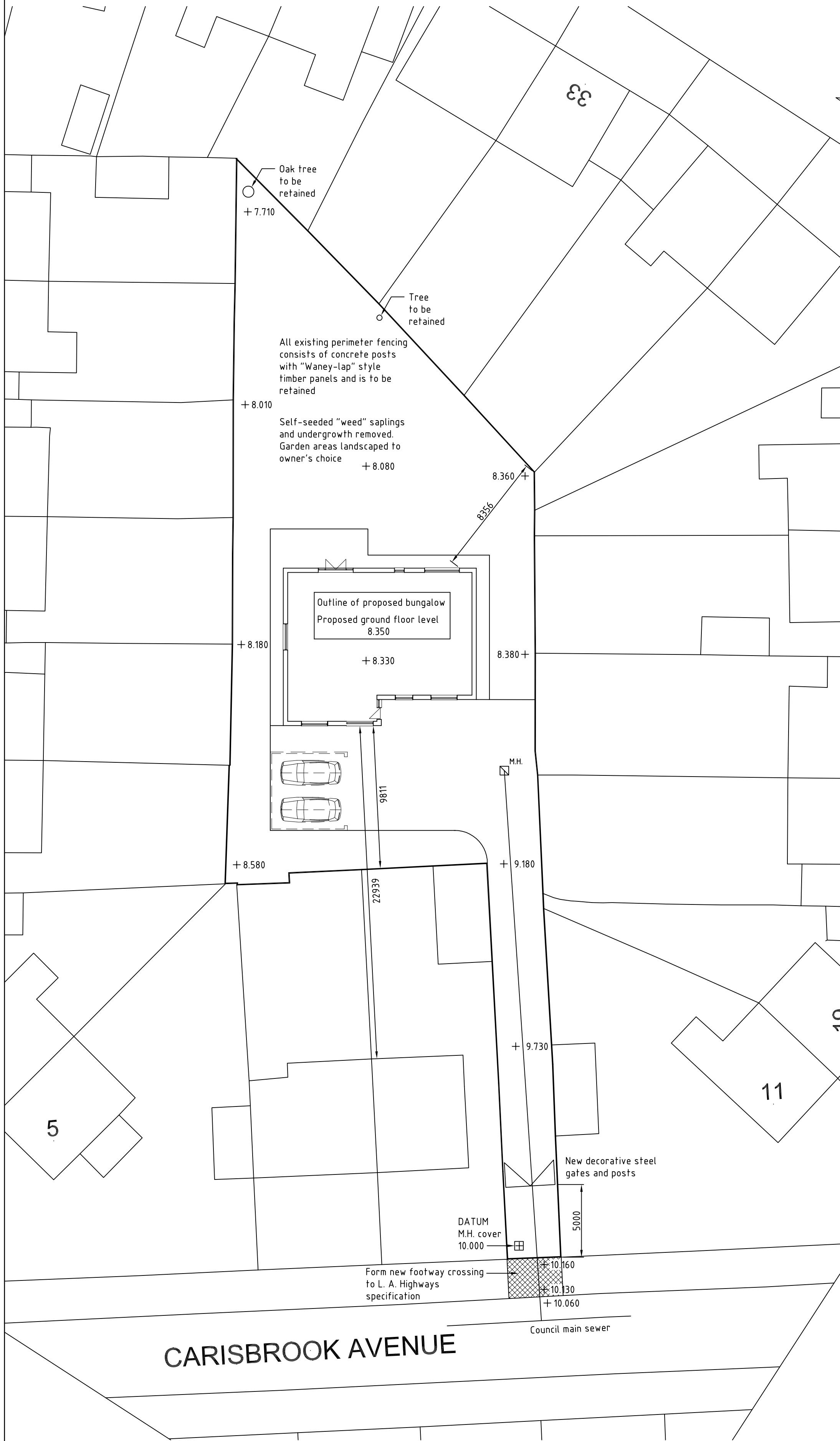
2. External walls: Facing brick to L.A. approval

3. Window and door frames: white UPVC

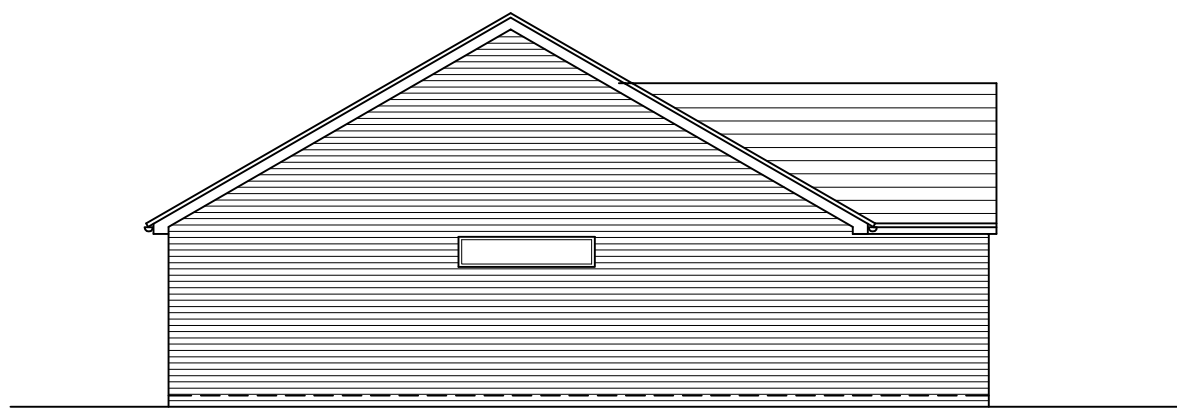
4. Rainwater goods: black UPVC
5. Entrance pathway and parking area: Tarmac.

6. Perimeter paths and patio: Precast concrete flags, colour natural

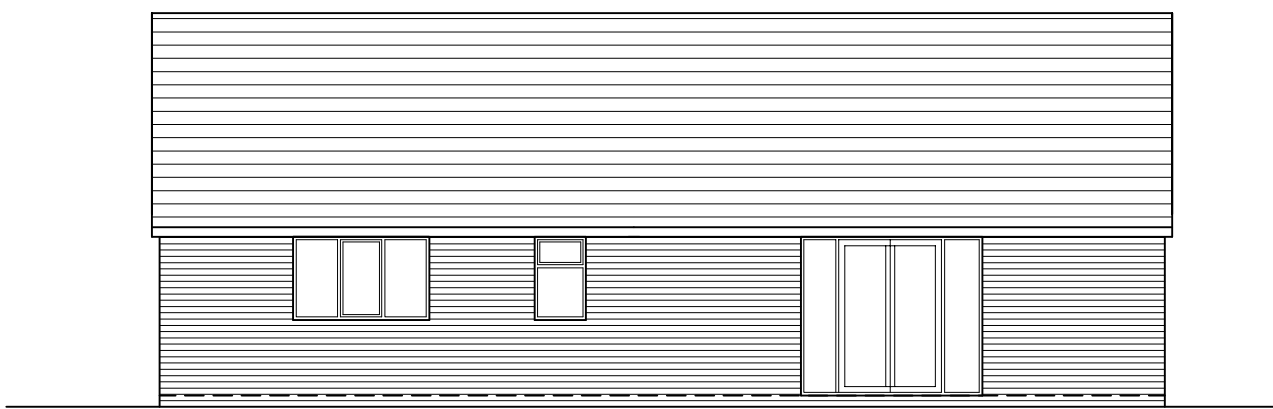
7. Garden areas generally laid to lawn with beds and borders to client's choice



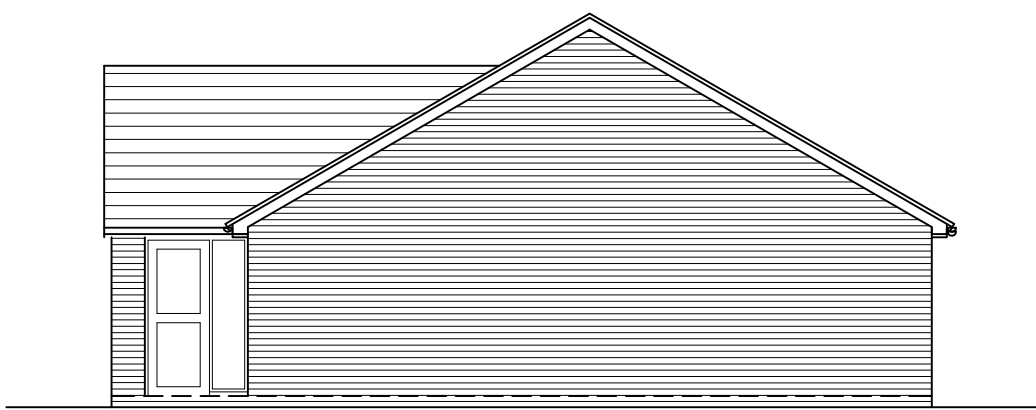
SITE PLAN 1:200 SCALE SHOWING LEVELS  
DATUM = MANHOLE COVER ADJ FRONT GATE 10.000



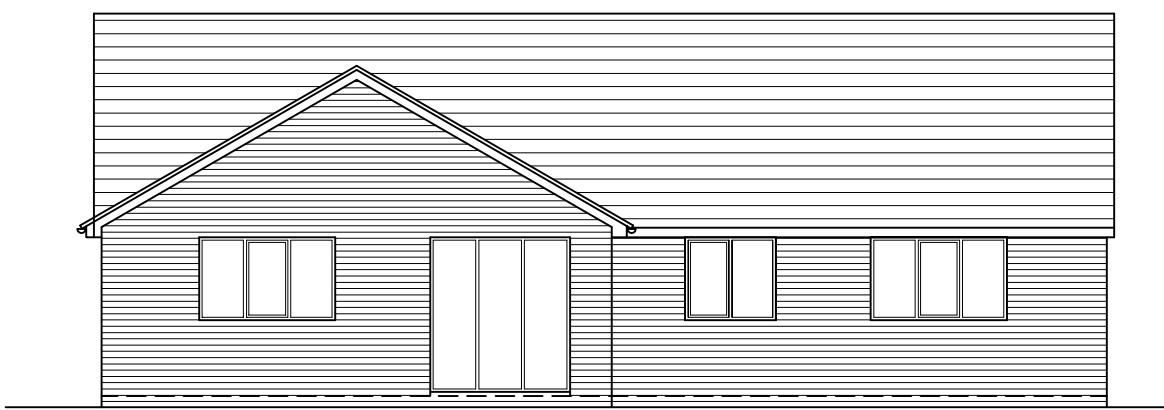
NORTH WEST ELEVATION



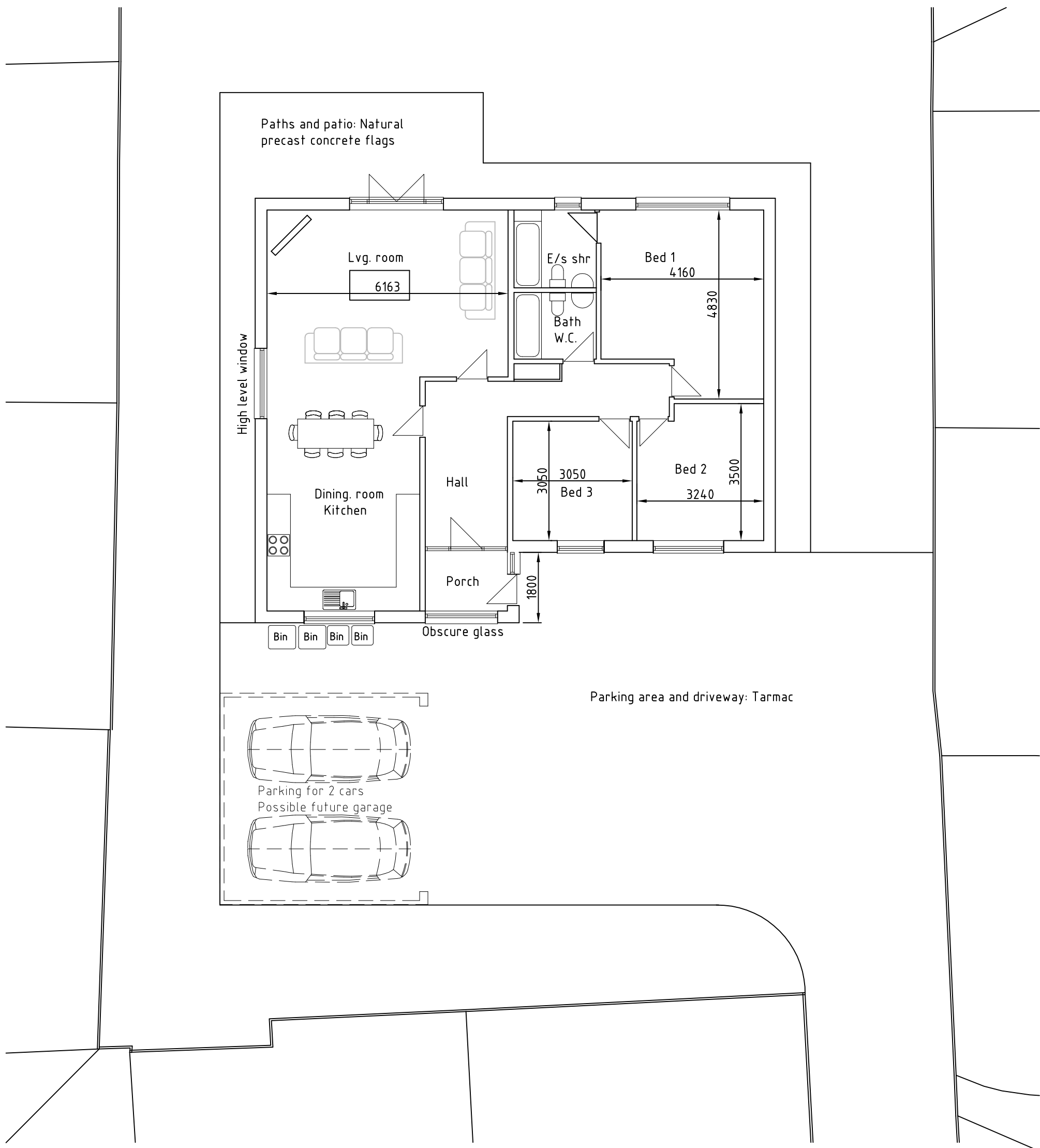
NORTH EAST ELEVATION



SOUTH EAST ELEVATION



SOUTH WEST ELEVATION



GROUND FLOOR PLAN 1:100 SCALE

rev	date	by	chkd
C	25.1.16	Footway crossing added, parking area increased	PNH
B	15.1.16	Roof pitch reduced to 30 deg	PNH
A	27.11.15	Location of bins shown	PNH

rev	date			by	chkd
status					
client					
KATY MOGHIMI					
project					
PROPOSED BUNGALOW ON LAND BETWEEN 9 AND 11, CARISBROOK ROAD, M45 6UP					
title					
PLANNING DRAWING					
scales					
1:50					
drawn		checked		approved	
PNH				date	
				NOV 2015	
contract no.			drawing no.		revision
12000			01		C
Peter N Hewitt Associates Ltd					
Consulting Engineers					
3 Wadebridge Avenue, Baguley					
Manchester M23 9LS					
Tel. 0161-905 2555.					
Mobile 07946 642 414					
E-mail: phewitt1@btconnect.com					

**Ward:** North Manor

**Item** 03

**Applicant:** Bury Council - Children, Young People & Culture

**Location:** Summerseat House, Summerseat Lane, Ramsbottom, Bury, BL0 9UD

**Proposal:** Internal and external alterations of Summerseat House and including stable block, kitchen/dining block and link detached teaching block to create a development & training centre (DTC); Demolition of detached single storey teaching block and addition of new enclosed link corridor, associated car parking works for 114 spaces and landscaping

**Application Ref:** 59596/Full

**Target Date:** 21/04/2016

**Recommendation:** Approve with Conditions

**This item has been recommended for a site visit by the Development Control Manager.**

### **Description**

Summerseat House (1836) is a Grade II listed building and lies within large landscaped grounds covering 3.4 hectares and lies to the south of Ramsbottom. The site is on the north side of Newcombe Road at its junction with Summerseat Lane. There are residential properties to the west and east and more open land to the north and south. In addition to being a listed building, the site lies within the Green Belt and a Special Landscape Area and is within Summerseat Conservation Area.

The house was originally a domestic dwelling, and remained largely unaltered until 1911, when the then owner gifted it to Manchester Corporation to serve as a girls' school. Bury Council purchased the site from Manchester in the mid 70's when it continued as an educational centre.

The current application comes about as the pupil learning centre, which was until recently accommodated on the site, has been relocated. It is proposed to continue its educational function by using the buildings as a training and resource facility for the Borough's educational staff. There would be typically between 40 - 60 trainees per day at the centre, although this could, on occasions, rise to 130 trainees over the course of a day. Courses would vary throughout the day but typically would start at 9am, 1pm and 6pm. There would be a total of 10 full time equivalent employees. This compares with the previous school use having 51 staff on site.

Hours of opening would be 0900 - 2100hrs Monday to Friday and 0900 - 1700hrs Saturdays. Closed on Sundays and Bank Holidays.

Due to its previous educational use, the proposal does not involve a great deal of internal alteration. The most significant changes involve the following:

### **Buildings**

- Demolition of the modular classroom at the rear of the site.
- Enclosing the existing covered walkway to create a link corridor with full height aluminium framed windows and raising the roof slightly on the 1970's extension (between the house and the stable block) on one side of the rear courtyard.
- The majority of the windows on the main house and stable block are degraded and would be replaced in a sash and case style but with improved insulation.
- Replacement doors to the stable block.
- Restoration of a number of architectural details that were defective or have deteriorated.

## Grounds

- Revisions to the internal access road.
- Laying out of a new car parking scheme (114 spaces).
- Landscaping scheme including the removal of some 16 trees and the replanting of 20 additional trees around the site.

## **Relevant Planning History**

01625/E - Training centre with new car parking; Alterations to listed building - Enquiry completed 27/04/2015

59645 - Listed Building Consent - Internal and external alterations of Summerseat House and including stable block, kitchen/dining block and link detached teaching block to create a development & training centre (DTC); Demolition of detached single storey teaching block and addition of new enclosed link corridor, associated car parking works for 114 spaces and landscaping - Undecided.

## **Publicity**

Press Notice in Bury Times 28/01/2016.

Site notice posted 01/02/2016.

The following 67 residents were notified by letter dated 22/01/2016.

2-6, 14, 44 - 66(evs) Robin Road, New Summerseat House, 155, 157, 160 - 168, 178, 180, 239 Summerseat Lane. 17, 19 Waterside Road, Summerseat Dye Works, 1-9 (odd) Railway Street, Peel Hall Peel Hall Road, 1 - 6 Mosley Avenue, 1 - 6, 8 and 10 Harcles Drive, 59, 84 - 90(evs) Newcombe Road, 2 - 10 Hamer Street, 28 - 38 Higher Summerseat and Holcombe Brook Sports Club Hazel Hall Lane.

Three objections have been received from the occupiers of 160 Summerseat Lane and 425/427 Walmersley Road and Ward Councillor Daly.

- The proposal will inevitably create significant additional vehicular congestion within Summerseat particularly disruptive to those living in the Village.
- Loss of trees and landscape.
- 'huge number of car parking spaces and the destruction of grassed areas around Summerseat House in the Green Belt to allow the said to be built. I do not believe the road network around the site can cope with such a large increase in traffic which appears to be visiting the site on a daily basis.'

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

## **Consultations**

**Traffic Section** - No objection subject to conditions.

**Drainage Section** - No objection.

**Environmental Health** - No objection.

**GM Police, designforsecurity** - No Objection.

**United Utilities** - No objection.

**Fire Service** - No objection.

**Greater Manchester Ecology Unit** - No objection.

**G M Archaeological Advisory Service** - No objection.

**Historic England** - The proposed alterations to the listed building itself are considered appropriate and are in line with the NPPF. Whilst the proposed parking layout option is the most sensitive of the options considered, it will inevitably result in a level of harm occurring to the setting of the listed building, which would be difficult to mitigate regardless of layout. There is a question over whether the proposed use is consistent with the conservation of the heritage asset (NPPF para.131). It is considered that the harm caused would be less than substantial in terms of paragraph 134 of the NPPF, but that the harm would be notable and long term. It is therefore for the Local Planning Authority to weigh this harm against the public benefits of the scheme, including securing its optimum viable use.

## Unitary Development Plan and Policies

OL1	Green Belt
OL5/2	Development in River Valleys
EN9/1	Special Landscape Areas
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
EN1/1	Visual Amenity
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN4/2	Energy Efficiency
EN5/1	New Development and Flood Risk
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN8/1	Tree Preservation Orders
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
HT6	Pedestrians and Cyclists
OL1/5	Mineral Extraction and Other Development in the Green Belt
CF2	Education Land and Buildings
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide
SPD3	DC Policy Guidance Note 3: Planning Out Crime
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD11	Parking Standards in Bury

## Issues and Analysis

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

**Principle** - Given the previous well established educational uses on the site, the use of the buildings for adult training and educational purposes is not development. The principle of the use is established and therefore acceptable. There is no actual change of use involved and therefore its use as a training centre is not under consideration. The accompanying development of the car parking, demolition and extensions are development requiring planning permission. These issues are discussed below.

**Green Belt** - Paragraph 90 of the NPPF states that development, other than buildings, are not inappropriate if they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

UDP Policy OL1 - Green Belt states that the Council will maintain a Green Belt, ensuring that it fulfils the following strategic purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns from merging into one another;
- c) to assist in safeguarding the countryside from further encroachment;
- d) to preserve the setting and special character of historic towns;
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban

land.

Policy OL1/5 - Mineral Extraction and Other Development in the Green Belt states that, within the Green Belt other development, not including buildings, will be inappropriate unless:

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

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

In relation to the development involving buildings within the site, as there is no significant additional external building works, the proposal would not have an adverse impact on the openness of the Green Belt, indeed the removal of a modular building within the grounds would have a positive impact.

The new access road and parking areas would have an impact on the openness and character of the Green Belt. Although the majority of the parking spaces would be constructed in crushed stone in an appropriate colour, both the road and the parking spaces would 'urbanise' the site somewhat although the landscaped grounds, with additional bunding and the amount of trees (existing and proposed replacements) mitigate this to a significant extent. Given that the parking spaces are set well into the site and screened by boundary planting and trees, it is not considered that there would be significant harm caused to the openness and character of the Green Belt.

#### **Impact on Heritage, Listed Building and character of the Conservation Area -**

The current legislation relating to listed buildings and conservation areas is the Town and Country Planning (Listed Buildings and Conservation Areas) Act (Paragraph 66).

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The NPPF in paragraph 131, states that Local Planning Authorities, in determining planning applications, should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets;
- the contribution conservation of heritage makes to communities and their economic vitality;
- the contribution new development makes to local character and distinctiveness.

The NPPF goes on to state in paragraph 133, that where a proposed development will lead to substantial harm to, or total loss of, a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Where a development proposal will lead to less than substantial harm to the significance of

a designated asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.

UDP Policy EN1/1 Visual Amenity states that development will not be permitted where proposals would have a detrimental effect on:

- a) public views of prominent or important buildings, especially those in areas of architectural or historic interest;
- b) the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

#### Policy EN2/1 Character of Conservation Areas

The Council will take action as appropriate to preserve or enhance the character or appearance of the Borough's Conservation Areas.

The Council will be especially concerned with encouraging and, where appropriate, implementing measures to:

- a) retain, replace and restore features of historical and architectural interest;
- b) retain and enhance existing landscape features including trees, parks and gardens;
- c) initiate and promote environmental improvement/enhancement schemes such as landscaping, refurbishment of street furniture, traffic management and pedestrian schemes;
- d) remove dereliction and bring unused land or buildings back into beneficial use;
- e) prepare and promote design guidelines to ensure sympathetic development.

Policy EN2/3 - Listed Buildings aims at safeguarding the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features.

In considering applications for Listed Building Consent, the Council will have regard to the following criteria:

- a) the impact of the proposal on the historic fabric of the building;
- b) the relationship of any extension to the Listed Building in terms of its height, size, design, and roofscape;
- c) the need to protect the setting of the Listed Building;
- d) the impact of associated ancillary facilities and infrastructure works.

In assessing these proposals in terms of the grade II listed building, there are three main elements to consider -

- the alterations to the building,
- impact of the access road and parking on the trees and
- the impact of the scheme on the setting of the listed buildings.

#### **Alterations to the Buildings.**

In terms of the alterations to the building, the proposed programme of renovation works, externally, is not extensive. The most significant change relates to the 70's link extension which would have its roof replaced and its covered walkway enclosed to improve movement through the property. The scheme requires the majority of the existing windows in the main house and stables to be replaced as they have degraded over time. The sash and case replacements are considered appropriate in terms of design and historical accuracy. Those windows not replaced, on the link extension, would be refurbished. All the external works would be carried out with suitable materials that would match and compliment the existing building. The existing Upvc rainwater goods on the main building, for example, would be removed and replaced with traditional style cast aluminium.

The building works would undoubtedly preserve and enhance the site's heritage value as well as improving its economic viability. Historic England in their assessment of this element of the proposal, consider that the alterations to the buildings are appropriate and in line with guidance within the NPPF. As such the proposals, as they relates to the building, are considered to be appropriate and would preserve the special character of the building.

**Impact on Landscape, Trees and Setting** - UDP Policy EN1/3 Landscaping Provision states that proposals would be required to make provision for incidental open space and landscaping to the Council's satisfaction with particular attention paid to the retention of trees, hedges and other ecological features within development sites. The carrying out of new planting, particularly of locally native species, will be encouraged.

Policy EN6/3 Features of Ecological Value states that changes to existing features of ecological or wildlife value will be taken into account when assessing development proposals. Any proposal should seek to retain such features and incorporate them into the development.

Policy EN8/2 Woodland and Tree Planting supports and encourages the planting of hedges, trees and woodlands using locally native species.

UDP Policies relating to conservation areas and listed buildings set out above are also relevant as they make reference to the 'setting' of a listed building and contribute to the character of the conservation area.

Paragraphs 131 - 134 of the NPPF, set out above, consider the setting of a listed building.

The tree report concludes that it is possible to retain the majority of the significant trees surveyed within the site and the development can be carried out without damage/stress on those retained if suitable construction methods are used and tree protection measures are in place. Details of both construction and tree protection measures would be required to be undertaken to the satisfaction of the Local Planning Authorities by an appropriate condition of approval. This would preserve the existing trees within the landscape.

Sixteen trees would require removal to facilitate the development, particularly where the access road runs past the house on its eastern side, around proposed parking spaces 48-55. Twenty or so trees are proposed as replacements within the grounds, mostly on the south side/front of the house. These replacement trees would be situated so as to further screen the parking spaces from the road and from wider views around Summerseat.

There are a lot of new parking spaces proposed, mostly in the grounds to the front/south and side/east of the main house. Part of the new access road and some of the parking spaces would be in areas where there is currently hardstanding and few, if any tree roots. However, many of the new spaces would be situated close to or underneath the canopies of existing, and in some cases proposed replacement, trees. For this arrangement to work, specialist construction measures (reduced dig techniques) would need to be utilised to avoid undue damage and stress to the trees and preserve the characteristic setting within the site.

**Impact of the Access Road and Parking on the Setting of the Listed Building** - UDP Policy HT2/4 Car Parking and New Development requires all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards which are detailed in the Supplementary Planning Guidance Note 11 Parking Standards in Bury. This document does not specifically refer to training and development centres and as such any assessment would be on a case by case basis with reference to the Transport Assessment submitted.

The Planning (Listed Building and Conservation Areas) Act 1990 highlights the desirability to preserve or enhance listed buildings and conservation areas and this is reiterated in paragraphs 131 - 134 of the NPPF. UDP Policies relating to conservation areas and listed buildings are also relevant in any assessment of the access road layout and parking.

In terms of the listed building, there are two main concerns in relation to the proposed parking. These are;

- the impact of the parking spaces, and associated traffic, on the setting of the listed building and character of the site.



- the impact of the construction and subsequent use of the parking spaces on the trees which lend the site much of this character and contribute to the setting of the listed building.

The introduction of the access road and over 100 new parking spaces within the site, mostly within grassed areas to the front of the main house, would no doubt have an impact on the character of the site. Not only would there be the physical appearance of the access road and parking spaces, it would create the appearance of a busier, more intensive use within the site and this would have a negative impact on the character of the site and setting of the listed building within it.

As Historic England has recognised, the harm caused by the parking would be 'less than substantial' in terms of paragraphs 13 of the NPPF but it would be notable and long term. In such circumstances a local planning authority should weigh the harm against the public benefit, including securing an optimum viable use.

There is clearly a balance to be struck between the conservation and restoration of the site and its continuing use as an educational facility or indeed its long term viability in any other future use. The proposal would facilitate further investment into the site and allow the listed buildings to be conserved and enhanced, something which has, in reality, not happened to a great degree in the past. The proposed layout is recognised as the most sensitive with the retention of the vast majority of trees and appropriate permeable crushed stone surfacing to parking spaces that are not set well into the site and screened, to a significant extent from views from the public arena.

**Need for Access and Parking** - The application included the submission of a Transport Assessment Report (TA) and a Travel Plan, both produced by Moda group Ltd (transportation planning and modal surveys). The TA report's summary and conclusions are as follows:

- The existing school use and the Development Training Centre have varying daily numbers of staff/trainees on-site. The TA considers the additional traffic generated by the training centre, based on its busiest day compared to the scenario where all staff are on-site.
- The traffic surveys were carried out during 2015 but background traffic figures have been factored to 2016 and 2021 using high growth factors.
- The volumes of additional traffic generated by the proposals were 8% or less on the local highway network. On Bass Lane the increase could be as high as 3% during the evening peak period.
- The increase in traffic is not considered significant enough to require capacity assessments at the accesses or other junctions on the local highway network.
- 114 parking spaces are proposed of which 10 are disabled spaces. This provision would adequately cope with the expected level of traffic.
- 11 cycle parking spaces to encourage cycle usage.
- Nearby bus stops provide regular bus service to Bury and Ramsbottom.
- The Travel Plan sets out a package of measures and actions as well as a plan to monitor and measure the plans success and to evolve/improve the Travel Plan.
- The proposed access and site layout is appropriate in design terms.
- In summary the traffic generated by the development can be accommodated on the local highway network and would not have a significant impact on the network and is considered acceptable.

The Council's traffic section accepts the findings of the Transport Assessment and has no objection to the proposal in terms of traffic generation and the impact on the surrounding roads in terms of highway safety.

**Residential amenity** - There are no serious residential amenity concerns with regard to the educational and training functions carried in the buildings themselves. The impact of the additional traffic generated by the facility needs to be assessed in terms of the amenity of nearby residents.

Whilst there would undoubtedly be more traffic generated by the proposal, the numbers of vehicles would not increase so significantly as to cause a serious problem with regard to noise and disturbance to warrant refusing the application. The in/out arrangement would separate vehicles coming and going and reduce localised congestion around the access on Summerseat Lane. The heavy planting around the boundaries would help screen and to some extent buffer the potential noise and disturbance from the nearby houses.

**Objections** - The main concerns/objections of those making representations relate to traffic generated by the facility and the loss of trees within the site. These issues have been addressed in the above report.

In summary, any assessment as to the suitability of the proposal would need to consider the following:

- The educational use of the site is established and lawful.
- The proposal would facilitate increased investment in the site.
- The proposal would help preserve the Listed Building.
- The proposal would lead to the intensification of the use of the site.
- Traffic generation would increase significantly.
- There are a lot of additional parking areas but they are designed with the heritage value of the site in mind - surfaced in a crushed stone, constructed with specialised techniques and laid out around the site, amongst existing and replacement trees, so as to minimise the visual impact as much as possible.
- There is a balance to be struck between the importance of preserving and enhancing the heritage asset and the long term economic viability of the site, particularly with regard to the benefits to the wider community that the educational use implies.

Given the sensitive approach adopted within this scheme and with no direct objection from Historic England, whilst there would be harm to the heritage asset, the long term viability of the site would be secured.

With careful landscaping measures and a sensitive parking layout, the proposal would not have a seriously detrimental impact on the special character of the Listed Building setting and also that of the Conservation Area.

Whilst the impact of the proposals is considered to be significant, with the mitigation measures relating to the landscaping, tree planting and construction and layout of parking set out above, it is not so substantive that the character of the setting would be lost.

### **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 Paragraphs 186-187 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 1845-P-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18,19, 20/A, 21/A, 22, 22/0 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the materials to be used in the external elevations, including all fenestration, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.  
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policies EN1/1 Visual Amenity and EN2/3 Listed Buildings.
4. A minimum of 5 working days written notice shall be provided to the LPA of intended commencement of the development. The notification of commencement shall include a timetabled schedule of the intended tree protection measures and tree works. Any subsequent variation of the timetable shall be subject to further written notice.  
Reason - To ensure that the development is carried out in accordance with the approved plans, to protect trees which are of amenity value on the site and pursuant to Policies EN8/1 – Tree Preservation Orders and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
5. A landscaping scheme, including all hard and soft landscaping details, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building is occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.  
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
6. No trees, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before or during the construction period without the previous written consent of the Local Planning Authority.  
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
7. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.  
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
8. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the

management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

9. Beneath all areas of the canopies of the trees, excavations and all construction work for the proposal hereby approved must be 'hand-dig' only. No storage of materials or equipment or use of the area by vehicular traffic allowed.  
Reason: To safeguard the vascular and anchoring root systems of the trees to avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan
10. Prior to commencement of development, a notice of intent to start the development to the building hereby approved, including a timetable schedule of the works, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved timetabled schedule.  
Reason - To ensure that the development is carried out in accordance with the approved plans, to protect the fabric of a listed structure/building during implementation and pursuant to Policy EN2/3 – Listed Buildings of the Bury Unitary Development Plan.
11. Development shall commence unless and until full details of the following have been submitted to and agreed with the Local Planning Authority:
  - Formation of an egress with radius kerbs onto Summerseat Lane and modifications/improvements to the adjacent access/interface with Bridleway No. 90, Ramsbottom, to an agreed specification;
  - A scheme of car park signage to Diagrams 833-836 of The Traffic Signs Regulations and General Directions 2002 at the access from Peel Hall Road and access from/egress onto Summerseat Lane;
  - A scheme of car park signage within the site in compliance with, and to indicate to users of the car park of, the one-way working arrangements indicated on the approved plans.
  - The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.Reason. To ensure good highway design and maintain the integrity of the adopted highway and to minimise the standing and turning movements of vehicles on the highway in the interests of highway safety.
12. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
  - Access route for construction traffic from the highway network;
  - Hours of operation and number of vehicle movements;
  - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
  - Parking on site or on land within the applicant's control of operatives' and construction vehicles together with storage on site of construction materials.

