

<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>24 May 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.

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

## **Development Manager**

### **Background Documents**

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

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

<b>01</b>	<b>Township Forum - Ward:</b> Ramsbottom and Tottington - Ramsbottom	<b>App No.</b> 59550
	<b>Location:</b> The Paddock, Sheep Hey Farm, Leaches Road, Shuttleworth, Ramsbottom, Bury, BL0 0ND	
	<b>Proposal:</b> Change of use of field to camping site including siting of 2 no. moveable portaloos and shower block	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> Y
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<b>02</b>	<b>Township Forum - Ward:</b> Whitefield + Unsworth - Pilkington Park	<b>App No.</b> 59661
	<b>Location:</b> 260 Bury New Road, Whitefield, Manchester, M45 8QN	
	<b>Proposal:</b> Change of use from bank (Class A2) to restaurant and bar (Class A3/A4), single storey extension at the side and rear; associated parking.	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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<b>03</b>	<b>Township Forum - Ward:</b> Prestwich - Sedgley	<b>App No.</b> 59756
	<b>Location:</b> Rico House, George Street, Prestwich, Manchester, M25 9WS	
	<b>Proposal:</b> Erection of extension to create a mansard roof to provide additional floor to existing building; external covered staircase; Creation of 15 no. car parking & 10 cycling spaces	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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<b>04</b>	<b>Township Forum - Ward:</b> Bury East - Moorside	<b>App No.</b> 59811
	<b>Location:</b> Ryalux Carpets, Mossfield Mill, Chesham Fold Road, Bury, BL9 6XJ	
	<b>Proposal:</b> Infilling of existing loading bay and extension of access road; Installation of vehicle wash bay	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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<b>05</b>	<b>Township Forum - Ward:</b> Whitefield + Unsworth - Pilkington Park	<b>App No.</b> 59863
	<b>Location:</b> Slatterys Patisserie, 197 Bury New Road, Whitefield, Manchester, M45 6GE	
	<b>Proposal:</b> Store room extension at side	
	<b>Recommendation:</b> Approve with Conditions	<b>Site Visit:</b> N
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<b>06</b>	<b>Township Forum - Ward:</b> North Manor	<b>App No.</b> 59896
	<b>Location:</b> Units 1-4, Westgate Avenue, Ramsbottom, Bury, BL0 9SS	
	<b>Proposal:</b> Change of house types on plots 1-7 inclusive of planning permission	

57104

**Recommendation:** Approve with Conditions

**Site Visit:** Y

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**07 Township Forum - Ward:** North Manor **App No.** 59897

**Location:** Units 1-4 Westgate Avenue, Ramsbottom, Bury, BL0 9SS

**Proposal:** Change of house type on plot 8 of planning permission 57104

**Recommendation:** Approve with Conditions **Site Visit:** Y

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**08 Township Forum - Ward:** Whitefield + Unsworth - Unsworth **App No.** 59919

**Location:** Bury And Whitefield Jewish Primary School, School Close, Bury, BL9 8JT

**Proposal:** Erection of 2.4m high security fence/small section 3m high with manual and electronic gates

**Recommendation:** Approve with Conditions **Site Visit:** N

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**09 Township Forum - Ward:** Radcliffe - North **App No.** 59928

**Location:** Former garage colony sites at Mayfair Avenue, Radcliffe, Manchester, M26 3ND

**Proposal:** Erection of 8 no. dwellings on 2 no. sites

**Recommendation:** Approve with Conditions **Site Visit:** N

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**Ward:** Ramsbottom and Tottington -  
Ramsbottom

Item 01

**Applicant:** Mr Andrew Rothwell

**Location:** The Paddock, Sheep Hey Farm, Leaches Road, Shuttleworth, Ramsbottom, Bury,  
BL0 0ND

**Proposal:** Change of use of field to camping site including siting of 2 no. moveable portaloo  
and shower block

**Application Ref:** 59550/Full

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

**Recommendation:** Approve with Conditions

**The application has been deferred for a committee site visit to take place on 24 May 2016 prior to the Planning Control Committee meeting.**

### **Description**

The application site consists of a field, which was used for grazing sheep. The site is predominantly flat, but the surrounding land to the east and south of the site is at a higher level. There is a line of mature trees along the eastern boundary and a stone wall and timber fence marks the boundary of the site. There is a timber post and rail fence to all other boundaries. The site is accessed from Leaches Road, which connects to Whalley Road to the east and Bolton Road North to the west.

The site was used as a temporary camp site during the Ramsbottom Festival in September 2015 and the structures (toilets and shower block) were removed from the site in November 2015. The site has been used to host events and functions in a large tipi tent (shown on the photographs). The use of the tipi for functions and events does not form part of the application being considered and is otherwise permitted for up to 28 days in a calendar year under Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

There is a area of mature trees to the north of the site with residential properties beyond. There are open fields to the west, which contain two stables buildings and open fields to the south. The M66 motorway is located to the west and is within an embankment with Leaches Road and the associated bridge above.

The proposed development involves the change of use of the field to a camping site including the siting of 2 moveable portaloo and shower block. The proposed shower block would measure 3 metres by 3 metres and would be 3 metres in height. The proposed portaloo building would measure 1.2 metres by 1.3 metres and would be 2.3 metres in height. Both the proposed buildings would be clad in timber. The proposed development would be accessed from Leaches Road and a small area of hardstanding would be located in the north western corner of the site.

### **Relevant Planning History**

33506 - Conversion of existing outbuildings to form 6 dwellings and garages at Sheep Hey Farm, Leaches Road, Shuttleworth. Approved with conditions - 13 October 1997

Adjacent site

33808 - Erection of agricultural building at Sheep Hey Farm, Leaches Road, Shuttleworth. Withdrawn - 4 February 1999

34584 - Erection of block of 3 stables and store at land adjacent to Sheep Hey Farm, Leaches Road, Shuttleworth. Approved with conditions - 1 October 1998.

43717 - Detached single storey stable block and tack at paddock off Leaches Road, Shuttleworth. Refused - 18 January 2005

51562 - Agricultural livestock building at land at Sheep Hey Farm, Leaches Road, Shuttleworth. Refused - 10 September 2009.

#### Enforcement

15/0317 - Events company and campsite run from residential property at The Paddock, Sheep Hey, Leaches Road, Shuttleworth.

15/0396 - Erection of toilet blocks at the paddock, Sheep Hey, Leaches Road, Shuttleworth. Application received - 8 December 2015.

#### Publicity

The neighbouring properties (1 - 8 Sheep Hey, Sheep Hey Farm) were notified by means of a letter on 14 December 2015 and a press notice was published in the Bury Times on 24 December 2015. Site notices were posted on 22 December 2015.

14 letters have been received from the occupiers of Sheep Hey Farmhouse, 3, 5, 6, 8 Sheep Hey, Leaches Road, 42 Whalley Road, 3 Hollins Lane, Shuttleworth; 31 Dale Street, Woodside, Dearden Brook, Edenwood Lane, Ramsbottom; 41 Bolton Road North, Edenfield; 10 Tenterden Street, Bury, which have raised the following issues:

- While we have no objection to the use of the field for occasional parties, we object to the use as a commercial camp site and party venue.
- We live a short distance away and the noise levels are unacceptable. The level of noise on December 31 made sleep impossible in the small hours.
- Our land is separated from the site on the east side by a small wall and are concerned to have campers and party goers in close proximity.
- Access via the narrow land is difficult and dangerous during times when the volume of traffic increases.
- The applicant's address is incorrect and is one of the 8 dwellings around the former farm yard. This is not a farmer seeking diversification.
- A vehicle access has recently been created from Leaches Road onto the paddock at the bend at the bottom of the hill. Should this have had consent?
- There are no commercial waste bins on site and none proposed as part of the application.
- Where are the 20 parking spaces and how would they be constructed?
- 20 spaces is insufficient for the events that the applicant is advertising and hosting and could prevent emergency access.
- No hours of opening have been stated. Will the site operate 24/7 365 days a year?
- The form has been signed by Mr Hodkinson, who is the agent and not the applicant.
- The site is not suitable for camping.
- The site is very boggy, which will force cars to park on the single track access road, causing problems for the existing residents.
- The application should be retrospective as the site has been used for camping and events previously.
- The applicants have shown no regard for their neighbours
- There could be an effect on local farm animals and wildlife.
- How many residents have been consulted? The sound from this development will travel a great distance across the valley.
- The area is in the Green Belt and this is not permitted.
- The access road is used by the equestrian community.
- The facebook page is actively advertising the facilities for weddings and parties.
- The music could be heard inside residential properties in Stubbins.
- No real objections to a camp site, but have concerns about a wedding/event venue due to noise.
- If the proposed beer festival became a reality, the possibility of the "bar never closing"

- and the guests/campers doing "whatever takes [their] fancy" is of great concern to us.
- The proposed development will have a detrimental impact on the neighbouring residents.
  - Loss of view.
  - Smells from the toilets and camp site.
  - Lack of privacy.
  - A reduction in the value of the property.
  - The paddock directly behind the applicant's property should be used as a camp site as the yard would provide parking in bad weather.
  - The application for change of use to a camp site is misleading as the applicant's true intentions are to run an events business.
  - The site is being advertised on facebook with events to be held on 23, 24 April and 16 July 2016.
  - The alternative access is a public footpath and the bridge is structurally unsound for use by vehicles.
  - Any decision to permit a camping site within 50 metres of a residential property is not consistent with the residential use. What reasonable body of planning officers and councillors would oppose this view?
  - It should be noted that the events are held in a canvas tent and not within an enclosed soundproofed building.
  - Will power be provided to the field?
  - Does the applicant have sufficient public liability insurance in the event of damage to property?

Revised plans were received on 16 February 2016 and all of the neighbouring properties and the objectors listed above were notified by means of a letter on 17 February 2016.

21 letters of support have been received from the occupiers of 7 Lime Grove, 14 Heatherside Road, 20 Dundee Lane, Major Hotel (Bolton Street), 1 Spring Close, 1 Spring Close, 10 Regent Street, 10 Wilds Place, 13 Dalton Close Ramsbottom, 41 Bolton Road North, Holcombe Spa Limited, 10 Moorcroft, Edenfield, 1 Bolton Road, Hawkshaw, 180 Bury Old Road, Heywood, 20 Larkfield Close, Greenmount, 41 Hawthorn Avenue, 298 Wellington Court, Bury, 42 Cotton Way, Helmshore, 301 Haslingden Road, 49 Holmeswood Park, Rawtenstall, 1 Pine Street, Yonne Cottage, Higher Lane, 39 Highfield Park, Haslingden, 2 Bear Hill, Littleborough, 31 Heol y Bryn, Harlech, Gwynedd, which have raised the following issues:

- I support the proposed campsite at Sheep Hey Farm having stayed on the campsite for the Ramsbottom Festival.
- It is a great location and hope it is available for camping throughout the year.
- Ramsbottom lacks any good campsites and the option of camping would be greatly received by many.
- The Paddock is a fantastic venue, boasting stunning views and creates an extraordinary sense of cultural and social continuity reverberating a buzz of appreciation of rural beauty.
- The Paddock is great for the community and I fully support them.
- This would benefit the Ramsbottom community.
- The Paddock have always been respectful of surrounding neighbours and do not tolerate anyone other than quiet, tidy guests on their site.
- Perfect for events.
- As events in Ramsbottom get stronger and stronger, a small camp site facility is necessary.
- Visitors will bring money into the town and aid the small businesses.
- A campsite would increase the number of options for accommodation.
- No objections to granting planning permission for a campsite.
- There isn't anything like this in this area - you would need to travel to the Ribble Valley/West Yorkshire for similar facilities.
- Support as it would provide jobs and create more tourism in the area.
- Used this campsite with a family and there were no problems.

- A good example of using available land for recreational purposes.
- The site is easily accessible and supports local businesses.
- Many of the local hotels have limited availability but not at a affordable price.

12 letters have been received from the occupiers of 5, 6, 8 Sheep Hey, Sheep Hey Farm, 25 Dale Street, 27 Windemere Drive:

- The noise from the teepee events can be heard from Windemere Drive.
- The proposed camp site would cause anxiety and stress for local residents.
- The facebook page is actively advertising the facilities for weddings and parties.
- The music could be heard inside residential properties in Stubbins.
- All previous comments are relevant and are unchanged by the proposed plan.
- The addition of fictitious passing places makes no difference to the application.
- The existing passing place is the mouth of an access to No. 6 Sheep hey and is not in the ownership of the applicant. This area often has cars parked in it.
- The passing place at the 90 degree bend is an access to the public footpath. On 31/12/2-15, this area was used as a parking space for a van selling hot drinks.
- The final passing place is an access to a stables, which often has a car parked in it.
- The area in front of the garages is used as a turning area for vehicles delivering to the events.
- The latest plan is a misrepresentation of the realist of the situation.
- An event is planned for 24/04/2016 and the applicant appears to be proceeding whether he has planning permission or not.
- An unsightly hardstanding area has need added, which sits next to the Rossendale Way and in designated Green Belt.
- A stand pipe has been installed near our garden, which will erode the ability to enjoy the garden.
- The effluent tanks have already been in stalled and there is a van that is usually parked in the gateway to the stables.
- The location of the toilets and showers would adversely affect our neighbours view, which loos directly onto The Paddock. The owners should use the field at the back of their own property.
- The applicants continue to advertise their campsite and take bookings for later in the year and have continues work on the site. They are clearly under the impression that they have planning permission.
- The applicant's do not own the land for one of the passing places and as such, it cannot be implemented.
- The passing place near to the motorway bridge is not in the ownership of the applicant. The owner has chosen to set the gate back to allow cars to wait off the road while the gate opens. The applicant's have not contacted me with regard to using this land as a passing place and it is impossible for them to ensure that available during planned events.
- Object to this application as it would bring large numbers of people to a quiet and secluded place where alcohol is served and noisy parties are being held.
- The enforcement case - 15/0317 refers to 7 Sheep Hey. This property is not involved in the events company whatsoever.
- The camp site is not being marketed as a 'family, outdoor recreational' site but as a 'party' site for groups of young people to have a party.
- Contrary to the statement that only a small part of the field would be occupied, the entire field was occupied by tents, caravans and camper vans.
- We are aware that the events issue is separate from this application, but there were complaints about noise during the Ramsbottom Festival weekend.
- All of the passing places are privately owned.
- How will the condition restricting the use of the bridge be policed?
- The applicant's property is the furthest away in the residential development and behind an electric gate. How will campers be controlled?
- I note that there is no site visit planned. It is important that the Planning Control Committee meeting visit the site to visualise the impact and closeness to residential



properties.

- There was noise and disruption at the camping event during the Ramsbottom Festival
- Has the planning section liaised with the Licensing section with regard to noise and lighting during the tipi events?
- Does the enforcement case (15/0317) relate to No. 7 Sheep Hey? Councillors should be aware that enforcement action has been taken against the applicant.
- Why are H3 and H3/1 not referenced within the report?
- The agent states that there are no camp sites in Bury, but there is reference to one at Burrs.
- What evidence is the assertion that there is an identified need for visitor accommodation based on? Why should the buildings be allowed against the northern fencing and not much further away against the eastern wall under tree cover, where any noise nuisance would be reduced.
- There is no requirement for the applicant to control what happens on the camp site, such as a condition to require no audible noise after 22.00 (a common requirement of campsites in the UK and abroad).
- The report states that the development will not be used by caravans and motorhomes. Why is this not incorporated into a condition?
- I expect some balance in the 'Response to objectors' section of the report. The granting of permission for the showers and toilets is effectively facilitating the large tent functions being run by the applicant. The report should be amended as you have failed to consider all issues relating to this application holistically.

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

### **Consultations**

**Traffic Section** - No objections, subject to the inclusion of conditions relating to passing places, means of access and the provision of the gravel area.

**Drainage Section** - No objections, subject to the inclusion of condition relating to foul drainage.

**Environmental Health - Contaminated Land** - No comments.

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

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

EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN6	Conservation of the Natural Environment
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
OL1/2	New Buildings in the Green Belt
OL1/5	Mineral Extraction and Other Development in the Green Belt
OL6/1	New Uses and Development of the Countryside
RT3/2	Additional Provision for Recreation in the Countryside
RT4/3	Visitor Accommodation
HT2/4	Car Parking and New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

### **Issues and Analysis**

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

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

**Principle** - Paragraph 81 of the NPPF states that Local Planning Authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

The NPPF (paragraph 89) states that the construction of new buildings in the Green Belt should be regarded as inappropriate in the Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages and limited affordable housing for local community needs under policies set out in the local plan; or
- limited infilling or the partial redevelopment of previously developed sites, whether redundant or in continuing use, which would not have a greater impact upon the openness of the Green Belt and the purpose of including land within it than the existing development.

Policy OL1/2 states that the construction of new buildings within the Green Belt will be inappropriate development unless it is for agriculture, forestry, essential facilities for outdoor recreation, limited extensions of existing dwellings and for other uses of land which do not conflict with the purposes of including land in it. Proposals for buildings, which do not fall into one of the above categories is inappropriate development and will only be permitted in special circumstances.

The proposed development includes the provision of buildings for use as a toilet and shower block. The proposed buildings would represent the provision of appropriate facilities for outdoor recreation and as such, would, in themselves, be appropriate development in the Green Belt. The proposed buildings are small in footprint and would be clad in timber, which would be acceptable. In addition, the proposed buildings are moveable and if the use ceases could be removed from site and the land restored to its previous state. As such, in addition to being regarded as appropriate development, the proposed buildings would not have a significant adverse impact upon the openness and character of the Green Belt. Therefore, the proposed development would be in accordance with both Policy OL1/2 of the Bury Unitary Development Plan and paragraph 89 of the NPPF.

Paragraph 90 of the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- mineral extraction;
- engineering operations;
- local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- the re-use of buildings provided that the buildings are of permanent and substantial construction; and
- development brought forward under a Community Right to Build Order.

Policy OL1/5 states that within the Green Belt, other development will be inappropriate

unless it maintains openness and would not conflict with the purposes of including land within the Green Belt.

Recent case law has concluded that the list of forms of development in paragraph 90 of the NPPF is a 'closed list'. In other words, if the proposed development does not fall within the list it should be regarded as inappropriate development. The use of land as a camp site does not fall within this list and as such, is inappropriate development.

Where inappropriate development is proposed in the Green Belt, it is for the applicant to demonstrate a case for very special circumstances which would outweigh any in-principle harm and additional harm caused to the Green Belt. The applicant has put forward the following very special circumstances:

- The development is in accordance with guidance elsewhere in the NPPF which promotes the development and diversification of agricultural and other rural industries and supports the provision of and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met (para 28). There are no camp sites in Bury or neighbouring Rossendale and the provision of the camping facility will be a significant asset to the area.
- The site is in a sustainable location close to main roads, bus routes and facilities such as shops and restaurants in Ramsbottom.
- There is no need to prove special circumstances for the intended three small structures on the land. The granting of planning permission will enable the structures to be sited and camping to take place on more than the permitted 28 days per year.
- The degree of harm caused by the proposed use for camping is minimal as the appearance of the field will not be permanently changed and its open character will be retained.
- The field will continue to be used for grazing. Only part of the field will be occupied by a relatively small number of tents on a limited number of days per year.
- The field can be seen from the valley to the west but it is screened from other directions by the contours of the land and trees. The visual impact of the tents will be minimal.

The proposed use of the field as a camp site would promote rural diversification and would provide camping accommodation for visitors to the area. There is an extremely limited provision of camping facilities in Bury and the wider area. Currently the nearest camp site is at Burrs Country Park but this has limited pitches and is used in connection with the caravan site. As such, the proposed development would extend the range of available visitor accommodation and would address a distinct shortage of camping pitches in Bury and the wider area. As confirmed above, the proposed buildings alone would be appropriate development as they would be required for outdoor recreation. The tents would be present for a limited time and would be removed after use and the proposed buildings are removable. As such, the character of the area would not be permanently affected by the proposal and would be maintained as an open field. The proposed tents would only be visible from the west, due to the topography of the land and only for a limited time. As such, the proposed development would not have a significantly adverse impact upon the openness of the Green Belt.

It is considered that when the factors put forward by the applicant are considered cumulatively, they do amount to very special circumstances to outweigh the harm to the openness and character of the Green Belt. Therefore, the proposed development would also be in accordance with Policy OL1/5 of the Bury Unitary Development Plan and paragraph 90 of the NPPF.

**Design and layout** - The proposed buildings would be located along the northern boundary of the site and would cover 10.5 square metres in total. The proposed buildings would be clad in timber, which would be acceptable. The existing timber post and rail fencing would be retained and would be appropriate. The proposed development would provide an area of hardstanding, which would be constructed from gravel and this would be an appropriate material for the location. The proposed development would be considered to be acceptable for tents only and not motor homes and will be conditioned as such. This would minimise

the visual impact of the proposed development. Therefore, the proposed development would not be a prominent feature in the locality and would be in accordance with Policies OL1/2 and EN1/2 of the Bury Unitary Development Plan.

**Impact upon residential amenity** - Policy EN7/2 states that the Council will not permit development which could lead to an unacceptable noise nuisance to nearby occupiers. The proposed development would provide a camping site, which would be 46 metres from the nearest residential property. The proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties through noise. Therefore, the proposed development would be in accordance with Policy EN7/2 of the Unitary Development Plan.

The neighbouring residents have objected to the noise associated with the events that have taken place at the site. The events do not form part of this planning application and are permitted for up to 28 days in a year under Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

**Highways issues** - The proposed development would be accessed from Leaches Road, which connects Whalley Road to Bolton Road North. The proposed development would provide an area of hardstanding, which would be used for parking during bad weather and would assist in preventing mud from passing onto the highway.

The use of motorhomes would be problematical from a highways perspective due to the narrowness of the lane and as such, a condition to prevent their use would be included. However, the use of the lane for other users and pedestrians must be taken into consideration and three passing places were identified on a plan in the vicinity of the site. However, it has been pointed out that the passing places are not within the adopted highway and are not within the applicant's control to ensure availability. However, passing places could still be delivered using the applicant's land and on this basis, the Traffic Section have no objections, subject to the inclusion of conditions relating to passing places, means of access and the provision of the gravel area.

It should be noted that the access onto Bolton Road North passes over a bridge, which is not safe or suitable for use by vehicles. As such, the requirement for all visitors to use Leaches Road would be the subject of a condition. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies of the Bury Unitary Development Plan.

**Parking** - SPD11 states that the maximum parking standards for outdoor recreation are based upon individual consideration.

It is envisaged that campers would park their vehicles adjacent to the tents while camping on site. As such, there would be capacity on site to accommodate 20 tents and 20 parking spaces. Were parking to take place on the highway, the highway is adopted and therefore could be subject to a traffic regulation order, which could effectively prohibit parking on the highway. The Highways Officer has not insisted that this would be required for the scale of development proposed. The proposed area of hardstanding would be used for parking during periods of bad weather and a a point of service type area. Therefore, the level of parking provision for the development is considered to be acceptable in this instance and would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

### **Response to objectors**

It is clear that the proposals have raised a significant amount of interest both for and against the proposals. However, some of the issues raised are not relevant to the application and have therefore no weight to be attributed. On the other hand, other points are clearly relevant and have been duly set out in the report.

The remaining issues that are outstanding arising from objectors are set out below and the

planning response to these issues.

- The objections relating to noise from parties and events and the traffic associated with such events are not material considerations for this application. The use of the tipi for functions and events does not form part of the application being considered and is permitted for up to 28 days in a year under Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- The use of the toilets and shower blocks relates to the use of the camp site. There is no planning reason to prevent their use in conjunction with the events, providing the events are permitted in accordance with Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- The site has been used for camping and events previously and this was permitted under Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. As such, the application is not retrospective.
- The issues of the alternative access, loss of privacy, impact upon residential amenity, noise, the impact on the Green Belt, passing places, visual impact of the hardstanding, highway safety and parking have been addressed in the report above.
- The issues of loss of view, loss of value to properties and whether the applicant has public liability insurance are not material planning considerations and cannot be taken into consideration.
- The licensing and planning functions are separate regimes and must remain so. The Licensing Section are aware of the events taking place.
- The Council can only consider the application as submitted.
- Condition relating to audible noise would not meet the 6 tests within NPPG.
- The use of the toilets and shower blocks relates to the use of the camp site. There is no planning reason to prevent their use in conjunction with the events, providing the events are permitted in accordance with Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- The proposed shower/wc buildings would be 46 metres away from the nearest residential properties and this distance is considered as a planning judgement to be acceptable in terms of the impact upon residential amenity. The proposed buildings are movable and can be positioned anywhere within the application site. But there is no planning reason not to accept the current position.
- Policy H3 and Policy H3/1 are not referenced within the report as the application site is not a purely residential area. There are residential properties nearby but the area is considered to be rural in character with a mixture of uses. The impact upon residential amenity has been assessed within the main 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

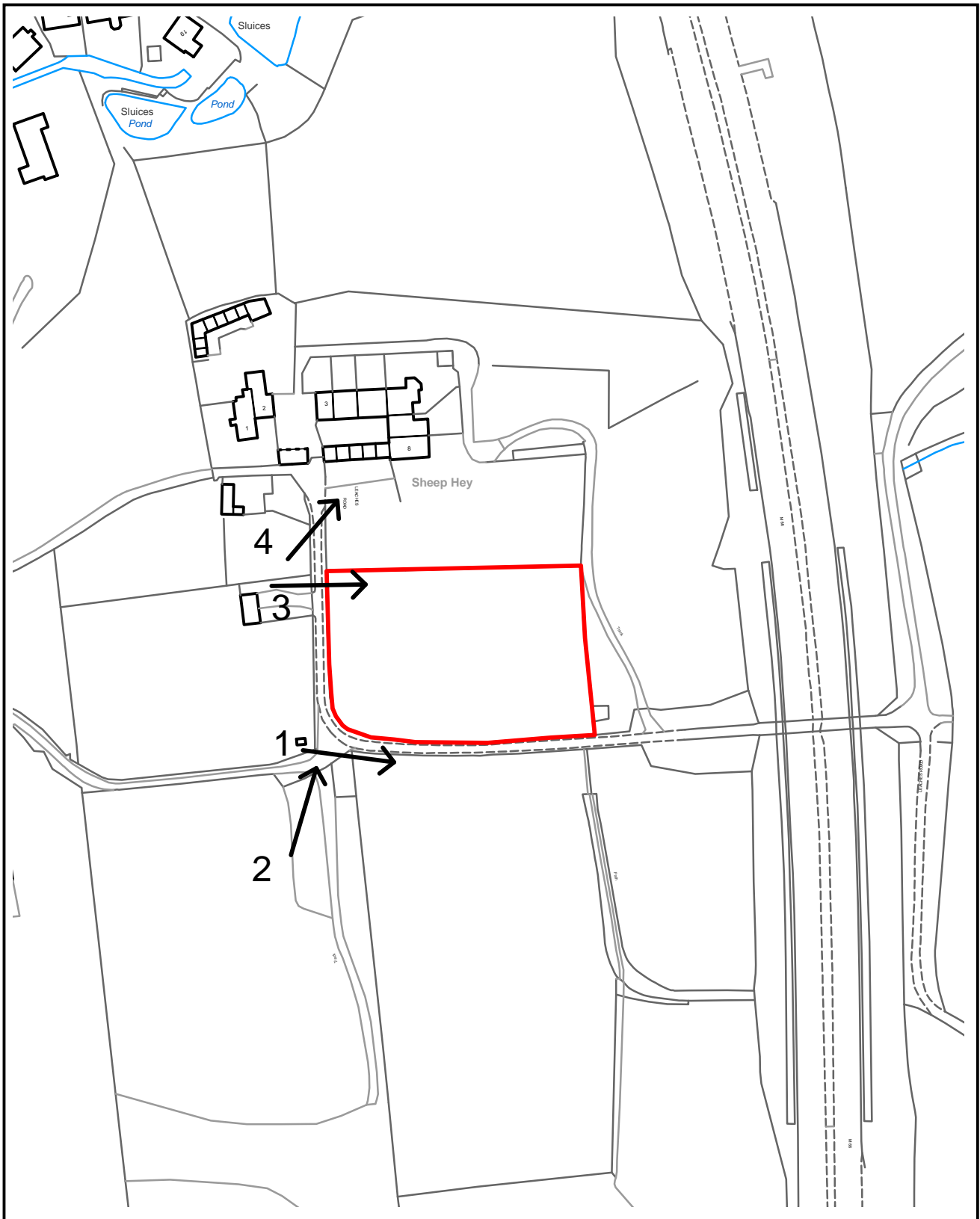
**Conditions/ Reasons**

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 Location plan, 15/188/01A, 15/188/02 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 hardstanding, 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 EN1/1 Visual Amenity.
4. There shall be no external lighting to the camp site at any time other than for emergency purposes.  
Reason. In the interests of residential amenity pursuant to Policy EN1/2 of the Bury Unitary Development Plan.
5. No development shall commence unless or until, details of the refuse storage facilities indicated on have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development hereby approved being first used and maintained thereafter.  
Reason. No details have been provided and in order to ensure that the development would maintain adequate facilities for the storage of waste, including recycling containers, in the interests of amenity and pursuant to Policy RT4/3 - Visitor Accommodation of the Bury Unitary Development Plan.
6. A 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 building(s) is 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. No details have been submitted and 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. All foul drainage shall be contained within a sealed and watertight tank, which shall be emptied at least once a week.  
Reason: To protect the residential amenity of the neighbouring properties pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.
8. The only means of access to the site shall be from Leaches Road only.  
Reason: To ensure a satisfactory means of access to the site pursuant to Policy EN1/2 - Townscape and Built Environment of the Bury Unitary Development Plan.
9. A scheme of vehicular passing places appropriate for a design speed of 20mph shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and be available for use prior to the camp site approved being brought into use.  
Reason: To ensure good highway design in the interests of road safety pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
10. The gravel area indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the camp site hereby approved being brought into use.  
Reason: To ensure adequate off street facilities in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development and EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.
11. The camp site hereby approved shall not be used by motorhomes or caravans.  
Reason: To reduce the visual impact of the development and in the interests of highway safety pursuant to Policies EN1/1 - Visual Amenity and EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan and Section 9 of the National Planning Policy Framework.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59550**

**ADDRESS: The Paddock  
Sheep Hey Farm  
Leaches Road  
Shuttleworth**  
Planning, Environmental and Regulatory Services