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

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period, in the interests of highway safety.

13. No development shall commence unless and until details have been submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.

Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations.

14. There shall be no direct means of vehicular egress from the site and Peel Hall Road.

Reason. To ensure good highway design and accord with the one-way working arrangements proposed.

15. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use and thereafter maintained at all times.

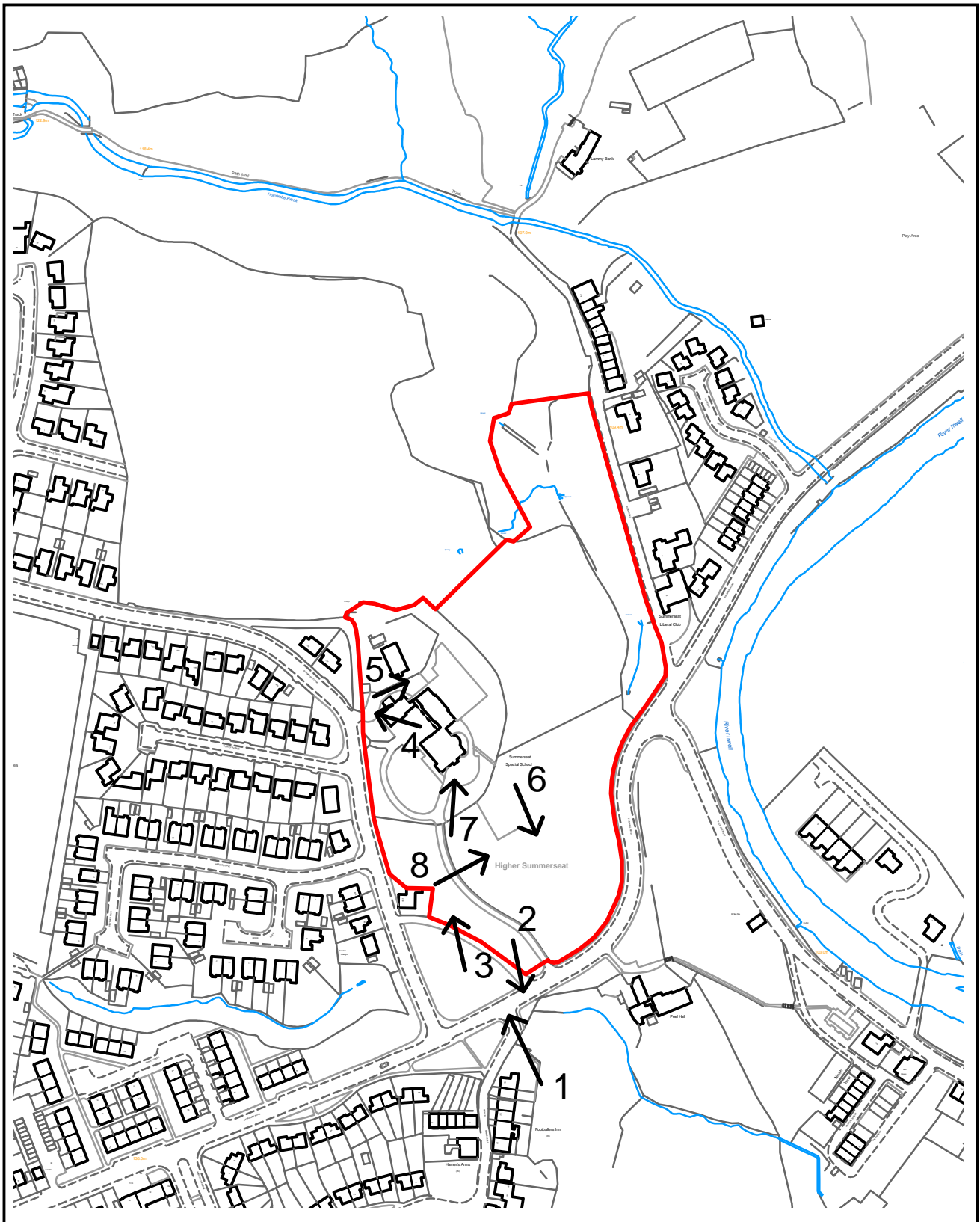
Reason. To ensure adequate off street car parking provision in the interests of road safety.

16. The measures and action plan detailed in the submitted Travel Plan, including the undertaking of surveys and submission of annual progress reports identified in the Plan, shall be implemented to the written satisfaction of the Local Planning Authority.

Reason. In order to deliver sustainable transport objectives and meet the targets and indicators detailed in the Plan.

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

# Viewpoints



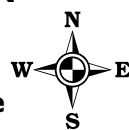
## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59596**

**ADDRESS: Summerseat House, Summerseat Lane  
Ramsbottom**

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL



59596

Photo 1



Photo 2





Photo 3



Photo 4





Photo 5



Photo 6





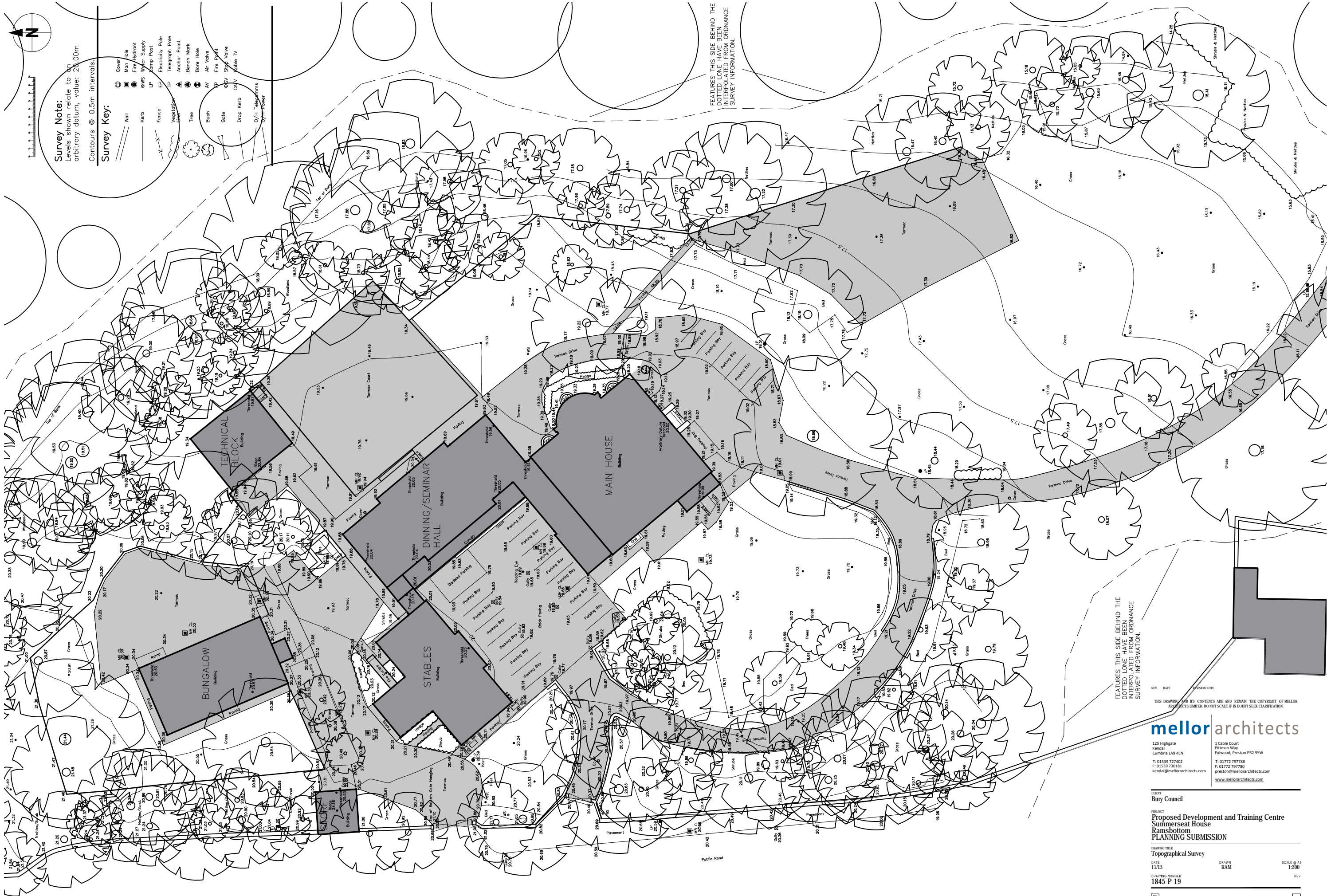
Photo 7



Photo 8







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CLIENT  
Bury Council

PROJECT  
Proposed Development and Training Centre  
Summerseat House  
Ramsbottom  
PLANNING SUBMISSION

DRAWING TITLE  
Topographical Survey

DATE  
1/1/15

DRAWN  
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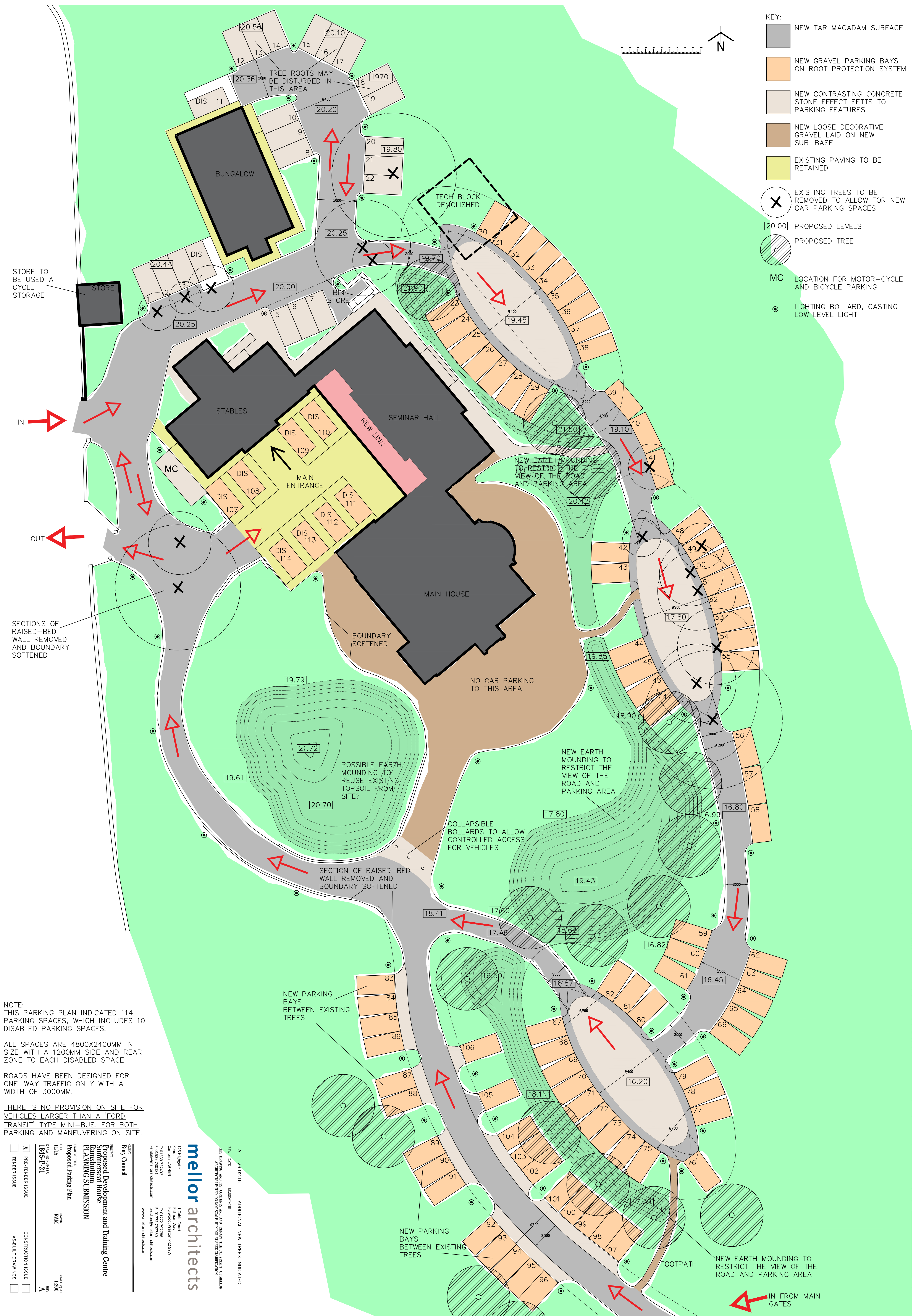
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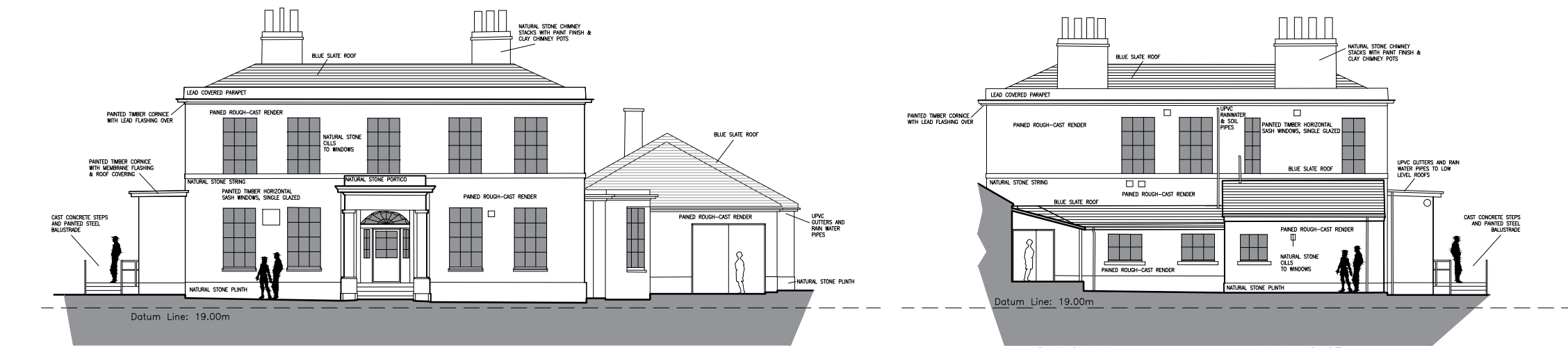
☐ CONSTRUCTION ISSUE

☐ AS-BUILT DRAWINGS



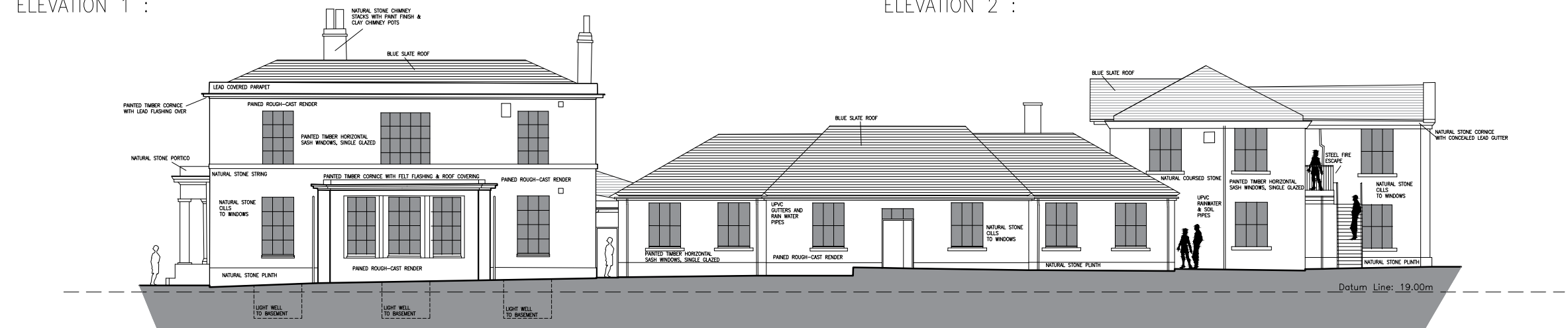
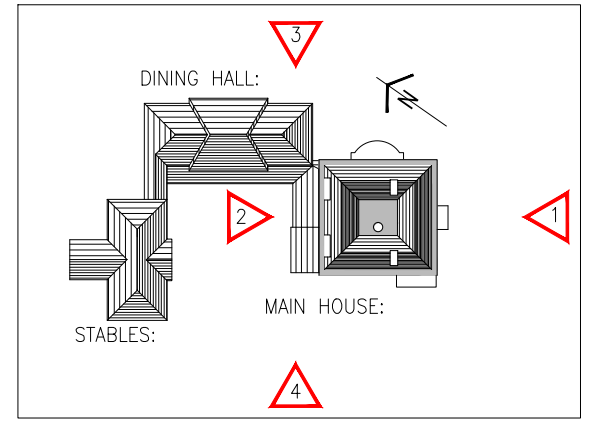




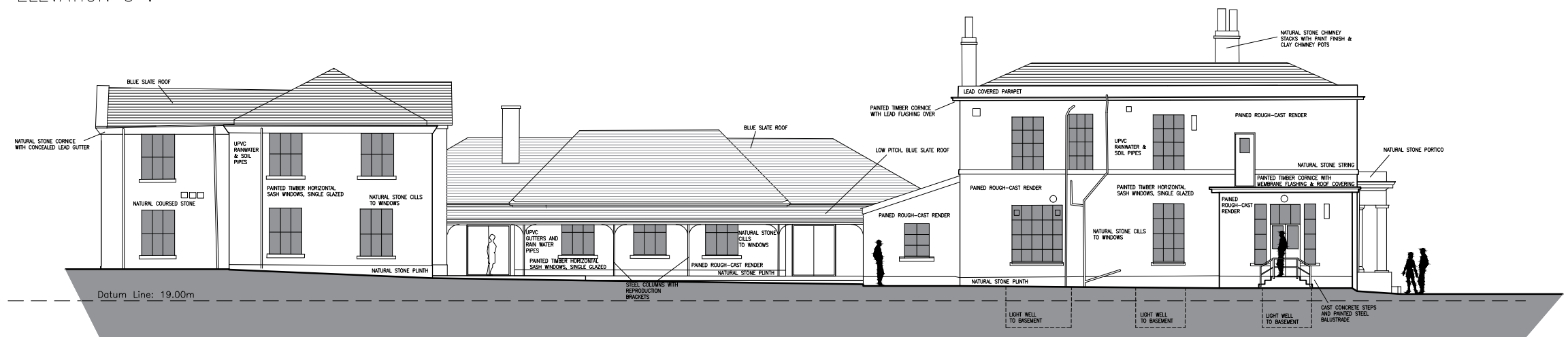


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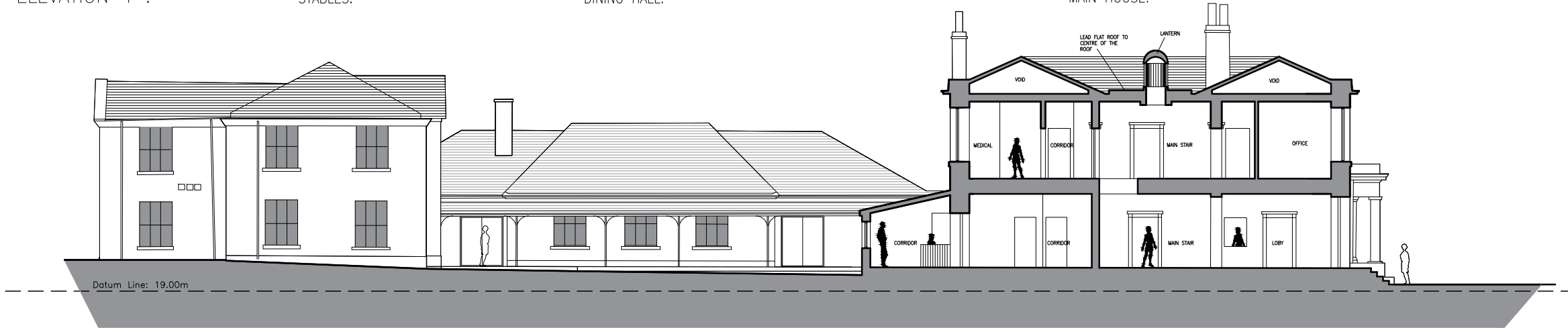
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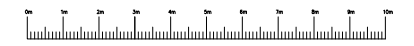
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ELEVATION 4 :



SECTION AT ELEVATION 4 :



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CLIENT: Bury Council

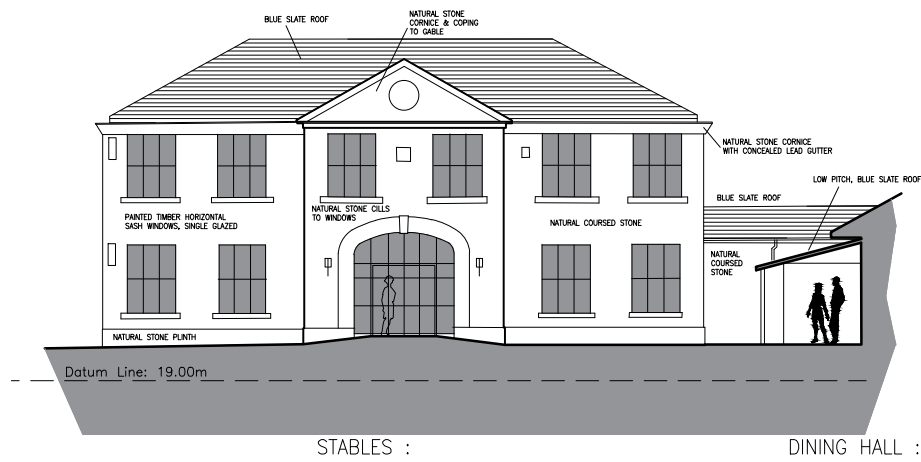
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Summerseat House  
Ramsbottom  
PLANNING SUBMISSION

DRAWING TITLE: Existing Elevations - Drawing 1 of 2

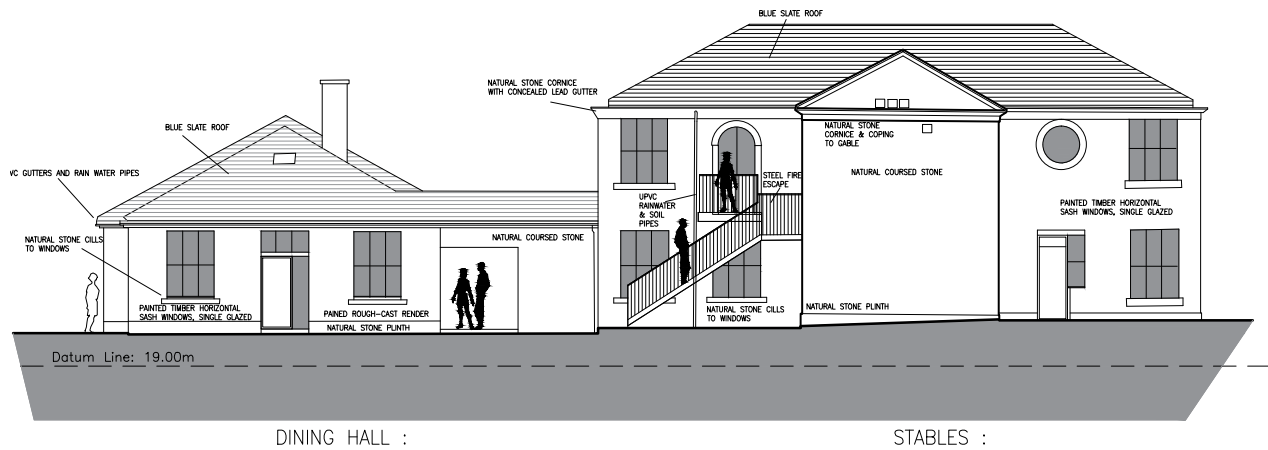
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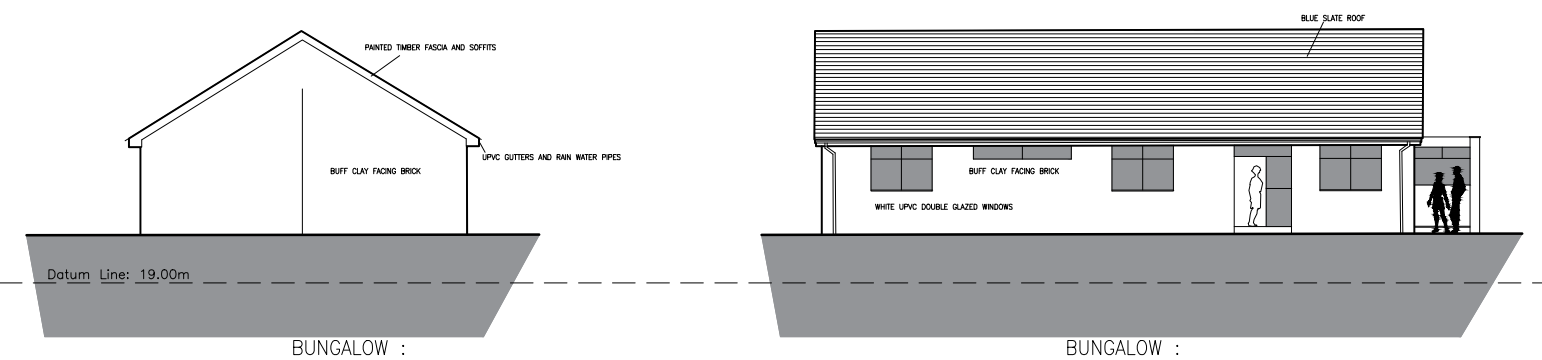
PRE-TENDER ISSUE TENDER ISSUE CONSTRUCTION ISSUE AS-BUILT DRAWINGS



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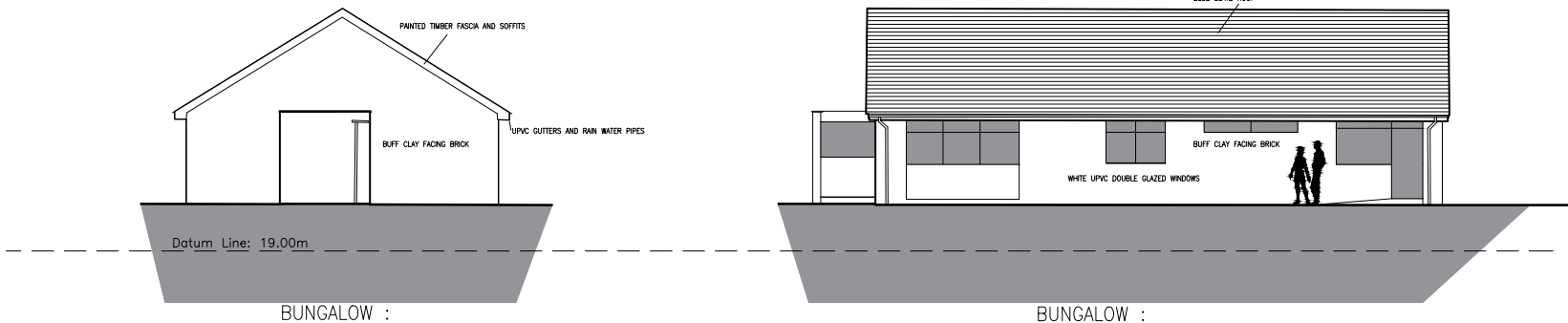


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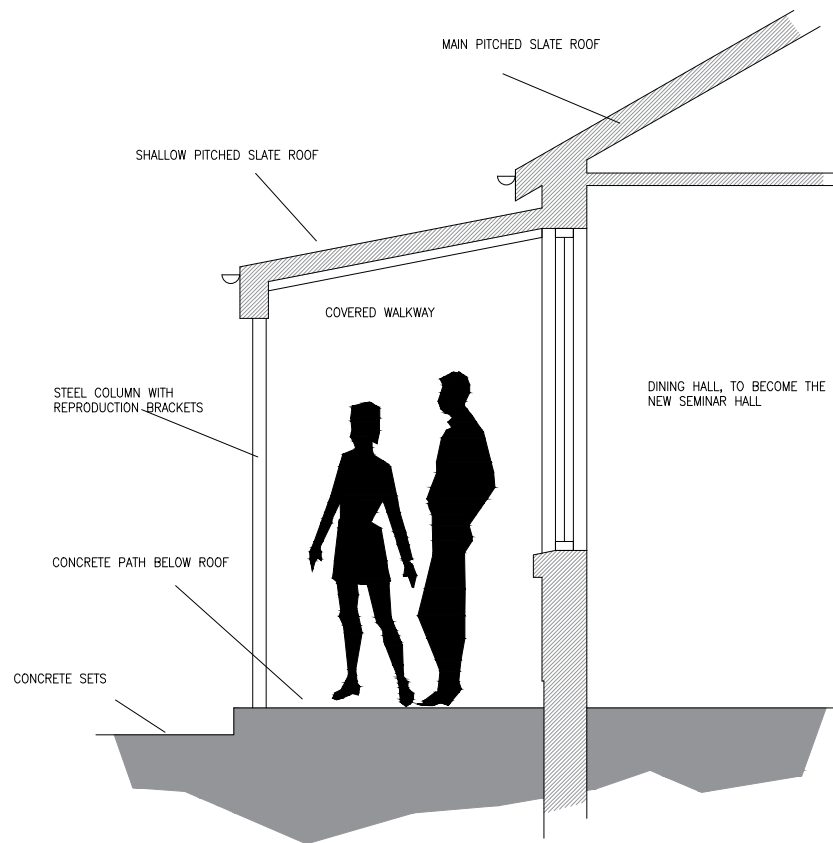
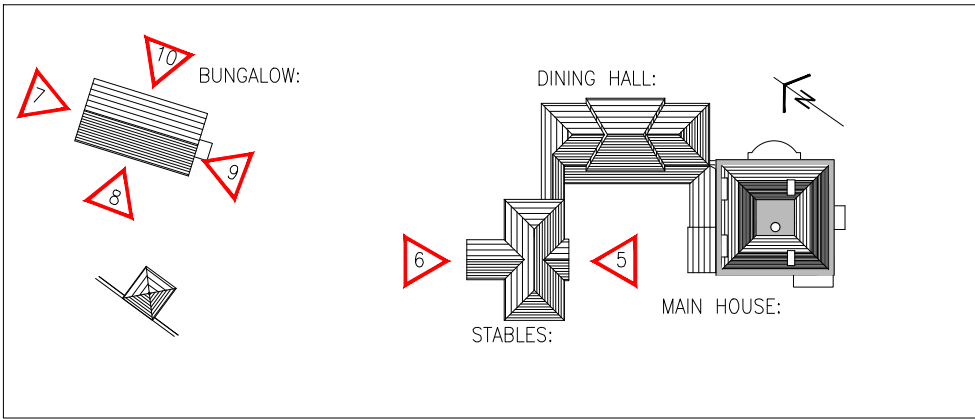
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ELEVATION 9 :

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PROJECT  
**Proposed Development and Training Centre  
Summerseat House  
Ramsbottom  
PLANNING SUBMISSION**

DRAWING TITLE  
**Existing Elevations - Drawing 2 of 2**

DATE  
11/15

DRAWN  
RAM

DRAWING NUMBER  
**1845-P-08**

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1:100/1:20

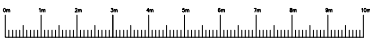
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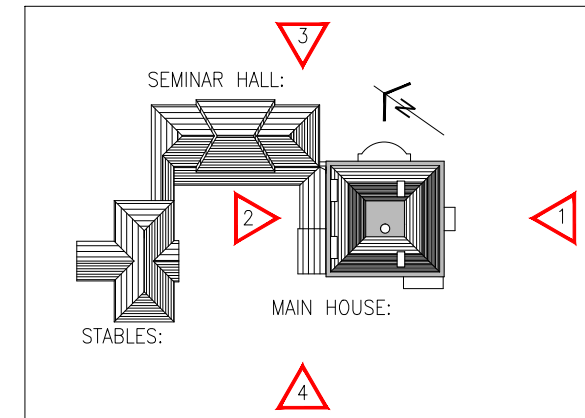
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☐ TENDER ISSUE

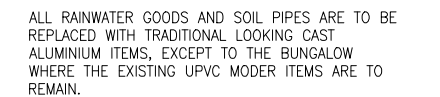
☐ CONSTRUCTION ISSUE

☐ AS-BUILT DRAWINGS

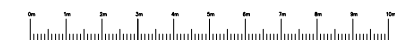




MAIN HOUSE:



STABLES:



MAIN HOUSE:



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preston@mellorarchitects.com  
www.mellorarchitects.com

CLIENT  
**Bury Council**

PROJECT  
Proposed Development and Training Centre  
Summerseat House  
Ramsbottom  
PLANNING SUBMISSION

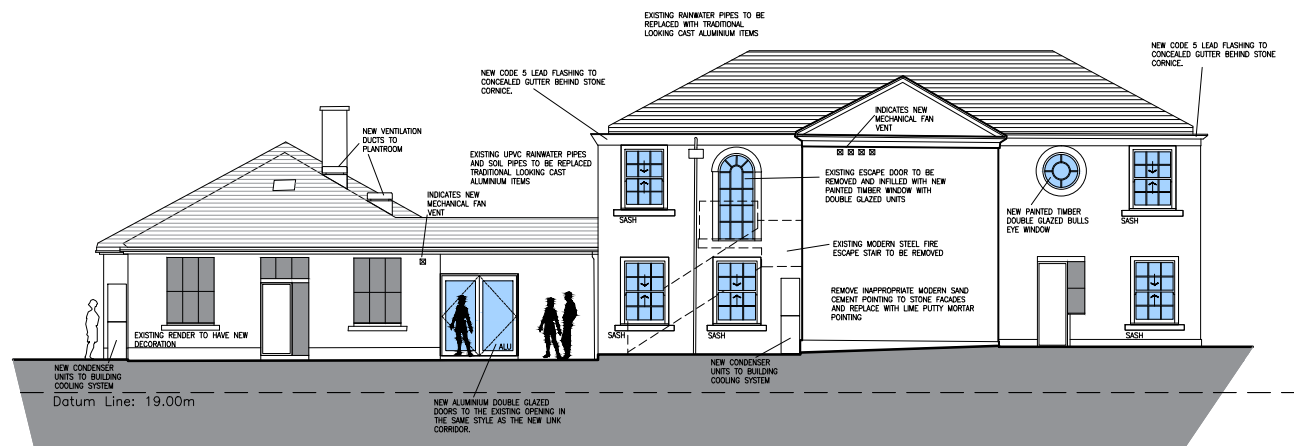
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Proposed Elevations - Drawing 1 of 2

DATE 11/15	DRAWN RAM	SCALE @ A1 1:100
DRAWING NUMBER	REV	

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<input type="checkbox"/> TENDER ISSUE	AS-BUILT DRAWINGS <input type="checkbox"/>

MAIN HOUSE:





SEMINAR HALL :

STABLES :

ELEVATION 6 :



STABLES:

SEMINAR HALL :

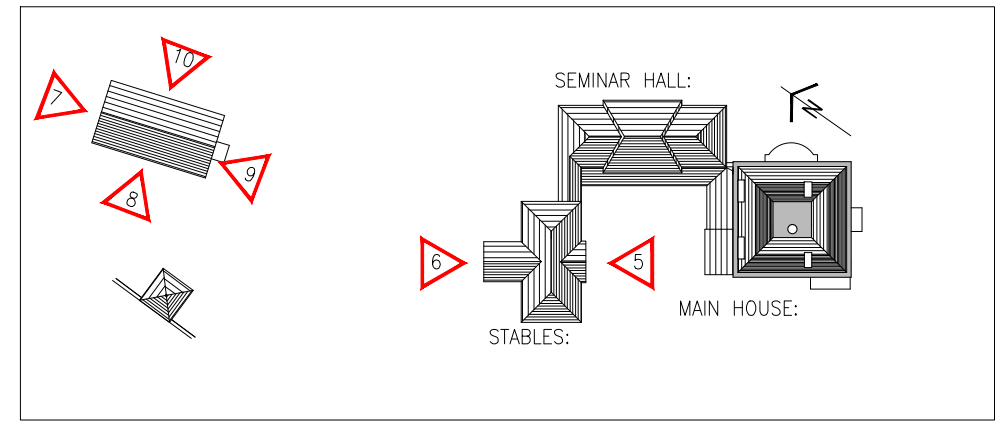
ELEVATION 5 :

KEY TO WINDOW REPLACEMENT:

- EXISTING WINDOWS TO BE REFURBISHED AND REDECORATED.
- REPLACEMENT WINDOWS:
  - SASH - PAINTED TIMBER SASH WINDOW WITH DOUBLE GLAZED UNITS.
  - ALU - ALUMINIUM WITH DOUBLE GLAZED UNITS.
  - UPVC - UPVC WITH DOUBLE GLAZED UNITS DEPENDING ON THE LOCATION.