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59550

Photo 1



Photo 2

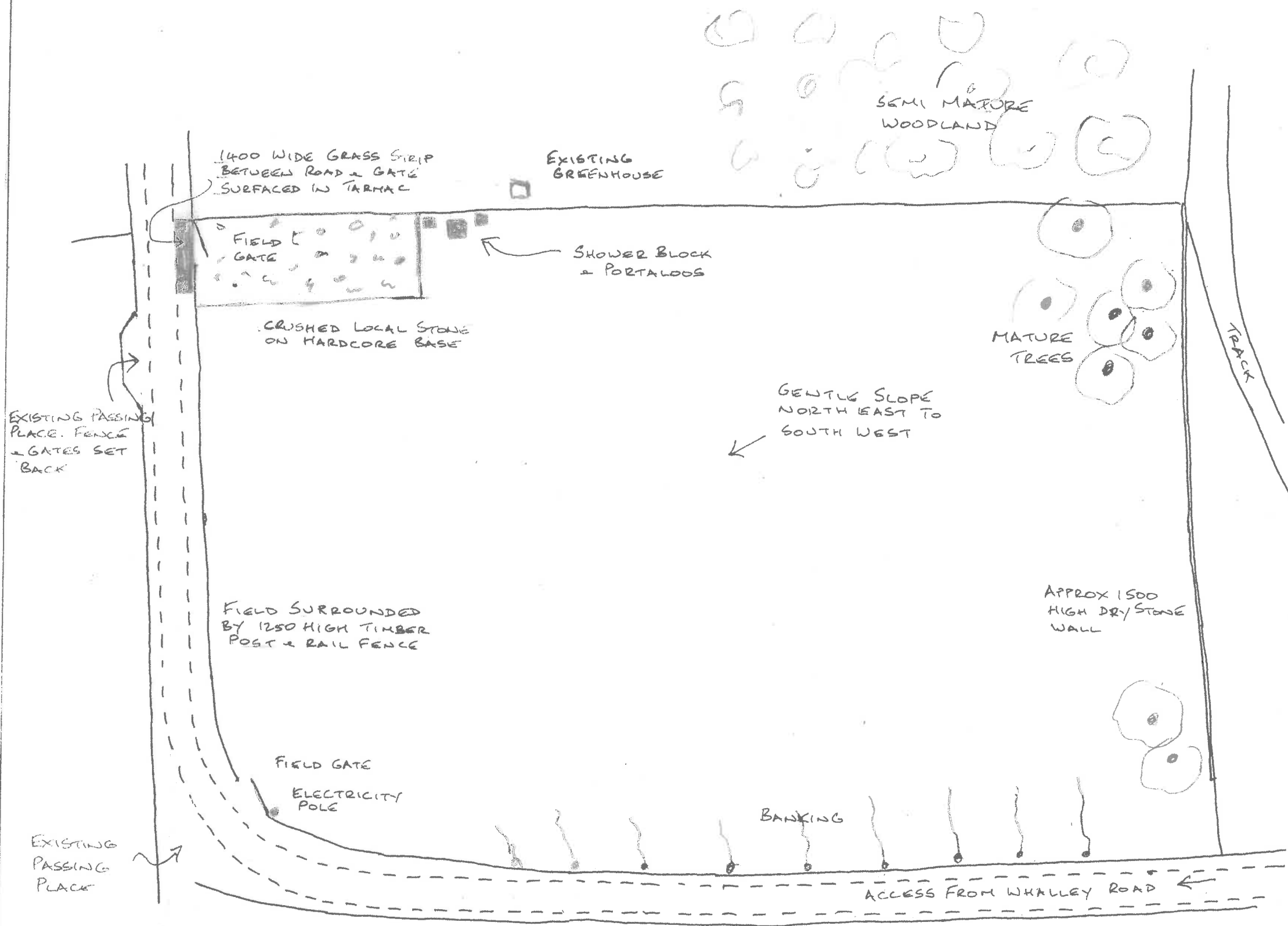


Photo 3



Photo 4





1400 WIDE GRASS STRIP  
BETWEEN ROAD & GATE  
SURFACED IN TARMAC

EXISTING  
GREENHOUSE

SEMI MATURE  
WOODLAND

FIELD GATE

SHOWER BLOCK  
& PORTALOOS

CRUSHED LOCAL STONE  
ON HARDCORE BASE

MATURE  
TREES

GENTLE SLOPE  
NORTH EAST TO  
SOUTH WEST

TRACK

EXISTING PASSING  
PLACE. FENCE  
& GATES SET  
BACK

FIELD SURROUNDED  
BY 1250 HIGH TIMBER  
POST & RAIL FENCE

APPROX 1500  
HIGH DRY STONE  
WALL

FIELD GATE  
ELECTRICITY  
POLE

BANKING

EXISTING  
PASSING  
PLACE

EXISTING  
PASSING  
PLACE

ACCESS FROM WHALLEY ROAD

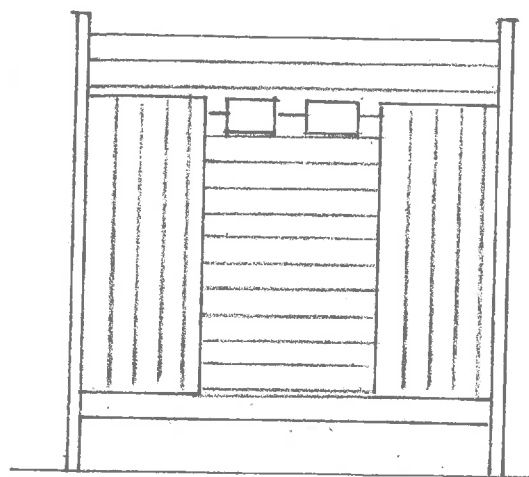
1A LAYOUT PLAN

14/02/16 DETAILS AMENDED  
4/12/15

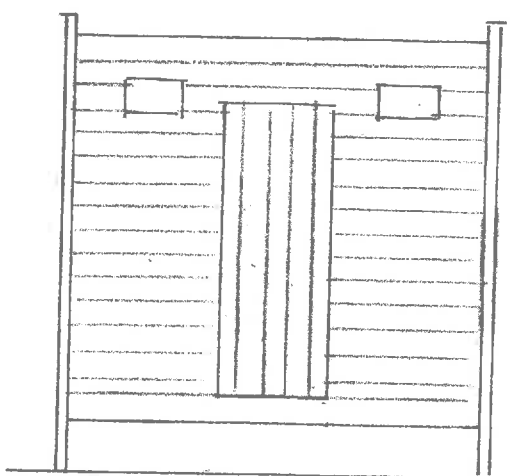
15/188/01A

SCALE 1:500 @ A3

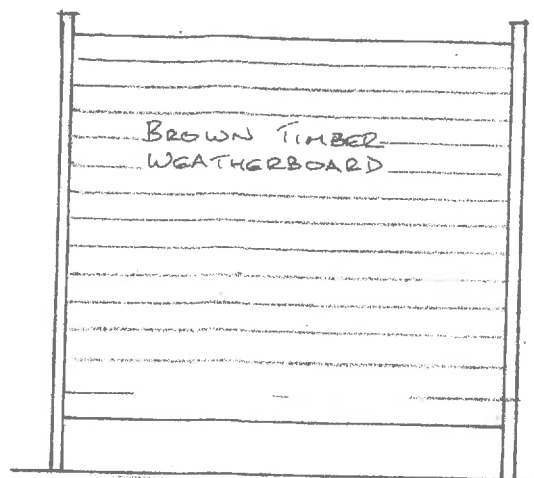
USE OF FIELD FOR CAMPING  
SHEEPHEY FARM, LEACHES ROAD, SHUTTLEWORTH



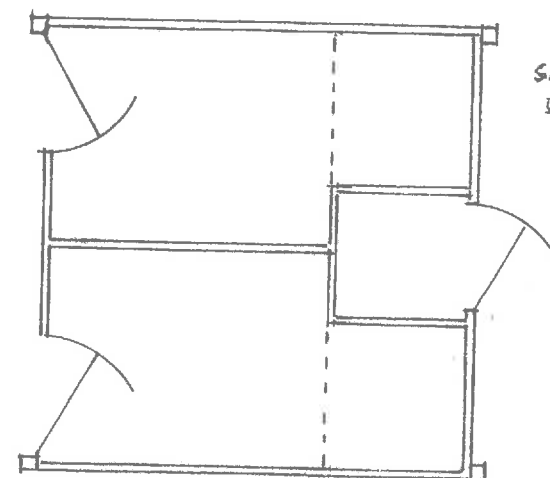
FRONT ELEVATION  
SHOWER BLOCK



REAR

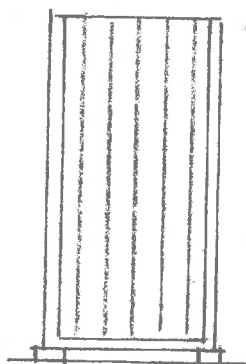


SIDES

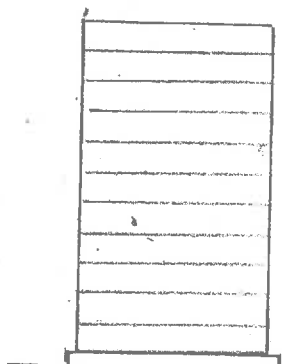


SEE SEPARATE  
DETAILED PLAN

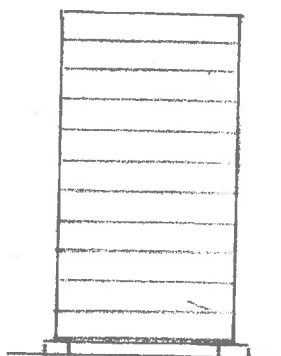
PLAN



FRONT  
TOILETS

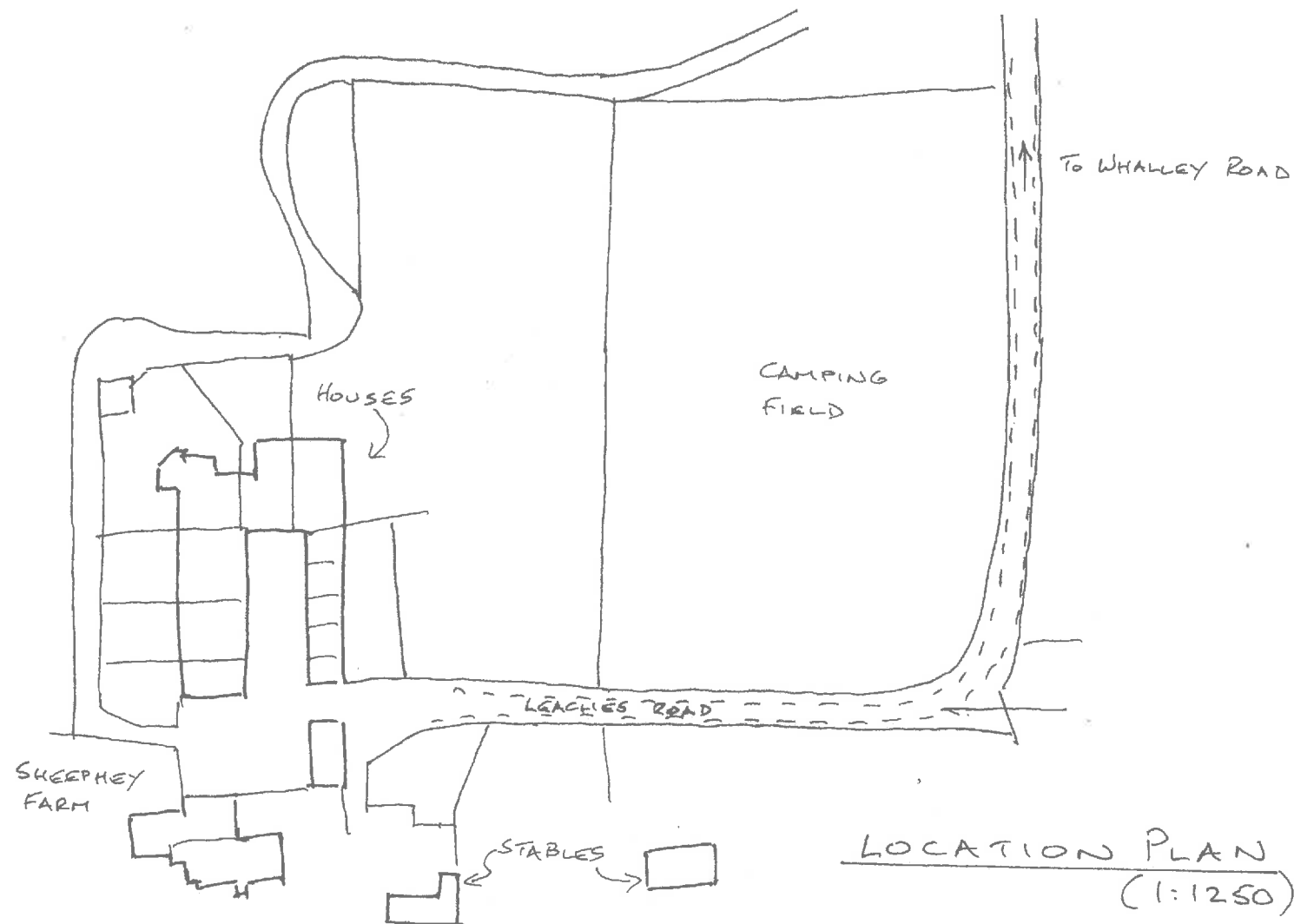


SIDES



REAR

2. PLAN & ELEVATIONS



LOCATION PLAN  
(1:1250)

4/12/15

15/188/02

USE OF FIELD FOR CAMPING  
SHEEPHEY FARM, LEACHES ROAD, SHUTTLEWORTH

SCALE 1:50 @ A3

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

Item 02

**Applicant:** Mr H Haris

**Location:** 260 Bury New Road, Whitefield, Manchester, M45 8QN

**Proposal:** Change of use from bank (Class A2) to restaurant and bar (Class A3/A4), single storey extension at the side and rear; associated parking.

**Application Ref:** 59661/Full

**Target Date:** 11/05/2016

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a vacant building which is located in the Whitefield District Shopping Centre and the All Saints Conservation Area. It is separated from the commercial premises to the south by an access road, and from shops and the Metro Link to the north and east by an unmade cobbled strip of land which is within the applicant's ownership and currently inaccessible to cars. Opposite to the west is a row of Victorian terraced properties which includes office, residential and business accommodation.

The building itself is a 1930's single storey detached build which fronts onto Bury New Road and formally operated as a bank (Use Class A2). Whilst it is not listed, the building is of notable architectural merit, specifically mentioned in the Conservation Area Appraisal and Management Plan as an important landmark building of significance. It is particularly noted for its limestone construction and domed corner roof, and has a strong vertical emphasis with elongated timber windows and decorated stone lintels.

The application seeks the change of use from a bank (Class A2) to a mix use development of restaurant and bar.

It is proposed to add two single storey extensions, to the side and rear to extend the kitchen and provide a disabled toilet. It is also proposed to increase the size of the 3 existing windows on the front elevation of the southern part of the building.

Access to the restaurant would be through the existing main entrance off Bury New Road. It is proposed to provide parking for 20 cars on the strip of land which runs linear to the rear of the building which is in the applicant's ownership. Vehicular access to this area is currently restricted.

Hours of opening are proposed as 12:00 to 11pm daily.

### **Relevant Planning History**

01701/E - Change of use of former Nat West Bank to Class A1 (shop) and / or Class A3 (food & drink) - Enquiry completed 26/08/2015

01713/E - Proposed change of use from bank to bar/restaurant - Enquiry completed 26/08/2015

### **Publicity**

33 letters sent on 18/3/16 to properties at Nos 211-229 (odds) and 246-256, 262a, 262, 264 Bury New Road; Nos 69,71,73,75 Nuttall Avenue; Stanley Road and Moss Lane Trading Estate.

One letter of objection received from No 248 Bury New Road which raises the following issues:

- Bury New Road is busier than the M6, used by juggernauts, tankers, car transporters, buses, lorries and local cars, vans etc;
- Carried out a survey and in 15 mins, 23 juggernauts/tankers passed my home - this does not include trips by smaller vehicles/buses/lorries etc;
- Before permission is granted, pollution levels should be ascertained (hydrogen dioxide/carcogenic particles);
- Whitefield already has too many eateries - cause nightly noise, generate litter. Bins are not secured and encourages rats;
- The car park is in a dangerous place - pedestrians safety is risked to access Morrison's and the metro already;
- Work has been progressing on this building, believe as a wine bar - is it already a 'fait accompli'?

Amended letters sent on 15/4/16 to notify neighbours of proposed single storey extensions.

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

### **Consultations**

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

**Environmental Health Pollution Control** - The application does not include a ventilation/extraction system. A condition to submit a scheme and details would be included. and as such the Section has no comments to make at this time.

**Waste Management Section** - No objection.

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

NPPF	National Planning Policy Framework
S3/3	Improvement and Enhancement (All Centres)
S2/6	Food and Drink
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
EC4/1	Small Businesses
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 of the use** - The proposal involves the change of use of a vacant, former bank to a restaurant and bar. Restaurants and bars are defined in the UDP as a 'main town centre use' and main town centre uses are also defined as a form of economic development.

The core planning principles of the NPPF include the need for planning to proactively drive and support sustainable economic development to deliver the thriving places that the country needs and to promote the vitality of our main urban areas.

In building a strong and competitive economy, the NPPF highlights the Government's commitment to ensuring that planning does everything it can to support sustainable economic growth and that significant weight should be placed on the need to support economic growth through the planning system.

Policy S3/3 of the Unitary Development Plan specifies the Council will encourage the refurbishment and improvement of shopping centres within the Borough in order to actively promote the regeneration of these centres for retailing activities.

The building has been vacant for some time and the proposed development would introduce an active use, generating footfall to the area and contributing to the daytime and evening economy and wider vitality of Whitefield District Centre. The re-use of a vacant building would also serve to refurbish and improve the centre.

As such, the proposal is considered acceptable and would comply with UDP Policy S3/3 and the NPPF.

UDP Policy S2/6 - Food and Drink considers factors relating to local residential amenity, parking and servicing provisions, storage and refuse disposal and ventilation/extraction equipment, which are considered in the report below.

**Conservation area** - The premises are also located within the All Saints Conservation Area. Chapter 12 of the NPPF - Conserving and enhancing the historic environment (para 131) specifies that in determining planning applications, Local Planning Authorities should take account of -

- the desirability of sustaining and enhancing the significance of heritage assets and putting them into viable uses consistent with their conservation;
- the positive contribution that conservation heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control considers development to be acceptable which would preserve or enhance the special character or appearance of the area. The re-use of buildings within Conservation Areas will be encouraged, and which would make a positive contribution to the built environment, with regard had to any likely impact on the character or appearance of the area and the fabric of the existing building.

Proposed use and impact on the character of the conservation area - The proposal would redevelop a vacant building and its occupancy for a commercial venture would result in maintenance and works to the building which would secure the longevity and continued contribution to the economic vitality of the Conservation Area. As such, it is considered that the re-use of the building and its contribution to the area would continue to preserve the special character of the conservation area.

Design and appearance and impact on the conservation area - In terms of the proposed external works, the single storey extensions, located at the side and rear of the southern part of the building would not be visually prominent and would be designed to reflect the existing building. As the southern elevation is of lesser architectural note than the existing building, the proposed materials of rendered blockwork to an agreed colour are considered acceptable.

The existing windows on the southern part of the building are not of any particular design merit. The proposal to increase the size of the openings would add a contemporary and modern element which is considered would not only improve the appearance of this part of the building but would also read more coherently in response to the verticality and proportionality of the 3 windows in the original building.

As such, it is considered the external alterations and additions would not have a detrimental impact on the architectural merits of the building and would continue to preserve and also enhance the character of the conservation area and would comply with UDP Policies EN2/1 and EN2/2 and the NPPF.

**Layout** - The main entrance would be used to access the restaurant, with the majority of the public floor areas focused towards the front and centre of the building, with kitchen and back of house facilities towards the rear.

Externally, the footprint of the building already utilises most of the site area, although there would be scope for the addition of the extensions which would be located to the side and rear of the building.

The front of the building is set back from the pedestrian path, with an area of lawned grass and flagstones separating the front elevation of the building and this would be retained as existing.

The car park would be located at the rear, on the cobbled road which runs linear to the building, and where customers would park and walk round the side of the building to access the restaurant from the main entrance.

The proposed layout would essentially remain as existing and is therefore considered to be acceptable and would be in compliance with UDP Policies EN1/2 - Townscape and Built Design and S2/6 - Food and Drink.

**Impact on residential amenity** - The nearest residential properties are opposite the site on Bury New Road, 28m away.

The premises are within a District Shopping Centre and situated on a busy main road where there is already ongoing activity from a mix of commercial businesses and uses. Restaurants and bars are uses which are expected to be located in such centres. As a daytime use, it is considered that a restaurant/bar would not cause any more noise or disturbance than any other which operates in the town. Whilst the use would create more footfall and activity to the area at later hours, it is considered the position of the premises on the main road, with continual traffic movement and the comings and goings of people already patronising existing eateries and drinking establishments, would not generate undue additional noise and disturbance to local residents.

In terms of hours of operation, the applicant proposes midday to 11pm daily. These hours are not uncommon within town centres, and as a town centre location, it would be expected that activity would occur at later times of the day, than in purely residential areas.

An application to the Licensing Department would be required for the sale of alcohol from the premises, who operate under separate legislation and who would have the power to control any noise and disturbance complaints should they arise.

As such, it is considered that the use would not be significantly detrimental to the occupiers of nearby residential properties or business operators, and would be in compliance with UDP Policies EN7/2 - Noise Pollution, EN1/2 - Townscape and Built Design and S2/6 - Food and Drink.

**Bin store and servicing** - This would be located at the top end of the car park and would be accessed by the waste management team directly off Bury New Road. The plan shows the bins would be enclosed within a structure, although elevational details have not been provided. This can be conditioned.

The waste management team have raised no objection and as such the servicing requirements would be fulfilled.

**External ventilation/extraction systems** - The Design and Access Statement makes reference to the installation of an extraction system as well as repositioning the existing air conditioning units to the rear of the building. No details of these systems have been submitted on a layout or elevation plan.



As such, it is considered necessary and reasonable to include an condition that a scheme for the treatment of fumes and odours be submitted for approval prior to any commencement of development.

**Parking and access** - SPD11 - Parking Standards in Bury advises a maximum of 1 space per 7 sqm of public floor area, which would equate to approximately 26 spaces. These standards are maximum requirements, and it should be recognised that lower parking thresholds than those stipulated may be acceptable.

The application proposes 20 parking spaces which would be provided on the cobbled road to the rear of the premises, which is accessed directly off Bury New Road, and runs parallel to the metro line behind. The parking would be laid out in a linear formation along the cobbled road, with ample manoeuvring and turning capacity to exit safely out onto Bury New Road.

The site is in a highly sustainable location, which is well served by public transport, with additional parking available at the Park and Ride Metro Link Station. The provision of 20 designated spaces is therefore considered to adequately serve the scale of the development, in this particular location.

**Response to objector -**

- The proposed use would not cause a significant increase in traffic to the area, given its previous use as a bank which would generate traffic and vehicular trips, the scale of the development and its sustainable location in a town centre.
- The restaurant use would not generate litter from members of the public visiting the premises. Adequate bin store provision would be provided for the use.
- The car park would be located directly to the rear of the premises and accessed via the existing pedestrian footpath which would not cause pedestrian safety issues.
- Information on extraction/ventilation systems would be required by condition.

**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 Ground floor plan as proposed 0.01B; Internal floor plans and elevations 0.02C 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 and sample panel 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, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.

4. No works shall be carried out to the 3 windows on the front elevation of the existing extension, as shown on the approved plan, unless and until details of the extent of the proposed glazing and materials to be used in the surround have been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with the details hereby approved and thereafter maintained.

Reason. Information has not been submitted at application stage, in the interests of visual amenity pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.

5. The use hereby permitted shall not be open to customers outside the following times: 12:00 to 23.00 daily.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EN1/2 - Townscape and Built Design and S2/6 – Food and Drink of the Bury Unitary Development Plan.

6. No development shall commence unless and until details of the bin store hereby approved have been submitted to and approved by the Local Planning Authority. The approved details only shall be implemented and thereafter maintained, and the bin store made available for use prior to the commencement of the use hereby approved.

Reason. Information has not been submitted at application stage in the interests of visual amenity and to ensure adequate bin storage facilities and provided for the development, pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and S2/6 - Food and Drink.

7. In relation to the parking area shown on the approved plan, the existing cobbles shall be retained, and no development shall commence unless and until a scheme for the demarcation of the parking area and timetable of its implementation has been submitted to and approved by the Local Planning Authority. The approved scheme and timetable only shall be implemented and made available for use to the written satisfaction of the Local Planning Authority prior to the use hereby approved commencing and thereafter maintained at all times.

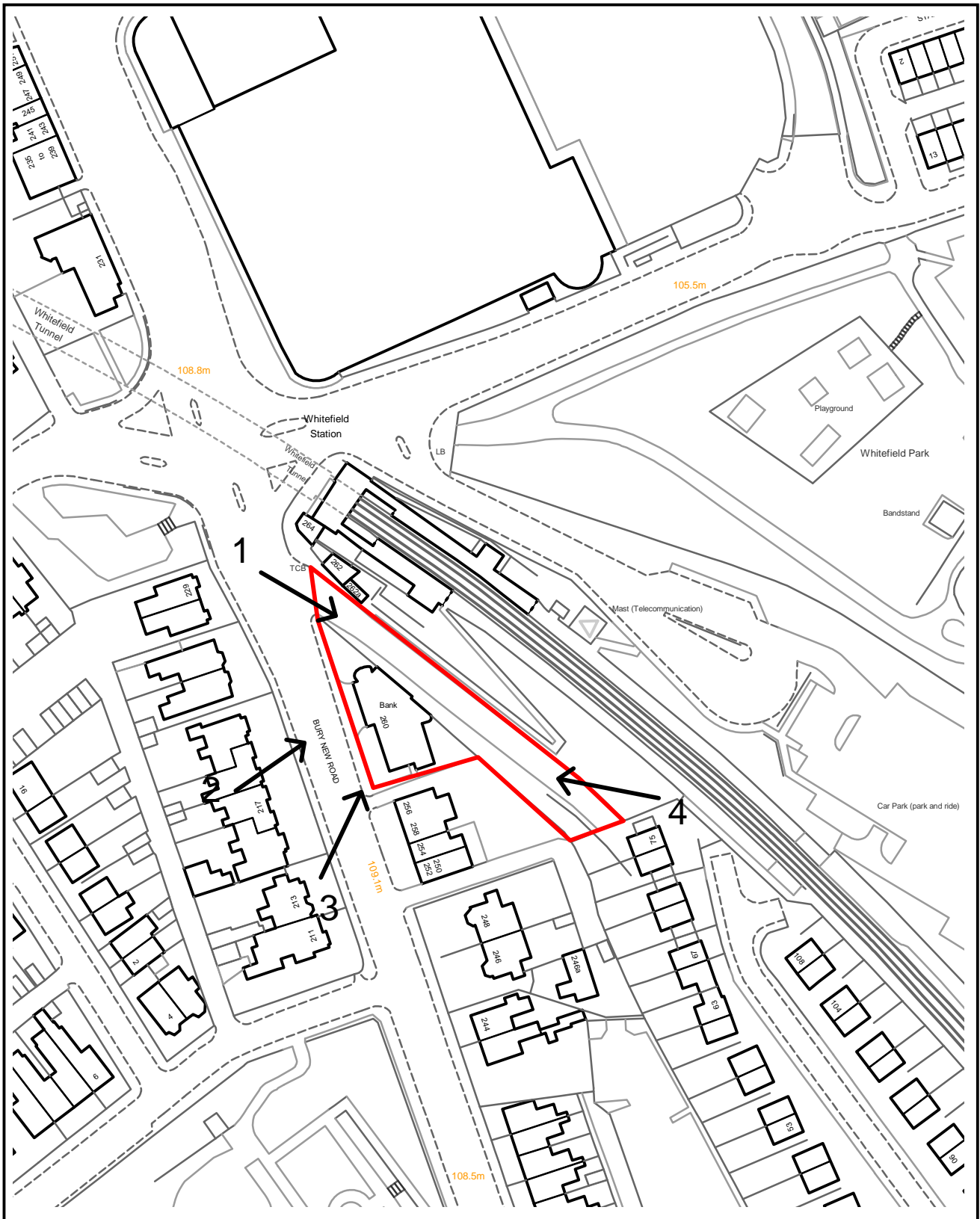
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development and to preserve the character of the Conservation Area pursuant to EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the Bury Unitary Development Plan.

8. No development shall commence 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. Information has not been submitted at application stage, to ensure adequate protection of the residential amenities of nearby residential property from impact upon from fumes and odour pursuant to UDP Policy S2/6 - Food and Drink.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59661**

**ADDRESS: 260 Bury new Road  
Whitefield**

**Planning, Environmental and Regulatory Services**

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59661

Photo 1



Photo 2



Photo 3

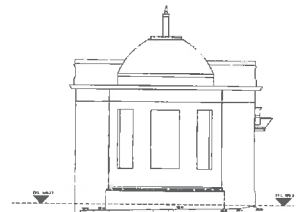


Photo 4

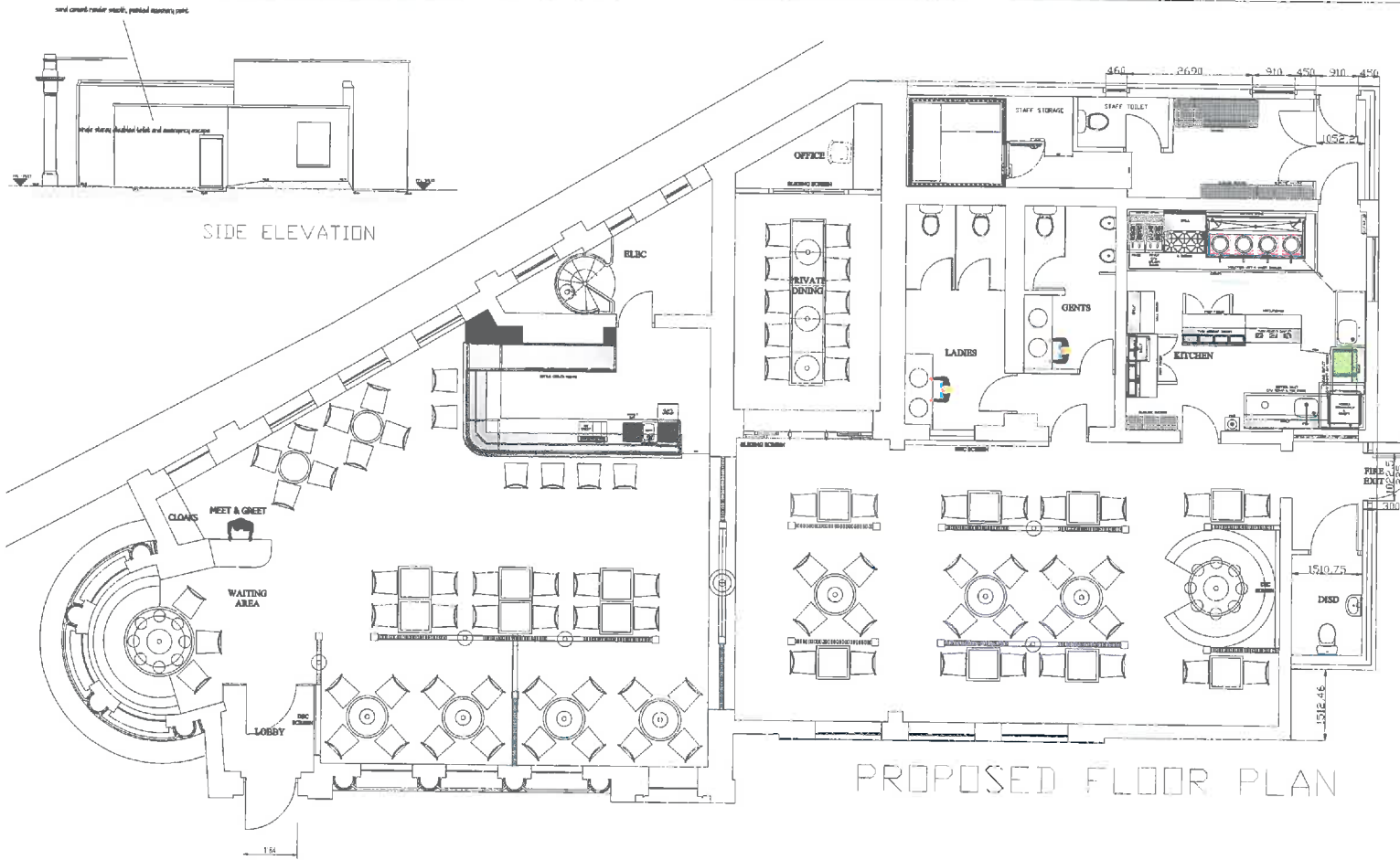


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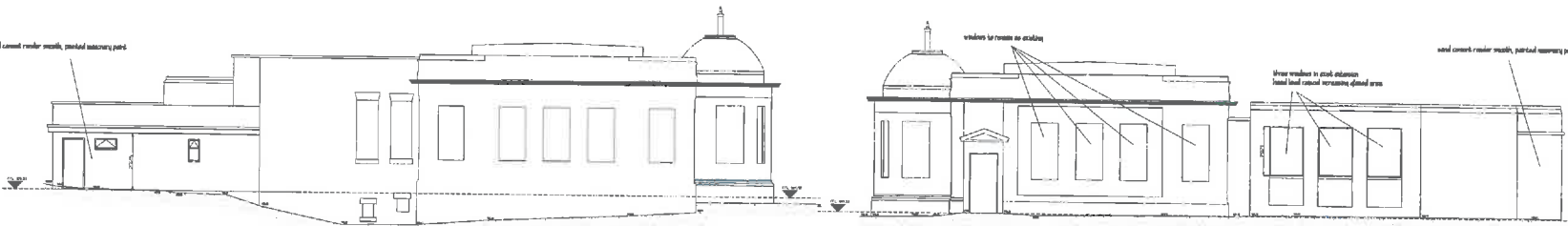
DO NOT SCALE FROM THIS DRAWING.  
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SIDE ELEVATION



PROPOSED FLOOR PLAN



REAR ELEVATION

FRONT ELEVATION

REVISIONS \_\_\_\_\_ DRAWN \_\_\_\_\_ CHECKED \_\_\_\_\_

SCALE 1/100 DATE \_\_\_\_\_

CLIENT \_\_\_\_\_

TITLE \_\_\_\_\_

260 PLY NEW ROAD WHITEFIELD PLY 1425 6142

PROPOSED CHANGE OF USE FROM BANK TO RESTAURANT & CLUBS SINGLE STOREY EXTENSION AS BEING SERVED BY UNDER AND SINGLE STOREY EXTENSION AT FRONT SIDE TO ACCOMMODATE NEW PARKED PERSONS VEHICLE

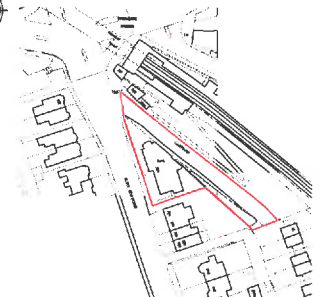
INTERNAL FLOOR PLANS AND ELEVATIONS

DRAWING No. \_\_\_\_\_

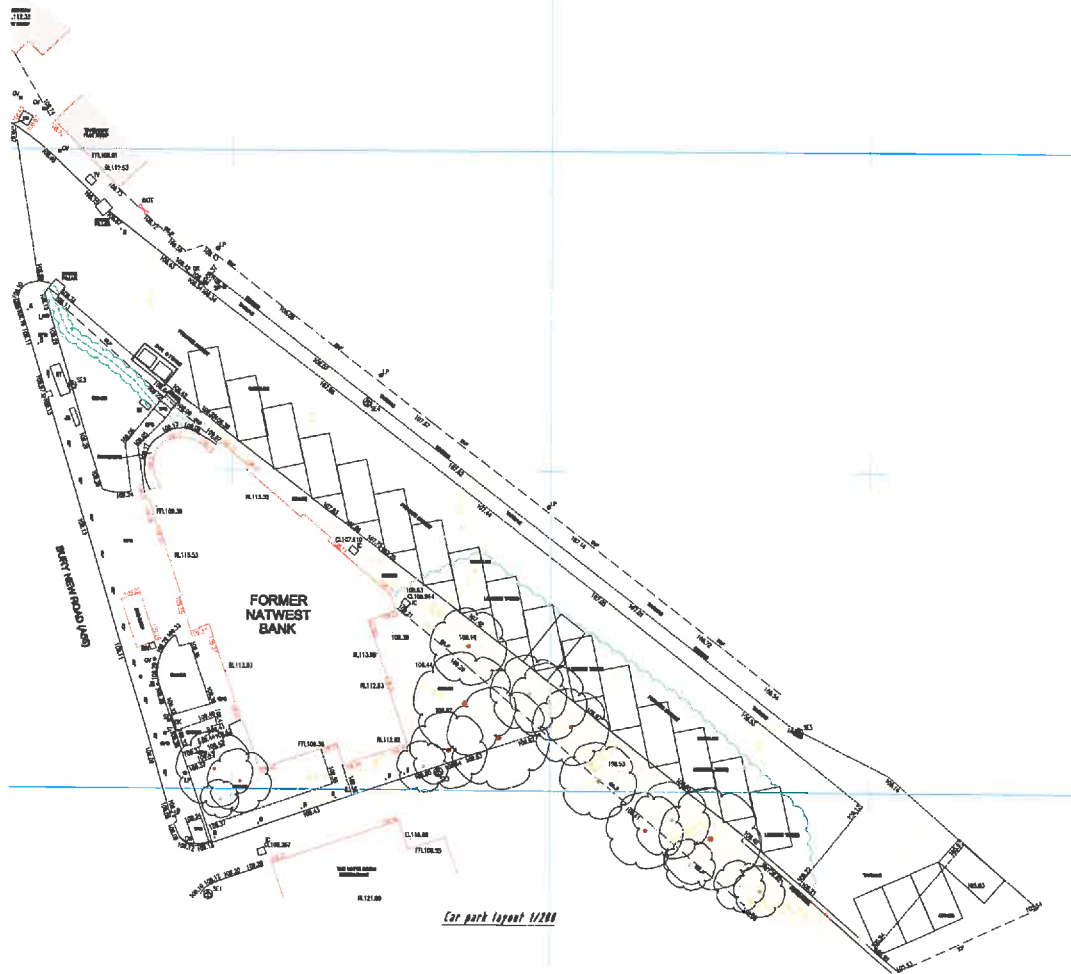
0102

NOTES ORIGINAL 2

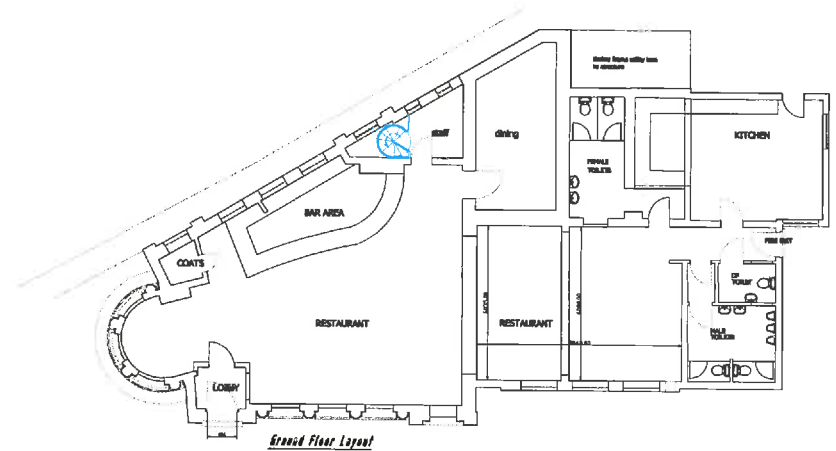
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LOCATION PLAN 1/1250



Car park layout 1/200



Ground Floor Layout

ADD DIM STORE TO CAR PARK OS 16			
REVISIONS		DRAWN	CHECKED
SCALE	DATE		
1 / 100	DEC 15		
CLIENT			

TITLE  
240 BURY NEW ROAD WHITFIELD BURY MK25 6ND

PROPOSED CHANGE OF USE FROM BANK TO RESTAURANT INCLUDING SIGN AT REAR SERVING NEW KITCHEN AND SINGLE STOREY EXTENSION AT FRO NEW DISABLED PERSONS TOILET

GROUND FLOOR PLAN AS PROPOSED

DRAWING No.  
0.019



**Ward:** Prestwich - Sedgley

Item 03

**Applicant:** Windsor Lettings Ltd

**Location:** Rico House, George Street, Prestwich, Manchester, M25 9WS

**Proposal:** Erection of extension to create a mansard roof to provide additional floor to existing building; external covered staircase; Creation of 15 no. car parking & 10 cycling spaces

**Application Ref:** 59756/Full

**Target Date:** 25/04/2016

**Recommendation:** Approve with Conditions

### **Description**

The application relates to an existing office building which is located within the Mountheath Employment Generating Area under UDP Policy EC2/1. Directly opposite to the north are 2 storey residential terraced properties, adjacent to the east is a vacant plot of land and to the west, an overgrown and vegetated site, beyond which is hotel and leisure club. To the rear is the Mountheath Industrial Park which accommodates a mix of commercial and industrial type units in B1, B2 and B8 uses.