EXTERNAL WORKS:

- ALL EXISTING RENDERED FACADES ARE TO BE REDECORATED.
- ALL TIMBER FASCIAS, SOFFITS, FRAMES, ARCHITRAVES AND DOORS ETC ARE TO BE REDECORATED.
- ALL RAINWATER GOODS AND SOIL PIPES ARE TO BE REPLACED WITH TRADITIONAL LOOKING CAST ALUMINIUM ITEMS, EXCEPT TO THE BUNGALOW WHERE THE EXISTING UPVC MODER ITEMS ARE TO REMAIN.



SARNA OR SIMILAR MEMBRANE ROOF ON 12MM WBP PLYWOOD DECK ON 100MM CELOTEXT TYPE-FOIL FACED INSULATION ON 18MM WBP PLYWOOD STRUCTURAL DECK ON 150X50MM TREATED SW JOISTS AT 400MM C/S'S LAID WITH A 5 DEGREE FALL TOWARDS THE PARAPET WALL. PLASTERBOARD AND SKIM CEILING BELOW JOISTS. DOUBLE GLAZED ALUMINIUM LANTERN TYPE ROOF LIGHT OVER (2ND. TO ROOF).

SARNA ROOF MEMBRANE ON 12MM WBP PLYWOOD DECK TAKEN UP THE UNDERSIDE OF THE EXISTING SLATE ROOF TO GIVE A MINIMUM HEIGHT OF 150MM.

POWDER COATED ALUMINIUM PRESSED FLASHING TO THE TOP OF THE PARAPET WALL.

PARAPET ABOVE WINDOWS FORMED IN 100MM STONE ASHLAR.

'ARMOURCLAD' GLAZED PANEL TO FANLIGHT TO WINDOWS, WITH SOLID CONSTRUCTION BEHIND.

300MM WIDE CAVITY WALL CONSTRUCTION, 100MM BLOCK, 100MM CAVITY AND 100MM BLOCK. CAVITY PARTIALLY FILLED WITH CELOTEXT TYPE FOIL FACED INSULATION, PLASTER AND SKIM FINISH TO INSIDE, THROUGH-COLOUR SMOOTH RENDER BETWEEN PIERS.

PIERS BETWEEN WINDOWS FORMED IN 100MM STONE ASHLAR.

SIMPLE CONCRETE STRIP FOOTINGS

ORIGINAL TIMBER SASH WINDOWS REPLACED WITH SIMPLE PAINTED TIMBER GLAZED SCREEN WITH OBSCURE GLASS.

PLASTERBOARD DRYLINING ON METAL FRAMING OVER EXISTING RENDER TO ORIGINAL EXTERNAL WALL.

NEW GROUND FLOOR OF 75MM FAST DRYING SCREED ON SEPARATING MEMBRANE ON 75MM CELOTEXT TYPE FOIL FACED INSULATION ON 150MM CONCRETE SLAB ON POLYTHENE DPM ON SAND BLINDING ON 150MM CRUSHED HARDWARE.

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CLIENT:  
Bury Council

PROJECT:  
Proposed Development and Training Centre  
Summerseat House  
Ramsbottom  
PLANNING SUBMISSION

DRAWING TITLE:  
Proposed Elevations - Drawing 2 of 2

DATE:  
11/15

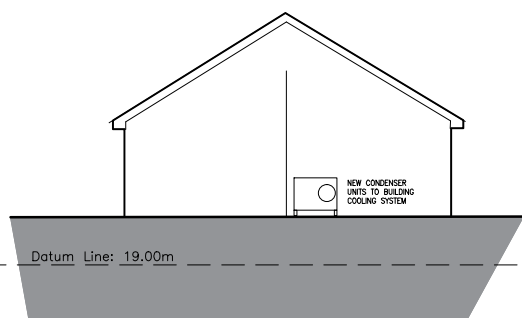
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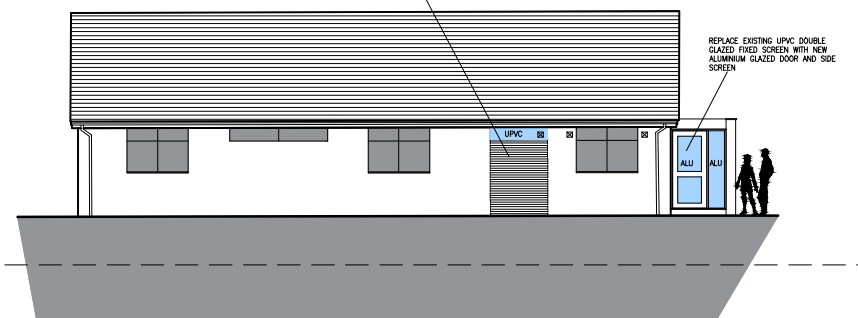
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☐ TENDER ISSUE

☐ CONSTRUCTION ISSUE  
☐ AS-BUILT DRAWINGS



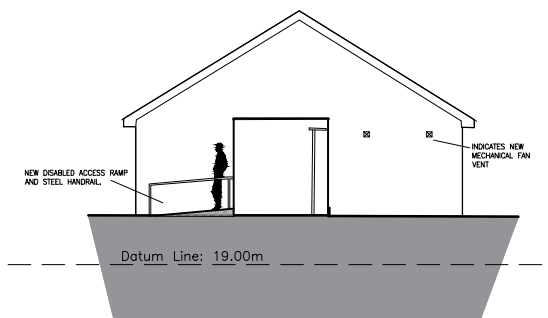
BUNGALOW :

ELEVATION 7 :



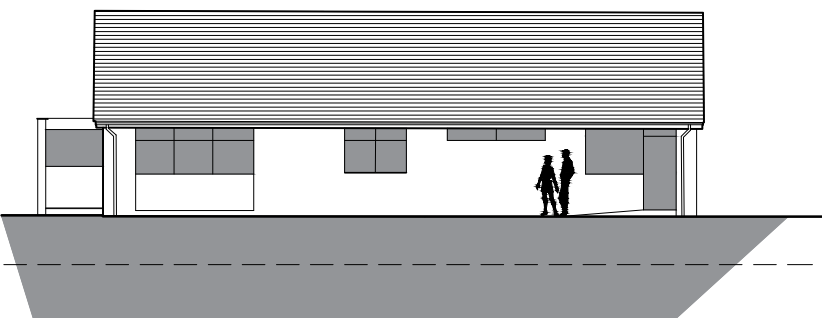
BUNGALOW :

ELEVATION 8 :



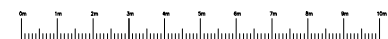
BUNGALOW :

ELEVATION 9 :



BUNGALOW :

ELEVATION 10 :



**Ward:** North Manor

**Item** 04

**Applicant:** Mr David Walters

**Location:** 480 Bolton Road West, Ramsbottom, Bury, BL0 9RU

**Proposal:** Demolition of existing dwelling and erection of 2 no. dwellings

**Application Ref:** 59630/Full

**Target Date:** 03/03/2016

**Recommendation:** Approve with Conditions

**Description**

The application relates to a residential plot on the corner of Bolton Road West and Redisher Close. There is a two storey red brick detached house located on the western side of the site and a detached garage on the east side. There is a boundary wall along the front and planting along the side and rear. There is an access from Bolton Road West. The area is residential in character with houses to the side and rear. The Green Belt runs along the rear boundary.

It is proposed to demolish the existing house and garage and build two 3-storey houses fronting Bolton Road West, positioned centrally on the plot. The houses would be similar in appearance and have a relatively conventional form with contemporary design elements. The houses would be finished in a mix of render, stone and timber cladding with slate pitched roofs. Each would have its own access point from Bolton Road West with a parking area on the frontage of both dwellings, behind a low level boundary wall. The existing mixed hedge along the side boundary would be replaced and low shrub planting carried around behind the front boundary.

**Relevant Planning History**

01497/E - Erection of 1 no. dwelling in garden of existing dwelling - Enquiry completed 11/04/2014

01649/E - Proposed three storey dwelling - Enquiry completed 08/05/2015

59102 - Demolition of existing dwelling and erection of 2 no. dwellings  
- Withdrawn 21/10/2015

**Publicity**

The following neighbours were notified by letter dated 14/01/16:

Ivy House, 1 and 3 Ivy Street,  
432 - 438(even), 461- 481(odd), 480, 484, 486, 488 Bolton Road West  
2 - 12 Redisher Close.

Objections received from 2 and 10 Redisher Close and 473 Bolton Road West summarised below:

- Obstruction of views.
- Concerns about parking and access for building works, noise and mess.
- Privacy would be impeded/overlooking.
- The use of Redisher Close is specifically for residents of Redisher Close.
- Object to plans to remove the retaining walls to Redisher Close being changed.
- Loss of trees or hedges.
- Concerns about the loss of natural light .

Those making representations have been notified of the Planning Control Committee

meeting.

### **Consultations**

**Traffic Section** - No objection subject to conditions.

**Drainage Section** - No objection.

**Environmental Health** - No objection.

**Waste Management** - No objection.

**United Utilities** - No objection.

**The Coal Authority** - No objection.

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

EN1/2	Townscape and Built Design
EN1/1	Visual Amenity
EN5/1	New Development and Flood Risk
EN7	Pollution Control
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD16	Design and Layout of New Development in Bury
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework
EN7/5	Waste Water Management
HT4	New Development

### **Issues and Analysis**

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

**Principle** - UDP Policy H1/2 - Further Housing Development states that the Council will have regard to various factors when determining a proposal for residential development including the availability of infrastructure, the suitability of the site, the nature of the local environment and the surrounding land uses.

The application site is within the urban area of Ramsbottom that is residential in character and as such the proposed development would be appropriate in land use terms and would not conflict with the surrounding uses. Furthermore it is considered that there is adequate infrastructure to support the development. Subject to compliance with other policy considerations, the proposed development would be in accordance with Policy H1/2.

The details and layout of the application will need to be considered against the criteria listed in Policies H2/1 - Form of New Residential Development and H2/2 -Layout of New Residential Development as well as guidance provided in SPD16 - Design and Layout of New Development.

Policy H2/1 The Form of New Residential Development sets out factors to be assessed, including

- height and roof style,
- impact on residential amenity,
- density and character of the locality,
- position in relation to neighbours and materials to be used.

Policy H2/2 The layout of New Residential Development relates to layout and states that proposal should take account of;

- car parking and access,
- density,
- space between dwellings,
- landscaping,

Policy EN1/2 relates to general design of a new build on the streetscene and states that proposals should not have an adverse impact on the character of the townscape.

**Visual amenity and character of the streetscape** - Although the site has only a single detached dwelling and garage on it, with an area measuring 600sqm, the plot is sizeable and considered capable of accommodating two dwellings without appearing to constitute overdevelopment or be out of character within the locality. The crucial issue is the size and siting of those dwellings within the plot.

In terms of siting and massing, the proposed houses would be centrally positioned on the plot and generally in line with other properties along this side of Bolton Road West. With an eaves height of 7.6m and a maximum ridge height of 10m, the proposed houses, with hipped roofs, would not be dissimilar in scale and height to the neighbouring properties to the west.

The footprint of each dwelling would measure L11m by W8m. This would leave a rear garden of over 100sqm and a frontage depth of approximately 9m.

On the west side the gap to the shared side boundary with No.482 would be 1.8m. This would be similar to the existing house. On the east side there would be a gap of 2m and would comprise planting along the boundary with Redisher Close. Situated side by side on the site, there would be gap of about 1.7m between the houses themselves, allowing a pedestrian footpath down the side of each.

There is a mix of house styles along the road albeit mostly traditional in appearance. The proposed dwellings with a relatively conventional style but with modern elements, are considered to be in keeping with the character of the streetscape.

In terms of visual amenity, the proposal is acceptable and is complies with UDP Policies and guidance.

**Residential Amenity** - There are habitable room windows on the side of No.482 Bolton Road West. One towards the rear on the ground floor is a window to a kitchen diner. The window on the upper floor is to a bedroom. The windows would face across the site with a distance of approx 7.5m to the rear corner of the nearest building. The kitchen/diner window in the side is to a large open plan kitchen with other windows towards the rear.

Whilst the new development would be more prominent when viewed from this window, it is not considered that the new build would have a particularly serious impact on the residential amenity and light levels. Likewise the outlook from bedroom window in the upper floor would not be seriously affected.

With regard to overlooking from the new dwellings, habitable room windows in the side elevation of the proposed house closest to neighbour at No.482 Bolton Road West have been omitted. There is now no serious overlooking of the neighbour to the side. Impact on the neighbour's light levels is not considered significant as the new dwellings are situated 'side by side' as is the current house and side windows can only be given a limited amount of weight in any assessment of residential amenity.

The houses across Bolton Road West to the front are well in excess of the 23m minimum, direct window to window, separation distance for three storey dwellings. In this relationship,

impact on light is not a significant factor.

In terms of residential amenity, the revised proposal is now considered to be acceptable and complies with UDP Policies and guidance.

**Parking and Access** The dwellings would have an external parking arrangement on the shared frontage, accessed from a centralised point.

Whilst the principle of the shared, centralised access point is reasonable and preferable to two separate access points. The proposed access and parking would be considered satisfactory for a development of this kind and would comply with UDP Policy H2/2 The Layout of New Residential Development and SPD11 relating to parking and new development.

**Drainage** - The proposed hardstanding/parking at the front would be constructed with permeable surfacing to reduce surface water run-off. A suitable condition would require a sustainable drainage plan to be submitted and approved by the Local Planning Authority prior to commencement of development.

**Waste collection** - Bins would be stored at the rear and brought to the front on collection day, a practice that is commonplace in this neighbourhood and acceptable. The proposal, terms of refuse collection is considered satisfactory and complies with UDP Policy H2/2 The Layout of New Residential Development.

**Trees and boundary planting** - There are no significant trees on site although there is some mixed shrub and hedge planting along the Redisher Close boundary that has a positive contribution to the streetscape. The existing hedge along the side boundary with Redisher Close is patchy and would be replanted and shrub planting behind the boundary walls at the front would help soften the appearance of the development within the streetscape. The substantial evergreen hedge along the rear boundary would remain. It is considered appropriate to attach a condition of any approval, requiring a planting scheme to be submitted and approved by the Local Planning Authority.

**Bats** - An initial bat survey has been carried out and whilst risk to bats was found to be low, it is considered that there is a need for a further survey before commencement of demolition and this will be required by a suitable condition. With the condition, the proposal is acceptable in terms of the protection of bats and complies with UDP Policy.

**Land Contamination** - Environmental Health have no objections to the proposals and, as is usual, a condition is proposed to require a Risk Assessment and prior to commencement of works pursuant to UDP Policy EN5 Pollution.

**Objectors** - The material planning issues raised by the objectors have been addressed in the above report.

Permission should be granted having regard to the policies and proposals listed and the reasons for granting permissions can be summarised as follows:- The proposed dwellinghouses are considered to be appropriate within the site and surroundings, would not have a detrimental affect on visual or residential amenity, protected trees and there are no highway safety concerns. The proposal complies with UDP Policies listed. There are no other material considerations that outweigh this finding.

**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 480/478BRW003, 005, 006, 007, 008, 009, 012, 478/480StreetsceneLD and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/samples of the (materials/bricks) to be used in the external elevations, boundary structures and hardsurfacing , together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.  
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
5. No development shall commence unless and until:-
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
  - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. To secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
6. Following the provisions of Condition 5 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.  
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
7. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;  
The approved contamination testing shall then be carried out and validatory

evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

8. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

9. The proposed vehicular access arrangements indicated on approved plan reference 480/478BRW 004, incorporating the construction of a new footway crossing, widening of the footway and necessary relocation/replacement of the affected street lighting column and all associated highway remedial works, shall be implemented to an agreed specification and to the written satisfaction of the Local Planning Authority before the dwellings hereby approved are first occupied.  
Reason In the interest of highway safety pursuant to UDP Policies H2/2 The Layout of New Residential Development and HT

10. The turning and parking facilities indicated on approved plan, shall be provided prior to the dwellings hereby approved being occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason: To minimise the standing and turning movements of vehicles on the highway in the interests of road safety and pursuant to UDP Policy H2/2 The Layout of New Residential Development.

11. The visibility splays indicated on approved plan reference 480/478BRW 004 shall be implemented to the written satisfaction of the Local Planning Authority before the development is first occupied and subsequently maintained free of obstruction above the height of 0.9m.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to UDP Policy HT4 New Development and HT6/2 Pedestrian/vehicular conflict.

12. The proposed driveways and paved areas at the front of the property shall be constructed of permeable/porous materials as set out in the Dept of Communities and Local Government publication "Guidance on the Permeable Surfacing of Front Gardens".

Reason. To secure the satisfactory development of the site pursuant to UDP Policy EN5/1 New Development and Flood Risk.

13. Before the first occupation of the dwellinghouse on the west side of the site



(No.480) hereby approved, the first floor windows on the west elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/1 The Form of New Residential Development.

14. A boundary landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the dwellings are first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design.

15. Prior to the demolition of the main dwellinghouse, a bat survey shall be conducted, and the survey results established as to whether the buildings are utilised by bats. A programme of mitigation shall be submitted to and approved in writing by the Local Planning Authority. All mitigation measures shall be fully implemented prior to the commencement of the works and remain in situ on the site for an agreed period of time.

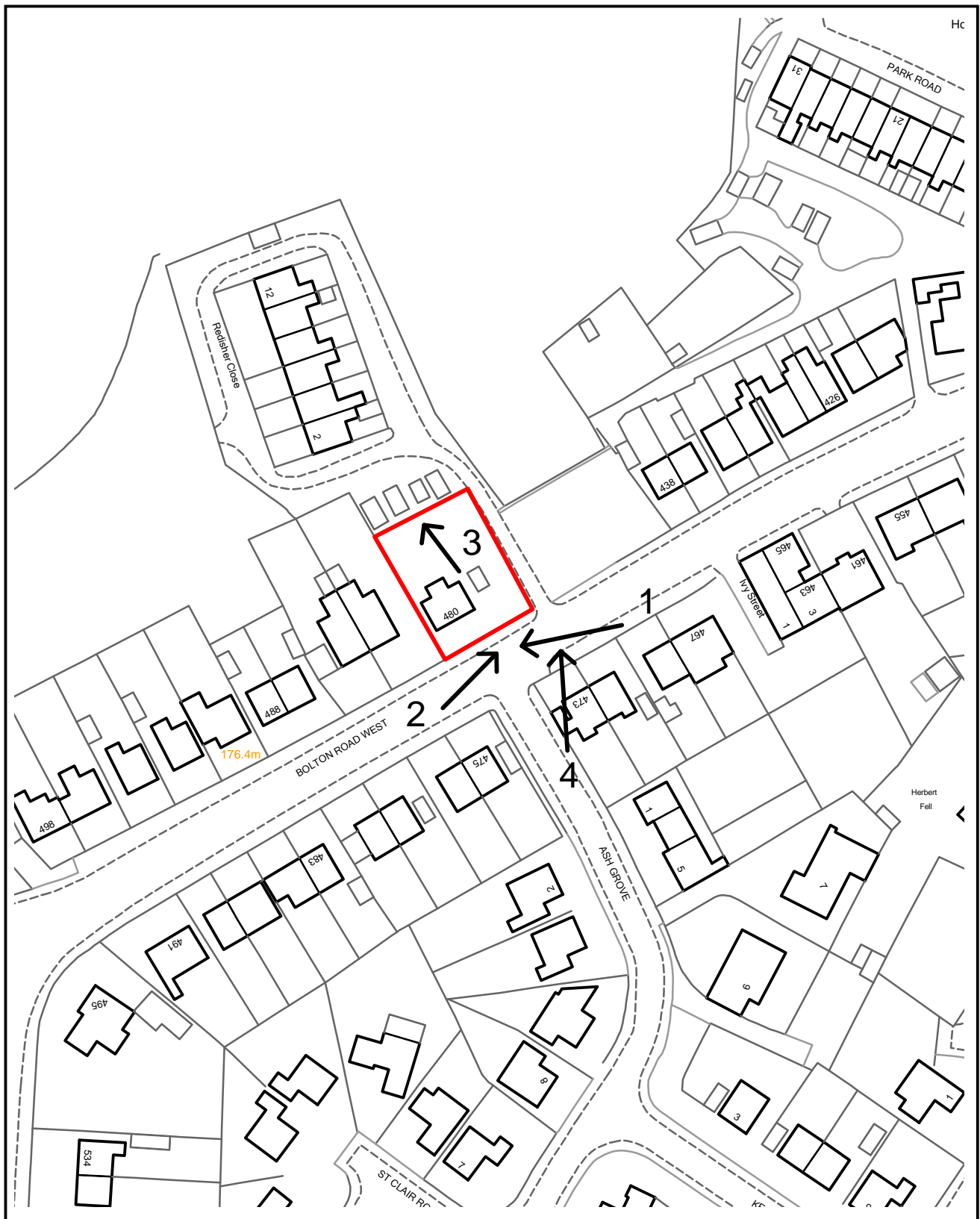
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

16. The development hereby approved shall not commence until a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved before the dwelling hereby approved is first occupied.

Reasons: To prevent pollution of the water environment pursuant to UDP Policy EN7/3 Water Pollution.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59630**

**ADDRESS: 480 Bolton Road West  
Ramsbottom**

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

59630

Photo 1



Photo 2



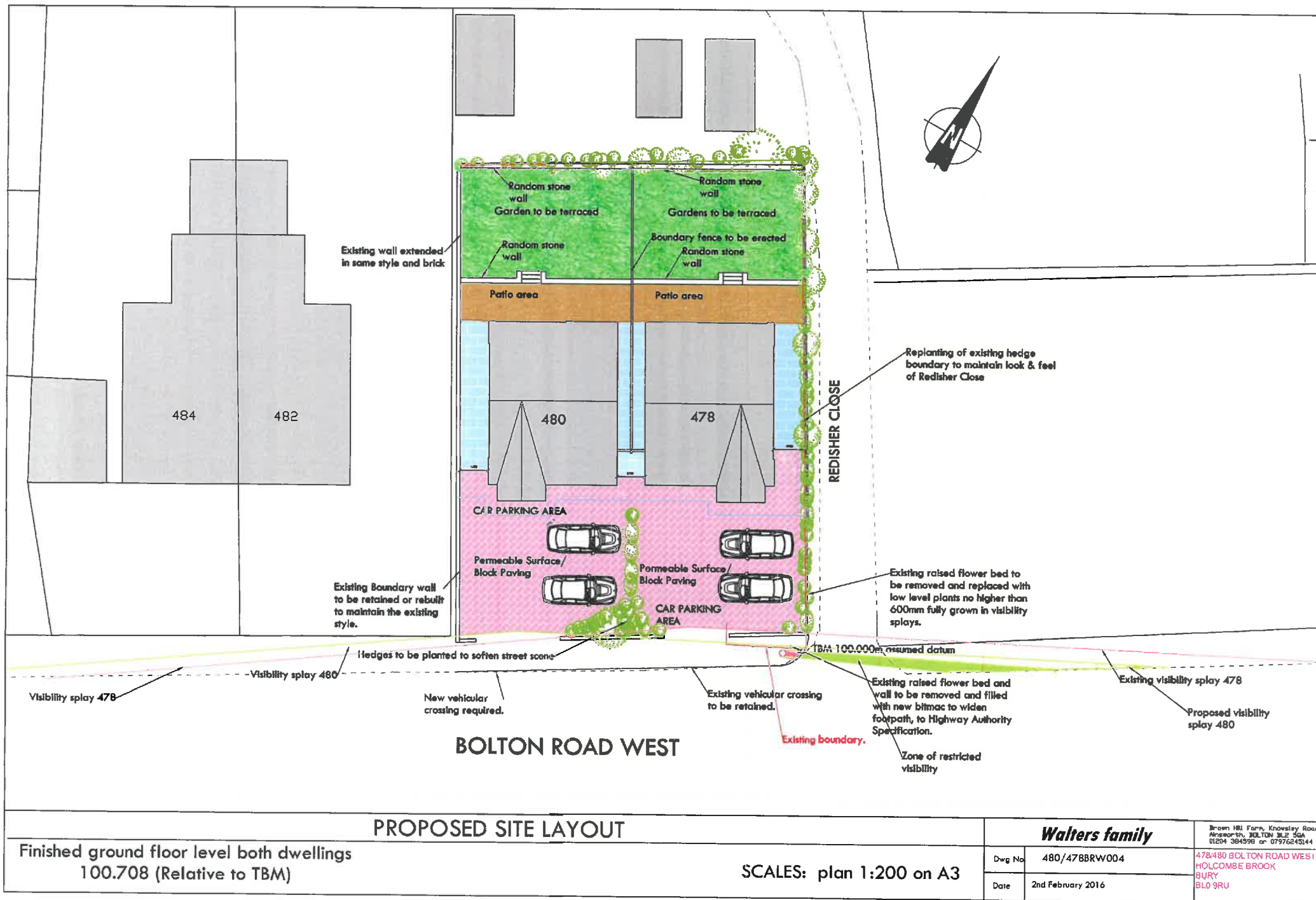


Photo 3



Photo 4



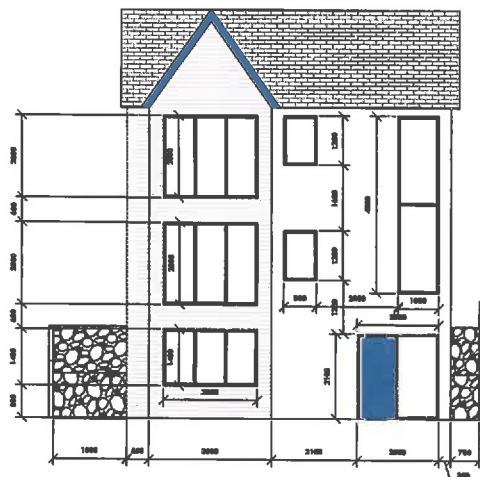


Finished ground floor level both dwellings  
100.708 (Relative to TBM)

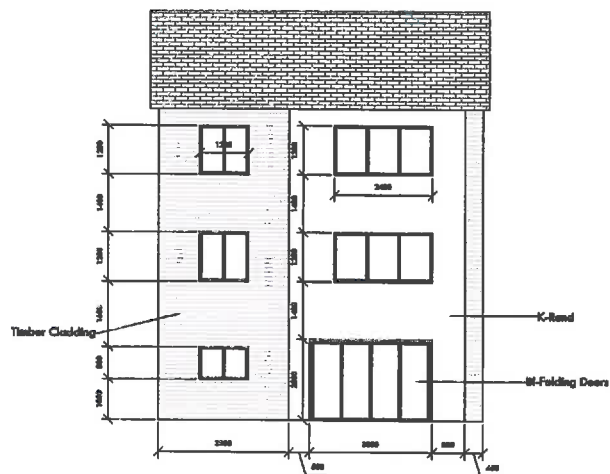
SCALES: plan 1:200 on A3

Walters family		Brown Hill Farm, Knowsley Road, Answorth, BOLTON BL2 5GA 0161 384550 or 07576615144
Dwg No	480/478BRW004	478/480 BOLTON ROAD WEST HOLCOMBE BROOK BURY BL0 9RU
Date	2nd February 2016	

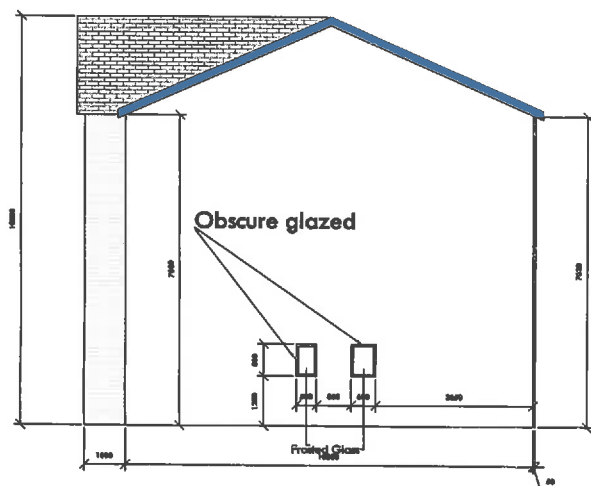




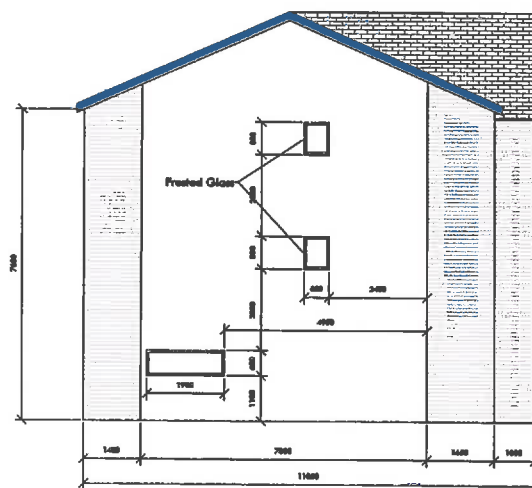
SOUTH ELEVATION



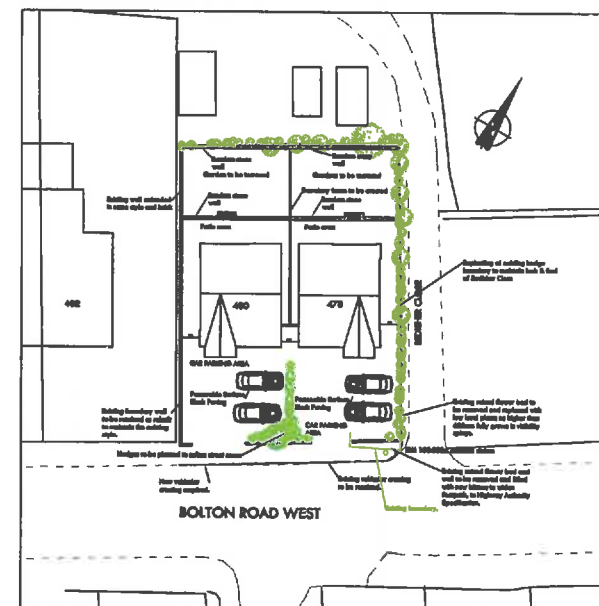
NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION



## 480 ELEVATIONS

Finished ground floor level  
100.708 (Relative to TBM)

SCALES: sections 1:125 on A3  
plan 1:500 on A3

**Walters family**

Dwg No. 480/478BRW006

Date 6th January 2016

Brown Hill Farm, Knowsley Road,  
Annesley, BURY, BL2 5GA  
01294 384596 or 07976243144

478/480 BOLTON ROAD  
WEST  
HOLCOMBE BROOK  
BURY  
BL0 9RU





## BOLTON ROAD WEST

Street Scene Line drawing

Scale 1:125 @ A3

Walters family

Dwg No. 478/480 Street Scene LD

Date 25th February 2016

Brown Hill Farm, Knowsley Road,  
Alnosworthy, BOLTON BL2 5QH  
01204 384598 or 07976643144

478/480 BOLTON ROAD  
WEST  
HOLCOMBE BROOK  
BURY  
BL0 9RU





**Ward:** Bury East - Redvales

**Item** 05

**Applicant:** Six Town Housing

**Location:** William Kemp Heaton Centre, 1 Howarth Close, Bury, BL9 9SB

**Proposal:** Demolition of existing day care centre and the erection of 60 no. extra care apartments, communal facilities and external works

**Application Ref:** 59636/Full

**Target Date:** 22/04/2016

**Recommendation:** Approve with Conditions

**The Development Manager has recommended a site visit take place before the Planning Control Committee meeting.**

### **Description**

The application relates to a 1.56 hectare site, which currently accommodates two redundant buildings, formerly used as day centres, the William Kemp Heaton Day Centre (northern area of the site) and the Howarth Close Learning Disability Centre (southern area).