The office building is split level, being 2 storey fronting George Street and 3 storey at the rear. It has a flat roof and 2 external fire escape staircases on each gable.

The site provides 46 parking spaces, with echelon parking in front of the building and the main car park at the rear, accessed through a set of gates. Access into the site is via an entrance and exit only system at either ends of the site directly off George Street. The site is bounded by a palisade fence to the sides and rear with a grass verge to the front.

The application seeks to increase the height of the building by 3.3m to provide an additional storey for office floorspace, resulting in a 3 storey building at the front and 4 storeys at the rear. The roof would have a mansard design, finished in grey metal, with dormer style windows in a fenestration pattern to match the existing elevations. It is also proposed to replace the external staircases which would be enclosed by a steel framed weather protection structure.

Boundary treatment would comprise a 2m high replacement metal fence to the south, east and west and the erection of a 1m high metal hoop boundary fence.

Parking provision on site would increase by 15 spaces with 10 cycle spaces created.

### **Relevant Planning History**

01696/E - Proposed new floor to existing building - Enquiry completed 30/07/2015

### **Publicity**

23 letters sent on 1/3/2016 to properties at Nos 6-46 (evens) George Street, Lyndhurst George Street, and Village Workshops Mountheath Industrial Estate.

Site notice posted 16/3/2016.

Two letters of objection received from Nos 14, 16 George Street

- Parking on George Street has become a serious issue during working hours as a result of the volume of cars that visit the offices;
- Local residents find we are unable to park outside our properties between 9am and

- 6pm;
- Unlikely the creation of extra parking will compensate for the office extension when taking into account the additional floorspace and current problem;
- The added height will impact on the extent to which sunlight will reach many properties facing Rico House;
- The electric gate often malfunctions and prevents parking;
- Visitors cannot park at the rear as they do not have a fob for the gates;
- Management of the site is abysmal - the alarm regularly sounds, disturbing sleep, shutters are left open inviting crime;
- Management have not proactively engaged with residents in resolving issues;
- Privacy is a major concern;
- Should we build a loft, the proposed 3rd floor would have a direct view into the velux;
- restrict the pleasant views we have of the moors

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

### **Consultations**

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

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

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

NPPF	National Planning Policy Framework
EC2/1	Employment Generating Areas
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN6	Conservation of the Natural Environment
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD11	Parking Standards in Bury

### **Issues and Analysis**

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

**Principle** - The site is located within an Employment Generating Area, under UDP Policy EC2/1, where uses for B1 Business/Offices, B2 General Industrial and B8 Storage or Distribution are supported.

The proposal is to extend the building for B1 office use and as such the development would be acceptable in policy land use terms and in accordance with UDP Policy EC2/1.

UDP Policy EC6/1 - Assessing New Business, Industrial and Commercial Development considers factors including scale, size, density, layout, height and materials; access and parking provision; landscaping and boundary treatment; effect on neighbouring properties and safety of employees, visitors and adjacent occupiers.

These issues and the acceptability of the details of the scheme are discussed in the report below.

**Layout** - The layout of the site would essentially remain the same as the existing arrangement, with 2 access points off George Street, parking at the front and rear and new boundary treatment.

The echelon spaces in front of the building would be rotated so that they would be angled at 45 degrees due to the narrow width of the aisle between these spaces and the 5 proposed parallel spaces opposite. The existing vehicular access arrangement into the site would be reversed, with the 'in' located to the west and 'out' to the east of the site.

The remaining 4 parking spaces would be located to the western side of the building and 2 spaces and cycle rack in the rear car park.

The 2m high boundary fence to the south, east and west would be replaced by a green metal fence, and a new 1m high metal barrier to the front boundary erected, to delineate the site and protect pedestrians from vehicle encroachment.

Two new covered external staircases on the gable ends would offer weather protection to the emergency access and would improve the safe use of the stairwell.

As such, it is considered the proposed layout would be acceptable and would offer a workable solution to facilitate the additional parking which is to be provided, and would therefore comply with UDP Policies EN1/2 and EC6/1.

**Design and appearance** - The additional floor would have a Mansard type roof (hipped at an angle of 70 degrees) constructed of steel frame cladding with a lightweight insulated roof and grey wall panels. The windows would be flat roof dormer style and set directly above the existing windows on the lower floors to reflect the fenestration patterns of the building.

The new external staircases would have a hipped roof for weather protection purposes, which would be enclosed by a see-through steel structure.

The design and appearance of the proposed extension is considered to be in keeping with the existing build, and appropriate within the context of a Trading Estate and in the EGA, and as such would comply with EN1/2 and EC6/1.

**Residential amenity** - The nearest properties which would be affected by the proposed development are opposite the site on George Street.

In terms of assessing separation distances, there are no set standards for this type of development. Whilst SPD6 contains supplementary guidance to assess relationships between extended residential properties, it is a useful yardstick and tool to consider the potential impact on other types of extended properties. Generally, a separation of 20m is required between facing habitable room windows. Where there is a difference in levels or additional storeys, usually an additional 3m would be sought.

The houses on George Street are 2 storey in height. The proposed development would result in a 3 storey building on the front elevation facing these properties. As such, a separation distance of 23m would be sought. There would be 30m between the houses and the development site, and as such, it is considered there would be a satisfactory intervening distance.

The residents have raised the issue that the development would result in an unacceptable increase in traffic and add to the already congested on street parking.

The additional office space would enable more staff to be employed at the site, which would in turn generate more vehicular trips and traffic to the area. However, the scale of the development would not be especially considerable in comparison to the overall floor space of the existing building, or other premises within the EGA for that matter, which could generate significantly more traffic, and be of a heavier goods type vehicle.

As such, it is considered that the proposed development would not have a detrimental impact on the occupiers of residential amenity and would comply with UDP Policy EC6/1 and SPD6.

In terms of parking, the objectors have cited issues with the current parking arrangements on site and especially problems accessing the rear car park, which causes staff to park on the street, thereby hampering parking for local residents. This is discussed in the parking section below.

**Parking** - Supplementary Planning Document 11 - Parking Standards in Bury advises maximum parking provision of 1 space per 35 sqm for a B1 office use.

For the existing B1 office of 1100 sqm, and to be compliant with SPD11, 32 parking spaces would be required. There are currently 46 provided on site.

For the proposed extension of 300 sqm of B1 floor area, an additional 9 spaces would be required.

The existing and proposed floor area together would require 41 spaces.

The application proposes to provide 15 spaces, resulting in 61 spaces in total, 9 of which would be located to the front of the building and 6 to the side and rear. The provision of a secure bike stand for 10 cycles would also encourage employees to adopt sustainable transportation methods which should be encouraged, and particularly as there are large residential communities in the close vicinity.

The site is also near to a busy District Shopping Centre and within a short walk of a main route through the Borough and frequent bus services.

As such, the proposed development would more than satisfy parking requirements. The Highway's Section have raised no objection subject to conditions and as such the proposals would comply with HT2/4 and SPD11.

In terms of the management of the site, this is the responsibility of the applicant. Given the numbers of staff who populate the building and that the site can adequately provide for the existing and proposed needs of the business, it would be sensible for the applicant to ensure all parking be available for use, at all times.

**Ecology** - GMEU have been consulted on the application and are satisfied that adequate information has been submitted, recommending informatives to the applicant on the following:

Bats - The building was inspected for its bat roosting potential. No evidence of bats was found and the building assessed as having only very low bat roosting potential.

Nesting birds - The only other likely ecological constraint is nesting birds. The building has been assessed as low risk.

As such, the proposals are considered to be acceptable and no other further surveys are required.

**Response to objectors** -

- The management of the site and engagement of the applicant with local residents are not material planning considerations;
- The issues raised regarding parking, traffic generation and proximity of the proposed building to residential properties has 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

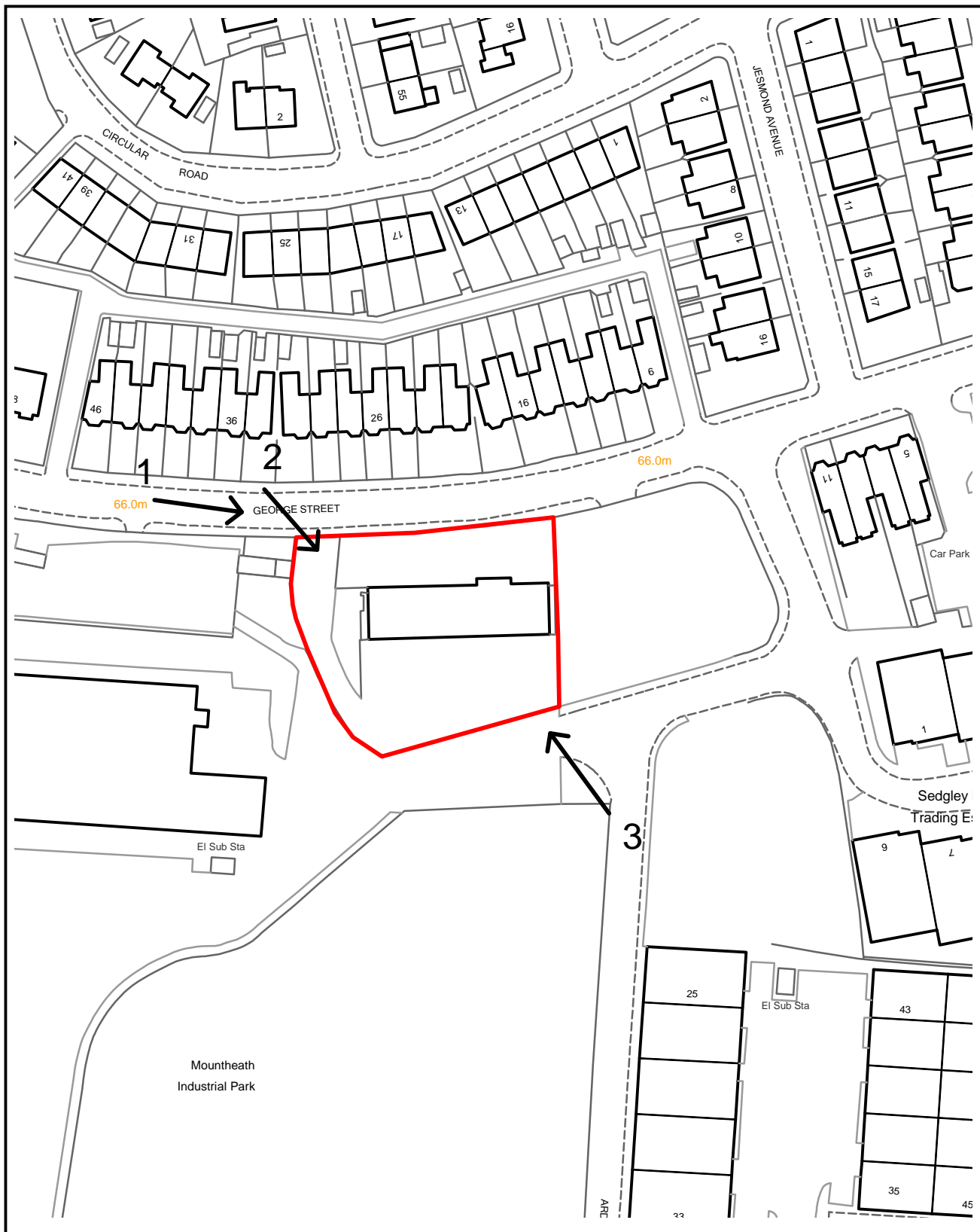
### **Conditions/ Reasons**

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 Proposed site layout and boundary treatments RHGS01 Rev C; Proposed floor plans and elevations RHGS02 Rev B and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The external finishing materials for the proposal hereby approved shall be as annotated on the approved plan and as detailed in the application form.  
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. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved in writing by 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 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. No details have been submitted to mitigate the impact of 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 EC6/1 - Assessing New Business, Industrial and Commercial Development and EN1/2 - Townscape and Built Design.

5. The development hereby approved shall not be brought into use unless and until the revised car park information signs in accordance with Diagrams 833-836 of The Traffic Signs Regulations and General Directions 2002 indicated on approved plan reference RHGS 01 Revision C have been implemented to the written satisfaction of the Local Planning Authority. The approved signage shall thereafter be maintained.  
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 EC6/1 - Assessing New Business, Industrial and Commercial Development and HT6/2 - Pedestrian/Vehicular Conflict.
  
6. The car and cycle parking indicated on the approved plan reference RHGS 01 Revision C 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 pursuant to policies EC6/1 - Assessing New Business, Industrial and Commercial 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 59756

ADDRESS: Rico House  
George Street  
Prestwich

Planning, Environmental and Regulatory Services



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59756

Photo 1



Photo 2





Photo 3



External fire escape stairs to have weather screening and roof protection



Rear Elevation South

Mansard roof with grey metal roof finish to replicate lead roofing (Patent system)



Front Elevation North

Windows are dormer roof to replicate existing office sizes



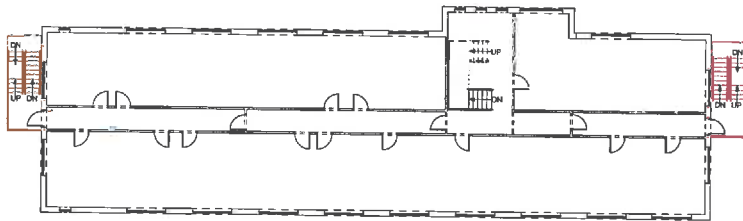
Side Elevation East

Windows are dormer roof to replicate existing office sizes

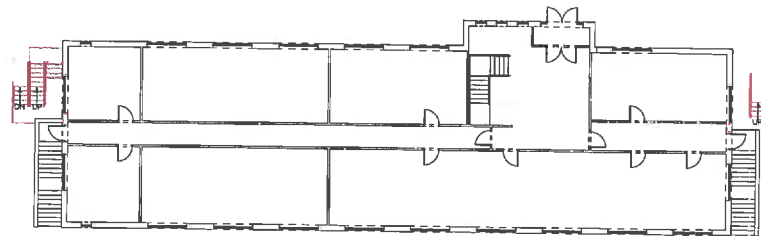
Metal industrial colour colour coated steel box gutter



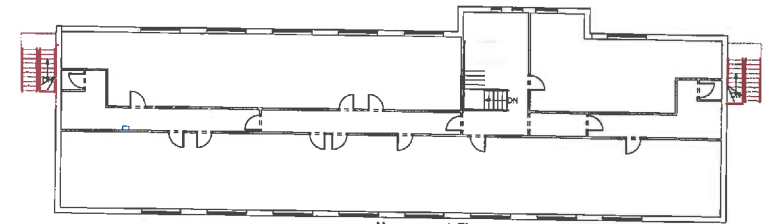
Side Elevation West



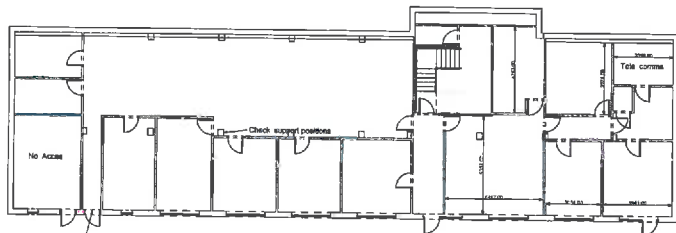
First floor



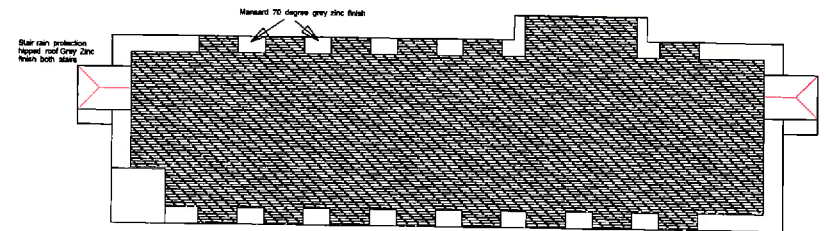
Ground Floor



New second Floor



Lower Ground floor (No Changes Proposed)

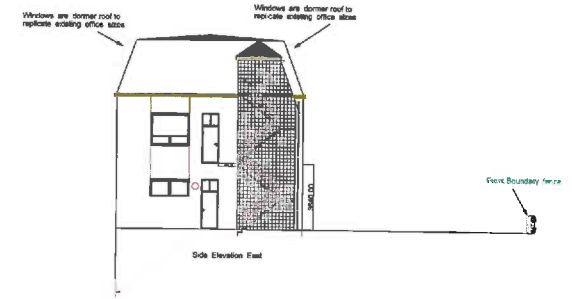


Flat roof (Shown Hatched)

Proposed  
Floor plans & Elevations  
Drawing Number RHGS02 Rev B

Rico House  
George Street  
Prestwich  
Manchester  
M25 9WS

SCALE IN METRES SCALE 1:100 approx size A0  
0 1 2 3 4 5 10 15 20

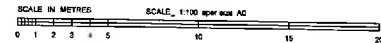


Example of proposed front boundary fencing

Proposed  
Site Layout and boundary treatments  
Drawing Number RHGS 01 Rev C

Fence & Cycle rack added

Rico House  
George Street  
Prestwich  
Manchester  
M25 9WS



**Ward:** Bury East - Moorside

Item 04

**Applicant:** Miller's Vanguard

**Location:** Ryalux Carpets, Mossfield Mill, Chesham Fold Road, Bury, BL9 6XJ

**Proposal:** Infilling of existing loading bay and extension of access road; Installation of vehicle wash bay

**Application Ref:** 59811/Full

**Target Date:** 18/05/2016

**Recommendation:** Approve with Conditions

### **Description**

The application relates to an existing industrial/storage mill building which was formally used for the manufacture and distribution of carpet products. The building is set back into the site with a loading bay and car park to the south and western areas. There is a vehicular access off Rochdale Old Road which leads into the eastern part of the site, and which is separated from the remainder of the site by a grassed area in front of part of the building. There is another other access to the west off Chesham Fold Road. The site is bounded by a palisade fence.

Between the front of the site and Rochdale Old Road is a grassed area of land which has mature tree planting. To the east and west, the site is bounded by two roads Coppice Street and Chesham Fold Road, and to the north are residential properties which are slightly elevated above the site.

The site has recently been occupied by a company who provide maintenance and engineering of food service equipment, and who are looking to consolidate their business operations onto this one site.

In doing so, there are some alterations which are required. This application proposes the re-profiling of the existing loading bay, extension to the loading bay/internal access road, installation of 3 vehicle wash bays and a new roller shutter vehicular access door in the front elevation of the mill building.

Re-profiling of loading bay - The surface would be graded to a 1:60 crossfall to facilitate access into the warehouse by the company's vehicles. It would be re profiled with a granular sub base, incorporating a channel drain, and overlaid with tarmac.

Extension to loading bay and access road - The loading bay area would be extended to the same length as the existing, which would require removal of part of a grassed area. The access extension across this part of the site would enable vehicles to load and reload from the warehouse and exit the site more directly onto Chesham Fold Road.

Installation of 3 wash bays - These would be located to the eastern area of the site, on the footprint of part of the existing turning head to the access road and part of a grass verge area. The bays would be part enclosed by plastic separators. The wash facilities are required for the cleaning of the company's vehicles only, and to be used within their operational hours.

Roller shutter door - This would be located on the front of the building to provide a vehicular exit point via the extended loading bay/access road.

## Relevant Planning History

None relevant.

## Publicity

74 letters sent on 30/3/2016 to properties on Rochdale Old Road; Mossfield Close; Chesham Fold Road; Coppice Street; Bell Lane; Huntley Street.

One letter of objection received from No 42 Rochdale Old Road which raises the following issues:

- Been subjected to noise from machinery from tree shredding equipment as they have cut down the noise barrier trees between our houses and the industrial premises;
- The development would no doubt cause a lot of extra noise of a permanent nature and we no longer benefit from a noise barrier;
- Appalled at the callous disregard for people living nearby and ask you abate this noise nuisance and do not allow the application to proceed.

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

## Consultations

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

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

**Environmental Health Contaminated Land** - To be reported in the Supplementary Agenda.

## Unitary Development Plan and Policies

EC1/1	Land for Business (B1) (B2) (B8)
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
NPPF	National Planning Policy Framework
EN8/2	Woodland and Tree Planting

## 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 proposed alterations to the layout and building, and the incorporation of the wash bay facilities would enable the company to consolidate their business on one site and maximise the effectiveness and efficiency of their operations. The premises has an established industrial use which seeks to remain as an employment site, and as such the proposed development is acceptable in principle.

UDP Policy EC6/1 - Assessing New Business, Industrial and Commercial Development considers factors including scale, layout and size of development, access and parking provision, landscaping and boundary treatment, residential amenity and safety of employees and visitors. These issues are discussed below.

**Layout** - The extension to the loading bay area would be located adjacent to the existing servicing area and would require the removal of an area of grassed land and some re-profiling of the land. The existing loading bay would be re-profiled to the same 1:60 gradient, to enable access for the loading and unloading of deliveries by the company's vehicles.

The extension to this area would also facilitate an access route through the site which currently is not achievable, and this would improve vehicular circulation not only in and out of the site, but also around the building and would allow operations to be carried out more efficiently.

The 3 wash bays would be located to the east of the site at the end of the access road off Rochdale Old Road, on an area of land which currently forms part of a turning head and part of a grassed area. Whilst excavation works would also be required in this area, they would not be extensive and nor would they impede vehicular manoeuvres around this part of the site, given the improvements described above.

The insertion of a new roller shutter door on the front elevation would provide an exit point via the extended loading bay and access road, again improving vehicular flow around the site.

As such, it is considered that the proposed developments would improve the access and allow the company to operate to maximum capacity without detriment to safety of users or visitors to the site, and without requiring extensive engineering operations to be carried out.

The layout would therefore be acceptable and comply with UDP Policies EC6/1 and EN1/2.

**Residential amenity and landscaping** - The nearest residential properties are located directly opposite the site and to the east on Rochdale Old Road.

The proposed loading bay extension would be more than 80m away from those properties to the east and a significant distance away not to be affected. It would be no closer to the houses opposite than the existing service area, and given is an existing grass verge with mature tree planting and busy main road between the site boundary and these houses, it is considered there would not be an impact on their amenity.

The siting of the wash bays would be closest to No 67 Rochdale Road. However, there would be a separation distance of 32m. There is also a bund which runs along the eastern boundary and which would provide a buffer to this area of the site. The wash bays would only be used by the company's vehicles and for no other use outside of their own operations. Given the distance away and intervening area of land, it is considered that No 67 in particular and the houses to the east in general would not be affected by this part of the proposal.

Whilst the building, loading bays and servicing areas are set back into the site and mature trees along the frontage on Rochdale Old Road, these trees are outside the application boundary and only screen some of the site.

Within the site itself, the grassed area at the front and to the east has been cleared of all the trees and vegetation which not only contributed to the visual amenity of the area, but also screened the site from houses on Rochdale Old Road and Coppice Street.

As a cleared site, the area now appears exposed and stark in contrast to its former appearance. The resultant cleared area has left a raised embankment level with the surrounding highways, which is slightly elevated to the main hardstanding areas. Despite this, the embankment is certainly wide enough to accommodate replanting. This was also an issue raised by the objector. Being in agreement with the objector, it is therefore considered reasonable and appropriate that replacement planting be incorporated back, to provide some respite and 'softening' of the site in the streetscape, and screening from the surrounding houses. This would be sought by a condition should the application be approved.

Given the distance away from the surrounding properties and the intervening features, it is considered the proposed development would not detrimentally impact on the amenity of local residents, and would comply with EC6/1.

**Access** - There would be no alterations to the 2 existing access points off Rochdale Old Road and Chesham Fold Road.

**Drainage** - The application proposes engineering operations which would require additional drainage mechanisms to be incorporated on the site. The proposed plan suggests that this could be resolved by a soakaway, although the application states that details would be provided a later stage.

To ensure drainage is appropriately treated on site, a condition to include a SUDS would be included as a planning condition.

**Response to objector -**

The tree which have been removed are within the applicant's land ownership were not under a Tree Preservation Order, and could be removed without the need for planning permission. A condition to submit a landscaping scheme would be included in the granting of any planning permission.

The proposed development in itself would not result in an increase in noise to the site. Any unacceptable noise created by the use or users of the site would be effectively addressed under the Environmental Protection Act.

**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**

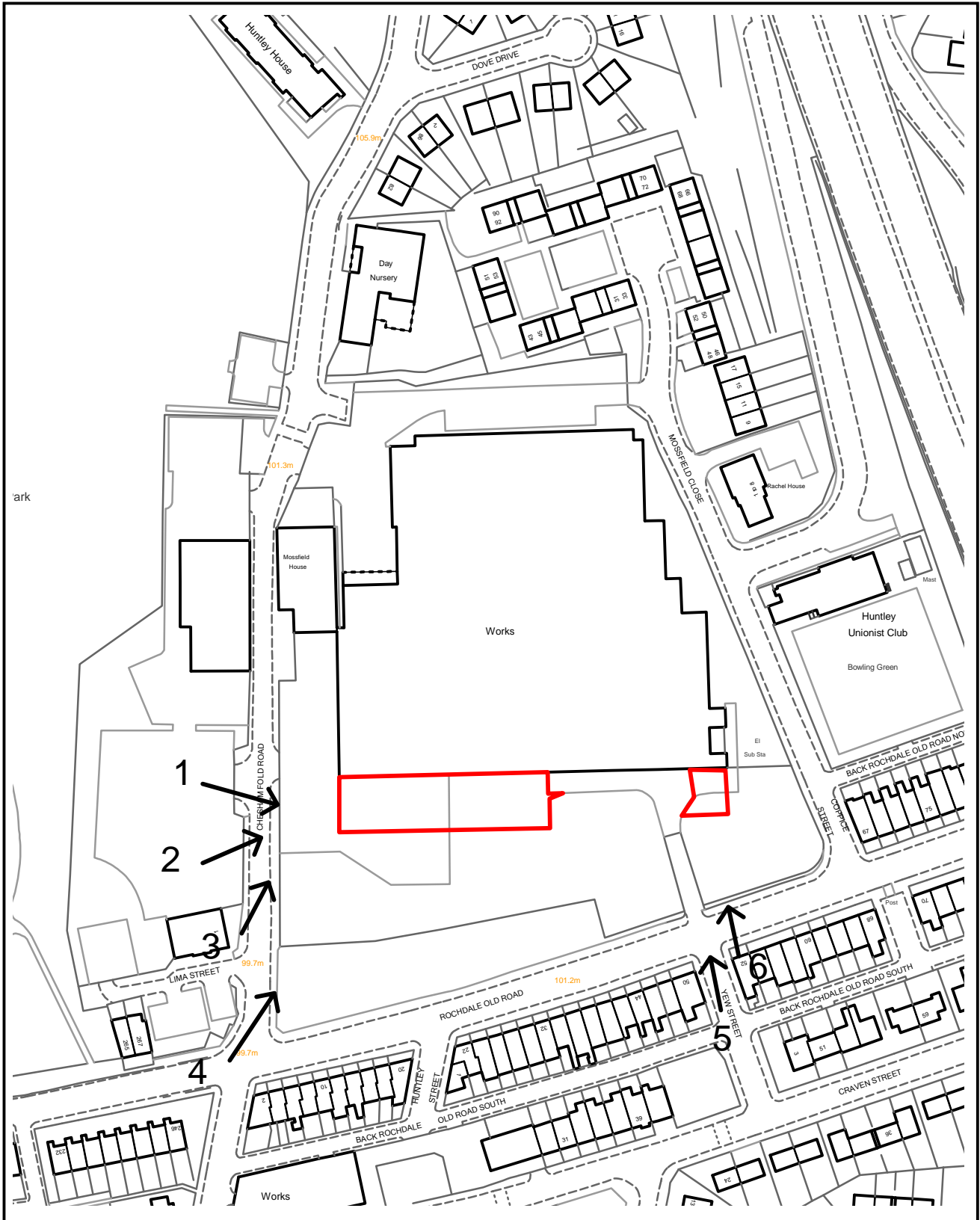
1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered dwg-tjba-MVL-mossfield mill,bury - 251113 Site plan; dwg-tjba-MVL-mossfield mill,bury - 251113 Propsoed loading bay and vehicle wash site rev p3; dwg-tjba-MVL-mossfield mill,bury - 251113 Vehicle track analysis received 3/5/16, and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The access, servicing and turning facilities indicated on the approved plans shall be provided before the development is brought into use and the areas used for the manoeuvring and routing of service vehicles shall subsequently be maintained free of obstruction at all times.  
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development plan Policies EC6/1 - Assessing New Business, Industrial and Commercial Development and HT6/2 - Pedestrian/Vehicular Conflict.

4. No development shall commence unless and until details of surface water drainage proposals and timetable for implementation 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 be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. Drainage arrangements for the vehicle wash facility should also be approved by United Utilities, and the conclusions submitted to the Local Planning Authority. Details should also be provided for any proposed oil interceptors/filtration systems. 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, in order to promote sustainable development, pursuant to chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
5. A 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 within the first available planting season following the schemes approval; 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.

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



# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

APP. NO 59811

ADDRESS: Ryalux Carpets, Mossfield Mill  
Chesham Fold Road, Bury

Planning, Environmental and Regulatory Services

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59811

Photo 1



Photo 2



Photo 3



Photo 4



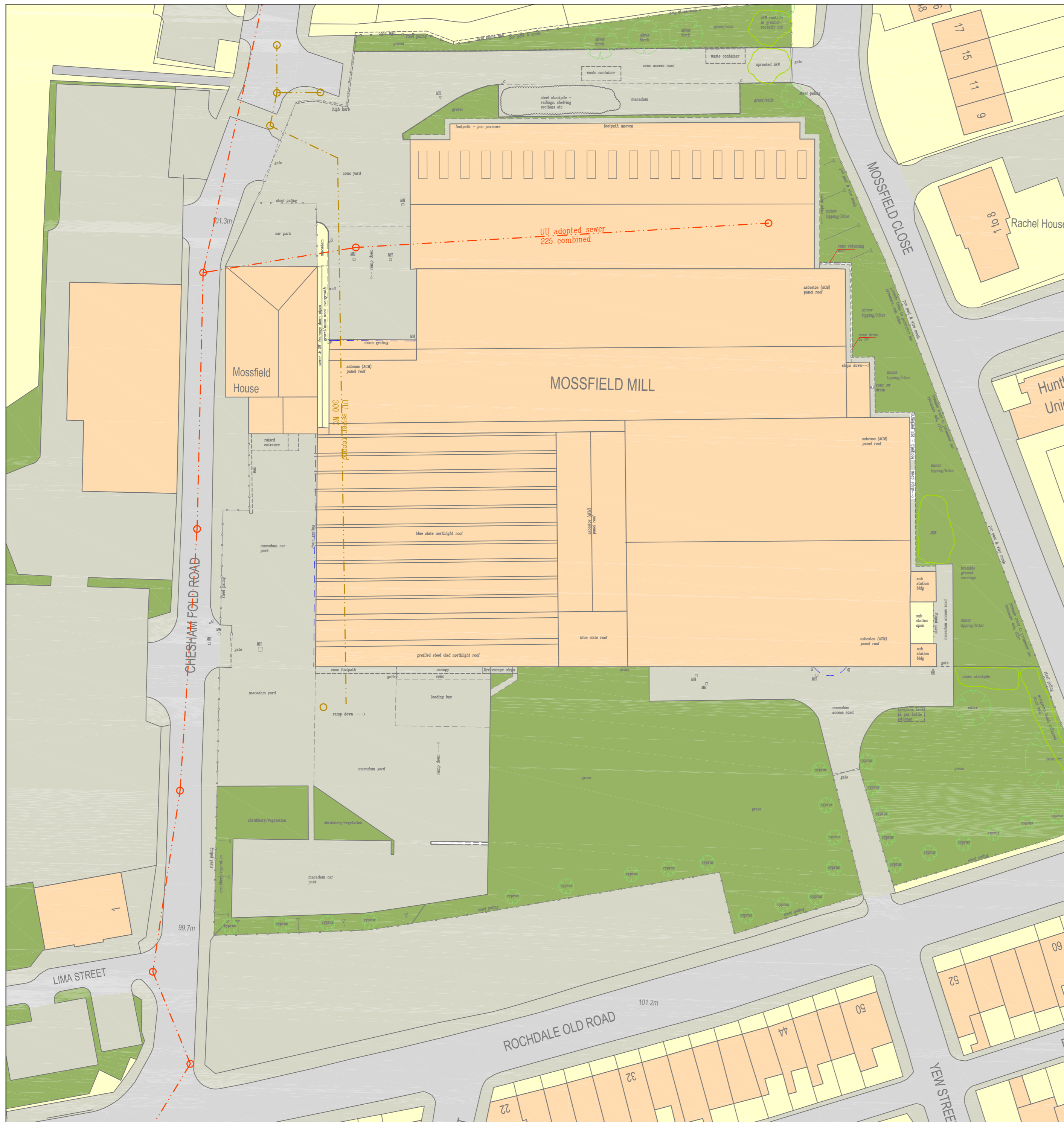
Photo 5



Photo 6



NOTES.  
 based upon ordnance survey map data Nov 13  
 site reconnaissance items & UU sewer records added Dec 13



ISSUE	REASON/ CHANGE	DATE	BY
1	site rece added	dec 13	ds
0	original for info / comment	nov 13	tjb

**T J B O O T H A S S O C I A T E S** 20A Eastgate Street  
 Rochdale  
 Lancashire  
 OL16 1DH  
 CONSULTING CIVIL & GEOTECHNICAL ENGINEERS Tel:01706 868288

miller vanguard, chesham fold rd, bury / mossfield mill  
 mossfield mill  
 site plan  
 FILE NAME: dwg-tjba-MVL-mossfield mill, bury-251113  
 SCALE: 1 : 500 @ A2



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

Item 05

**Applicant:** Slattery's Patisserie & Chocolatier

**Location:** Slattery's Patisserie, 197 Bury New Road, Whitefield, Manchester, M45 6GE

**Proposal:** Store room extension at side

**Application Ref:** 59863/Full

**Target Date:** 02/05/2016

**Recommendation:** Approve with Conditions

### **Description**

The application site relates to a premises in a mixed use development comprising retail, confectionary/bakery, cafe/restaurant and cooking training facilities which is located within the All Saints Whitefield Conservation Area and Whitefield District Shopping Centre. It consists of an impressive 3 storey red brick and stone building which fronts the main road through the town. There is a customer car park to the north of the site.

The site is within a predominantly commercial area, with a mix of shops and businesses in the locality. To the west is the former Whitefield Town Hall which is separated from the site by a boundary wall, and to the north of this, The Uplands Health Centre.

The building has undergone a number of alterations and extensions in the past, including a 2 storey extension on the south side of the building to provide new freezer and storage facilities, loading/delivery bay in front at ground floor and new toilet facilities above.

The application proposes to extend this storage area to provide additional stock/storage facilities. The extension would be single storey, 6m to the ridge and project forward of the existing building by 4.6m onto part of the loading bay area. A 7.5m long bay would be retained in front of the extension and would continue to be used for deliveries.

As a result of the siting of the extension, the cill height of the 1st floor windows in the front elevation of the existing building would be raised and the windows to the staircase blocked up.