There are a number of trees on the site and particularly to the south and eastern area, which form a natural boundary to the land beyond.

There are two access roads into the site, one at the top directly off St Peter's Road to the William Kemp building and the other from Howarth Close to the Disability Centre.

To the north is a cemetery, to the east and south is existing woodland beyond which is a public footpath which runs round the perimeter of this part of the site, with Goshen Sports centre and playing fields beyond. To the west is a residential estate. There is a Wildlife Corridor (UDP Policy EN6/4) to the east and Protected Recreational Land (UDP Policy RT1/1) to the south east, both of which are partially within the site.

The application relates to the southern section of the site, for redevelopment to provide a 60 No. extra care apartment 100% affordable housing scheme, with communal facilities, parking, outdoor amenity space and landscaping.

The development aims to provide high quality rented and affordable extra care self contained apartments. The principle is to offer escalating levels of 'extra care' support as residents require without having to move accommodation at a time in their life when moving is often a very stressful experience. While the care is available to the residents, the self-contained apartments in the scheme allow the residents to maintain as much independence as possible. Overall, the development seeks to address the acute need for accommodation of this type in this area of the Borough in particular and in the Borough as a whole.

The scheme would provide 24 hour staffing (8 full time and 2 part time) and a range of communal support facilities.

The development would be supported by a significant funding contribution from the HCA and would offer affordable rented accommodation.

Proposed building - The building would be 3 storeys in height, in a horseshoe type arrangement and would encompass a courtyard area and the main entrance. The front of the building would be orientated to the west, with two 'legs' or wings projecting off the end of

the central built form.

The building would comprise brick gables and parapets, two storey bay windows and a mixed palette of materials. The ground floor entrance would be defined by a glazed entrance.

Accommodation would offer 60 apartments, of 14 x 1 bed and 46 x 2 bed flats, over 3 storeys. There would be resident's lounges on the ground and first floors and a laundry facility, with staff live in quarters and care facilities. It is also proposed to provide communal facilities on the ground floor to include a bistro and hair and beauty salon, which would be open to members of the public.

Outdoor amenity space/landscaping - Extensive landscaping and gardens would be provided round the perimeter of the building and within the courtyard area, and would include tree, hedge and ornamental shrub planting, gazebo's, water features, sculptures, benches and greenhouses and shed structures. There are a number of trees which would require removing, which would be mitigated by new tree planting. The tree groups to the south and eastern areas of the site and the boundary would be retained and consolidated into the landscape proposals.

Parking and access - It is proposed to provide a total of 35 car parking spaces including 4 disabled spaces and one reserved for deliveries/emergency vehicles, which would be located along the western boundary and either side of the turning head. Access would be directly from St Peter's Road and redirected southwards into the courtyard, turning head and car park. Howarth Close would be maintained for emergency access purposes only.

### **Relevant Planning History**

01725/E - 60 No. apartment extra care scheme with communal facilities - Enquiry completed 08/01/2016

### **Publicity**

71 letters sent on 26/1/2016 to properties on Tennyson Avenue, Bronte Avenue, Scott Avenue, Goshen Lane, Bridges Avenue.

Site notice posted 5/2/16.

Press advert in the Bury Times dated 4/2/16.

One letter of objection received from a resident on Bronte Avenue, with the following issues raised:

- Why at a time of supposed austerity is the scheme being proposed, probably executed, when money could be better spent;
- Why has no attempt been made to retain the existing facilities on this site - why allowed to fall into neglect (could be regenerated);
- Extra stress placed on a small area of land;
- A more suitable site - ie brownfield at a higher elevation could be found;
- Increase in pollution due to additional traffic (area already over burdened with noise from the M66, motorway and Pilsworth industrial estate);
- Agents stated the Redbank Scheme a success - this project was constructed on a better site;
- house prices will be affected;
- restricted access/egress from the site;
- A small landscaped area will be destroyed;
- Views from properties on Bronte Avenue would be restricted;
- 34 parking spaces would create pollution;
- Rushed and ill advised scheme

The objector cannot be informed of the Planning Control Committee meeting as no house number was provided with their correspondence.

## **Consultations**

**Traffic Section** - No objection subject to conditions.

**Drainage Section** - No objection subject to condition.

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

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

**Waste Management** - Bin store capacity would suffice for fortnightly collections - to avoid capacity issues developing the strategy and frequency would need reviewing when the development is built. Informative added to advise applicant.

**Greater Manchester Police - designforsecurity** - No response received to date.

**Fire Protection Dept Bury Fire Station (Part B)** - No response received. Advisory informative note to applicant added.

**United Utilities (Water and Waste)** - No objection subject to conditions.

**The Coal Authority** - No objection.

**Greater Manchester Ecology Unit** - No objections subject to conditions and informatives.

## **Unitary Development Plan and Policies**

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/2	Special Needs Housing
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
OL5/2	Development in River Valleys
RT1/1	Protection of Recreation Provision in the Urban Area
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
HT6/3	Cycle Routes
HT4	New Development
HT5	Accessibility For Those With Special Needs
HT5/1	Access For Those with Special Needs
HT6	Pedestrians and Cyclists
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
CF1/1	Location of New Community Facilities
CF3/1	Residential Care Homes and Nursing Homes
SPD1	Open Space, Sport and Recreation Provision
SPD3	DC Policy Guidance Note 3: Planning Out Crime
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury

## **Issues and Analysis**

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

**Housing Principle** - Following revocation of the North West Regional Strategy on 20th May 2013, there is no statutory housing target for Bury. Work has commenced on the Greater Manchester Spatial Framework and this will bring forward a new statutory housing target for the Borough. This will subsequently be incorporated into Bury's future Local Plan.

In the meantime, the National Planning Policy Framework should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. There is a particular emphasis, as in previous national planning guidance, to identify a rolling five year supply of deliverable land.

UDP Policy H1/2 - Regard will be had 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.

UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development takes into consideration factors relating to the height and roof type of adjacent buildings, the impact of developments on residential amenity, the density and character of the surrounding area and the position and proximity of neighbouring properties. Regard is also given to parking provision and access, landscaping and protection of trees/hedgerows and external areas.

Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties provides useful guidance in terms of acceptable aspect standards between dwellings and design criteria.

The site is previously-developed brownfield site and in a sustainable location, being within walking distance of a main bus route on the A56. The site is directly adjacent to an established residential estate and is served by existing infrastructure. The application relates to the provision of extra care housing and would support the aims of providing this type of accommodation in the Borough.

As such, the principle is in general accordance with national and regional planning policy, would help to meet local housing targets and therefore complies with the NPPF and UDP Policy H1/2 - Further Housing Development, H2/1 – The form of New Residential Development and SPD6.

**Affordable Housing** - UDP Policy H4/2 - Special Housing Needs encourages the provision of special needs housing and proposals are assessed with regard to the proximity to community facilities, the location of health care facilities, the gradient of the site, provision of car parking and amenity space, and high standards of design, layout and landscaping. It is judged that the proposal complies with the policy as the scheme is within walking distance of local amenities, the level of car parking and amenity space is sufficient and the design and layout is to a high standard.

The proposal is for a 60 unit extra care scheme, all of which will be affordable. As such, the policy requirements in relation to affordable housing are met. Condition 17 secures the delivery of the development as Affordable Housing.

**Protected and Open Land** - The UDP shows the southern part of the site clips land which is allocated as RT1/1 - Protection of Recreation Provision in Urban Areas, EN6/4 - Wildlife Links and Corridors and OL5/2 - River Valleys. Paragraph 74 also notes the importance of existing open space, sports and recreational buildings and land, which should not be built on unless surplus to requirements, replaced by better or similar provision, or for alternative sports and recreation provision.

The application site includes a very small strip of such allocated which is already separate to the wider recreation land. This comparatively small section of land within the main Roch Valley Greenway is to the east and south of the site, and as the land is already within the existing site boundary, there would be no resultant net loss of protected land.

The role of the site within the Wildlife Corridor and wider recreation allocation would



be strengthened by the proposal and the landscaping design would be a positive response in respect of the site's river valley location.

As such, there would be no overall loss of the recreational land for the purposes of Policy RT1/1 and Paragraph 74 of the NPPF, and that the proposed landscaping and design scheme would be a positive response to the Wildlife Corridor and River Valley pursuant to Policies EN6/4 and OL5/2.

**Layout** - The layout of the development has largely been dictated by the site's physical constraints and opportunities, as well as the requirement to provide a fixed number of apartments to make the scheme viable.

There is a easement which runs diagonally through the northern part of the site, which would influence the position of the built form of the development and therefore the building would be sited in the southern area. The William Kemp area of the site had previously been considered and analysed for the proposed extra care development, but due to the existing sewer and other constraints, it proved a less viable option, although it has potential development in the future.

The footprint of the building would be orientated westwards and form a 'C' or horseshoe shape, with the central length of the building running from north to south with two wings projecting from the ends of the building towards the houses on Bronte Avenue to the west, to form a courtyard type arrangement.

The main entrance would be located centrally, defined by a large glazed frontage and linear canopy, with the courtyard in front providing a sheltered outdoor space, to provide lawned and seating areas and a pedestrian path which would lead to the parking and drop off zone.

Internally, the central area on the ground floor would contain communal areas, including the bistro and hair salon open to the public. At ground floor, the residential accommodation would be located in the 2 projecting wings, with the remaining apartments arranged across the entire 1st and 2nd floor areas.

Landscaping, communal gardens, terraces and seating areas have been shown in detail on the proposed scheme. The on site provision would offer clear benefits in terms of enhanced recreational facilities compared to the existing and would adequately serve the needs of the future occupiers as well as fulfilling the requirements of SPD1.

The existing access from St Peter's Road would be utilised and extended along the western boundary of the site to lead into the parking area and footpaths to the main entrance of the development. Parking for 35 cars would be provided linear to the new road with disabled spaces and a drop off zone conveniently located in front of the building. A turning head would enable ease for the manoeuvrability of cars, delivery and waste collection vehicles, and this has been tracked and demonstrated as achievable on plan.

A bin and bicycle store would be provided by way of an enclosed structure located in front of the southern 'leg' of the building, and this would be accessible to the waste collection team. Private landscaped amenity space would be provided at the sides and to the rear of the site and would include seating areas, gardens, greenhouses connected via accessible footpaths. Walking routes would be shown, one of which would connect to the Roch Valley Greenway to the south, which would provide residents with walking and cycling links to the wider area.

The semi mature woodland areas to the east and south of the building, which are considered to be important for their arboricultural and wildlife habitat values and which already provide a pleasant environment, would be retained and continue to contribute to the visual amenity from both within the site and when viewed from outside the site from the east.

The size of the plot is sizeable at 1.56 hectares, and as the proposed layout demonstrates, would comfortably accommodate the density and scale of the development, without compromise to either future occupiers or users of the site, or the surrounding residencies and infrastructure.

As such, the proposed layout of the scheme is considered to be acceptable and would comply with UDP Policies H2/1, H2/2, EN1/2 and CF1/1.

**Design, scale and appearance** - The scale and design process has largely been driven not only by the need to deliver a viable and feasible scheme, but one designed to meet the needs of the future occupiers, including sufficient external provision, ancillary works and infrastructures and which would also maintain acceptable relationships to the adjacent residential properties.

The resulting 3 storey building comprises a contemporary appearance and has been designed so as not to appear "institutional", but would reflect the domestic nature of the proposed scheme. The building mass would be broken down with gables and parapets, to articulate the roofline, whilst projecting bays and design features would maintain the vertical emphasis and rhythm across the frontage. The bay windows over the living rooms would provide natural light into the apartments.

The main entrance would be defined by a simple porch structure and there would be level access into the building. The glazed frontage would define the entrance and also provide natural light and promote an open feel to the communal areas.

A mixed palette of materials of two contrasting facing bricks, render, composite panels, facing features and grey roof would further endorse a domestic use and scale.

As such, it is considered the proposed building would offer an attractive and well designed solution in providing a quality scheme and be in compliance with H2/1, H4/2 and EN1/2.

**Residential amenity** - There are no aspect standards for this type of development. However, Supplementary Planning Document 6 contains supplementary guidance on householder extensions and is a useful yardstick when assessing relationships to new residential development. Generally, a separation of 20m is required between facing habitable room windows of 2 properties, and 13m between a principle ground floor window and 2 storey blank wall. Where there is a difference in levels between 2 properties, additional separation would be sought.

A separation distance of 23m between a 3 storey building and 2 storey property would therefore be required.

There would be a separation distance of 23.6m between the southern wing of the new build and 34m between the northern wing of the new build to the houses on Bronte Avenue, and as such aspect standards would be satisfied.

There are no other properties surrounding the site that would be affected by the position of the new build in terms of aspect standards.

There would be a 2.1m high timber boarded fence and tree planting between the western boundary of the site and the rear gardens of the houses on Bronte Avenue, which would provide some screening and privacy between the site and these houses.

There is currently an access to the southern part of the site along Howarth Close, between Nos 69 and 71 Bronte Avenue, which would have been use by staff and visitors to the site. previously. It is proposed to use this road as an emergency access only to the site. Removable bollards would be erected at the top of Howarth Close to ensure access by any other vehicle would be restricted. This would be of benefit to the residents who live on Bronte Avenue, as there would be no traffic generated as a result of the development.

As such, it is considered that the siting of the new building and the proposed layout and infrastructure would not have a detrimental impact on the amenity of local residents and the development would be carried out in accordance with UDP Policy H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development and SPD6.

**Parking** - There are no specific parking standards for this type of development, falling neither within a purely residential or sheltered housing scheme. The application proposes to provide 35 space spaces in total including 4 disabled spaces and one allocated for deliveries and emergency vehicles.

The proposed development is similar to other schemes which have been carried out in the Borough, where policy expectations for parking would be much lower, given it would be directed towards the older age group where it is accepted that residents of this type of accommodation are less likely to be car owners.

Some of the spaces would be occupied by the 8 members of staff, but this is likely only to equate to a few at any one time, as this sort of care generally operates on a shift pattern. Some staff may also live locally, and either walk or choose to travel by public transport.

Whilst it is also proposed to make available the facilities of the bistro and salon to members of the public, it is envisaged that the facilities are more likely to be used by local people, who would either walk or use public transport. This element of the development would be relatively small in comparison to the overall scheme and the vision of how the facilities would be used. It is anticipated there would not be a significant numbers of public who would visit the premises at the same time. Salons also tend to operate by a booking system only, and as such numbers could be controlled.

The site is considered to be in a high access area, in close proximity to one of the main routes through the Borough where there are frequent public bus services. The Highway's section have raised no objection to the proposals and it is considered that the parking provision would satisfactorily serve this type of development, without the likelihood of spilling/using the surrounding houses, and as such would be in compliance with H2/2 and HT2/4.

**Access** - Access into the development would be from St Peter's Road and this would follow the western boundary of the site which would lead to the car park and turning area. Howarth Close would be used as an emergency access only, restricted by a set of bollards.

St Peter's Road is an untypically wide residential street, which is used to serve a cemetery and the housing estate. It is considered more than capable of accommodating the traffic generated by the proposed scheme, given expected car ownership would be lower than average.

As such, access proposals are considered to be acceptable and comply with H2/2 - the layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Access.

**Footpaths** - It is proposed to provide a pedestrian access from the south of the site to the public footpath which runs round the perimeter of the site. This would be gated and locked, and for use by the residents and visitors to the site only. This is in the interests of maintaining security and to restrict members of the public being able to walk unaccompanied through and around the site.

Although there are no public rights of way recorded across the site, there is an existing pedestrian trodden route from St Peter's Road along the northern boundary to the Roch Valley recreation area. This would be maintained to permit connectivity through the site.

The Footpath Officer has raised no objection to the proposed development, and as such the proposal would accord with OL5/2 and RT3/4.

**Trees** - The site is well vegetated, with a mix of mature, semi mature and self seeded species. The main planting areas are found along the east and southern boundaries, forming a woodland and are particularly important for their arboricultural and wildlife habitat values and would be retained and consolidated in the landscape proposals.

There are however, a number of trees within the site, which would require removal to facilitate the footprint of the proposed building and the access road into the site.

An Arboricultural Report has been submitted with the application which identifies 74 trees would be removed, 7 of which are category U and should be removed regardless, and the majority either Category B or C. The proposal shows a total of 88 replacement trees.

The proposed landscaping scheme would incorporate extensive landscaped gardens and outdoor facilities for the residents of the scheme, and includes native trees of appropriate species and maturity.

As such, it is considered that any trees removed would be more than mitigated by the replanting and landscaping scheme, and as such considered to be acceptable and comply with chapter 11 - Conserving and enhancing the natural environment.

**Ecology** - The application has been submitted with an Arboricultural Report, Ecological Appraisal and Bat Survey Reports, and GMEU consulted on the findings.

Bats - Both buildings have been surveyed and no evidence of bats was found for either building. GMEU recommend an informative be included advising the applicant of appropriate measures should bats be found during demolition.

Badgers - No evidence of badgers were found at either site, and advise that a note be added informing the applicant of their duties under the protection of Badgers Act 1992.

Invasive species - No evidence was found on site, although Himalayan balsam and Japanese knotweed are present nearby on the River Roch. The applicant would be advised of precautionary measures required under the Wildlife and Countryside Act 1981.

Nesting birds - The development would result in the loss of trees and shrubs which currently offer potential bird nesting habitat. A condition is therefore recommended to restrict the timing of removal of vegetation, unless written confirmation is received from an experienced ecologist.

Ecological mitigation - The majority of the ecological interest would be retained. The development proposes a detailed landscaping scheme, which is considered acceptable by GMEU and would be conditioned as such.

**Planning obligations** - SPD1 advises that the Council may accept the provision of on-site amenity land in the form of landscaping and benches rather than an off-site contribution towards the enhancement of existing open spaces for category C3 schemes depending on the circumstances of the scheme. It is considered that the application provides a more than sufficient amount of on-site amenity land to satisfy SPD1 in the form of a linked green corridor and associated garden areas which surround 3 sides of the development and includes a wide range of seating opportunities and communal areas. Consequently, an off-site contribution is not required.

As referred to above, the proposed gardens also offer access from the gardens for residents of the scheme to Roch Valley Greenway. In addition to recreational enhancements this has other benefits for wider green infrastructure links and for the health of older people.

As such, the proposed on site recreation provision is considered to be acceptable, and

would comply with RT2/2 and SPD1.

**Response to objector -**

- Funding of the scheme is not a material planning consideration.
- The existing buildings are no longer fit for purpose, and the facility is surplus to requirement.
- The site is brownfield land, of a sufficient and adequate size to accommodate the building and infrastructure.
- The scale of the development would not lead to a significant increase in pollution or traffic, as described above.
- Effects upon house prices are not a material planning consideration.
- Access would be adequately served by St Peter's Road.
- Acceptability of schemes are considered on their own planning merits, and the nature of this site and its constraints are relevant, not those of Red Bank.
- issues with regards to landscaping, impact on residential amenity and parking 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 Paragraphs 186-187 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 863 A - 000; 001; 002 B; 003; 004 C; 005; 006; 007 B; 008; 009; 010; 011; 012; 013; 014; 015; 016 B; 017 B; -18 Rev A 020;030.  
Topographical Survey 2016/3  
Swept path analysis - NW91375\_001 A; NW91375\_002 A;  
Landscaping - DEP Landscape - 3306 01 B; 3306 02 Rev B (colour)  
Planning Statement January 2016; Design and Access Statement January 2016;  
Arboricultural report AIA and AMS January 2016; Bat Emergence Survey Urban Green August 2015; Bat Survey Report Urban Green January 2016; Preliminary Ecological Appraisal Urban Green May 2015; Preliminary Ecological Appraisal Urban Green August 2015; landscape Strategy Document 3306.03 January 2016;  
Crime Impact Statement 19/11/15 Ref 2015/0964/CIS/01 Transport Statement NW91375 002 001 4/12/2016; Flood Risk Assessment June 2015;  
and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. No development shall commence unless and until:-
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;

- Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

5. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and; The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

6. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

7. No works to trees or shrubs shall occur and no demolition commence between 1st March and 31st August in any year unless a detailed bird nest survey by a suitable



experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

8. The landscaping schemes hereby approved shall be implemented not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.  
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
9. All trees to be retained on site, and detailed in the Arboricultural Report January 2016 by Urban Green, shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.  
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
10. Notwithstanding the details indicated on approved plan references 863 A 002 Revision A & 863 A 003, no development, other than the demolition of the buildings within the curtilage of the site, shall commence unless and until full details of the following have been submitted to and approved by the Local Planning Authority:
  - Extension of St. Peter's Road to an approved specification;
  - Formation of the proposed residential estate road and turning head to a specification to be agreed, incorporating the provision of the secondary emergency access link onto Bronte Avenue replacing the unadopted access known as Howarth Close, removable bollard provision and all associated highway and highway drainage remedial works at the interface with the adopted highway;
  - Full details of the relationship between the proposed highways to be adopted and the existing sewer that crosses the site, including measures to accommodate surface water drainage, foul sewerage and all statutory undertakers plant within the easement identified;
  - A scheme of traffic calming measures on the proposed adopted highways to a scope to be agreed including details of proposed materials, road markings and signage as required;
  - Revised footway arrangements at the interface between the proposed southerly turning head and car park access;
  - Provision of a street lighting scheme/assessment for the proposed development access roads including the secondary emergency access link onto Bronte Avenue and at the interfaces with the existing adopted highway;
  - Provision of long sections and cross sections at positions to be approved through the proposed estate roads and turning heads to ensure adoptable gradients can be achieved on the proposed adopted highways;
  - Provision of forward visibility at the bend in the proposed residential estate road

in accordance with the standards in Manual for Streets appropriate for a design speed of 20mph with no obstructions above the height of 0.6m within the envelope to be plotted;

- Swept path analysis of the proposed estate roads to ensure a refuse collection vehicle can pass a private car and manoeuvre at both turning heads.

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

Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, HT4 - New Development; HT6/2 - Pedestrian/Vehicular Conflict.

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

- Access route for demolition/construction traffic from the highway network via St. Peter's Road/Manchester Road;
- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site or on land within the applicant's control of operatives' and demolition/construction vehicles together with storage on site of construction materials.

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

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets and ensure adequate off street car parking provision and materials storage arrangements for the duration of the demolition/construction period, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT4 - New Development.

12. No development other than the demolition of the buildings within the curtilage of the site, shall commence unless and until details have been submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.

Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations, pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

13. Other than emergency access purposes, there shall be no direct means of vehicular access between the site and Bronte Avenue.

Reason. To ensure good highway design in the interests of road safety and in the interests of residential amenity pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

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

Reason. To ensure the intervisibility of the users of the site and the adjacent

highways in the interests of road safety pursuant to Bury Unitary Development Plan Policies HT2/2 - The Layout of New Residential development and HT6/2 - Pedestrian/Vehicular Conflict.

15. Minimum parking bay lengths of 5.0m shall be provided to the written satisfaction of the Local Planning Authority and thereafter maintained.  
Reason. To allow adequate space to maintain a vehicle clear of the highway, in the interests of pedestrian safety pursuant to Policies HT2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan.
16. Details/Samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.  
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 Townscape and Built Design and H2/1 - The Form of New Residential Development.
17. The development hereby approved shall only be developed by or on behalf of the applicant as an affordable housing scheme.  
Reason. The proposed development has been granted given the particular circumstances of the applicant following a funding package from the Home and Counties Agency (HCA) which provides an opportunity to promote increased affordable housing within the Borough and is therefore compliant with Bury Unitary Development Plan Policy H4/1 - Affordable Housing and SPD 5 - Affordable Housing Provision in New Residential Developments. This condition is required to prevent the development being subsequently built as private housing, without any affordable provision, which would not comply with Policy H4/1.
18. No development shall commence unless and until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. The proposed scheme must be in accordance with the submitted SuDS Statement and Flood Risk Assessment and be based on the hierarchy of drainage options in the national Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should be provided. The approved scheme only shall be implemented and thereafter maintained.  
Reason. The current application contains insufficient information regarding the proposed drainage system to fully assess the impact. In the interests of sustainable development pursuant to chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
19. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the first occupation of the building.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/1 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
20. Details of the proposed on site recreation provision and a timetable for it's implementation, including details of the gated access for the use of the occupiers only, shall be submitted to the Local Planning Authority for approval prior to the commencement of the development. The approved details and timetable only shall thereafter be implemented.

Reason. To ensure adequate recreational facilities are provided to accommodate the recreational needs of the occupiers of the development, pursuant to Bury Unitary Development Plan Policy RT2/2 - Recreation Provision in New Housing Development.

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



## PLANNING APPLICATION AERIAL PHOTO

**APP. NO 59636**

**ADDRESS: William Kemp Heaton Centre  
1 Howarth Close**

**Bury  
Planning, Environmental and Regulatory Services**



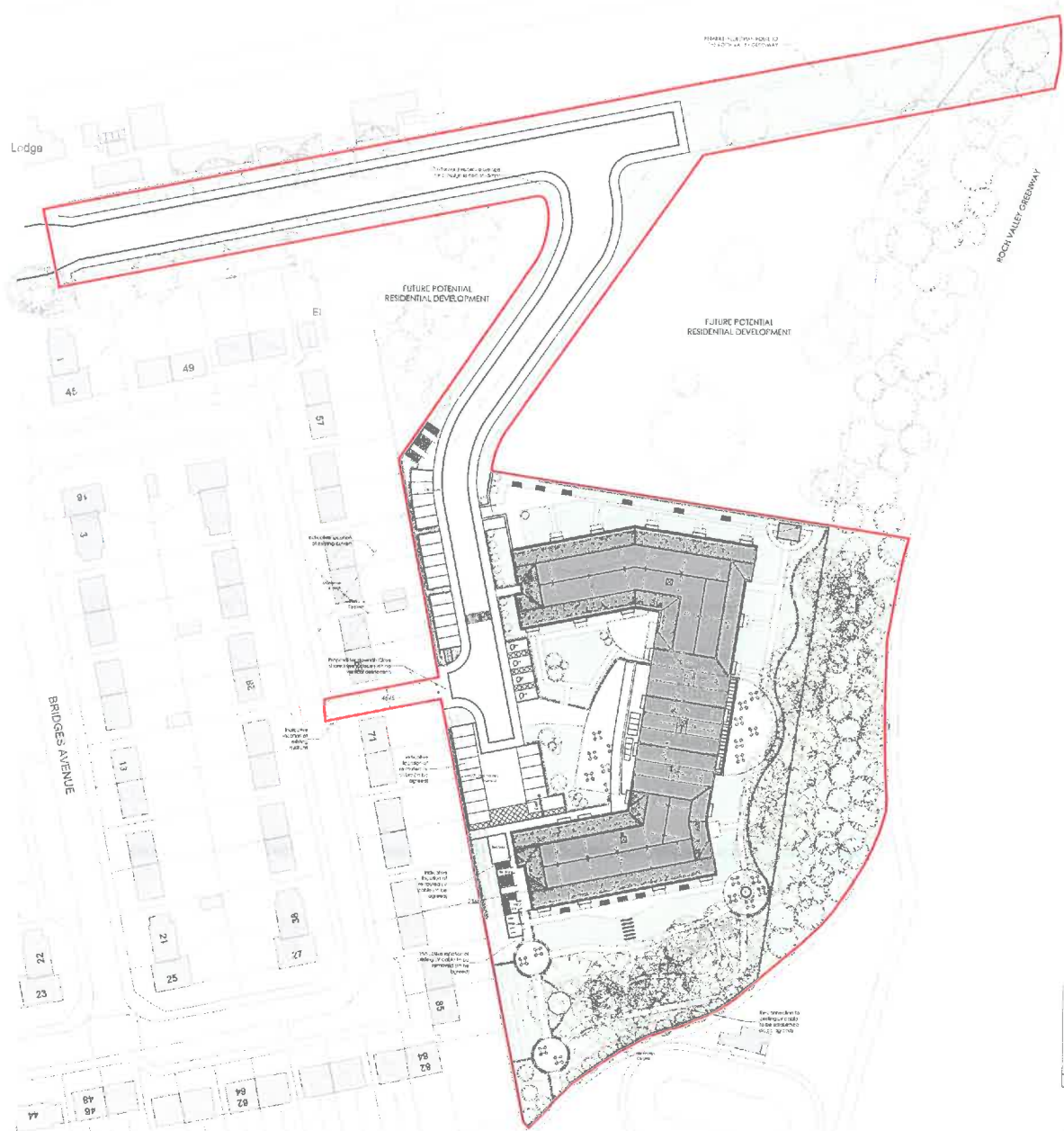
**Bury**  
COUNCIL

**(C) Crown Copyright and database right (2013). Ordnance Survey 100023063.**



**Notes**

1. All dimensions are in metres unless otherwise stated.  
 2. The site is shown in plan view only. No section or elevation views are provided.  
 3. The site is shown in plan view only. No section or elevation views are provided.  
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 10. The site is shown in plan view only. No section or elevation views are provided.