### **Relevant Planning History**

48252 - First floor extension including conservatory and external fire escape (resubmission) - Approve with Conditions 23/07/2007

49422 - First floor rear sun lounge & repositioning of external fire escape stairs - Approve with Conditions 29/04/2008

54112 - Siting of temporary freezer room. - Approve with Conditions 03/08/2011

54296 - Two storey side extension to south elevation - Approve with Conditions 23/09/2011

54688 - Single storey first floor extension to north elevation - Approve with Conditions 23/01/2012

55276 - Ground floor extension to side elevation and disabled access ramp to front - Approve with Conditions 23/07/2012

56529 - Relocation of main entrance & erection of portico to new entrance (Part Retrospective). - Approve with Conditions 11/09/2013

11/0230 - Siting of refrigerated unit at side - 27/06/2011

### **Publicity**

24 letters sent on 15/3/2016 to properties on Bury New Road, The Uplands, Pinfold Lane. Site notice posted 31/3/2016.

Press advert in the Bury Times 24th March 2016.

One letter of objection received from Whitefield Health Centre:

- We have significant issues with the lack of adequate car parking for our patients. We are aware that both staff and visitors to Slattery's currently use the health centre car park on a daily basis, which causes significant problems for patients parking at the health centre. We are concerned that an extension may further exacerbate this problem;
- The area it is proposed to extend on is normally where the owner parks his business vans and where delivery drivers normally drop off goods, so there is concern as to where vans will be parked and where deliveries will take place should the permission go ahead.

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

### **Consultations**

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

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

NPPF	National Planning Policy Framework
EC4/1	Small Businesses
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
S1/3	Shopping in District Centres
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict

### **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.

**Use** - The business has undergone a phased development programme which has contributed to its successful expansion, and as a result, additional storage facilities are required to maintain necessary stock levels.

In terms of the principle, the proposal is considered to be acceptable and complies with UDP Policies EC4/1 - Small Businesses and S1/3 - Shopping in District Centres.

**Scale and design** - The extension would be set back from the Bury Road frontage, and as a single storey addition to the building it would not appear incongruous on the street scene. The extension would be sensitively designed to reflect the architectural quality of the existing building, with matching materials of red brick and cast stone cornices, samples of which to be submitted for further approval.

As such, it is considered that the scale and design of the proposed extension would be an acceptable addition in this location of the site which would not have an adverse impact on the street scape, and would continue to preserve the character of the conservation area, pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.

**Residential amenity** - There are no residential properties in the immediate vicinity which would be affected by the use or position of the extension.



In terms of the parking and highway's issues raised by the objector, these are considered in the section below.

**Highways** - The extension would be located on part of the existing loading bay which is used for day to day deliveries. It would be designed so that an area 7.5m long would be retained in front of the extension to facilitate deliveries to the premises. The proposed plans demonstrate that the hatched area could continue to accommodate the type of delivery vehicle which is used by the business and that a vehicle could remain clear of the pedestrian footpath without encroachment onto any part of the public highway. A condition to restrict deliveries within the hatched area only would be included as part of the approval.

The applicant states that on occasion, HGV's deliver to the premises. These vehicles already park on Bury New Road, and the position of the extension would not alter this existing arrangement. There are loading restriction times already in place to control delivery times to businesses in this area and when traffic is likely to be least busy, and any issues caused by servicing the premises from the main road would be enforced through separate highway's legislation.

The applicant also states that as a result of the additional storage facilities that the frequency of deliveries would be halved from daily deliveries to 2/3 per week, which would improve on the existing situation.

The Highway's Section have raised no objection to the proposals, subject to conditions and as such, the development is considered to comply with UDP Policies EC4/1 - Small Businesses and HT2/4 - Car parking and New Development.

**Response to objector -**

- The proposed extension would not be located on the customer car park and as such there would be no impact on the existing parking provision;
- The size and position of the proposed extension would still facilitate deliveries to this area. Should the applicant park on land outside his ownership, or on the Health Centre, this would be a private matter to manage and enforce by the respective landowners.

**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

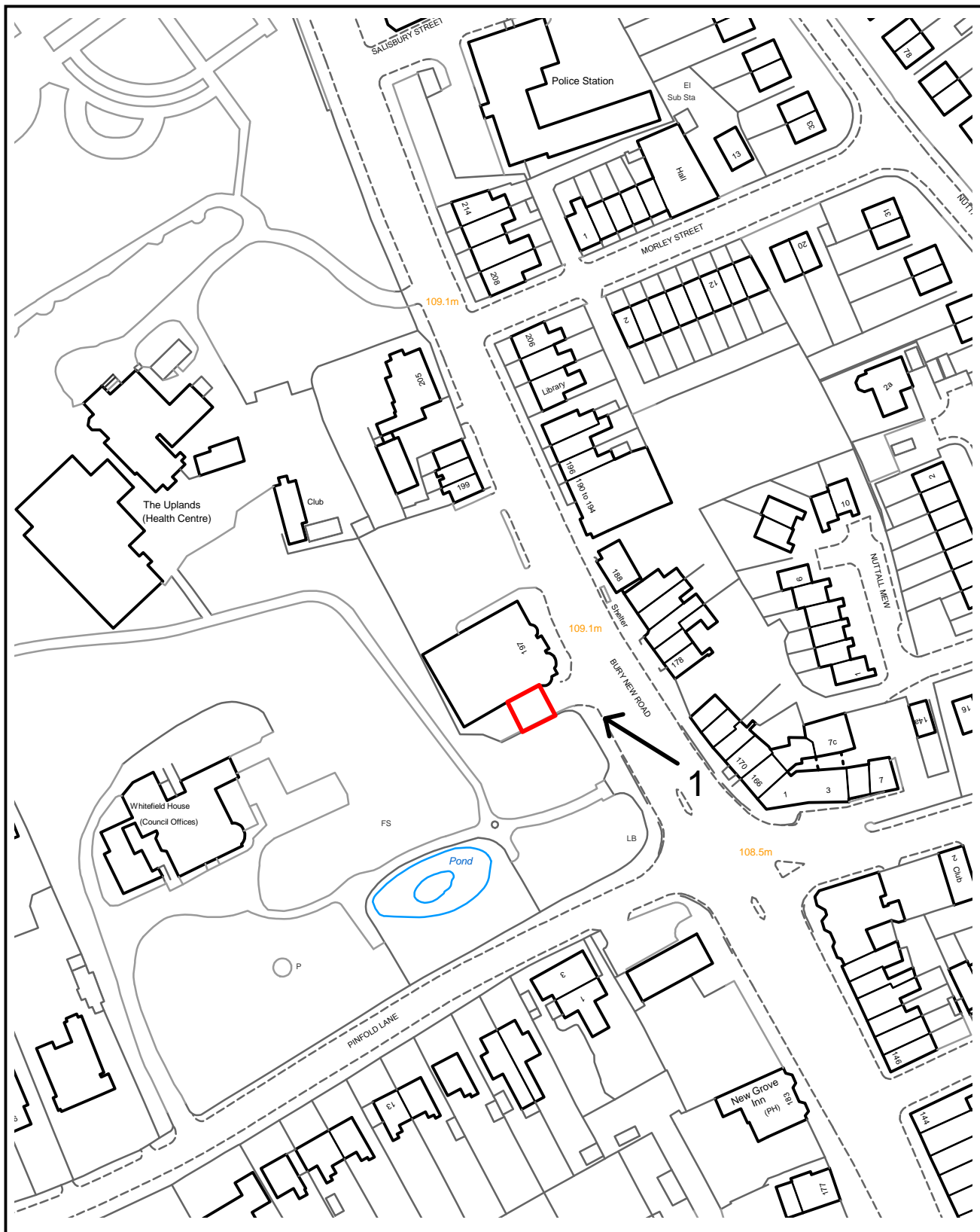
**Conditions/ Reasons**

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 SW/PL/XVI/001; SW/PL/XVI/002 Rev C; SW/PL/XVI/010 A 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, 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 EN1/1 Visual Amenity, EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.
4. No development shall commence unless and until details and methods used to raise the cill levels in the 1st floor front elevation of the existing windows and the windows to be blocked off in the side elevation have been submitted to and approved by the Local Planning Authority. The approved details only shall be implemented.  
Reason. The details have not been provided at application stage, in the interests of visual amenity within the All Saints Conservation Area pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.
5. The area shown hatched on approved plan reference SW/PL/XVI/010A, shall be available for delivery/servicing vehicles only and shall be maintained free from obstruction at all other times.  
Reason. To ensure good highway design and ensure that delivery vehicles do not project into or encroach upon the adjacent adopted highway, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.
6. The store room doors shall be inward opening as indicated on approved plan reference SW/PL/XVI/010 A and shall thereafter be maintained.  
Reason. To enable delivery vehicles to stand clear of the highway whilst the store room doors are opened and to allow adequate space to maintain a service vehicle clear of the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

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

# Viewpoint



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59863**

**ADDRESS: 197 Bury New Road  
Whitefield**



**Planning, Environmental and Regulatory Services 1:1250**

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59863

Photo 1

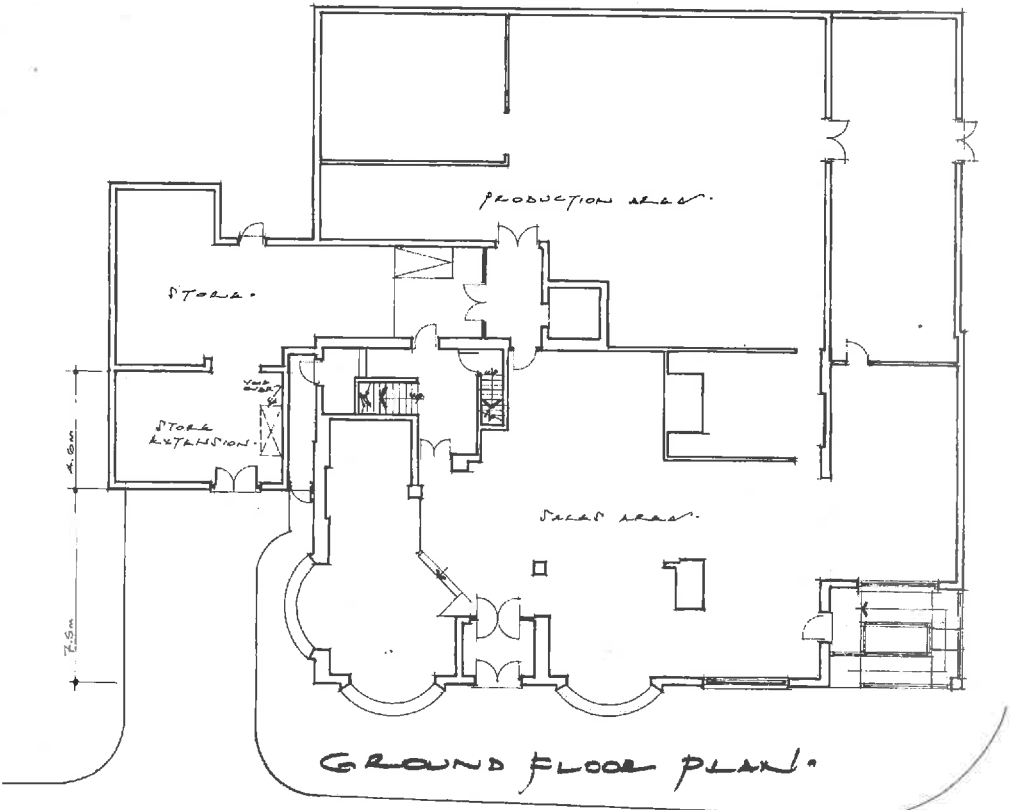




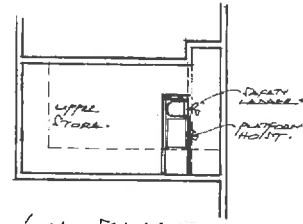
EAST ELEVATION.



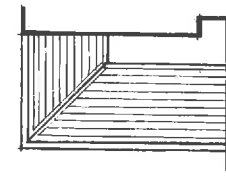
SOUTH ELEVATION.



GROUND FLOOR PLAN.



LOFT SPACE.



ROOF PLAN.

PROPOSED.

Rev 'C' Amended to Planner Reg's MAY '16  
 Rev 'B' Store to be 2nd floor APRIL '16  
 Rev 'A' upper level added March '16

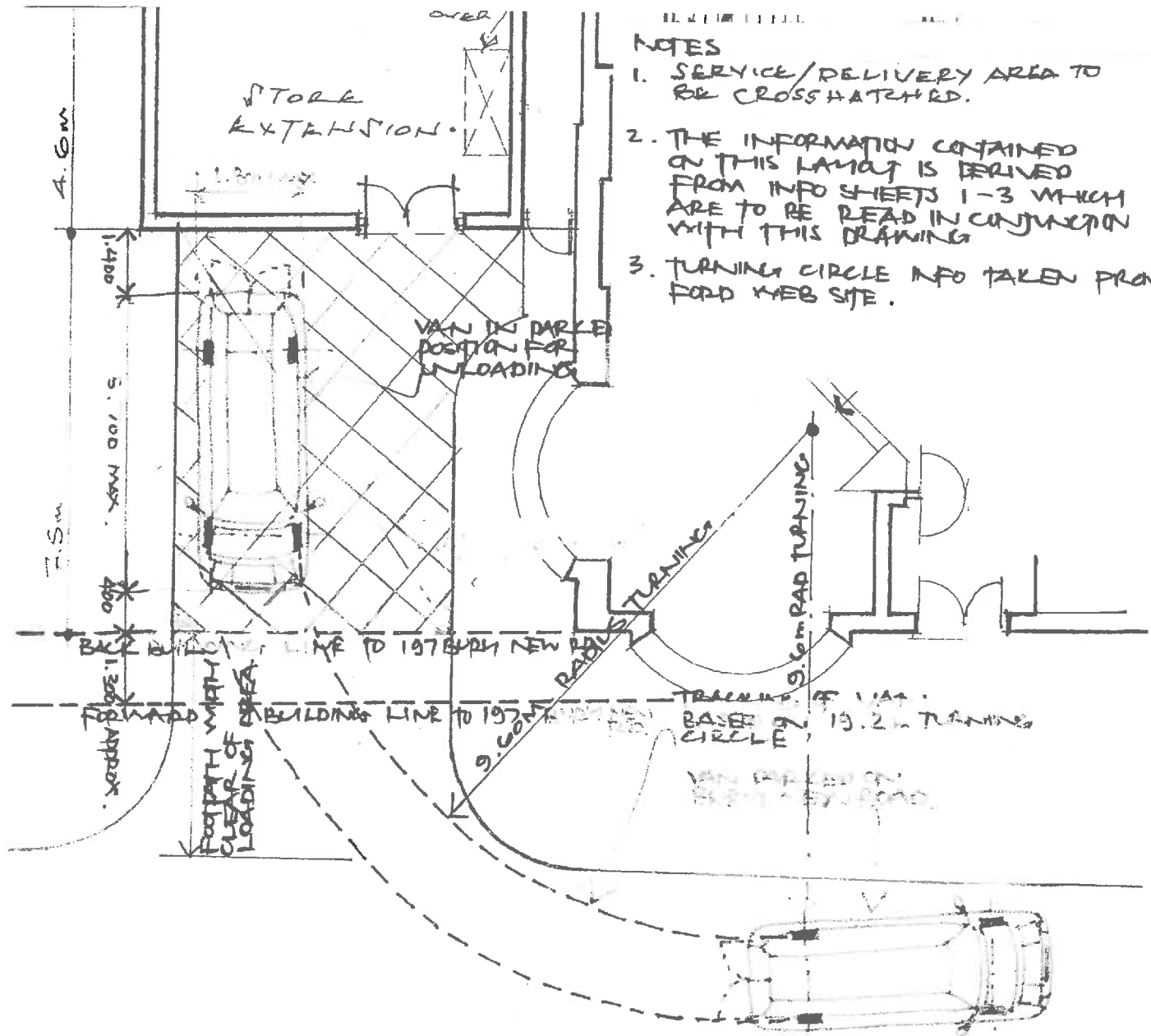
SITE			
SLATTERY'S 197 BURY NEW RD, WHITEFIELD			
PROJECT			
NEW STORE EXTENSION			
TITLE			
PLAN AND ELEVATIONS			
SCALE	DATE	DRAWN	DRAWING NO.
1:100	Jan XVI	JCR	SW/PL/XVI/02B 'C'

RT DESIGN  
 Architectural & Surveying Consultants



304 Valley Mill,  
 Cottonfields,  
 Eagley, Bolton,  
 BL7 8DY

Tel: 01204 851411  
 FIGURED DIMENSIONS TO BE FOLLOWED IN PREFERENCE TO SCALED.  
 ALL DIMENSIONS TO BE CHECKED ON SITE.  
 IN THE EVENT OF A DISCREPANCY REFER TO RT DESIGN.  
 THIS DRAWING REMAINS THE COPYRIGHT OF RT DESIGN AND MAY NOT BE  
 COPIED IN WHOLE OR PART WITHOUT PRIOR WRITTEN CONSENT.

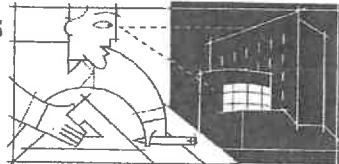


**NOTES**

1. SERVICE/DELIVERY AREA TO BE CROSSHATCHED.
2. THE INFORMATION CONTAINED ON THIS LAYOUT IS DERIVED FROM INFO SHEETS 1-3 WHICH ARE TO BE READ IN CONJUNCTION WITH THIS DRAWING
3. TURNING CIRCLE INFO TAKEN FROM FORD WEB SITE.

**SLATTEN'S, BURN NEW ROAD WHITEFIELD.  
PROPOSED LOADING BAY EXTENSION.**

LAYOUT TO INDICATE PARKING, TRACKING OF VAN IN LOADING BAY.  
 SCALE 1:100. Dwg No SW/PL/XVI/010 "A"  
 (REV "A" AMENDED TO PLANNERS REQ'S MAY '16) DRAWN BY DHH.