Rev	Description	Date	By
1	Preparation of Rock Valley Greenway and Rock Valley Road Public Consultation Agreement	28/02/2014	JJ
2	Final Public Consultation Agreement	07/01/2015	JJ

**Jennings Design Associates**  
 ARCHITECTS

C	Concept	G	Render
D	Planning	J	Construction
E	Building Stage	L	Architectural
F	Production	Sx	Sketch

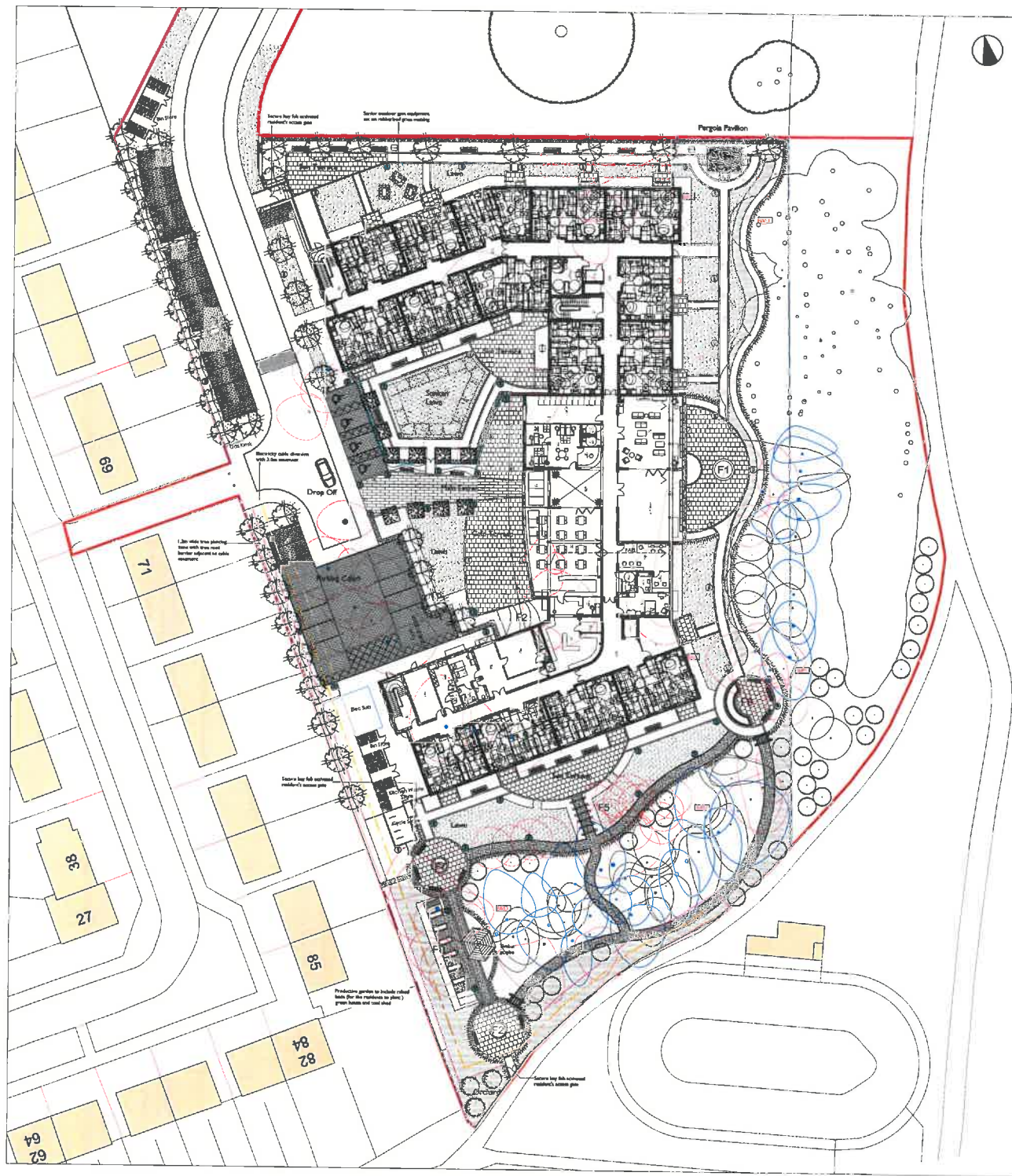
Architects, Designers, Project Managers  
 The Warehouse, Saxon Street, Denon, Manchester M3 3DS  
 Tel: 0161 324 3511 F: 0161 324 6319 E: jennings@jenningsdesign.co.uk

**Six Town Housing**  
 Six Town Extra Care, Haworth Road, Bury

1:500	Scale	02/12/2015	NS	JA
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BAS	A	002	Proposed Site Plan	B
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## LEGEND

### FEATURES

- F1 - Self contained stainless steel water feature subject to specialist design
- F2 - Wood carved sculpture
- F3 - Timber benches 1800mm wide
- F4 - Timber arch
- F5 - Timber pergola
- F6 - Arched arbore
- F7 - Self contained stone water feature subject to specialist design
- F8 - Raked gravel
- Proposed timber pergola with a deck floor and seating

### SOFT WORKS

- Existing trees to be retained (Blue Circle 8, Grey Circle 7)
- Existing trees and hedges to be removed
- Proposed extra heavy standard native street tree planting 14-15cm girth, underground geyed
- Proposed native multi tree planting 8-10cm girth, staked
- Proposed native tree butler planting 8-10cm girth, staked
- Proposed native box headed planted trees 18-20cm girth, underground geyed
- Proposed lawn
- Proposed spring and summer bulb planting
- Proposed native hedge planting
- Proposed ornamental shrub planting with specimen shrubs at key locations

### HARDWORKS

- Formic access road, pavements and driveways to engineer's details
- Hickory Tapete 200 (local Cedar) 200x100x80mm block paving by Tobemore (or similar approved) to parking bays and parking cover
- Gravelly buff concrete paving 450x 65 x 30mm (80mm where vehicular access is likely) by Hardscape (or similar approved) with concrete block edge
- Gravelly buff concrete paving 450x 65 x 30mm by Hardscape (or similar approved) with concrete block edge
- Permeable formic circulation paths with concrete block edge 250mm 173x173x 80mm by Tobemore (or similar approved)
- Permeable formic circulation paths with concrete block edge 250mm 173x173x 80mm by Tobemore (or similar approved) with concrete block edge
- Informal bank match path walk way beneath woodland canopy
- Treated softwood timber sleeper raked brick - 2 sleepers high (450mm high)
- Green house 2.4 x 1.8m
- Timber shed 2.4 x 1.8m
- Rotary washing line

### LIGHTING

- Indicative locations for low level bollards
- Indicative locations for solar spot uplighters

NB: All external lighting to include security and building lighting and is subject to outline and detailed design by the lighting engineer.

### ECOLOGY

- 4 x Bat Boxes to be supplied and installed on the proposed tree planting (exact location subject to advice from the project ecologist). To be 1400 Schwinger Arctura (Bat boxed boxes) from www.nhbs.com
- 2 x Bat Boxes to be supplied and installed on the building (exact location subject to advice from the ecologist). To be 1100 Schwinger Bat Box with Built-in Wooden Rear Panel (Bat boxed boxes) from www.nhbs.com



### BOUNDARY TREATMENTS

- 2100mm high mild steel fencing
- 2100mm high high top railings
- 2100mm high close boarded fence
- 2100mm high brick boundary wall
- 2100mm high secure key hole reinforced residents access gates
- Electrically cable diversion with 3.0m extension and proprietary root barrier
- Site boundary

NB: BOUNDARY TREATMENTS TO BE CONFIRMED BY SURVEY BY DESIGN



dep LANDSCAPE ARCHITECTURE LTD  
BLACKFRIARS HOUSE, PARSONAGE  
MANCHESTER, M2 3JA  
T: 0161 2415578  
E: info@dep.co.uk  
W: www.dep.co.uk

Cat: Six Town Housing

Project: Six Town Extra Care, Hayworth Close, Bury

Description: Landscape Proposals

Status: Planning

Scale: 1:200 @ A0  
Drawn: RM  
Job number: 3306  
Drawing number: 01  
Date: Jan 16  
Revision: B

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Rev B: Amendments to boundary planting and growing area to reflect cable diversion easement. Secure access gates shown 01.03.16/18

Rev A: Amendments to parking materials following engineer review 19.01.16/18

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**Notes**

1. All dimensions are in feet and inches.

2. All dimensions are to the center of the wall unless otherwise noted.

3. All dimensions are to the center of the column unless otherwise noted.

4. All dimensions are to the center of the door unless otherwise noted.

5. All dimensions are to the center of the window unless otherwise noted.

6. All dimensions are to the center of the staircase unless otherwise noted.

7. All dimensions are to the center of the elevator unless otherwise noted.

8. All dimensions are to the center of the ramp unless otherwise noted.

9. All dimensions are to the center of the parking space unless otherwise noted.

10. All dimensions are to the center of the loading dock unless otherwise noted.

11. All dimensions are to the center of the storage area unless otherwise noted.

12. All dimensions are to the center of the office space unless otherwise noted.

13. All dimensions are to the center of the retail space unless otherwise noted.

14. All dimensions are to the center of the restaurant space unless otherwise noted.

15. All dimensions are to the center of the bar space unless otherwise noted.

16. All dimensions are to the center of the lounge space unless otherwise noted.

17. All dimensions are to the center of the gym space unless otherwise noted.

18. All dimensions are to the center of the pool space unless otherwise noted.

19. All dimensions are to the center of the spa space unless otherwise noted.

20. All dimensions are to the center of the sauna space unless otherwise noted.

21. All dimensions are to the center of the hot tub space unless otherwise noted.

22. All dimensions are to the center of the steam room space unless otherwise noted.

23. All dimensions are to the center of the massage room space unless otherwise noted.

24. All dimensions are to the center of the treatment room space unless otherwise noted.

25. All dimensions are to the center of the reception area space unless otherwise noted.

26. All dimensions are to the center of the waiting area space unless otherwise noted.

27. All dimensions are to the center of the lobby space unless otherwise noted.

28. All dimensions are to the center of the entrance space unless otherwise noted.

29. All dimensions are to the center of the exit space unless otherwise noted.

30. All dimensions are to the center of the fire escape space unless otherwise noted.

31. All dimensions are to the center of the fire alarm space unless otherwise noted.

32. All dimensions are to the center of the fire extinguisher space unless otherwise noted.

33. All dimensions are to the center of the fire hose space unless otherwise noted.

34. All dimensions are to the center of the fire alarm pull station space unless otherwise noted.

35. All dimensions are to the center of the fire alarm control panel space unless otherwise noted.

36. All dimensions are to the center of the fire alarm notification appliance space unless otherwise noted.

37. All dimensions are to the center of the fire alarm control unit space unless otherwise noted.

38. All dimensions are to the center of the fire alarm control panel space unless otherwise noted.

39. All dimensions are to the center of the fire alarm control panel space unless otherwise noted.

40. All dimensions are to the center of the fire alarm control panel space unless otherwise noted.



**Proposed Ground Floor Plan**  
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Architects

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1 : 100

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Education		
Income		
Usage		
Satisfaction		
Loyalty		
Recommendation		

Architects: Cadegans, Project Managers								
The Workshop, Green Street, Daresbury, Macclesfield, M24 3EQ								
TEL: 01625 861444 FAX: 01625 861445 <a href="http://www.cadegans.co.uk">www.cadegans.co.uk</a>								
See Planning								
See Green Entry, County, Humberston, Green, Bury								
Planning								
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Jennings Design Associates  
Architects

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Jennings Design Associates  
Architects

Architect's Credentials Form for Monitors				
The Washington State Board of Architectural Monitors				
Small Business and Non-Profit Organizations				
Name: <u>Joe Thomas Hargraving</u>				
Address: <u>Box 10000, Everett, WA 98201</u>				
Phone: <u>425-336-1111</u>				
Fax: <u>425-336-1111</u>				
E-mail: <u>Joe.Hargraving@verizon.net</u>				
Signature: <u>Joe Hargraving</u>				
Date: <u>10/11/2011</u>				



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North Elevation 01  
1:100

**North Elevation 02**  
1 : 100



**South Elevation**  
1 : 100

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Architects

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**Ward:** North Manor

**Item** 06

**Applicant:** Bury Council - Children, Young People & Culture

**Location:** Summerseat House, Summerseat Lane, Ramsbottom, Bury, BL0 9UD

**Proposal:** Listed Building Consent - Internal and external alterations of Summerseat House and including stable block, kitchen/dining block and link detached teaching block to create a development & training centre (DTC); Demolition of detached single storey teaching block and addition of new enclosed link corridor, associated car parking works for 114 spaces and landscaping

**Application Ref:** 59645/Listed Building  
Consent

**Target Date:** 17/03/2016

**Recommendation:** Approve with Conditions

**This item has been recommended for a site visit by the Development Control Manager**

### **Description**

Summerseat House (1836) is a Grade II listed building and lies within large landscaped grounds covering 3.4 hectares and lies to the south of Ramsbottom. The site is on the north side of Newcombe Road at its junction with Summerseat Lane. There are residential properties to the west and east and more open land to the north and south. In addition to being a listed building, the site lies within the Green Belt and a Special Landscape Area and is within Summerseat Conservation Area.

The house was originally a domestic dwelling, and remained largely unaltered until 1911, when the then owner gifted it to Manchester Corporation to serve as a girls' school. Bury Council purchased the site from Manchester in the mid 70's when it continued as an educational centre.

The current application comes about as the pupil learning centre, which was until recently accommodated on the site, has been relocated. It is proposed to continue its educational function by using the buildings as a training and resource facility for educational staff. There would be a total of 10 full time equivalent employees. This compares with the previous school use having 51 staff on site.

Hours of opening would be 0900 - 2100hrs Monday to Friday and 0900 - 1700hrs Saturdays. Closed on Sundays and Bank Holidays.

Due to its previous educational use, the proposal does not involve a great deal of internal alteration. The most significant changes involve the following:

### Buildings

- Demolition of the modular classroom at the rear of the site.
- Enclosing the existing covered walkway and raising the roof slightly on the 1970's extension (between the house and the stable block) on one side of the rear courtyard.
- A number of windows to be replaced in the same sash and case style but with improved insulation.
- Replacement doors to the stable block.
- Restoration of a number of architectural details that were defective or have deteriorated.

### Grounds

- Revisions to the internal access road.

- Laying out of a new car parking scheme (114 spaces).  
Landscaping scheme including the removal of some 16 trees and the replanting of 20 additional trees around the site.

### **Relevant Planning History**

01625/E - Training centre with new car parking; Alterations to listed building - Enquiry completed 27/04/2015

59596 - Internal and external alterations of Summerseat House and including stable block, kitchen/dining block and link detached teaching block to create a development & training centre (DTC); Demolition of detached single storey teaching block and addition of new enclosed link corridor, associated car parking works for 114 spaces and landscaping - Undecided

### **Publicity**

Press Notice in Bury Times 28/01/2016.

Site notice posted 01/02/2016.

The following 67 residents were notified by letter dated 22/01/2016.

2-6, 14, 44 - 66(evs) Robin Road, New Summerseat House, 155, 157, 160 - 168, 178, 180, 239 Summerseat Lane. 17, 19 Waterside Road, Summerseat Dye Works, 1-9 (odd) Railway Street, Peel Hall Peel Hall Road, 1 - 6 Mosley Avenue, 1 - 6, 8 and 10 Harcles Drive, 59, 84 - 90(evs) Newcombe Road, 2 - 10 Hamer Street, 28 - 38 Higher Summerseat and Holcombe Brook Sports Club Hazel Hall Lane.

Objection received from the occupier of 160 Summerseat Lane on grounds of increased traffic generation, too many parking spaces and tree loss.

Ward Councillor Daly objects to the 'huge number of car parking spaces and the destruction of grassed areas around Summerseat House in the Green Belt to allow the said to be built. I do not believe the road network around the site can cope with such a large increase in traffic which appears to be on a daily basis.'

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

### **Consultations**

**Historic England** - The proposed alterations to the listed building itself are considered appropriate and are in line with the NPPF. Whilst the proposed parking layout option is the most sensitive of the options considered, it will inevitably result in a level of harm occurring to the setting of the listed building, which would be difficult to mitigate regardless of layout. There is a question over whether the proposed use is consistent with the conservation of the heritage asset (NPPF para.131). It is considered that the harm caused would be less than substantial in terms of paragraph 134 of the NPPF, but that the harm would be notable and long term. It is therefore for the Local Planning Authority to weigh this harm against the public benefits of the scheme, including securing its optimum viable use.

**Ancient Monuments Society** - No comment to date

**Council for British Archaeology** - No comment to date

**The Georgian Group** - No comment to date

**Society for the Protection of Ancient Buildings** - No comment to date.

**The 20th Century Society** - No comment to date.

**The Victorian Society (London)** - No comment to date

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

OL1	Green Belt
OL5/2	Development in River Valleys
EN9/1	Special Landscape Areas
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings

## Issues and Analysis

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

**Principle** - Given the previous well established educational uses on the site, the use of the buildings for adult training and educational purposes is considered acceptable. There is no actual change of use involved and therefore its use as a training centre is not under consideration. The accompanying development of the car parking, demolition and extensions are development requiring planning permission. These issues are discussed below.

**Impact on Heritage, Listed Building and character of the Conservation Area** - S66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCAA) requires Local Planning Authorities to consider the desirability for the preservation and enhancement of conservation areas and listed buildings including their setting.

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The NPPF in paragraph 131, states that Local Planning Authorities, in determining planning applications, should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets;
- the contribution conservation of heritage makes to communities and their economic vitality;
- the contribution new development makes to local character and distinctiveness.

The NPPF goes on to state in paragraph 133, that where a proposed development will lead to substantial harm to, or total loss of, a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Where a development proposal will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.

UDP Policy EN1/1 Visual Amenity states that development will not be permitted where proposals would have a detrimental effect on:

- a) public views of prominent or important buildings, especially those in areas of architectural or historic interest;
- b) the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

#### Policy EN2/1 Character of Conservation Areas

The Council will take action as appropriate to preserve or enhance the character or appearance of the Borough's Conservation Areas.

The Council will be especially concerned with encouraging and, where appropriate, implementing measures to:

- a) retain, replace and restore features of historical and architectural interest;
- b) retain and enhance existing landscape features including trees, parks and gardens;
- c) initiate and promote environmental improvement/enhancement schemes such as landscaping, refurbishment of street furniture, traffic management and pedestrian schemes;
- d) remove dereliction and bring unused land or buildings back into beneficial use;
- e) prepare and promote design guidelines to ensure sympathetic development.

Policy EN2/3 - Listed Buildings aims at safeguarding the character and setting of Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features.

In considering applications for Listed Building Consent, the Council will have regard to the following criteria:

- a) the impact of the proposal on the historic fabric of the building;
- b) the relationship of any extension to the Listed Building in terms of its height, size, design, and roofscape;
- c) the need to protect the setting of the Listed Building;
- d) the impact of associated ancillary facilities and infrastructure works.

In assessing these proposals in terms of the grade II listed building, there are three main elements to consider -

- the alterations to the building,
- impact of the access road and parking on the trees and
- the impact of the scheme on the setting of the listed buildings.

#### **Alterations to the Buildings.**

In terms of the alterations to the building, the proposed programme of renovation works, externally, is not extensive. The most significant change relates to the 70's link extension which would have its roof replaced and its covered walkway enclosed to improve movement through the property. The proposals would involve the replacement of the roof and the enclosure of the walkway to create an internal space. The overall appearance of this walkway would be modern and contemporary in appearance and it would be easily understood that this would be a modern intervention. The design would not challenge the historic fabric or appearance of the main building and would be a successful intervention.

The scheme includes some replacement windows, which are considered appropriate in terms of design and historical accuracy. All the external works would be carried out with suitable materials that would match and compliment the existing building and would be of appropriate Georgian approach to the numbers of panes and sash style opening. The building works would undoubtedly conserve and enhance the site's heritage value as well as improving its economic viability. Historic England in their assessment of this element of the proposal, consider that the alterations to the buildings are appropriate and in line with guidance within the NPPF.

**Impact on Landscape and Trees** - UDP Policy EN1/3 Landscaping Provision states that proposals would be required to make provision for incidental open space and landscaping to the Council's satisfaction with particular attention paid to the retention of trees, hedges and other ecological features within development sites. The carrying out of new planting, particularly of locally native species, will be encouraged.

Policy EN6/3 Features of Ecological Value states that changes to existing features of ecological or wildlife value will be taken into account when assessing development

proposals. Any proposal should seek to retain such features and incorporate them into the development.

Policy EN8/2 Woodland and Tree Planting supports and encourages the planting of hedges, trees and woodlands using locally native species.

UDP Policies relating to conservation areas and listed buildings set out above are also relevant as they make reference to the 'setting' of a listed building and contribute to the character of the conservation area.

The tree report concludes that it is possible to retain the majority of the significant trees surveyed within the site and the development can be carried out without damage/stress on those retained if suitable construction methods are used and tree protection measures are in place. Details of both construction and tree protection measures would be required to be undertaken to the satisfaction of the Local Planning Authorities by an appropriate condition of approval.

Sixteen trees would require removal to facilitate the development, particularly where the access road runs past the house on its eastern side, around proposed parking spaces 48-55. Twenty or so trees are proposed as replacements within the grounds, mostly on the south side/front of the house. These replacement trees would be situated so as to further screen the parking spaces from the road.

There are a lot of new parking spaces proposed, mostly in the grounds to the front/south and side/east of the main house. Part of the new access road and some of the parking spaces would be in areas where there is currently hardstanding and few, if any tree roots. However, many of the new spaces would be situated close to or underneath the canopies of existing, and in some cases proposed replacement, trees. For this arrangement to work, specialist construction measures (reduced dig techniques) would need to be utilised to avoid undue damage and stress to the trees.

**Impact of the Access Road and Parking on the Setting of the Listed Building - UDP** Policy HT2/4 Car Parking and New Development requires all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards which are detailed in the Supplementary Planning Guidance Note 11 Parking Standards in Bury. This document does not specifically refer to training and development centres and as such any assessment would be on a case by case basis with reference to the Transport Assessment submitted.

UDP Policies relating to conservation areas and listed buildings are also relevant in any assessment of the access road layout and parking in that the location, number and appearance of the proposals must be considered in relation to the assets relative importance as well as the desirability of preserving the overall building's character and setting and the contribution to the wider conservation area (PLBCAA - s66 and NPPF paras. 131-134).

In terms of the listed building, there are two main concerns in relation to the proposed parking. These are;

- the impact of the parking spaces, and associated traffic, on the setting of the listed building and character of the site.
- the impact of the construction and subsequent use of the parking spaces on the trees which lend the site much of this character and contribute to the setting of the listed building.

The introduction of the access road and over 100 new parking spaces within the site, mostly within grassed areas to the front of the main house, would no doubt have a significant impact on the character of the site. Not only would there be the physical appearance of the access road and parking spaces, it would create the appearance of a busier, more intensive use within the site and this will have a negative impact on the character of the site and

setting of the listed building within it.

As Historic England has recognised, the harm caused by the parking would be 'less than substantial' in terms of paragraphs 13 of the NPPF but it would be notable and long term. In such circumstances a local planning authority should weigh the harm against the public benefit, including securing an optimum viable use.

There is clearly a balance to be struck between the conservation and restoration of the site and its continuing use as an educational facility or indeed its long term viability in any other future use. The proposal would facilitate further investment into the site and allow the listed buildings to be conserved and enhanced, something which has, in reality, not happened to a great degree in the past. The proposed layout is recognised as the most sensitive with the retention of the vast majority of trees and appropriate permeable crushed stone surfacing to parking spaces that are not set well into the site and screened, to a significant extent from views from the public arena.

**Need for Access and Parking** - The application included the submission of a Transport Assessment Report (TA) and a Travel Plan, both produced by Moda group Ltd (transportation planning and modal surveys). The TA report's summary and conclusions are as follows:

- The existing school use and the Development Training Centre have varying daily numbers of staff/trainees on-site. The TA considers the additional traffic generated by the training centre, based on its busiest day compared to the scenario where all staff are on-site.
- The traffic surveys were carried out during 2015 but background traffic figures have been factored to 2016 and 2021 using high growth factors.
- The volumes of additional traffic generated by the proposals were 8% or less on the local highway network. On Bass Lane the increase could be as high as 3% during the evening peak period.
- The increase in traffic is not considered significant enough to require capacity assessments at the accesses or other junctions on the local highway network.
- 114 parking spaces are proposed of which 10 are disabled spaces. This provision would adequately cope with the expected level of traffic.
- 11 cycle parking spaces to encourage cycle usage.
- Nearby bus stops provide regular bus service to Bury and Ramsbottom.
- The Travel Plan sets out a package of measures and actions as well as a plan to monitor and measure the plans success and to evolve/improve the Travel Plan.
- The proposed access and site layout is appropriate in design terms.
- In summary the traffic generated by the development can be accommodated on the local highway network and would not have a significant impact on the network and is considered acceptable.

The Council's traffic section accepts the findings of the Transport Assessment and has no objection to the proposal in terms of traffic generation and the impact on the surrounding roads in terms of highway safety.

**Objections** - The main concerns/objections of those making representations relate to traffic generated by the facility and the loss of trees within the site. These issues have been addressed in the above report.

### **Conclusion**

The proposals would in relation to works to the main building ensure the longevity of the heritage asset and secure its viability. As such the proposals and the accompanying details would preserve and enhance the character of the building.

In relation to the setting, the proposed car parking in terms of the extent of the proposals would undoubtedly impact upon the setting. However, the nature of the landscaping in that the car parking would be supplemented with significant levels of additional tree planting; the location of the parking areas are such that they would be located sporadically across the



site and the spaces themselves would have a more heritage approach of surface finish would preserve the character of the setting of the listed building. As such the proposals would comply with EN2/2, EN 2/3, NPPF paras 131 to 134 and s66 of the PLBCAA.

### **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 Paragraphs 186-187 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

#### **Conditions/ Reasons**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.  
Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. This decision relates to drawings 1845-P-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20/A, 21/A, 22, 22/0 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the materials to be used in the external elevations, including window frame samples together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks/frames shall be used for the construction of the development.  
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policies EN1/1 Visual Amenity and EN2/3 Listed Buildings.
4. Prior to commencement of works, a notice of intent to start the works hereby approved, including a timetable schedule of the works, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved timetabled schedule.  
Reason - To ensure that the development is carried out in accordance with the approved plans, to protect the fabric of a listed structure/building during implementation and pursuant to Policy EN2/3 – Listed Buildings of the Bury Unitary Development Plan.
5. Before any work is undertaken in pursuance of this consent to alter or demolish any part of the building, the applicant shall provide full details of temporary and permanent methods of structural support, strengthening and weather protection for written approval by the Local Planning Authority.  
The applicant shall then carry out the approved works to secure those parts of the building to be retained during the progress of works permitted by this consent.  
Reason. To ensure proper structural and weather protection of the fabric which is to be retained during the period of restoration and afterwards pursuant to UDP

Policy EN2/3.

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

**Ward:** Bury West - Elton

**Item** 07

**Applicant:** Persimmon Homes

**Location:** Site of Olives Paper Mill, Tottington Road, Bury, BL8 1RU

**Proposal:** Application to remove planning obligation under Section 106A of the Town and Country Planning Act 1990 to provide a bridge link across the Kirklees Brook

**Application Ref:** 59693/Full

**Target Date:** 12/02/2016

**Recommendation:** Refuse

### **Description**

The application site is located to the north of Tottington Road and was previously occupied by a former paper mill. The mill was demolished as part of a residential development. The site is on a marked slope and the difference in levels between Tottington Road and the whole site varies from 3 metres to 8 metres. The site continues to Kirklees Brook to the east, which is at a lower level.

There are residential properties to the south east, which front onto Tottington Road. These properties are approximately 7 metres higher than the proposed site. There is a pub and a car park immediately to the south and further residential dwellings to the west. Kirklees Brook is located to the north of the site.

The proposed development involves the removal of planning obligations 9 and 10 from the legal agreement to application 49667 to provide a footbridge across the Kirklees Brook opposite No. 6 Valley Close (plot 79).

Obligation 9 states:

"From the second request date the Owner shall construct a parapet upon the slab comprising the existing Brook Link and shall use all reasonable endeavours to ensure that such route (as may be varied to amended from time to time) is and continues to be available for use by pedestrians, cyclists and vehicles at all times provided that the vehicular right to use the Brook Link shall be for access by maintenance vehicles only and there shall be no right to park or otherwise obstruct the Brook Link."

Obligation 10 states:

"From the Second Request Date the Owner shall pay to the Council the sum of Twenty Five Thousand Pounds (£25,000) ('Brook Link Contribution') towards the cost of the Council carrying out appropriate works to the Brook Link."

The applicant considers that the obligations no longer serve a useful purpose and seek permission for the Section 106 agreement to be varied to remove obligations 9 and 10 as allowed under Section 10A of the Town and Country Planning Act 1990.

### **Relevant Planning History**

49667 - Development of 76 residential units including landscaping at Olives Paper Mill, Tottington Road, Bury. Approved with conditions - 13 November 2008.

54802 - Substitution of house types to 14 plots (Nos 77 - 90) at Former Olives Paper Mill, Tottington Road, Bury. Approved with conditions - 26 April 2012.

### **Publicity**

The neighbouring properties were notified by means of a letter on 28 January 2016 and a

press notice was published in the Bury Times on 4 February. Site notices were posted on 1 February 2016.

10 letters have been received from the occupiers of 2, 4, 8, 10, 12, 14, 16, 22, 26 Valley Close in support of the proposal, which have raised the following issues:

- We were aware of the bridge on the plans but was told it would be a footbridge.
- We have since been informed by the Council that the bridge would have vehicle access making it significantly bigger than initially planned and meaning that vehicles would have access to our estate from the lines.
- We have witnessed lots of anti-social behaviour in the woods and building the bridge would bring this trouble closer.
- The money would be better spent on the bridge that already exists that isn't directly opposite our houses.
- We hear anti-social behaviour in the woods.
- There are a lot of children that play on the close that would not benefit from the bridge - health and safety.
- The bridge would disrupt the quality of life for the animals that live in the woods.
- Our houses will be reduced in value by the security problems.
- It is easy to get on the lines further up Tottington Road.
- Prefer the work to be completed on Valley Close so that we will no longer live in a building site.
- Do not force Persimmon to build the bridge.
- I have regularly dealt with criminal behaviour - had my home invaded by people walking their dogs, a man wielding a machete was subdued by police officers, anti-social teenagers walking dogs, travellers have set up camp in the trees, illegal dog breeding taking place in the trees.
- The advice from the police is to do everything possible to stop a bridge across the stream towards Brandlesholme.
- There is a high level of crime in the area and most use the Kirklees Trail to make their escape.
- The proposed bridge would put homes at risk.
- When i brought my property the bridge was categorically not on the plans. If it had been I would not have decided to purchase as i would not deem the estate a safe environment in which to raise my family.
- We were never informed by Persimmon of the bridge and it is not on any of the plans we agreed to.
- Valley Close and Valley View would then become the most direct route for foot traffic from Brandlesholme Road to Tottington Road. Not forgetting that approval was recently given to construct housing towards the end of the lines as well.
- Persimmons in fact hid this on the plans when we chose our plot and our solicitor did not site this on purchase as it was marked as being removed on our land registry plans.
- I fully support the removal of the planning application as this bridge was only original in place when the site was used a commercial factory location.

28 letters have been received from the occupiers of 1, 2, 4, 5, 12, 21, 23, 25, 28, 35, 37, 39, 48, 50, 53, 56, 57, 62, 68 Valley View; 3 Valley Close; 1, 2, 4, 5, 7 Valley Court, which have raised the following issues:

- Object as the only bridge providing access to the lines has been condemned and should not be used.
- We have young children and access is required to allow use of the footpath and cycling path on the lines.
- Many residents welcomed the provision of the bridge when purchasing their homes of plan and this was one of the selling points to purchasing our plot.
- Persimmon Homes should not be allowed to remove items on their original plans and the bridge should remain.
- We have lived in front of the footpath that leads to the fishing lodges for 4.5 years and we have had no issues and see no issues with the bridge being constructed further down.

- The existing bridge does not attract any criminal or anti-social behaviour
- The new bridge would create a safer route for all residents.
- It looks like Persimmon have been given further reason to delay completion of the estate as they were approached by residents who live adjacent to the proposed bridge. This was done without openly consulting with the remaining residents to find out their opinions.
- Persimmon should pay for it as planned.
- Object to the removal of the obligation to build a bridge as we doubt that Persimmon will repair the existing bridge.
- Bury Council should step in and make sure Persimmon complete the estate as planned.
- If the bridge is removed, people will use the current bridge, which has been condemned and will inevitably result in an avoidable accident.
- Persimmon should build the new bridge or replace the existing bridge.
- I would like to know why Persimmon no longer wish to build the bridge (£££££).
- Fed up of living on a building site.
- The bridge is required to provide recreational access to the Kirklees Valley trail.
- The bridge was clearly shown on plans when I purchased my property and on plans for the recent Champale development.
- I live in front of the existing unlit, untarmaced path to the trail and have never had any crime or anti-social behaviour.
- The existing path is unusable by a pram, buggy or bike after rainfall.
- The report by designbysecurity is nonsense and nothing but quotes from other studies.
- We require a new, modern, safe bridge to be installed.
- The two nearest accesses to the Kirklees Trail area at Darlington Close and Brandlesholme Road - both 0.7 miles away.
- The police website states that in the whole of 2015 there were 2 offences relating to anti-social behaviour. There is no indication these were attributable to the presence of a direct link to Kirklees Trail and no evidence that the more secluded bridge or the access point at Darlington Close have been used as a criminal escape route.
- This was on the plans 8 years ago when I purchased my house. I still have no street lights or street sign after 8 years.
- Its naive to think criminals need a bridge. The wood is the problem - should the trees be cut down?
- I appreciate the concerns of the residents directly opposite the bridge and consider the location to be incorrect. Why not use the funds to adopt and repair the current bridge, which is already heavily used by residents to access the kirklees trail?
- The final point of the report from designbysecurity advises that the only failing of the bridge is that it is unlit - this could be addressed by providing a light.

All those who have commented on the application have been notified of the Planning Control Committee meeting.

### **Consultations**

**Environmental Projects** - Object to the removal of the obligation.

**Designforsecurity** - Comments to be reported in the Supplementary Report.

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

#### **Issues and Analysis**

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

In assessing whether to discharge and effectively remove the obligation, the test is whether the obligation no longer serves a useful purpose. Circular 05/05 confirms in paragraph A20 "that the expression "no longer serves any useful purpose" should be understood in land use planning terms." In other words if an obligation's only remaining purpose is to meet some non-planning objective it would be reasonable to discharge it.

The proposed development involves the removal of obligations (Nos 9 and 10) to provide access over the Kirklees Brook and a contribution which would be spent on improving the bridge to allow for public access. The obligations formed part of a Section 106 agreement, which included a package of measures to meet the recreation needs of the residents of this residential development pursuant to Policy RT2/2 and SPG1.

The planning purpose of obligations 9 and 10 were to provide access to the Kirklees Valley Local Nature reserve via the Kirklees Trail, part of which was constructed with one of the other Section 106 obligations. The link to the Kirklees Trail would involve crossing land owned by Champale and a separate Section 106 agreement was recently concluded, which facilitates access across land owned by Champale to the Kirklees Trail recreational routes and also with the Brandlesholme area.

Obligation 10 required the applicant to pay £25,000 which would be used to carry out works to the Brook Link slab bridge to ensure it was safe for use. The existing concrete slab structure was demolished without notification or authorisation.

The removal of the obligation would make it difficult for residents of the development to access the related recreation provision and would effectively sever the pedestrian connectivity between the Persimmon site and Brandlesholme. While there is an existing bridge to the north of the site of the proposed Brook Link, this bridge is in a poor state of disrepair and may not be safe for continued use. In addition, the existing bridge is not overlooked by any of the residential properties and would not comply with the secure by design criteria. Therefore, it is considered that obligations 9 and 10 would create an important recreation link to the Kirklees Trail and there is a clear planning purpose.

An objector has raised the issue of whether the sum of money for obligation 10 could be spent on improving the existing footbridge to the north. Unfortunately, the Local Planning Authority has to consider the application before it, which is to remove obligations 9 and 10 completely. If the applicant wishes to modify the obligations so the money could be spent on a brook link in a different part of the site, a new application would need to be submitted.

Some of the local residents have raised the issue of anti-social behaviour in the locality and some residents located near the path to the existing bridge have not suffered from anti-social behaviour. There have been no recorded incidents of crime on Valley View or Valley Close within the last 12 months. Further comments from Designforsecurity will be reported in the Supplementary Report.

An objector has stated that there are several access points to the Kirklees Trail. The existing access points are at Stockton Drive, Darlington Close, Brandle Avenue and Brandlesholme Road. These access points are between 0.6 and 0.8 miles from Valley View, are not subject to this application or this particular development site, which would not provide the direct recreational link for use by the residents of the development envisaged by the planning consent and associated obligation.

The issue of whether the bridge was or was not on the plans when properties were purchased and the completion of the estate are not material to the planning application and are private legal matters.

The obligations (Nos 9 and 10) continue to serve a useful planning purpose and as such, the planning obligation shall continue to have effect without modification. Therefore, the application to remove the obligation is recommended for refusal.



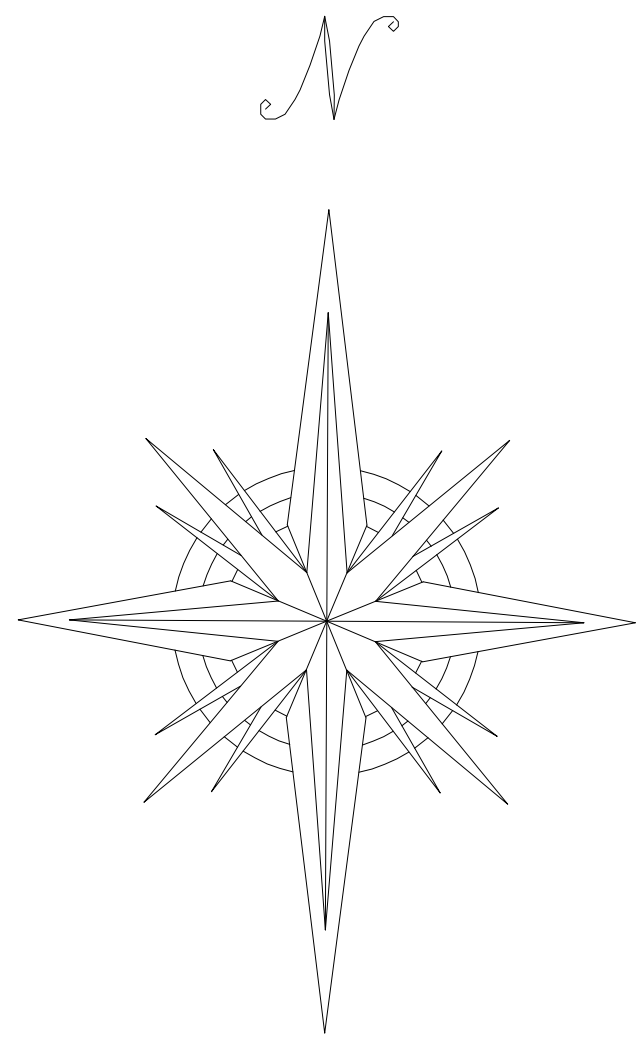
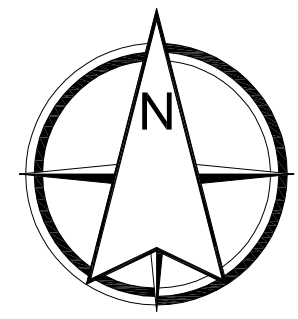
**Recommendation:** Refuse

**Conditions/ Reasons**

1. The planning obligation (Nos 9 and 10 in the Section 106 agreement relating to application 49667) would provide a recreational link to the Kirklees Trail for the residents of the development and as such, do serve a useful planning purpose. Therefore, the planning obligation shall continue to have effect without modification.

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





1.8m High Close Boarded Screen Fence (Ref: SDF10)  
Wall & Fence (Ref: OMB-WF)  
Plot Divisional Fence (Ref: SDF11)

DO NOT SCALE FROM THIS DRAWING  
ALL DIMENSIONS MUST BE VERIFIED AT THE SITE BEFORE SETTING OUT  
COMMENCING WORK OR MAKING ANY SHOP DRAWINGS

REV	DESCRIPTION	DATE
A	RED EDGE AMENDED TO REMOVE CAR PARKING AREAS FROM TRANSFER	28/09/2011
B	RED EDGE AMENDED WOODLAND AREA	24/06/2014
C	RED EDGE AMENDED TO EXCLUDE PARKING SPACES	3 MARCH 15



**PERSIMMON**  
Persimmon Homes (North West)  
30-34 Crofts Bank Road  
Urmston  
Manchester  
M41 0UH  
Tel: 0161 746 3737 Fax: 0161 748 3272

SITE  
OLIVES PAPER MILL

BURY

TITLE  
PLAN SHOWING AREA  
BRIDGE LINK

SCALE  
1:500 @ A0

DATE  
04/01/2011

NUMBER  
OPM/197/05

REVISION  
C



**Ward:** Bury East

Item 08

**Applicant:** Parking Eye

**Location:** Moorgate Retail Park, Bury, BL9 7AQ

**Proposal:** 28 No. non-illuminated pole mounted car park management signs (retrospective)

**Application Ref:** 59699/Advertisement

**Target Date:** 30/03/2016

**Recommendation:** Approve with Conditions

### **Description**

The site is a car park which serves a retail park in the town centre. It is accessed off the junction at Moorgate and contains 4 retail stores and a drive through restaurant.

The application seeks advertisement consent for 28 non illuminated car park management signs that have been erected on lighting columns and poles. The signs are of two sizes with 21 at 600mm by 800mm and 7 at 600mm by 600mm and are constructed from a composite aluminium / plastic material. The application has been submitted following an investigation and advice from the Enforcement Team.

### **Relevant Planning History**

59799 - 2 No. ANPR cameras on lighting columns - Pending.

### **Publicity**

None required.

Four objections have been received. Their concerns in summary are:-

- Regulation 30 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) indicates that this is a criminal offence to erect advertising signs without consent (subject to certain limitations). The presence of the signs at Moorgate are therefore unlawful and a company should not be able to retrospectively gain permission for an unlawful activity particularly given that the company in question is profiting from that activity by issuing parking charges to motorists.
- Bury Council should not approve the application for these signs as it could show the council is condoning such unlawful activity.
- No documentation has been provided with the application to confirm they have the approval of the landowners for the signs. How did this application come to be validated?
- Parking eye have applied to display the signs for 5 years from 10/01/16. They know no advertisement consent can be applied retrospectively before a date of consent. Suggest it would be appropriate to grant consent for a period expiring 5 years from the date of first illegal display.
- The Parking Eye Design and Access Statement states the purpose of the proposal is for this unused car park to a working car park that will provide sufficient parking for the area into a Car Park Management System via Automatic Number Plate Recognition. This unused claim is false as the car park has been in use for years serving the retail units.
- Increased levels of advertising in a car park would be a safety hazard as it could distract drivers on the roadways in an area (car park) where pedestrians and vehicles co-habit the same space.
- Car parks also have low visibility, as a result of parked cars blocking a drivers line of sight and are places where pedestrians will be walking in and out of parked vehicles

making pedestrians harder to spot, with the risk of a collision increased if there are children present.

- Anything that may distract a driver in a car park such as 28 advertising signs for a car park management company should not be permitted on safety grounds.
- Also note in the application that the two ANPR camera poles are included. Should these not be subject to formal planning application and not included in an advertising consent application?
- The site plan is incorrect as Banbury Street is a public highway and shouldn't be included in the application.
- There is no sign type 1a at the entry to KFC which is essential to permit lawful enforcement of parking here.
- The ANPR cameras seems to illegally observe part of Banbury Street a public highway.

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

### **Consultations**

Traffic Section - No objection.

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

EN1/9      Advertisements  
Area      The Rock/Moorgate  
BY8

### **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.

UDP Policy EN1/9 relates to adverts and signage and states that proposals should have regard to the character of the locality, scale of the existing building and land use and be considered on their impact on amenity and safety.

**Amenity** - The signs are well spaced around the car park and are of an acceptable size in relation to the scale of the site and do not appear intrusive or as visual clutter.

**Safety** - The signs are placed around the car park on poles or lighting columns to the edge of the walkways or within landscaped areas. They are not directional and it is not considered that they cause any confusion to drivers within the site nor obstruct motorists visibility or pedestrian flow. The Traffic Section have not raised any concerns.

The proposal complies with UDP Policy EN1/9 - Advertisements.

**Response to objection** - The application has been submitted retrospectively following investigation and advice from the Enforcement Team. As the signs require advert consent the applicant has been given the opportunity to apply and have the proposal assessed which is considered to be a reasonable approach by the Council.

Advert applications are assessed with regard to amenity and safety, as addressed in the above report, and not the content or legality of a sign. Whether the enforcement of parking is lawful is not for the planning process to determine.

Proof that the applicant has the permission of the owner to display signs is not required for an application to be valid. Standard condition No.4 on any approval would cover this.

If the application is approved consent is granted from the date of the decision.

The site has been a car park for some years however it is private land which an

owner/tenant may now wish to regulate.

Advertising of any form is intended to attract the attention of passers by. The siting of the signs within the car park are not considered to cause confusion or distraction and both motorists and pedestrians have a responsibility to take reasonable precautions for their own safety.

A separate application has been submitted for the ANPR cameras.

The red edge to the site plan includes Banbury Street but not the adopted highway.

**Recommendation:** Approve with Conditions

**Conditions/ Reasons**

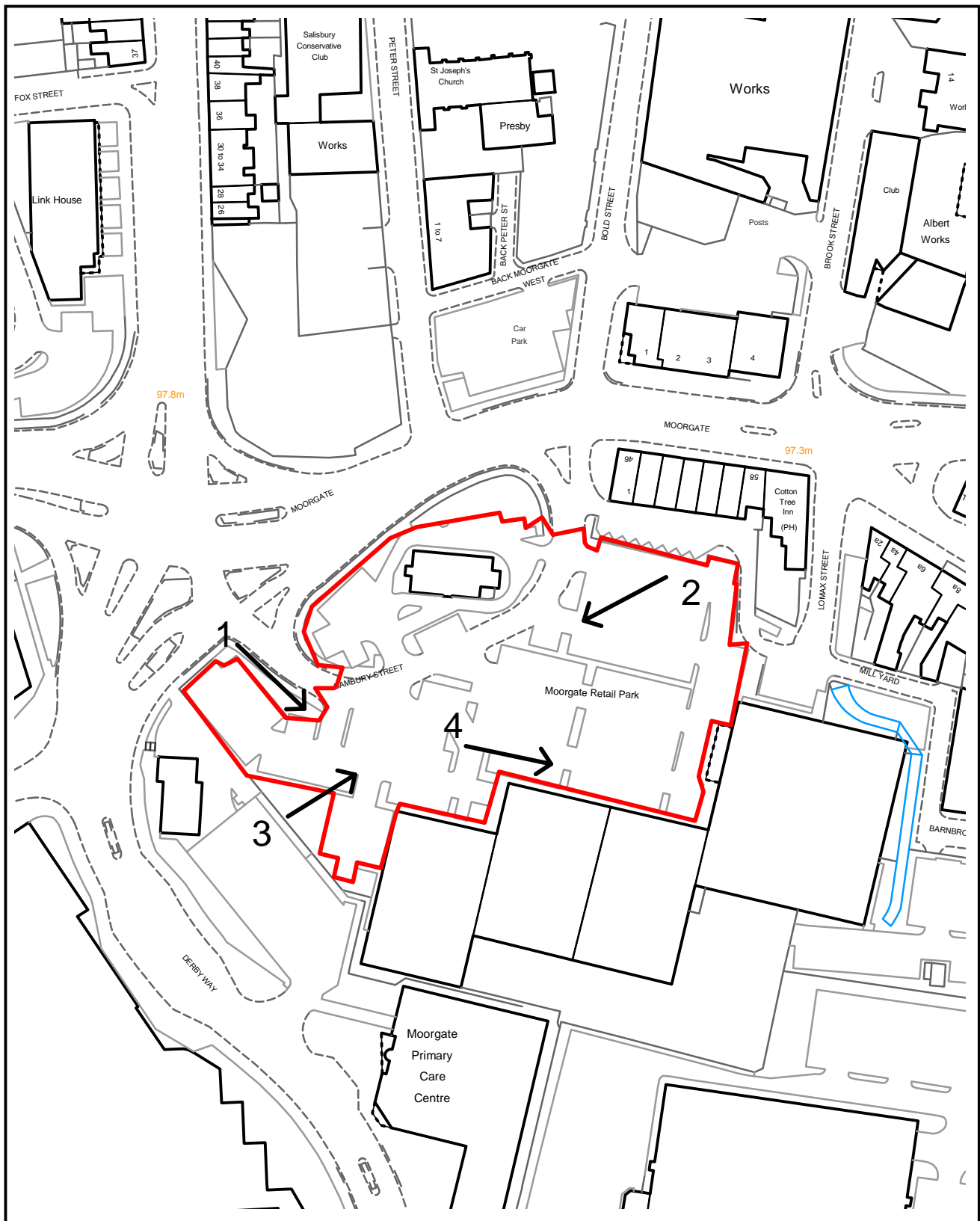
1. Standard Conditions

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigate by water or air, or so as to render hazardous the use of the highway, railway, waterway or aerodrome (civil or military).

Reason for standard conditions: In the interests of amenity and in accordance with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59699**

**ADDRESS: Moorgate Retail Park  
Bury**

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL



59699

Photo 1



Photo 2

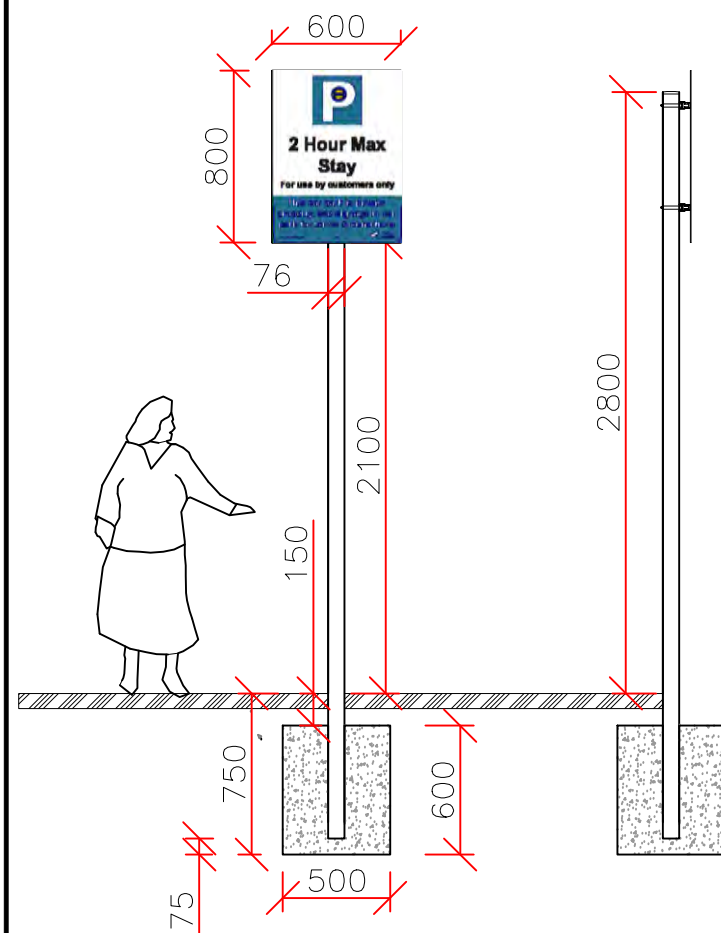


Photo 3

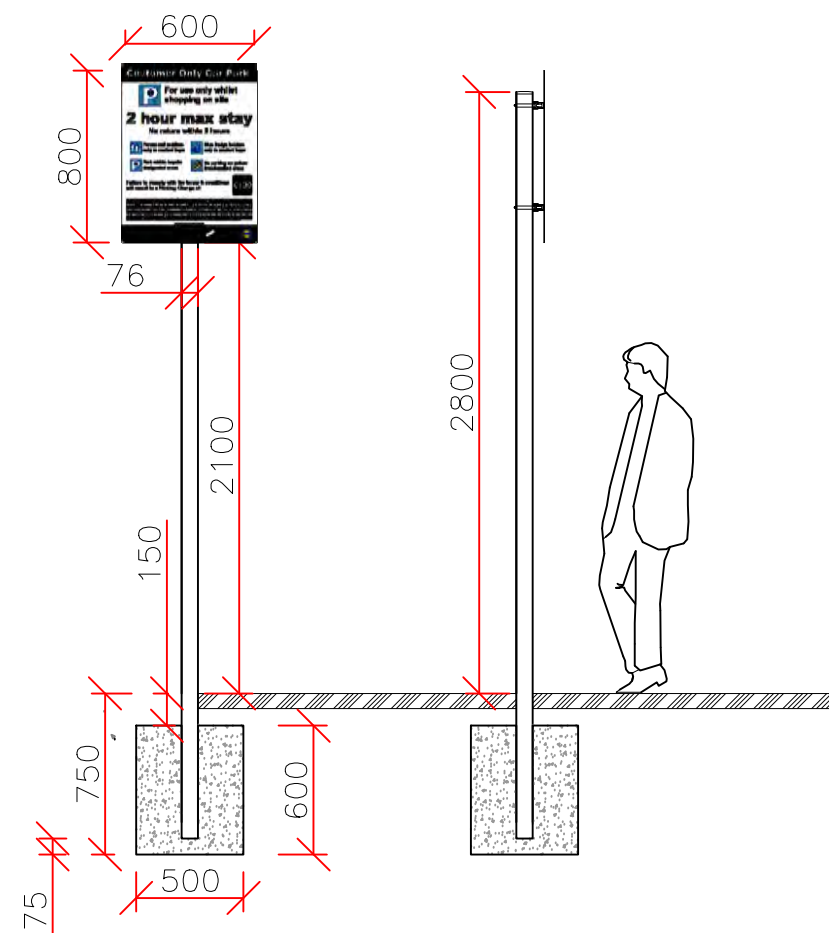


Photo 4

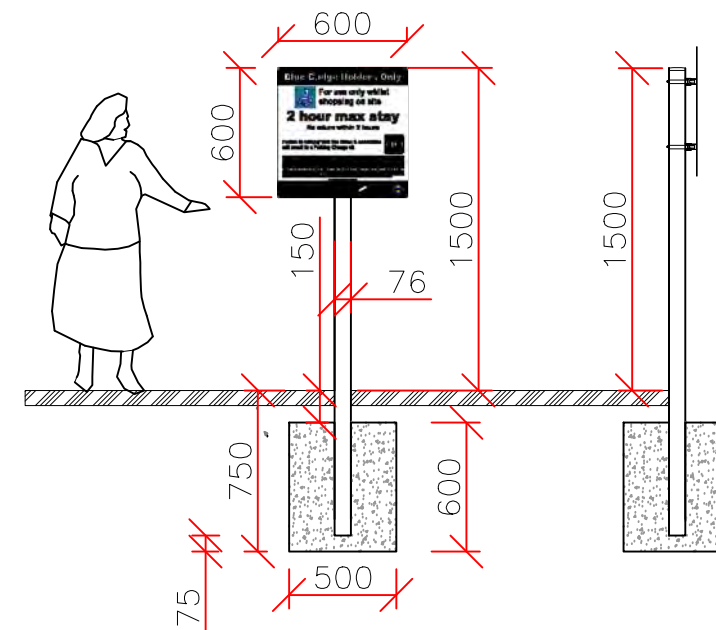




POLE MOUNTED  
SIGN 1A



POLE MOUNTED  
SIGN 1B



POLE MOUNTED  
SIGN 1C

#### Notes:

- Contractors to check dimensions and notify any discrepancies or errors to the company immediately.
- Work to figured dimensions only and to be checked before commencement of work on site.
- Do not scale off this drawing.
- All dimensions in millimeters unless otherwise stated.

Rev	Purpose Of Issue	Drn	Ckd	App	Date
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Office Contact:  
40 Eaton Avenue, Matrix Park  
Buckshaw Village, Chorley,  
Lancashire, PR7 7NA

Tel: 01772 450 970  
Fax: 01772 450 979  
Email: [ops.civils@parkingeye.co.uk](mailto:ops.civils@parkingeye.co.uk)

Client:

Savills

Project:

Moorgate Retail Park

Title:

Signage Details

Purpose: Information	Drawn: <i>R. Watson</i>	Date: 27/01/16
Status: Planning	Checked: <i>M. Aiken</i>	Date: 27/01/16
Scale @ A3: NTS	Approved: <i>A. Nicholls</i>	Date: 27/01/16

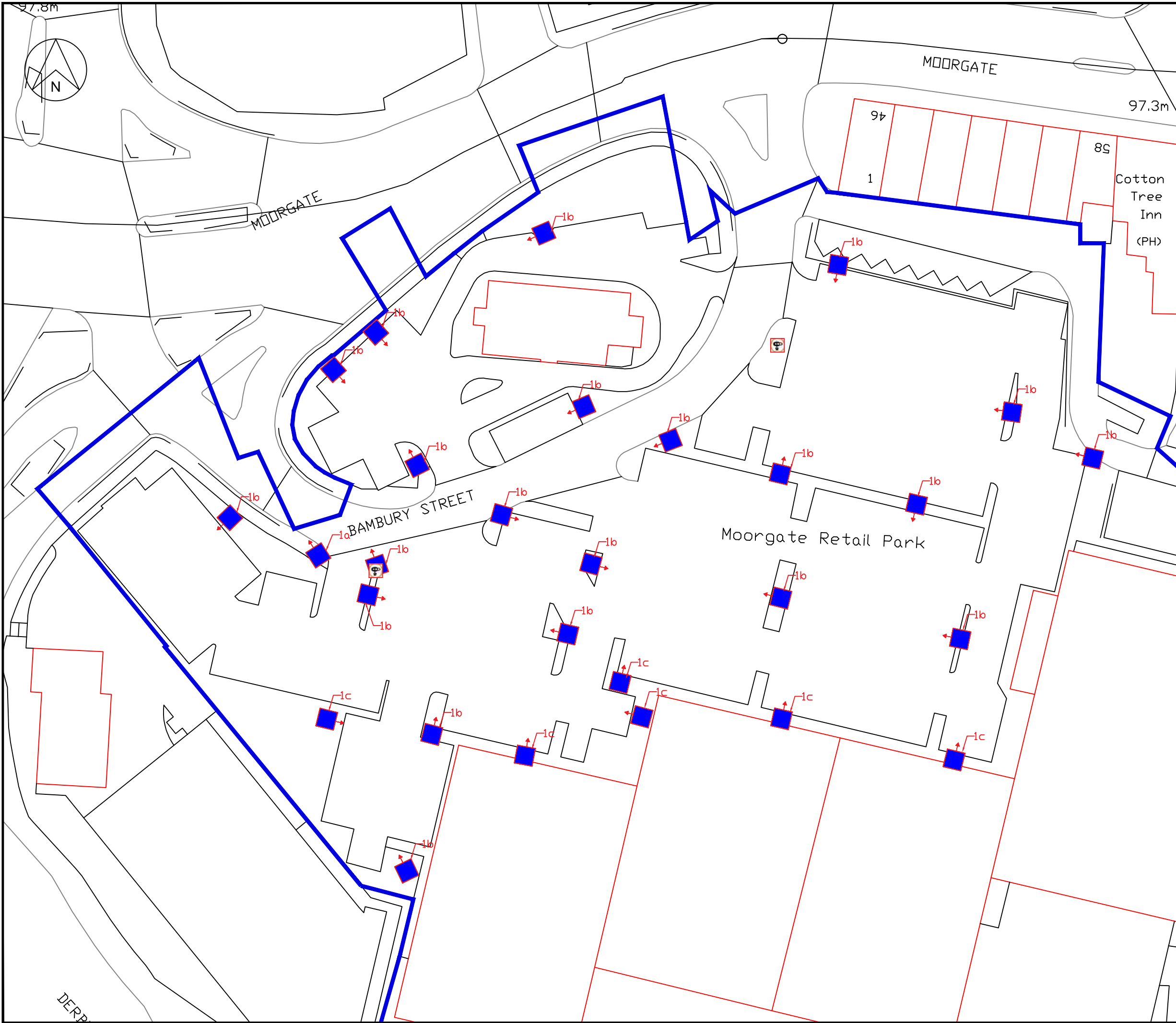
Drg. No:

C-7965-003

Rev:

A





- Notes:**
1. Contractors to check dimensions and notify any discrepancies or errors to the company immediately.
  2. Work to figured dimensions only and to be checked before commencement of work on site.
  3. Do not scale off this drawing.
  4. All dimensions in millimeters unless otherwise stated.

- Legend:**
- Land Boundary
  - Single sign on existing pole
  - ANPR Camera and Column

Rev	Purpose Of Issue	Drn	Ckd	App	Date
<div><div><div><div><div><div></div><div></div></div><div><div><span>ParkingEye</span></div><div>car park solutions</div></div></div><div></div></div></div></div> <div>Office Contact: 40 Eaton Avenue, Matrix Park Buckshaw Village, Chorley, Lancashire, PR7 7NA  Tel: 01772 450 970 Fax: 01772 450 979 Email: <a href="mailto:ops.civils@parkingeye.co.uk">ops.civils@parkingeye.co.uk</a></div>					
Client:  Savills					
Project:  Moorgate Retail Park					
Title:  Location Plan					
Purpose: Information		Drawn: <i>R. Watson</i>		Date: 26/01/16	
Status: Planning		Checked: <i>M. Aiken</i>		Date: 27/01/16	
Scale @ A3: 1:500		Approved: <i>A. Nicholls</i>		Date: 27/01/16	
Drg. No:  C-7965-002				Rev:  A	

**Ward:** Prestwich - Holyrood

**Item** 09

**Applicant:** Whyprop Ltd

**Location:** Land at rear of 62 Peveril Close, Whitefield, Manchester, M45 6NR

**Proposal:** Erection of 2 no. semi-detached dwellings (resubmission)

**Application Ref:** 59713/Full

**Target Date:** 29/03/2016

**Recommendation:** Approve with Conditions

### **Description**

The site relates to part of the rear garden of a semi detached property which fronts onto Peveril Close, and which previously accommodated a detached garage, which has been demolished. The site is bounded on all sides by residential properties, apart from the western boundary where there is a United Utilities sub station. The site is relatively flat, with the topography of the land such that levels rising significantly to the east, with Nos 64 and 66 Peveril Close and the properties on Westholme Road elevated above the site. At the rear, the gardens to Nos 54 and 60 Peveril Close are set lower.

Westholme Road is a typical cul de sac characteristic to this area, and serves 10 semi detached properties. There is no turning circle at the head of the cul de sac and is instead flanked on either side by Nos 8 and 11. The top of the road is gated off, and controlled by United Utilities. This leads to a strip of land which runs along the side of No 11 Westholme Road. This land strip is bounded on one side by their side elevation and garden and on the other side by a waneyp fence, which also runs adjacent to the application site. More recently, a concrete post and timber fence has been erected to the eastern boundary, separating the site from No 62 Peveril Close.

Planning permission was granted in May 2014 for the erection of a single, 2 storey, 3 bedroomed dwelling in the garden of No 62 Peveril Close. Access was proposed from the head of the cul de sac on Westholme Road. The house was to front Westholme Road, set at a lower level of approx 1.4m.

A further application was submitted in October 2015 for the erection of 2 No. semi detached dwellings. This was refused for 4 reasons:

- Unreasonable garden area maintained to No 62 Peveril Close;
- Scale and massing of the proposed design in terms of the proposed roof and dormers which was unsympathetic and inappropriate to the character of the street scene and surrounding residential area;
- Overbearing relationship to the garden areas of Nos 54 and 60 Peveril Close; and
- Insufficient access arrangements and levels details.

This application is a resubmission which seeks permission for 2 No. semi detached dwellings. The dwellings would be 2 storey and front onto Westholme Road, at a lower level of approximately 1.8m. Materials would comprise brickwork, concrete tiles and upvc openings, colours to be agreed by condition.

Access is proposed off Westholme Road at the head of the cul de sac and necessitate the removal of part of the existing railings and fence. The access would split to serve each of the houses, the left hand plot with 2 spaces and one visitor parking, and 2 spaces for the right hand property. Garden areas would be to the side and rear.

### **Relevant Planning History**



56598 - Erection of detached dwelling - Withdrawn by Applicant 25/09/2013

57340 - Erection of detached dwelling (resubmission) - Approve with Conditions 21/05/2014

59105 - Erection of 2 no. semi-detached dwellings - Refused 09/10/2015

### **Publicity**

24 letters sent on 5/2/2016 to properties at Nos 1-11 Westholme Road; 1,3 Neath Close: 48- 66 and 89 Peveril Close; 7, Thornley Road; 76 Church Road, Worle.

Eleven letters of objection received from Nos , 2, 6, 7,8, 9, 11 Westholme Road, 56, 60, 64, 89 Peveril Close, 1 Neath Close

- Objected previously to other applications and the resubmission does not allay objections;
- Increase in the volume of traffic;
- Increase in the noise and nuisance factor;
- Noise and mess during the construction period;
- A physical disability requires me to be able to park outside my home;
- Inconvenience due to narrowness of the cul de sac;
- Already difficult to park and would increase and exacerbate problems;
- Access for emergency vehicles would be impossible;
- A similar proposal has already been rejected and the changes to the plan (eg erection of new fences) are largely cosmetic ones;
- The detached garage has been demolished and there seem to be other changes to the landscape of the site;
- The levels difference between the site and adjacent land is considerable and this has been acknowledged in the landscaping proposal by the erection of a 1.8m high fence which already exists - and will make no difference to privacy to the neighbouring properties;
- Overlooking of properties due to levels differences;
- Tree near the UU station should be retained to help screen the site;
- Loss of existing views of neighbouring properties;
- Over development of the site;
- Detrimental impact of the use of the garden land by the neighbouring properties due to the size and overbearing over development of the site;
- What investigations have been made to satisfy drainage capacities?; concern about flooding especially to properties on Neath Close;
- The proposed turning head would not accommodate larger vehicles;
- Living next door to the site, access would be directly at the front of my property - virtually cutting off the corner of the front garden;
- Access to the site would be very steep and difficult even should a larger vehicle manage to reach the site;
- There is no social or economic benefits to residents for whom the development effects;
- Access by UU will be restricted as there would be limited access at the side of No 11;
- No mention of the timescales of the construction works;
- The cul de sac has had to endure the building of 2 house extensions - causing noise and disruption from skips and builder's vehicles - will these be on Peveril Close as Westholme residents are entitled to a quality of life;
- The plans do not accurately show the positions of Nos 62 and 64 Peveril Close, or the side extension of No 62;
- The gap between Nos 62 and 64 allows natural light to our side of the road (No 89);
- My view would be looking at a blank gable brick wall with the sun obscured behind;
- Loss of sunlight in the winter to No 89;
- Inadequate access.

One letter of objection received from Councillor Pickstone with the following comments -

- Wish to support the objections of the residents;
- The main concern relates to the scale of the development and the use of Westholme Road for access;

- The road is small and a narrow cul de sac, which is already busy with the cars from a small number of properties;
- The plans do not appropriately address access issues, and also represent inappropriate development in the immediate area.

The objectors have been informed of the Planning Control Committee meeting.

### **Consultations**

**Traffic Section** - No objection subject to conditions.

**Drainage Section** - No objection subject to condition.

**Environmental Health Contaminated Land** - No objection subject to condition.

**Waste Management** - No issues to raise.

**United Utilities (Water and Waste)** - No objection.

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

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/3	Extensions and Alterations
H2/6	Garden and Backland Development
HT2/4	Car Parking and New Development
EN1/2	Townscape and Built Design
EN7/5	Waste Water Management
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

### **Issues and Analysis**

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

**Principle** - This has already been established by the grant of planning permission for a dwelling in 2014. As such, the principle of residential development is established on the site.

**Housing Provision** - Following revocation of the North West Regional Strategy on 20th May 2013, there is no statutory housing target for Bury. Work has commenced on the Greater Manchester Spatial Framework and this will bring forward a new statutory housing target for the Borough. This will subsequently be incorporated into Bury's future Local Plan.

In the meantime, the National Planning Policy Framework should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. There is a particular emphasis, as in previous national planning guidance, to identify a rolling five year supply of deliverable land.

UDP 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.

UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development takes into consideration factors relating to the height and roof type of adjacent buildings, the impact of developments on residential amenity, the density and character of the surrounding area and the position and proximity of neighbouring properties. Regard is also given to parking provision and access, landscaping and protection of trees/hedgerows and external areas.

UDP Policy H2/6 - Garden and Backland Development seeks to resist proposals which would result in the loss of private gardens and backland for infill development unless such proposals can be shown not to adversely affect the character and amenity of the area. Regard will be given to the concentration of such development in the surrounding area, the relative density of the proposal, the impact on neighbouring properties and the local environment, access arrangements.

Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties provides useful guidance in terms of acceptable aspect standards between dwellings and design criteria.

The proposed development would occupy part of a large residential garden and be located within an established residential area. There is existing infrastructure in place to support the scale of the development. Access would be taken directly from a public highway and lead directly to the development site.

Subject to details of layout and siting, scale, design and appearance and access discussed below, the proposal for residential development of this site would be acceptable in principle and in general accordance with the NPPF and UDP Policy H1/2 - Further Housing Development.

**Layout** - The proposed dwellings would be located in a relatively central position within the site, and orientated to face the head of Westholme Road. Even at a lower level of height under 2m in comparison to the houses on Westholme Road, this would be a more honest approach as the dwellings would address the street scene, and would demonstrate good design principles.

External amenity space would be provided to the rear of the properties with a garden depth of 8.5m which would be an acceptable size. Dedicated parking for each property would be provided at the sides of the properties, with stepped access to the front doors.

The Design and Access Statement proposes a 1.8m high timber fence to the north east and north western boundaries, although this appears to have already been erected (and which would be permitted development in any case).

The site is a sizeable plot and in terms of the ability to deliver 2 dwellings, the proposal demonstrates that this would be achievable, without compromising the privacy or amenity of the surrounding residential properties. The boundary between the site and No 62 Peveril Close has been repositioned to allow this property to retain an 8m long rear garden which would be acceptable in terms of good planning.

A planning condition to remove permitted development rights would be included to secure any appropriate future development of the site.

As such, it is considered the proposal would make effective use of the site, and would successfully work with the levels and topography of the area to deliver a pair of semi detached dwellings which would incorporate adequate parking and garden areas without compromise to the amenity of surrounding properties or future occupiers of the development, and as such would comply with UDP Policies H2/1, H2/2, H2/6 and SPD6.

**Design and appearance** - The dwellings surrounding the site comprise semi detached 2 storey properties, both on Peveril Close and Westholme Road.

The scheme also proposes 2 storey semi detached houses of similar scale, massing and design as those characteristic to the area. Elevations would be modest, constructed of brick, with proportionately sized window metal framed windows, and a tiled pitched roof. The proposed materials would be in keeping with the dwellings in the area, and a condition would be included that details of type and colour are submitted for approval.

As such, it is considered that the design and appearance of the proposed dwellings would reflect the character and streetscape of the surrounding area, and would be in compliance with UDP Policies H2/1, H2/2, EN1/2 and SPD6.

**Impact on residential amenity** - SPD6 advises that a distance of 20m be maintained between habitable room windows and 13m between a ground floor habitable room window and a 2 storey blank gable.

The principle elevation and main aspect of the dwellings would be on the front elevation directly facing Westholme Road. One of the proposed dwellings would face the side gable of No 11 Westholme Road, resulting in a separation distance of 10.5m, which is 2.5m less than would normally be accepted. However, the internal layout of this dwelling is such that no habitable room windows would have a direct interface with this property, as they would be positioned to the face directly down Westholme Road, and as such, the standard is considered

In terms of impact on No 62 Peveril Close, there would be no habitable rooms on the side elevation of the nearest dwelling which would overlook the garden area and there would be no direct relationship to the property itself. The finished floor levels of the proposed dwellings would be set at the same level as No 62, and as such it is considered there would be an insignificant impact to this house.

To the north of the site, there would not be a direct relationship between the proposed new builds and any properties to the rear on Peveril Close. However, the topography of the area is such that the land rises from the north to south and as a result the proposed dwellings would be sited at a higher level than the gardens of Nos 54 and 60 Peveril Close. The overall height of the dwellings would be 7.5m (0.2m lower than the single dwelling approved previously, and 1.3m lower than the refused application). The new builds would also have a garden depth of 8.5m to the rear boundary, which would be approximately 2m longer than the garden approved for the single dwelling.

It is therefore considered there would be an acceptable separation distance between the proposed dwellings and the garden areas to Nos 54 and 60 Peveril Close, and particularly in view of the fact that the position, siting and massing of the houses would be no worse and to some degree better than the dwelling previously approved.

As such, the proposal is considered to comply with UDP Policies H2/1 and SPD6.

**Parking and access** - For 3 bed properties, SPD11 advises a maximum of 2 spaces in low access and 3 spaces in high access areas. The development proposes 2 off-street dedicated parking spaces for each property and one visitor space. Whilst not a high access area, the site is close to a local bus route and within walking distance of local shops and amenities.

It should be noted that 2 spaces for each property was considered to be acceptable for the previous scheme for 2 dwellings and was not a reason for refusal. This development would provide an additional visitor space. Given these are maximum standards and that the proposal falls just one short of this maximum provision, therefore parking is considered to be acceptable.

The Highway's section have raised no objection and as such the development is considered compliant with UDP Policy H2/4 and SPD11.

In terms of potential increase of vehicular use on Westholme Road, it is unlikely the proposed scheme would generate significantly more traffic than previously approved for one property, and as such it is considered the intensification of the use of Westholme would not have a detrimental impact on neighboring properties.

Access to the site would be directly from the head of the cul de sac, and this has previously been established as acceptable in principle. The topography of the land is such that it would result in a shared driveway with a 1:10 gradient which would split and lead to the separate parking areas for the dwellings. There would be adequate turning space within the site to enable cars to enter and exit in a forward gear.

The Highways Section are satisfied that sufficient detail has been provided to demonstrate that access, turning and parking would be achievable for the properties, and as such has raised no objection. The development is therefore considered to comply with UDP Policies H2/2, H2/6 and HT2/4.

Response to planning refusal reference 59105

- A reasonable garden area of 8m would be retained to No 62 Peveril Close
- The scale, massing and design of the property would be in keeping with the character of the street scene and the surrounding residential properties
- The reduction in the height of the properties and the increase in depth of the rear garden areas would result in an acceptable relationship to Nos 54 and 60 Peveril Close.
- Sufficient access arrangements and levels details have been provided.

**Response to objectors -**

- A condition has been included which would require a drainage scheme, incorporating SuDS, to be submitted to the Local Planning Authority for approval.
- The issue raised with regards to access, parking, overlooking, levels, privacy and impact on residential amenity have been covered in the above report.
- A right to a view is not a material planning consideration.
- Access for emergency vehicles to the existing properties on Westholme Road would not be compromised or be any different to the current situation.
- The projection of the ground floor side extension to No 62 Peveril is relatively minor and would not affect the assessment of the proposal in terms of impact on No 89, or the surrounding properties.
- No 89 Peveril Close would be more than 50m away from the side elevation of the nearest property and as such impact on their outlook and light to their property is considered not to be significantly affected by the position of the proposed dwellings.
- The length of construction time (providing the development is started within the statutory 3 year period) and the location of skips and construction vehicles is not a material planning consideration.

**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 Paragraphs 186-187 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.



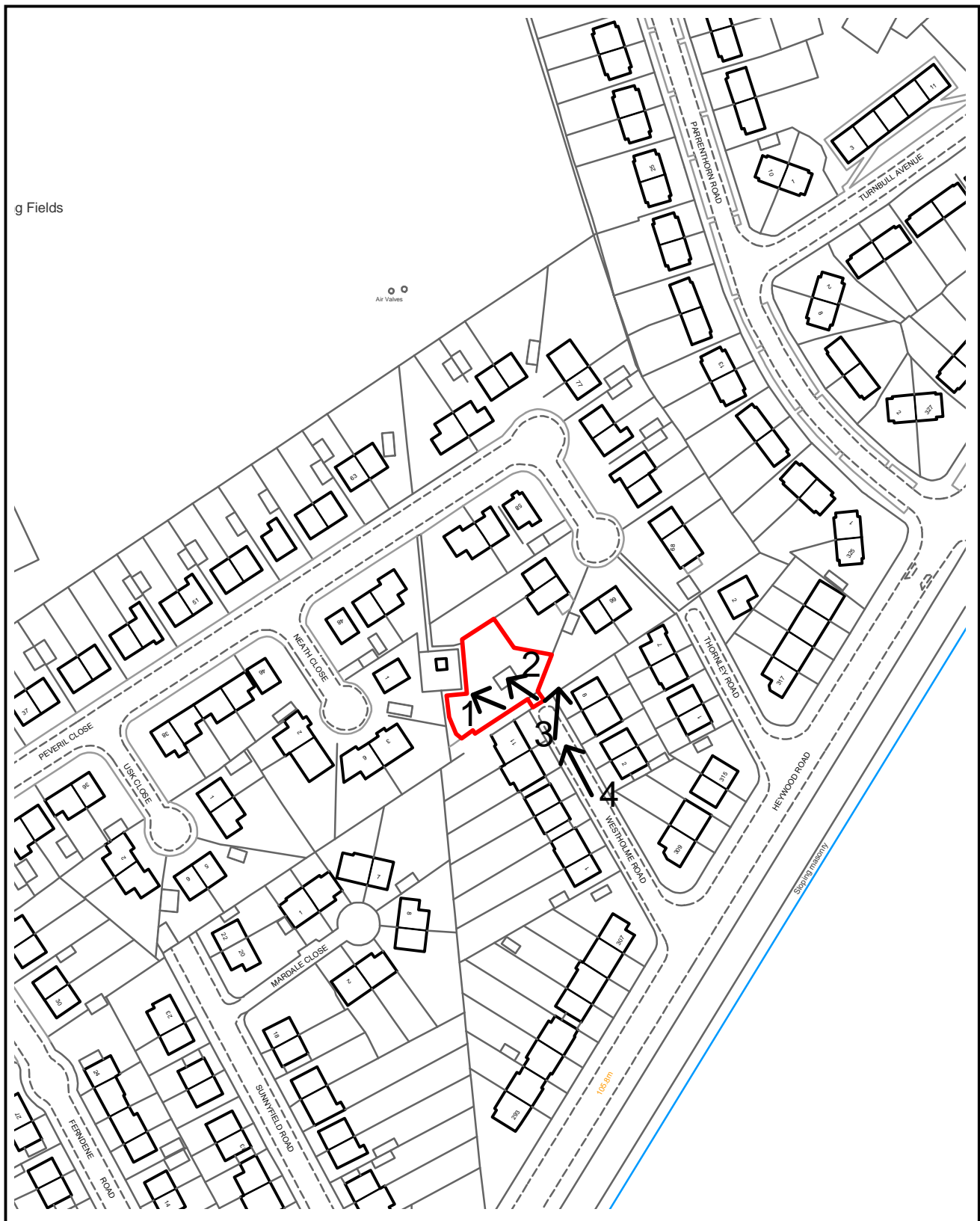
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2. This decision relates to drawings numbered Red/blue edge location plan; Topographical Survey 25045/01 and 02; Proposed plans and elevations dwg 01; Proposed site sections dwg 02; Proposed site plan and proposed levels dwg 03; Revised Design and Access Statement 25th February 2016, and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Details/Samples of the materials( bricks/roof tiles/openings) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.  
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 Townscape and Built Design and H2/1 - The Form of New Residential Development.
4. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 2015, no development shall be carried out within the terms of Classes A to F of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.  
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Bury Unitary Development Plan H2/1 - The Form of Residential Development, H2/2 - The layout of New Residential Development, H2/6 - Garden and Backland Development and H2/3 - Extensions and Alterations.
5. Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.  
Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
6. No development shall commence unless and until details of the surface water drainage proposals have been in accordance with the submitted SuDS statement and Flood Risk Assessment and be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented and thereafter maintained.  
Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development pursuant to chapter 10 - meeting the challenge of climate change, flooding and coastal change of the NPPF.
7. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP) has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:
  - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;

- Parking on the site or on land within the applicant's control of operatives' and construction vehicles together with storage on site of construction materials.  
Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets and ensure adequate off-street car parking provision and materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT4 - New Development.
8. No development shall commence unless and until details have been submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.  
Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.
  9. The proposed vehicular access arrangements indicated on approved plan reference 03 Revision B, incorporating the construction of a new footway crossing and all associated highway remedial works to the footway and adjacent footway crossings, shall be implemented to an approved specification and to the written satisfaction of the Local Planning Authority prior to the dwellings hereby approved being occupied and thereafter maintained at all times.  
Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.
  10. The turning facilities indicated on approved plan reference 03 Revision B shall be provided before the dwellings are first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.  
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety H2/2 - The Layout of New Residential development and HT6/2 - Pedestrian/Vehicular Conflict.
  11. The car parking indicated on the approved plan reference 01 Revision B shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 The layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

# Viewpoints



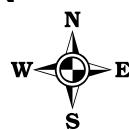
## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59713**

**ADDRESS:** Land at rear of 62 Peveril Close  
Whitefield

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

59713

Photo 1



Photo 2





Photo 3



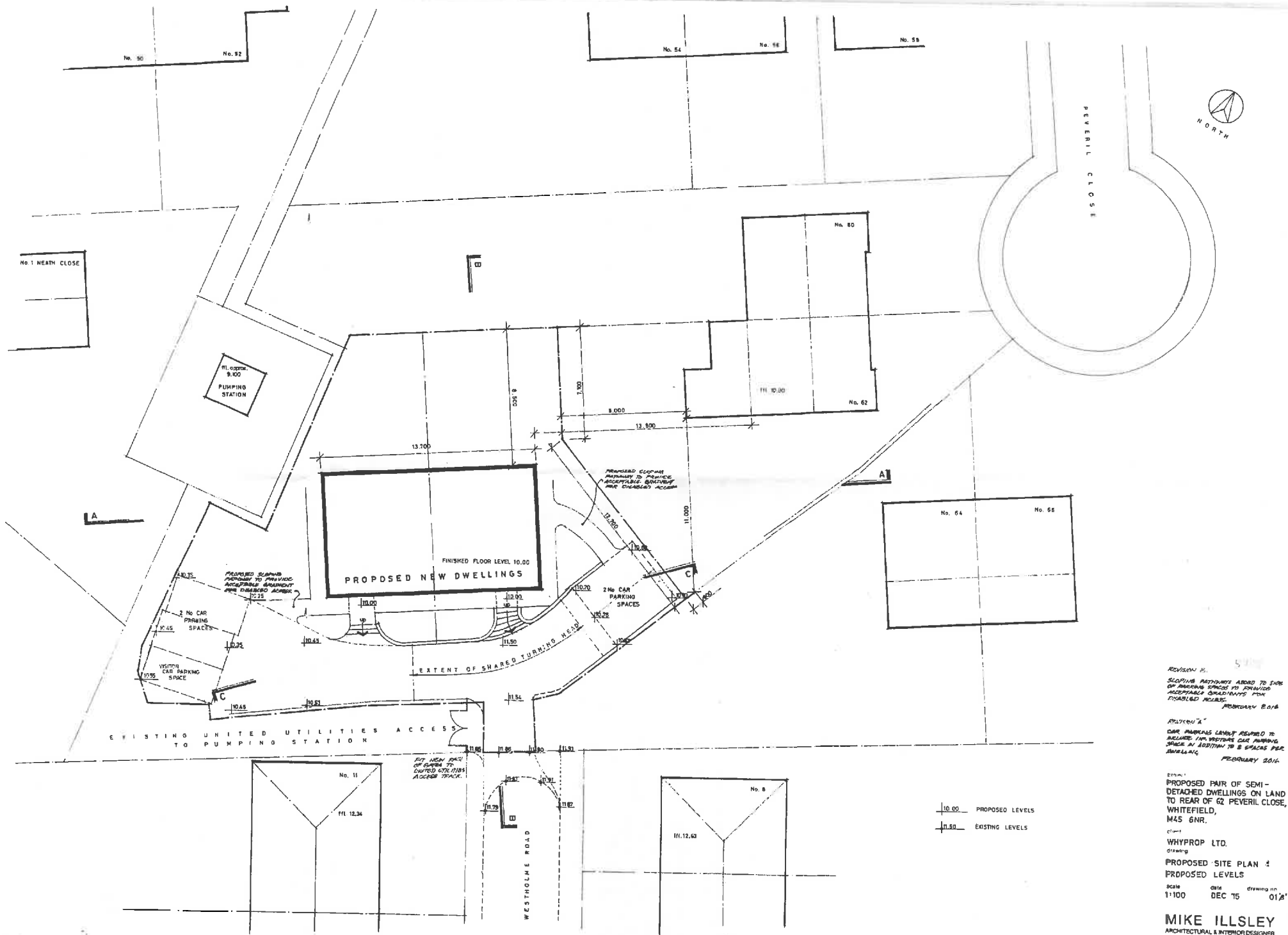
Photo 4

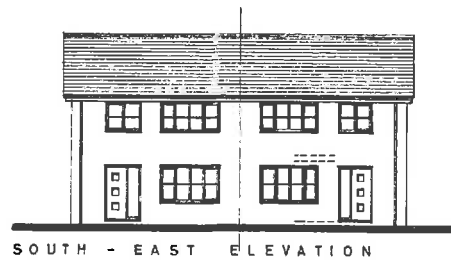




Photo 5







SOUTH - EAST ELEVATION



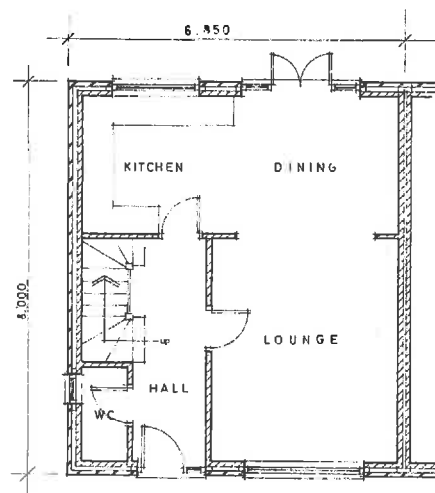
NORTH - EAST ELEVATION



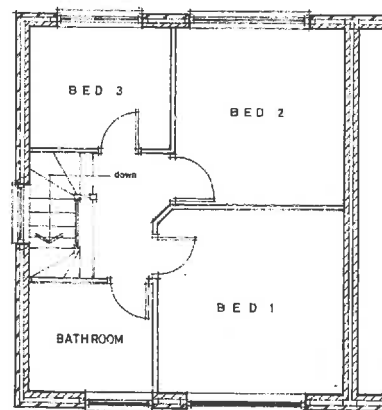
NORTH - WEST ELEVATION



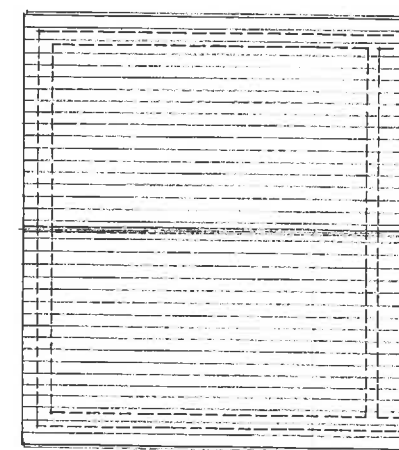
SOUTH - WEST ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



ROOF PLAN

#### PROPOSED WORKS

Form 2 no. semi-detached dwellings with associated vehicular access and two no. parking spaces per dwelling.

#### WALLS

New external walls to be constructed using facing brickwork, type, colour, texture and size to be agreed.

#### WINDOWS & DOORS

New windows to be powder coated, self finished, metal framed, double glazed units.

New external doors to be self finished, double glazed, set in self finished, powder coated, metal frames.

#### ROOF

New roof to be finished with concrete interlocking tiles. Colour and specific type to be agreed.

Fit new upvc gutters, fascias, soffits, bargeboards, rain water pipes, etc.

#### EXTERNAL WORKS

Wastholme Road to be extended into site to form a new turning head.

Turning head to be surfaced with tarmac finish to match Wastholme Road and defined using concrete edgings set to level of adjacent road surface.

Access drives and 2 no. parking spaces per dwelling to be formed using porous surfacing and concrete kerb edgings.

Proposed levels of turning head and access drives to be finalised on site to reduce impact of level differential between proposed dwellings and existing level of Wastholme Road.

Existing detached garage to be completely removed from site.

Form perimeter permeable paving to dwellings approximately 900 mm wide but increasing to accommodate waste bins locally to rear corners of dwellings. Bin stores to have treated, vertically boarded screen fencing approximately 1200 mm high.

Form new 1.800 mm high, vertically boarded, treated timber fencing to north east and north west boundaries (separating gardens to number 62 and 60 respectively).

Existing fencing to south east boundaries to be retained and made good where necessary.

59713  
PROJECT  
PROPOSED PAIR OF SEMI-  
DETACHED DWELLINGS ON LAND  
TO REAR OF 62 PEVERIL CLOSE  
WHITEFIELD,  
M45 6NR.

CLIENT  
WHYPROP LTD.  
DRAWING  
PROPOSED PLANS &  
ELEVATIONS

SCALE  
1:100, 1:50 DEC. '15

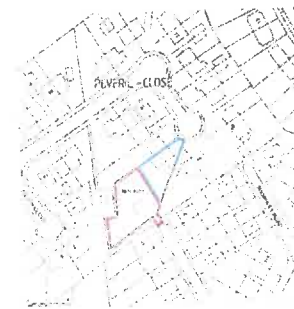
DRAWN BY  
MICHAEL ILLSLEY  
ARCHITECTURAL & PLANNING DESIGNER  
10, VICTORIA GROVE, BIRMINGHAM  
BIRMINGHAM, ENGLAND

SITE PLAN 1:100

LOCATION PLAN 1:1250

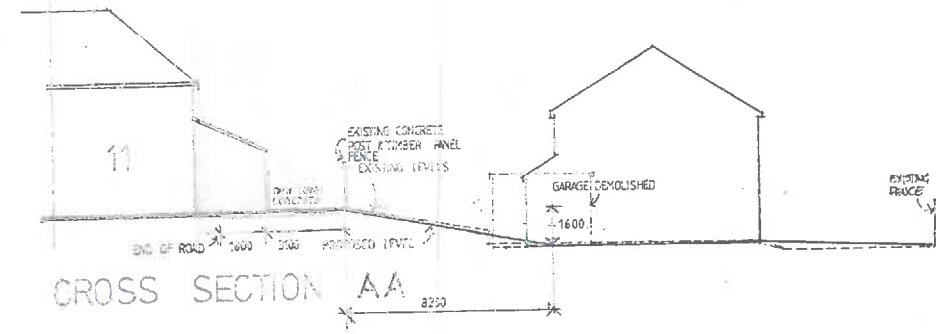
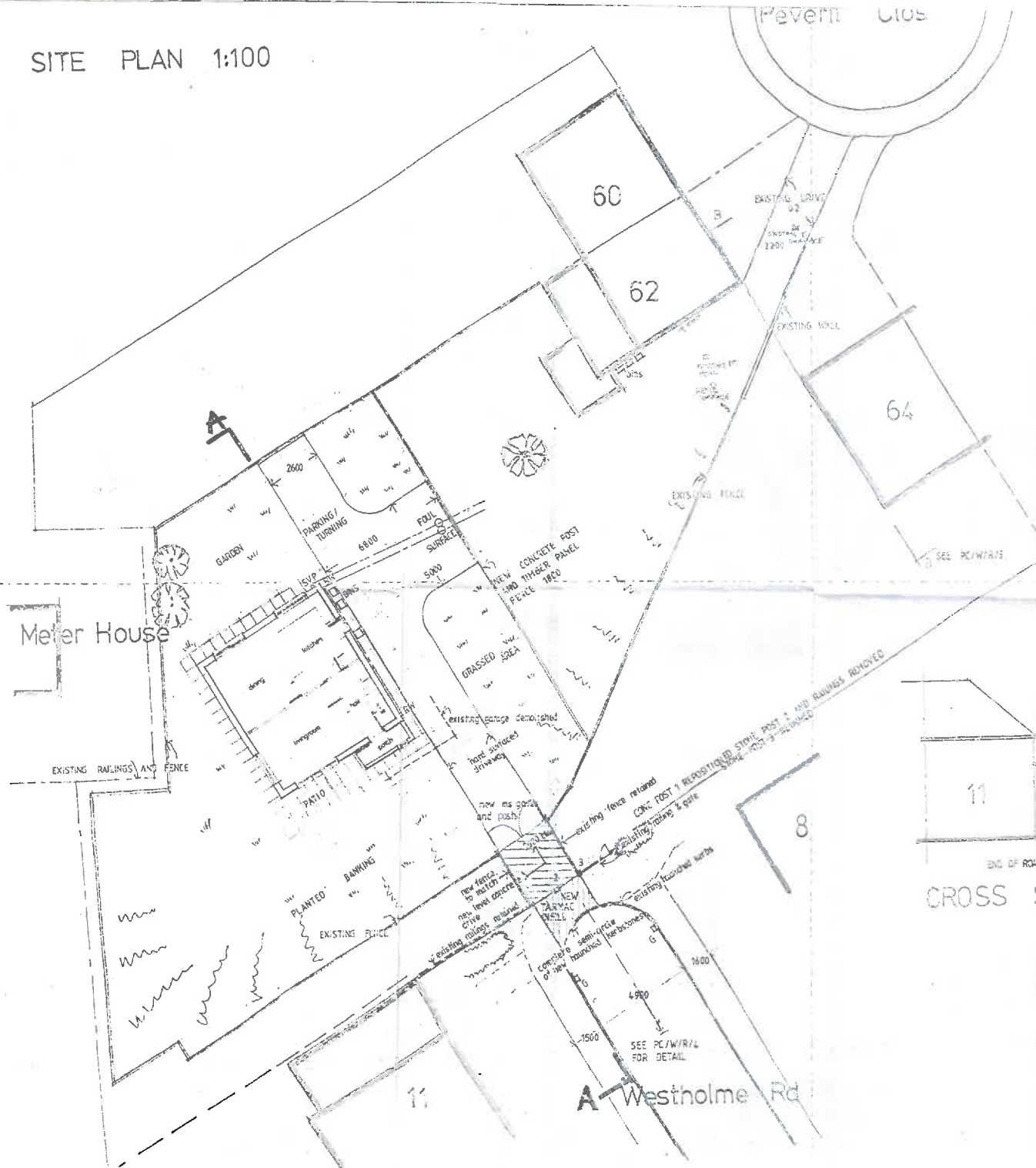


SITE LOCATION PLAN  
AREA 2 HA  
SCALE 1:1250 ON A4  
CENTRE COORDINATES: 382786, 405263



Supplied by Streetwise Maps Ltd  
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2005/12/13 17:10

**PREVIOUSLY APPROVED PLAN REF : 57340**



CROSS SECTION AA

PCNR126

ACCESS & AREAS ALTERED 07/01/14  
VARIOUS CORRECTIONS/AMENDMENTS 04/04/14

**Ward:** Whitefield + Unsworth - Unsworth

**Item** 10

**Applicant:** H3G Ltd & EE Ltd

**Location:** Land at junction of Sunny Bank Road and Wastdale Avenue Bury, BL9 8HJ

**Proposal:** Prior notification of proposed telecommunications development comprising of replacement 10 metre monopole with 14.7 metre phase 4 monopole and 1 no. additional equipment cabinet

**Application Ref:** 59714/Telecom  
Determination (56 Days )

**Target Date:** 29/03/2016

**Recommendation:** Approve with Conditions

### **Description**

The site is a grass verge at the back edge of a pavement which is located at the junction of Sunnybank Road and Wastdale Avenue, in front of the Sunnybank Service Station. The site is within a Local Shopping Centre (UDP Policy S1/4) with a row of shops to the west and opposite to the north. To the east and south are residential properties.

The application seeks the erection of a 14.7m high telecommunications mast which would replace the existing 10m high mast, and is required for a site upgrade to add additional 4G coverage. The mast would contain 3 antenna within a shroud at the top pole and it would have a light grey finish.

It is also proposed to site an additional equipment cabinet on the north eastern side of the existing cabinet. It would be 2.1m high and the same grey colour as the mast.

The applicant has confirmed the existing pole is 10m in height, not 12.5m as granted in the 2005 approval reference 44811.

### **Relevant Planning History**

44811 - Telecommunications installation - 12.5m high slimline streetworks monopole, 3 antennae concealed in a cylindrical shroud, 0.3m dish with ground based equipment cabinet - 27/7/2005.

37570 - Prior approval - 10m street lamp telecommunications column and ancillary apparatus - Granted 2001 (Structure opposite the site).

### **Publicity**

64 letters sent on 3/2/2016 to addresses at Sunnybank Road, Lindale Avenue, Hathaway Road, Ventnor Avenue, Wastdale Avenue, Langdale Drive.  
Site notice posted 5/2/2015.

Two letters of objection received, from No 84 Sunnybank Road, and by e mail (no address), which raise the following issues;

- There are already two mobile phone masts situated on this junction of a mainly residential area. Are these not already producing enough coverage/emissions for the area?;
- The two telecommunication masts were opposed when they were first sited and they are an eyesore just as much today as when they were erected;
- To suggest they should be higher is an outrage to local residents - they are monstrosities that the council allowed to be erected;
- There is so much street traffic on Sunnybank already which was once a nice residential area, with signs everywhere that makes me want to move;



- Listen to the residents and not large companies.

The objectors have been informed of the Planning Control Committee meeting.

## **Consultations**

**Traffic Section** - No objection.

## **Unitary Development Plan and Policies**

EN1/10     Telecommunications  
 EN1/2     Townscape and Built Design  
 S1/4       Local Shopping Centres  
 NPPF       National Planning Policy Framework

## **Issues and Analysis**

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

**Principle** - The site already accommodates a monopole and the replacement mast would enable the site to be upgraded to provide 4G coverage without the need for extensive works. The applicant has provided sufficient information to justify the need for the development which would improve network coverage and facilitate mast sharing between operators and as such would demonstrate compliance with the NPPF and UDP Policy EN1/10.

**Health issue** - The NPPF states that applications for telecommunications development should include a statement that self certifies that the cumulative exposure, when operational, will not exceed the International Commission on non-ionising radiation protection guidelines. Local Planning Authorities must determine applications on planning grounds. They should not seek to determine health safeguards if the proposal meets International Commission guidelines for public exposure. In this case, the applicant has indicated that the proposal would meet the ICNIRP guidelines, through the submission of a certificate.

**Visual amenity** - The replacement mast would be sited on the footprint of the existing mast. The monopole would have a similar slimline and coloured appearance to the existing pole and topped with a shroud covering. The additional height of 4.7m is considered to be relatively minimal and would not impact on the visual amenity of the area or street scene, as it would be viewed against the backdrop of commercial buildings and not visually perceptible from short or long range views.

The equipment cabinet would be sited adjacent to the existing cabinet, set against the back edge of pavement and would be lower in height. It would be the same colour as the proposed monopole and similar to that of the existing cabinet, and as such considered not to significantly add to street furniture.

As such, it is considered the proposed development would not have an significant adverse impact on the visual amenity of the area and would comply with EN1/2, EN1/10 and the NPPF.

**Highways issues** - The mast would be sited on the footprint of the existing structure, set against the back edge of pavement and grass verge. Similarly, the cabinet would be set back from the pedestrian footpath which in this location is wider than the standard pavement widths and would allow sufficient space for pedestrians to pass without adverse safety

issues.

The Highway's Section have raised no objection to the application and as such the development is considered to comply with EN1/10.

**Response to objectors -**

- The proposed mast would be a replacement and not an additional structure;
- Impact on the street scene and visual amenity 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 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 Paragraphs 186-187 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 Site location BRY046 -001 Rev A; Proposed site plan BRY046 -002 Rev A; Proposed elevation A BRY046 -003 Rev A; Cabinet and Antenna Details BRY -004 Rev A; Supplementary Information Form January 2016 ref. BRY046 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 **Jennie Townsend** on **0161 253-5320**

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59714**

**ADDRESS:** Land at Sunny Bank Road  
Bury

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

59714

Photo 1



Photo 2





ELEVATION A

SERVICES IN CLOSE PROXIMITY TO BUILD LOCATION. CONTRACTOR TO EXCAVATE WITH CAUTION.

CONTRACTOR TO CAT SCAN FOR SERVICES TO ENSURE AREA FOR CABINET AND LINE OF DUCTS ARE FREE OF SERVICES PRIOR TO ANY EXCAVATION TAKING PLACE. CONTRACTOR TO INFORM DALY INTERNATIONAL PM IMMEDIATELY IF SERVICES ARE LOCATED.

ALL RIGGING TO BE GROUNDED IN ACCORDANCE WITH THE MOST RECENT REVISION OF DOCUMENT RD10010 'RIGGING - FEEDER SYSTEMS'.

ALL ADDITIONAL EQUIPMENT TO BE GROUNDED & EARTHED IN ACCORDANCE WITH THE MOST RECENT REVISION OF DOCUMENT RD10296 'LIGHTNING PROTECTION AND EARTHING SYSTEM GUIDELINES'.

- GENERAL NOTES:
1. DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT DRAWINGS AND SPECIFICATIONS. SEE DOCUMENT TRANSMITTAL FOR COMPLETE LIST OF DRAWINGS
  2. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE STATED.
  3. DO NOT SCALE DRAWINGS.
  4. ITEMS SHOWN BOXED ARE PROPOSED WORKS BY OPERATOR. ALL OTHER ITEMS ARE EXISTING SITE FEATURES.
  5. DUCT ROUTES ARE SHOWN INDICATIVELY. ACTUAL ROUTES TO BE DETERMINED ON SITE.
  6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DIMENSIONAL ACCURACY AND THE CORRECT SETTING OUT OF ALL WORK ON SITE.
  7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING ALL SITE DIMENSIONS PRIOR TO THE COMMENCEMENT OF WORK.
  8. ALL DISCREPANCIES ARE TO BE REPORTED TO THE ENGINEER.



"EXCLUSION ZONES CONFORM TO THE ICNIRP REFERENCE LEVEL FOR LIMITING RF EXPOSURE TO MEMBERS OF THE GENERAL PUBLIC."

A	27.10.15	FIRST ISSUE	CMS	CMS	
RV	DATE	DESCRIPTION	DRN	CHK	APP

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### PROPOSED SITE PLAN

CELL ID: BRY046

SITE NAME: SUNNYBANK ROAD SW

SITE ADDRESS: UNSWORTH BURY GREATER MANCHESTER BL9 8ES

O.S. CO-ORDINATES: 381129, 407210

DATE: 27.10.15 DRN: CMS SCALE: 1:50

DRAWING No: BRY046 -002 REV: A

H3G PAGONA AC FED FROM AC DISTRIBUTION BOARD LOCATED IN EE EMC IN VRE. 1No. CRABTREE 40A, 1PH TYPE C MCB REQUIRED. FEED CABLE TO BE 6mm<sup>2</sup> SWA CABLE. EXISTING MCB'S TO BE RE-ARRANGED TO PROVIDE SPACE.

H3G PAGONA EARTHED WITH A GREEN/YELLOW 25mm<sup>2</sup> EARTH CABLE CROSS BONDED FROM THE CABINET EARTH TO SITE EARTH.

EXISTING 4-STUD EARTH BAR TO BE SWAPPED OUT FOR A 8-STUD COPPER EARTH BAR.

6No. LDF4-50 FEEDERS FOR H3G L1800 RUN FROM H3G PAGONA TO PHASE 4 POLE VIA PROPOSED 150mm<sup>2</sup> FEEDER DUCT. DUCT TO ENTER PHASE 4 POLE THROUGH WRAP AROUND DIPLEXOR CABINET CONCRETE PLINTH. EXISTING SURFACE TO BE MADE GOOD ON COMPLETION OF INSTALLATION.

TX CABLE ROUTES THROUGH 75mm<sup>2</sup> DUCT FROM H3G PAGONA CABINET TO TX EQUIPMENT IN VRE. CONTRACTOR TO HAND DIG TO LOCATE EXISTING TX DUCT EXITING TX EQUIPMENT IN VRE AND CONNECT PROPOSED DUCT TO EXISTING USING 'Y' BRANCH.

H3G PAGONA CABINET LOCATED ON ROOT CAST INTO CONCRETE PLINTH. (COLOUR: GREY-RAL7035)

LIGHTNING PROTECTION TO BE 75mm<sup>2</sup> COPPER TAPE FROM THE SITE MAIN EARTH TERMINAL/BAR TO THE PAGONA CABINET MAIN EARTH STUD (FRONT DOOR ACCESS, BOTTOM RHS).

SUB MAIN CABLE ROUTES THROUGH 75mm<sup>2</sup> DUCT FROM H3G PAGONA CABINET TO EE EMC IN VRE. CONTRACTOR TO HAND DIG TO LOCATE EXISTING POWER DUCT EXITING EE EMC IN VRE AND CONNECT PROPOSED DUCT TO EXISTING USING 'Y' BRANCH.

EE/H3G NOKIA OPTIMA WREB WITHIN CANDAL RESISTANT CABINET

EE/H3G 1800/2100 JUMPERS TO BE REPLACED AND CONNECTED TO 1800/2100 FEEDERS AT LOW-LEVEL HATCH IN PROPOSED PHASE 4 POLE. EXISTING DUCT TO BE RE-USED IF SUITABLE OR REPLACEMENT 150mm<sup>2</sup> DUCT INSTALLED, ENTERING POLE VIA WRAP AROUND DIPLEXOR CABINET CONCRETE BASE.

EE/H3G WRAP AROUND DIPLEXOR CABINET INSTALLED ON ROOT CAST INTO CONCRETE PLINTH. ALIFABS PART NUMBER A-100000 DIPLEXOR CABINET SIZE 1 (280mm MAX DIAMETER POLE). COLOUR: GREY-RAL7035

EXISTING EE 10m (TOP OF SHAFT) HUTCHINSON ENGINEERING SLIMLINE POLE TO BE SWAPPED OUT FOR A PRE-RIGGED EE/H3G 15m PHASE 4 POLE WITH SHROUDED HEADFRAME. WIDE BAND 4 PORT ANTENNAS LOCATED AT TOP OF POLE C/W 3No. H3G COMMScope E15S09P75 MHA'S AND 3No. EE/H3G RD0448 MHA'S. EXISTING FOUNDATIONS TO BE CHECKED FOR SUITABILITY. (POLE COLOUR: GREY-RAL7035; SHROUD COLOUR: GREY-RAL7035)

EE/H3G BTS3900A (SIDE BY SIDE)

BOXED TEXT INDICATES PROPOSED WORK



SERVICES IN CLOSE PROXIMITY TO BUILD LOCATION. CONTRACTOR TO EXCAVATE WITH CAUTION.

CONTRACTOR TO CAT SCAN FOR SERVICES TO ENSURE AREA FOR CABINET AND LINE OF DUCTS ARE FREE OF SERVICES PRIOR TO ANY EXCAVATION TAKING PLACE. CONTRACTOR TO INFORM DALY INTERNATIONAL PM IMMEDIATELY IF SERVICES ARE LOCATED.

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"EXCLUSION ZONES CONFORM TO THE ICNIRP REFERENCE LEVEL FOR LIMITING RF EXPOSURE TO MEMBERS OF THE GENERAL PUBLIC."

A	27.10.15	FIRST ISSUE	CMS	CMS
RV	DATE	DESCRIPTION	DRN	CHK APP

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PROPOSED ELEVATION A

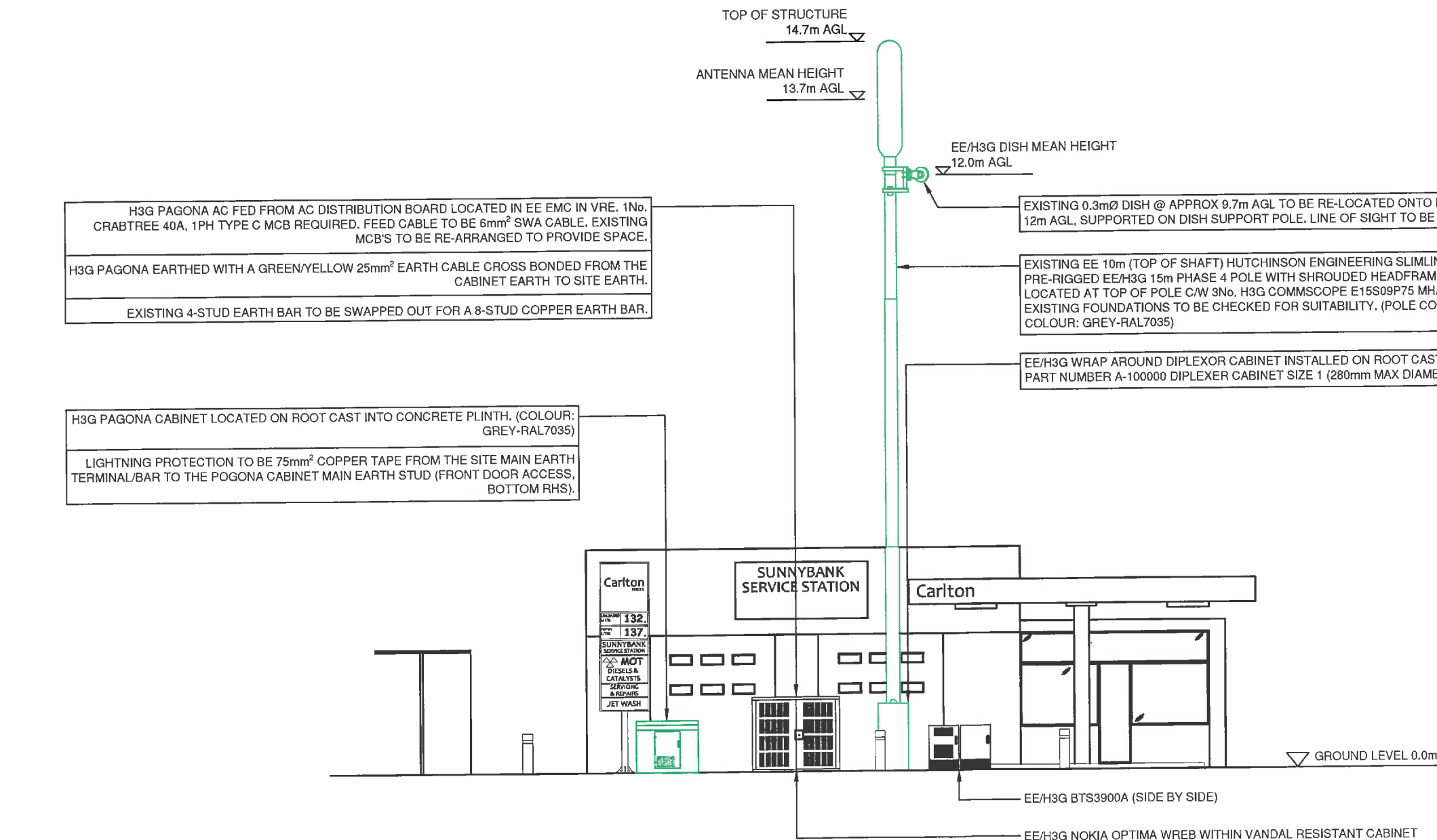
CELL ID: BRY046

SITE NAME: SUNNYBANK ROAD SW

SITE ADDRESS: UNSWORTH  
BURY  
GREATER MANCHESTER  
BL9 8ES

O.S. CO-ORDINATES: 381129, 407210

DATE:	27.10.15	DRN:	CMS	SCALE:	1:100
DRAWING No:	BRY046	-003	REV:	A	



BOXED TEXT INDICATES PROPOSED WORK

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

**Item** 11

**Applicant:** Mr A Crawford

**Location:** 18 Dales Lane, Whitefield, Manchester, M45 7WW

**Proposal:** Variation of condition no. 2 (approved drawings) of application 51241 for addition of rear dormer (resubmission)

**Application Ref:** 59722/Full

**Target Date:** 31/03/2016

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a previously approved scheme to erect a detached dwellinghouse in the side garden of 18 Dales Lane, a residential road characterised by detached and semi-detached houses.

The proposal is to retain a second floor dormer at the rear that was not part of the original approved scheme (51241). The extension is constructed in brick with a tiled pitched roof and extends off the side and rear walls of the dwelling and measures 4.5m across. It has a pitched roof extending up to the main ridge and the main roof wraps around the base and side, creating the appearance of a dormer rather than a second floor extension.

The applicant has constructed the dormer in the light of what could be normally built as 'permitted development' if the approved dwelling were occupied. However as the dwelling is not occupied yet, it is not classed as a dwelling and therefore does not currently have any 'permitted development' rights, hence the need for planning approval.

### **Relevant Planning History**

51241 - Erection of a two storey detached dwelling - Approved 29/06/2009

55126 - Application to extend the time limit for implementation of extant planning permission

51241 for erection of 2 storey detached dwelling - Approved 31/07/2012

59116 - Variation of condition no. 2 (approved drawings) of applications 51241 two storey dwelling and 55126 (extension of time for 51241) for addition of rear dormer - Refused 19/10/2015

15/0495 - Enforcement - Not built to approved plan - application received.

### **Publicity**

The following neighbours notified by letter dated 08/02/16.

12 - 20 (Even) and 11 - 17 (odd) Dales Lane, 54 - 66 Ashbourne Grove. Objection received from the resident of 66 Ashbourne Grove on grounds that a three storey house is built and overshadows his garden.

The objector has been notified of the Planning Control Committee.

### **Consultations**

None relevant.

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

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

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.

**Visual amenity** - When viewed from the rear, the proposed dormer, with a pitched roof that does not extend above the main ridge and the main roof extending around the base and sides, whilst not ideal in terms of proportion, does not appear to be grossly out of keeping with the rear elevation of the house.

On balance, the proposed dormer is considered to be acceptable in terms of visual amenity and complies with UDP Policy and guidance.

**Residential amenity** - With regard to the concerns of the neighbours about overlooking or overshadowing, there is a distance of over 40m between the rear elevation of the new house and the neighbour's houses to the rear, on Ashbourne Grove. This is well in excess of the separation distance required in the Council's adopted guidance. Despite the tree loss on the rear boundary, the proposal is considered acceptable in terms of residential amenity and complies with UDP policy and guidance.

**Objections** - The issues raised by the objector have been addressed in the above report.

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

The 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 Paragraphs 186-187 of the National Planning Policy Framework.

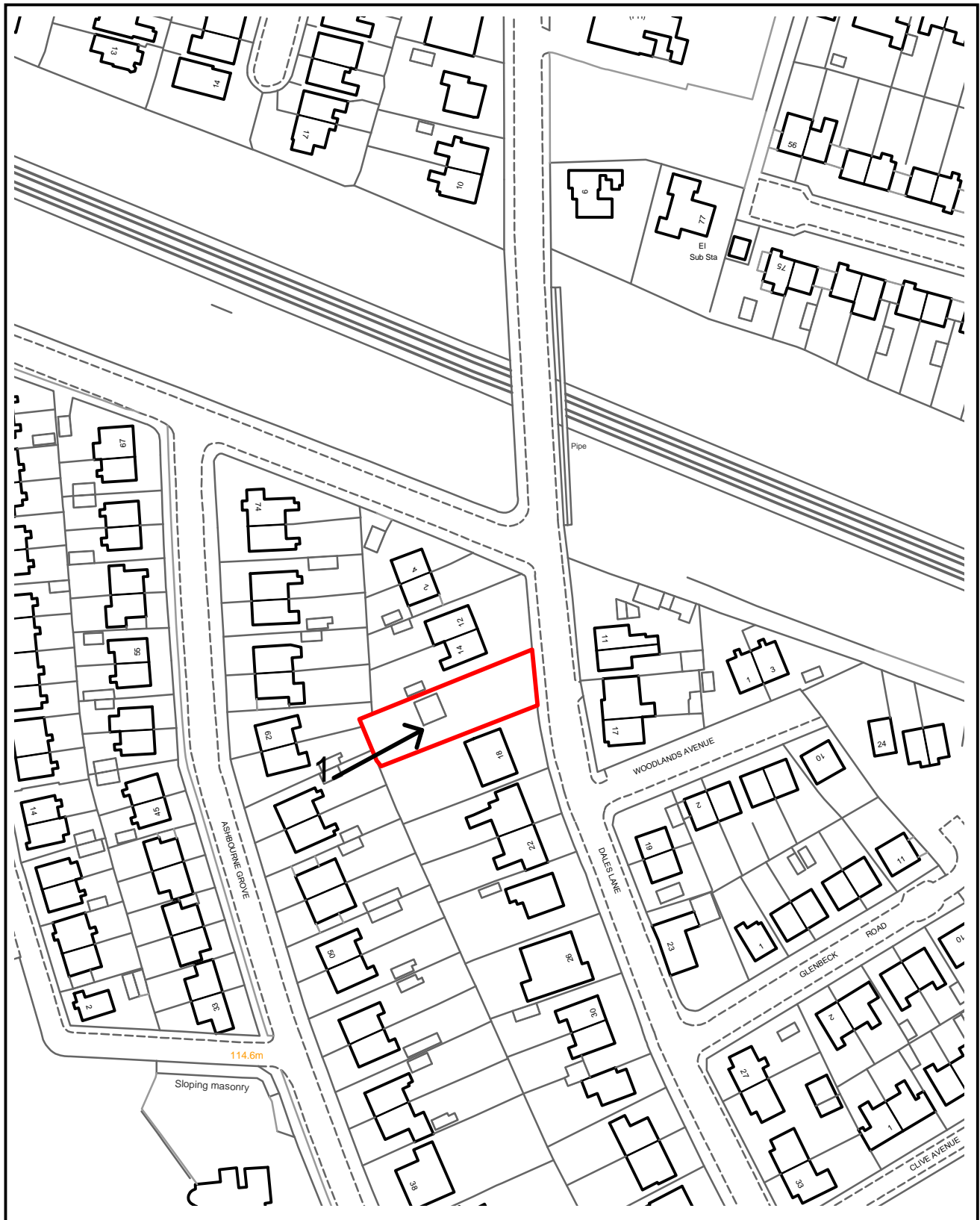
**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. This decision relates to drawings numbered (00).001/B, (00).002/B, (10).001/B, (10).002/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.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59722**

**ADDRESS: 18 Dales Lane  
Whitefield**

**Planning, Environmental and Regulatory Services**

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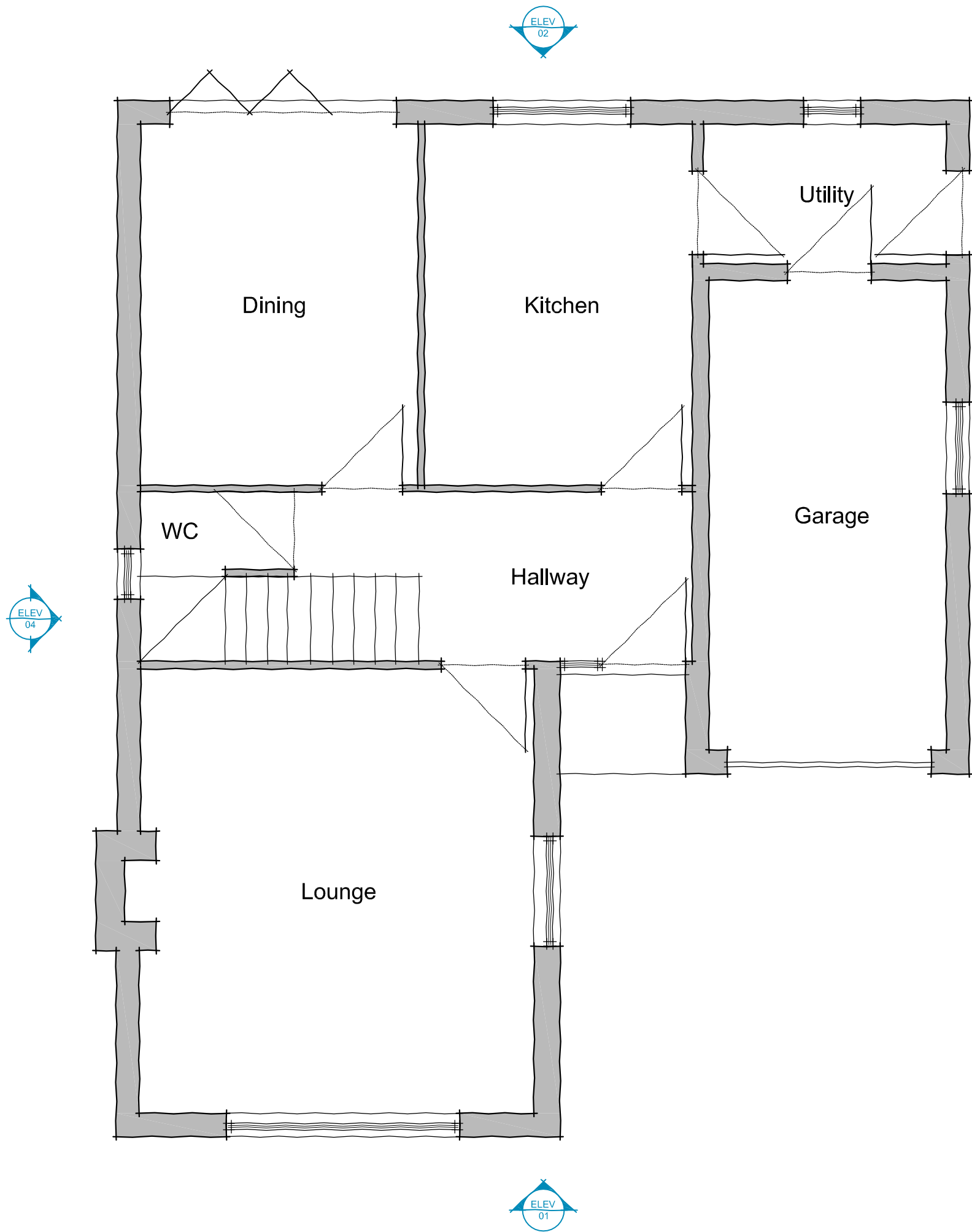
**Bury**  
COUNCIL

59722

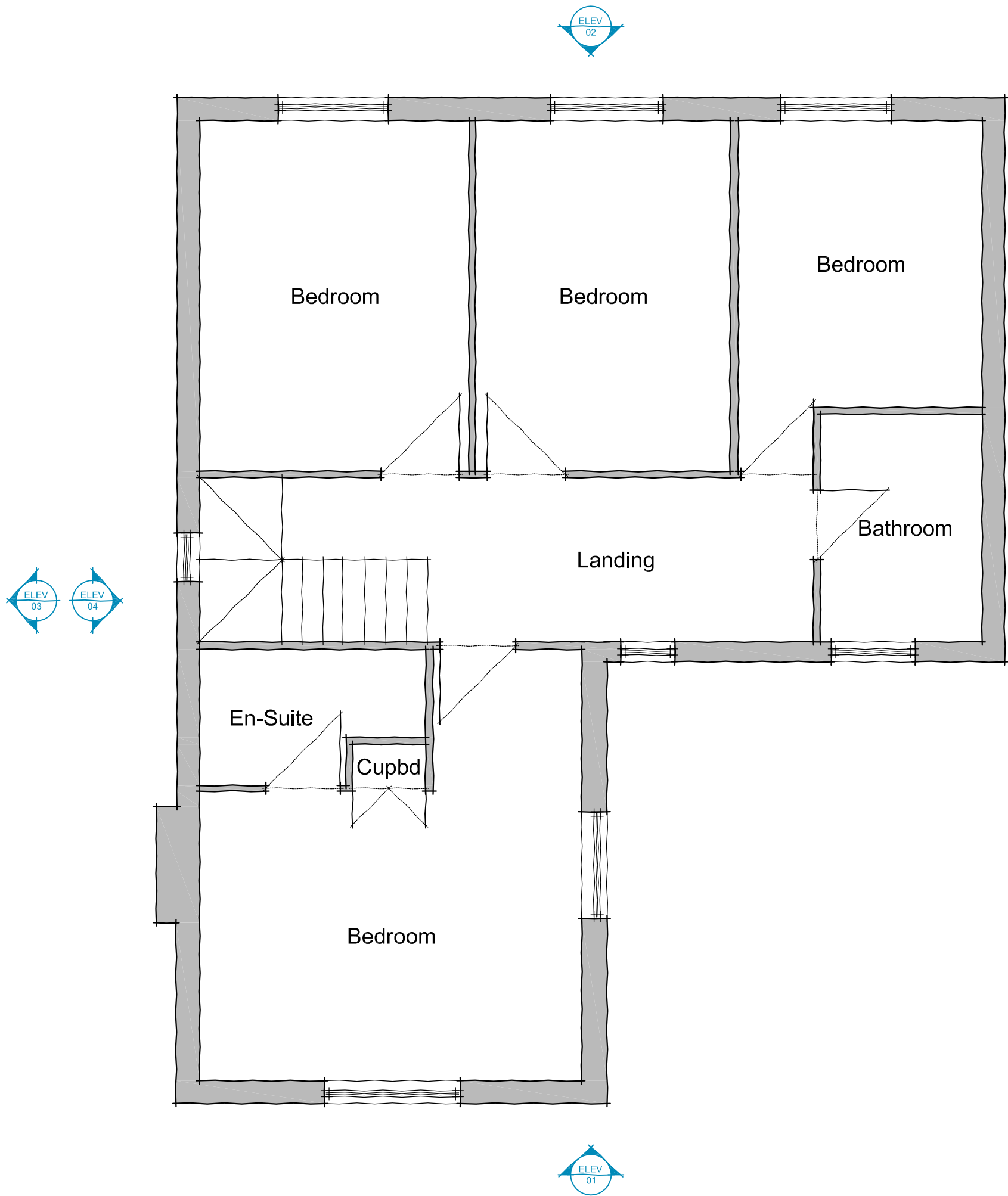
Photo



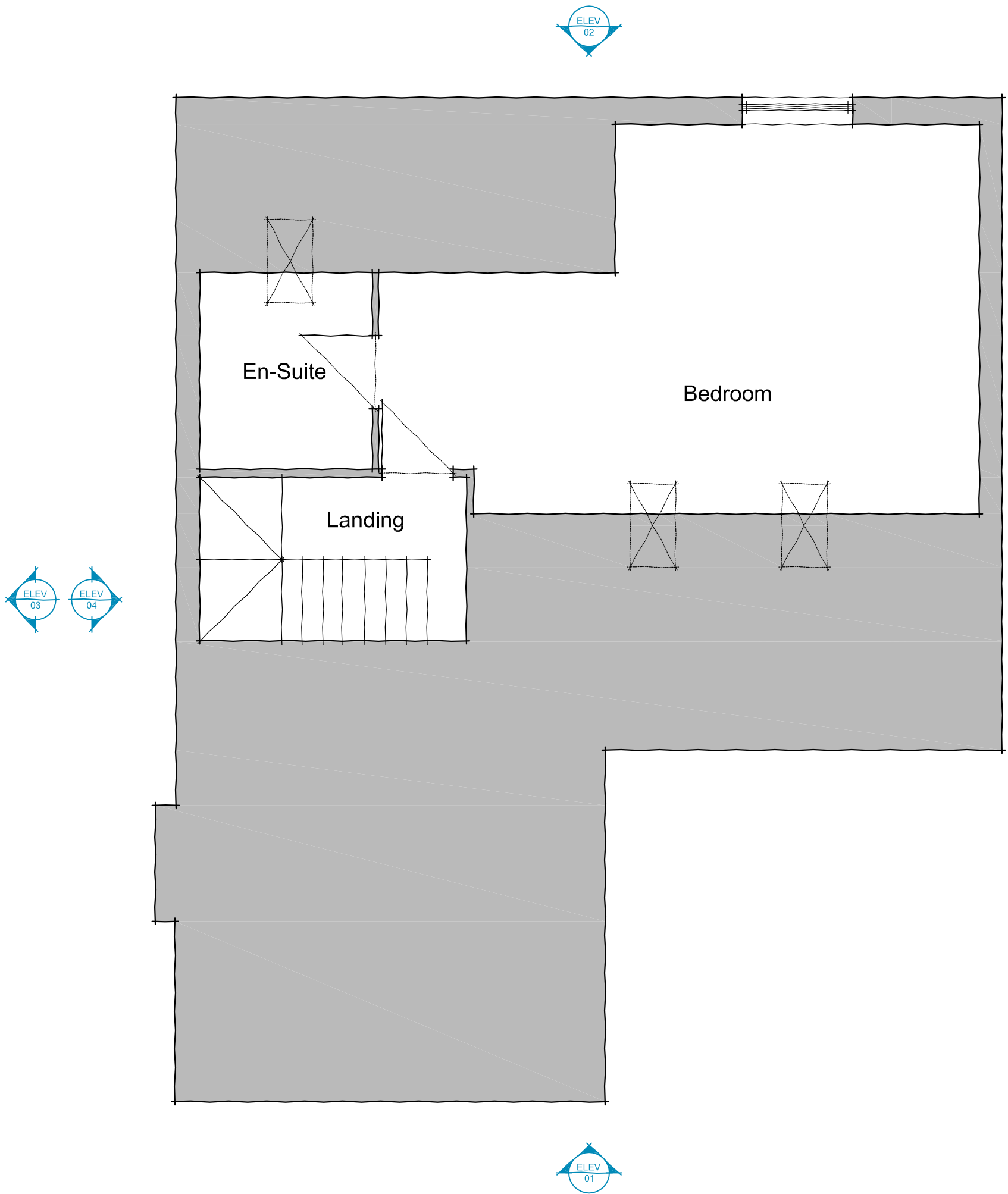




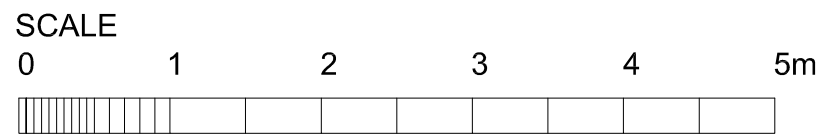
GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN



It is the Contractor's responsibility to report any inconsistencies on this drawing, or between drawings, to the Design consultant and to request clarification and instruction before proceeding. This drawing and design is the copyright of VISION and may not be reproduced in any form whatsoever without prior express or written consent.

Rev	Date	In1	Description
A	10.08.15	DB	FIRST ISSUE
B	20.01.16	DB	RESUBMISSION OF PLANNING APPLICATION 59116



Vision Architectural Consultancy  
T: 0161 456 3389  
M: 0782 555 6071  
E: dean@vision-architecture.co.uk  
W: www.vision-architecture.co.uk

PROJECT			
LAND ADJOINING No18 DALES LANE, WHITEFIELD, M45 7WW			
TITLE			
PROPOSED PLANS			
DRAWING STATUS			
<input type="checkbox"/> FEASIBILITY	<input checked="" type="checkbox"/> PLANNING	<input type="checkbox"/> CONTRACT	
<input type="checkbox"/> TENDER	<input type="checkbox"/> BUILDING CONTROL	<input type="checkbox"/> AS BUILT	
SCALE	CONTRACT	DRWG No.	REV
1:50 @ A1 1:100 @ A3	VA1554	(10).001	B



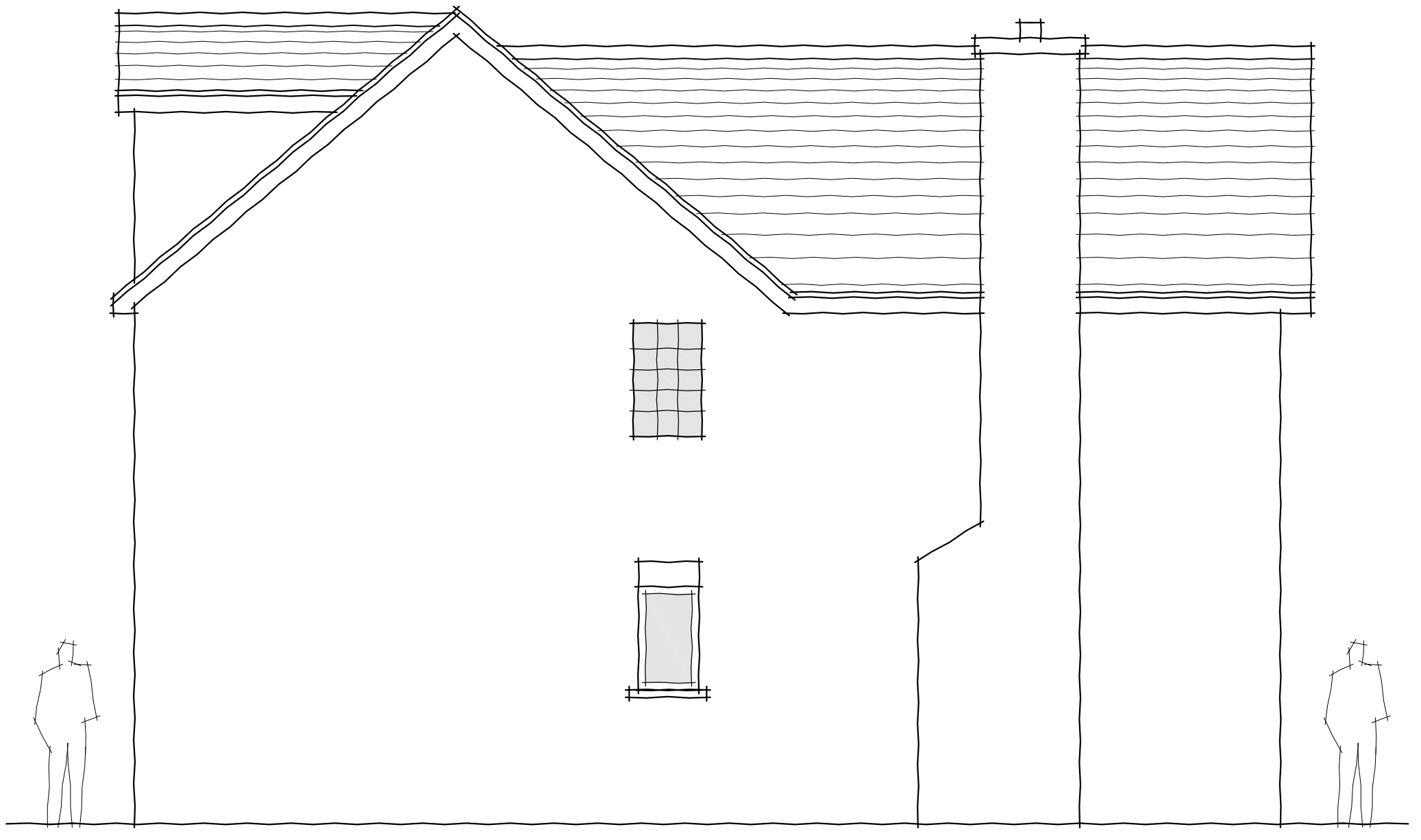
FRONT ELEVATION (1)



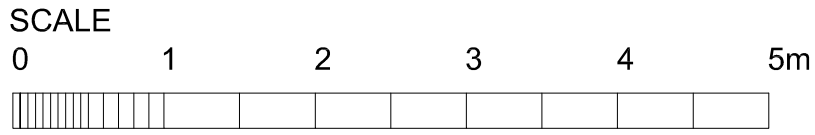
SIDE ELEVATION (3)



REAR ELEVATION (2)



SIDE ELEVATION (4)



Rev	Date	In1	Description
A	10.08.15	DB	FIRST ISSUE
B	20.01.16	DB	RESUBMISSION OF PLANNING APPLICATION 59116



PROJECT			
LAND ADJOINING No18 DALES LANE, WHITEFIELD, M45 7WW			
TITLE			
PROPOSED ELEVATIONS			
DRAWING STATUS			
<input type="checkbox"/> FEASIBILITY	<input checked="" type="checkbox"/> PLANNING	<input type="checkbox"/> CONTRACT	
<input type="checkbox"/> TENDER	<input type="checkbox"/> BUILDING CONTROL	<input type="checkbox"/> AS BUILT	
SCALE	CONTRACT	DRWG No.	REV
1:50 @ A1 1:100 @ A3	VA1554	(10).002	B