DAVID H.  
**HYLAND**  
 DESIGN

- ARCHITECTURE - INTERIOR DESIGN - PROJECT MANAGEMENT -  
 DAVID H HYLAND DESIGN M.C.I.A.T. 3 THE GRANGE BOLTON ROAD EDGWORTH BOLTON BL7 0AW  
 • TEL/FAX 01204 856926 • MOBILE 07958 630331 • E-MAIL m6dhh@aol.com •

**Ward:** North Manor

Item 06

**Applicant:** Rockglen Developments

**Location:** Units 1-4, Westgate Avenue, Ramsbottom, Bury, BL0 9SS

**Proposal:** Change of house types on plots 1-7 inclusive of planning permission 57104

**Application Ref:** 59896/Full

**Target Date:** 11/05/2016

**Recommendation:** Approve with Conditions

### **Description**

The site was previously developed with a two storey mill type building and housed a vehicle repair garage, fabric machinist and caravan storage and is now vacant. The building is located centrally within the site and to the west of the building is open space, which appears to be used as storage. To the north of the building was a terrace of garages, with a hairdressers located immediately adjacent to 1 Westgate Avenue. These latter buildings have been demolished recently.

The site bounded by residential properties to north, south, east and west and is accessed by an unadopted single track road, which connects Westgate Avenue and Montrose Avenue. The properties, which front onto Longsight Road and Southfield Road have garages and gardens that back onto this access.

Permission was granted in November 2012 for the demolition of the existing buildings and the erection of a 2 bed residential care home. This planning permission has not been implemented.

Permission was granted in March 2014 for the demolition of the remaining buildings on site and the erection of 8 dwellings. 7 of the proposed dwellings would front the access track, which connects Montrose Avenue and Westgate Avenue and 1 dwelling would front onto Westgate Avenue. Access would be taken from the existing access road, which connects Montrose Avenue with Westgate Avenue. The proposed dwellings would be two storeys with dormers in the roofspace. Construction has commenced on the site.

The application seeks consent to amend the house types on plots 1- 7. The plans provided to the applicant for the proposed dwellings were incorrect and as such, the works are, in part retrospective. The proposed development would include the following changes from the previously approved dwellings:

- The dormers on the front elevation have been removed and replaced with three rooflights, located centrally in the roof.
- The roof above the bay windows would continue across the whole frontage
- The width of the bay window would be reduced by 0.4 metres.
- Plot 1 would include a hip detail. The gable elevation would be 0.4 metres lower than approved and the overall ridge height would be and the 0.6 metres higher than previously approved.
- For plots 2 - 6, the height of the dwellings would increase by 0.45 metres
- The height of plot 7 would increase by 0.65 metres.
- The dormer on the rear is located adjacent to the gable and would relate to an en-suite bathroom with obscure glazing.
- A single garage would be provided for plots 3 - 7 in the rear gardens.

### **Relevant Planning History**

54145 - Erection of residential care home with car parking, landscaping and ancillary works at Castle Yard, Westgate Avenue, Ramsbottom. Refused - 30 September 2011.

55622 - Erection of residential care home (Class C2) with car parking, landscaping and ancillary works (Resubmission) at Castle Yard, Westgate Avenue, Ramsbottom. Approved with conditions - 13 November 2012.

56879 - Demolition of existing buildings and construction of 6 semi-detached houses and 2 detached houses at Castle Yard, Westgate Avenue, Ramsbottom. Withdrawn - 14 January 2014.

57104 - Demolition of existing buildings and construction of 6 semi-detached houses and 2 detached houses (resubmission) at Units 1 - 4, Westgate Avenue, Ramsbottom. Approved with conditions - 5 March 2014.

59346 - Variation of condition no. 2 (approved plans) of planning permission 57104 (6 semi-detached houses and 2 detached houses) to amend the height of the proposed dwellings and reposition the garage to plots 6 and 7 at land at Westgate Avenue, Ramsbottom. Withdrawn - 23 December 2015.

59897 - Change of house type on plot 8 of planning permission 57104 at Units 1 - 4, Westgate Avenue, Ramsbottom. Received - 5 April 2016.

### **Enforcement**

13/0549 - Breach of Conditions at Castle Yard, Westgate Avenue, Ramsbottom. Case closed - 28 October 2013.

15/0218 - Builders taking wagons up the cul de sac. Case closed - 8 April 2015

15/0438 - Not being built in accordance with the approved plans. Applications received - 14 October 2015 (59346), 16 March 2016 (59896) and 5 April 2016 (59897).

### **Publicity**

The neighbouring properties were notified by means of a letter on 31 March 2016.

3 letters of support have been received from the occupiers of 6, 12 Montrose Avenue and 54 Longsight Road, which have raised the following issues:

- Support the application. Despite the developer being considerate and informative at all times, we have had enough of deliveries and vans blocking access to drives.
- Wish to see the site finished and the area completed as soon as possible.
- Considering what the site was like before, the houses will be a marvellous asset to the area.
- There has been inconvenience but they've done their best to keep it to as little as possible.
- The people on site have been pleasant, courteous and happy to provide news on progress.
- It will be far better once all completed and a better view out the back.
- Wish to see an end to the noise, dirt, heavy vehicles on the street and damage to road surfaces.

8 letters have been received from the occupiers of 64, 64, 68, 70, 74 Longsight Road, which have raised the following issues:

- The application seeks to regularise the current situation, meaning that the houses can be left as they are, 2ft 6 higher than the plans submitted to get their planning permission.



- Curious to know why residents have been asked again for their comments. A few months ago 25 out of 29 objected to the additional height.
- Given the proximity of this development to the rear of our house, the additional 2ft 6 of height and bulk results in a much greater loss of light and privacy than we were led to believe from the original permission.
- Soon the architects and builders will be off to pastures new with their extra revenue from the extra height for each house - and they will never have to think about these houses ever again, whereas we residents will be left looking at their added height for years to come and wondering how they got away with it and what else we could have done to stop them, apart from objecting at every available opportunity. Can the Planning Department really not do anything to enforce their own planning regulations?
- Proposals for plots 1 and 2 are simply cosmetic and are a fudge and do nothing to reduce the overall height of the ridge.
- The height of plots 1 - 6 are 0.45 metres and plot 7 is 0.65 metres higher than the original permission.
- Strenuous efforts must be made to ensure that these heights are reduced to the correct height.
- The current changes do not alter or compensate for this overbuild in the slightest and have zero impact on our original issues with the build.
- The dwelling, due to its height, appears visually intrusive when viewed from all out rear windows and rear garden area. The property is extremely close to the boundary wall.
- While impacting the streetscene, the view from our property is dramatically altered.
- The dwellings, due to the lack of space that surrounds it, will be detrimental to amenity and cause extremely limited privacy.
- The size of the garden space for the proposed dwellings leads to visual and sound intrusion.
- The dwellings will block out our evening sunlight leading to a loss of daylight to our home.
- A series of images was submitted.
- Just remove a couple of triangles (hips) to make one roof line into a Dutch gable and all objections dissipate? Just like the roof line? I don't think so. This will not make the height of the buildings along with my lack of privacy and light disappear.
- The heights are still the same, the lack of privacy, light and bulk is still the same, the planning transgression the same, so why are you asking for our comments yet again? There have been no life enhancing designs submitted and yes I strongly and vehemently object, yet again
- What an insult to our intelligence. Presumably 3 storeys could not be fitted into the heights originally submitted and still maintain building regulations. Architects, planning officers, site managers, project managers have got to have realised that this would be a breach so why continue with the build unless this was always the intended scenario? Only answer is that it obviously was.
- I am still absolutely amazed that there is a remote possibility that someone could get away with this blatant attempt to subvert a system that we all have to abide by in 2016 when everything is supposed to be open and transparent. This is not some building site in a backwater of Azerbaijan. I have emailed the Planning Office on two separate occasions asking for updates and mentioned that there have been people working on the site. My worry was that they were still spending money on the build and therefore must be feeling pretty confident that planning permission was likely to be achieved. How come? Do they know something that I am not privy to?
- I cannot understand the problem, if someone steals something they have broken the law and they get punished and are expected to make reparations, they don't get a pat on the back and are told to carry on. You could argue that Rockglen have stolen my privacy and light let alone made my house and those of my neighbours much less desirable. Everyone I know who has had an extension built has had to inform the planning department at every significant step of the build and get this checked and signed off, if they did not do this then the house would have been unsaleable. In every case the planning department has been rigorous in their efforts to maintain building regulations which is how it should be. What happened here?

- We live in a civilised society and pay council tax to ensure that systems exist to protect and enhance standards of living for everyone one not just Rockglen who stand to make lots more money when selling a 3 storey house rather than a 2 storey one. The fact that they wantonly ignored the plans surely is their problem and should not be mine or my neighbours who have had their lives majorly disrupted and their house prices seriously undermined.
- Surely someone ought to be held accountable for this fiasco.
- We find the whole thing underhand, with no thought for the existing residents.

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

### **(Non)/Statutory Consultations**

None required.

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

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

### **Issues and Analysis**

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

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

The principle of residential development was established with the grant of planning permission in March 2014. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

**Design and layout** - The previously approved dwellings were two storeys in height with a full floor in the roofspace utilising dormers on the front and rear elevations. The development has removed the dormers to the front elevation and replaced these with rooflights. The result of this change is that the overall height of the dwellings was increased

by 0.45 metres (1 ft 5) without permission. In addition, the dormers on the rear have been relocated from a more central position and would be adjacent to the gable elevation. The proposed dormers, despite re-positioning, would relate to an en-suite bathroom and the windows would be obscure glazed. The dwellings would be in proportion with regard to size and scale and would not be a prominent feature within the streetscene, nor impact upon privacy as the development would comply with the aspect standards.

Plot 1 is located adjacent to a two storey dwelling and the site slopes upwards towards Westgate Avenue. The roof to plot 1 would be hipped to create a gradual rise in the heights of the properties. This approach provides a reduction in the height at the gable wall compared to the previously approved plans, but an increase to the ridge height by 0.6 metres. The development would provide a stepped increase in the heights of the dwellings across the frontage and would improve the built relationship within the streetscene.

The height of the ridge for plot 7 would be increased by 0.65 metres from the previously approved plans. Given that the site levels increase gradually from southeast to north west, it is considered that the increase in height would not be significantly perceptible and therefore, would not be a prominent feature in the streetscene.

The continuation of the roof across the bay windows on the front elevation and the reduction in width of the bay window by 0.4 metres marks little difference to the elevations would be acceptable and would not impact significantly upon the design of the dwellings overall.

The garages would be located in the rear gardens to the dwellings and would be of a typical design. The garages would be built from matching materials to the dwellings and as such, would be acceptable in terms of appearance and design.

Plot 8 is subject to an alternate application reference 59897 elsewhere on the agenda.

The dwellings (plots 1 - 7) were built contrary to the planning permission. This was brought to the Council's attention and enforcement proceedings ceased the development.

Planning law does permit an applicant to seek a retrospective consent, which has resulted in this application being submitted. In this instance only plots 3 - 7 are proposed to remain as built. However, whilst plots 3 - 7 are acceptable due to meeting adopted aspect standards policy, plots 1 and 2 did require changes from the 'as built' situation to the roof. With the changes proposed as described within this report, the changes to the dwellings would maintain an appropriate relationship to neighbouring properties and ensure that the development would assimilate appropriately into the streetscene. Therefore, the development would be in accordance with Policy EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

**Impact upon residential amenity** - SPD 6 provides guidance on aspect standards between residential properties and would be relevant in this case.

The previously approved dwellings were effectively three storey dwellings as the dormers provided a third floor in the roofspace. The position of the dwellings as built is as approved under the previous consent (57104).

The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows. For each additional storey in height, 3 metres should be added to the separation distance, i.e. there should be 23 metres between directly facing habitable room windows.

There would be a minimum of 32 metres from the front elevation of the dwellings to the existing dwellings, which front onto Montrose Avenue. This would be in excess of the 23 metre aspect standard and would be acceptable.

There would be 24 metres between Nos. 68 and 70 Longsight Road and plots 1 and 2. The

window in the third floor would be a bathroom and would be obscure glazed, which would be secured by a condition. This would be in excess of the 23 metre aspect standard for a three storey dwelling and would be acceptable.

There would be a minimum of 29 metres between plots 3 - 7 and the dwellings on Longsight Road. This would be in excess of the 23 metre aspect standard and would be acceptable.

Therefore, the proposed development would comply with the relevant aspect standards in SPD6 and would not have a significant adverse impact upon the amenity of the neighbouring properties.

### **Response to objectors**

- The issues relating to loss of light, privacy, design, impact upon the streetscene have been addressed in the report above.
- Neighbouring properties have been consulted on the application as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015. This application is a fresh scheme and therefore, must undergo re-consultation.
- The dwellings approved under permission 57104 were two storeys in height with a third storey located in the roofspace.
- The issues relating to property prices is not a material planning consideration.
- The application has been submitted retrospectively following investigation from the Enforcement Team. It is a reasonable approach to allow the applicant the opportunity to apply to address the issues and have the proposal assessed.
- It is understood that the issue has arisen as a previous agent provided incorrect plans to the applicant. However, this has nothing to do with the Council save for enforcement considerations and assessment of any submitted application. There is nothing 'underhand' going on and no assurances have been given to the applicant. All work taking place at the site is at the owner's risk.

### **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 pre-application discussions 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**

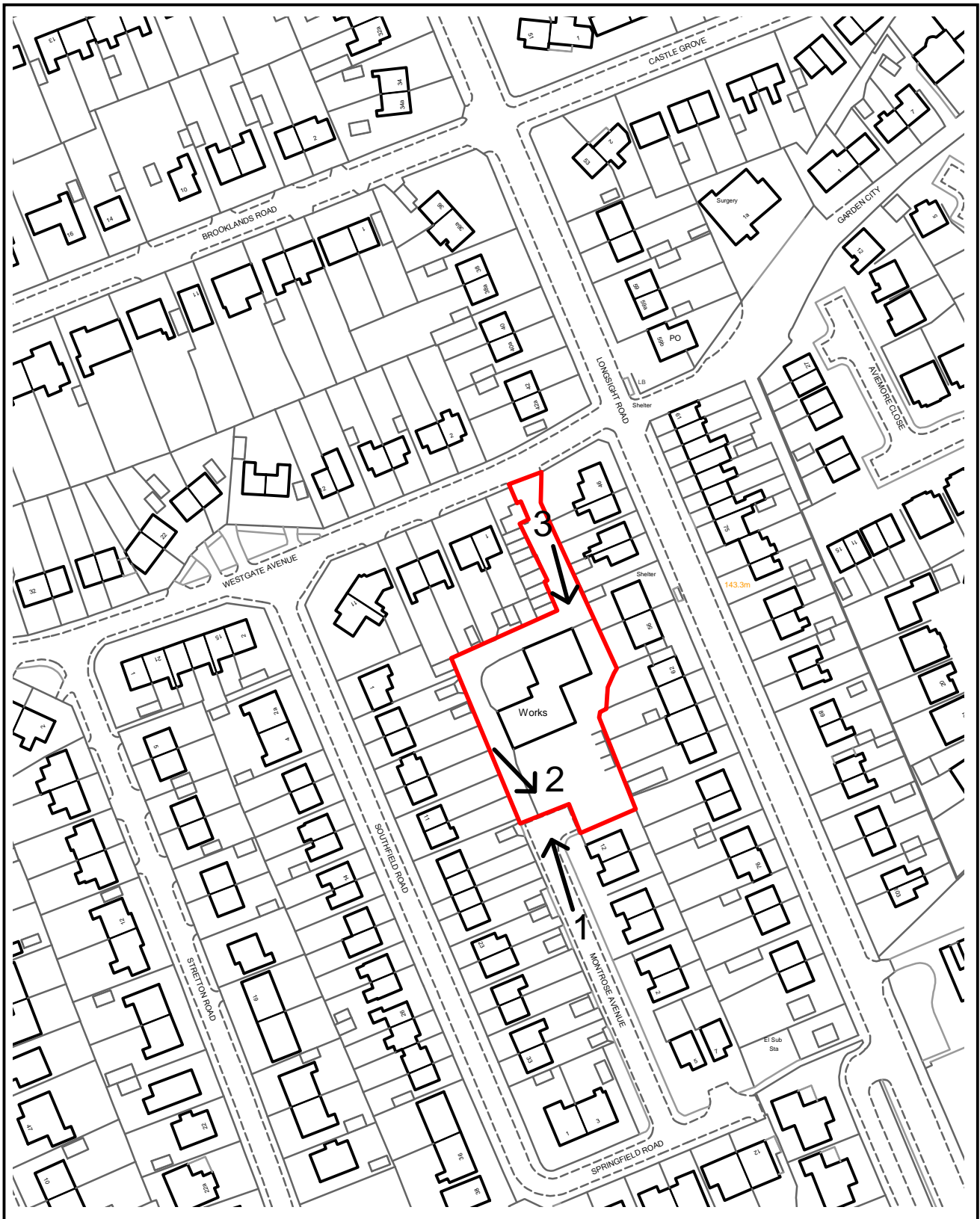
1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Location plan, 857/PL/01, 857/PL/02 Rev A, 857/PL/05 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

3. The external finishing materials for the proposal hereby approved shall be:  
brick - hanson old trafford red  
Headers and cills - Natural stone  
Render - parex off white render system  
Roof tile - anthracite black roof tile  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The remediation strategy approved as part of condition 4 to permission 57104 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 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.
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. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995, as subsequently amended, no development shall be carried out within plots 1 and 2 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.
8. The surface water drainage scheme approved as part of condition 9 of permission 57104 shall be implemented prior to first occupation of the dwellings hereby approved.  
Reason. To ensure a satisfactory form of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.
9. The development shall be carried out in accordance with the highways works approved under condition 10 of permission 57104 and shall be implemented prior to the development hereby approved is first occupied.  
Reason. To ensure good highway design in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development.
10. Notwithstanding the details indicated on approved plan reference K634/11 Revision A, visibility splays measuring 2.4 metres by 25 metres shall be provided at the junction of the site access with Westgate Avenue before the development is first occupied and shall subsequently be 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 the following Policies of the Bury Unitary Development Plan:  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development.
11. The forward visibility envelope at the rear of Plot 8 indicated on approved plan reference K634/11 Revision A shall be implemented before the development is first occupied and shall subsequently be 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 the following Policies of the Bury Unitary Development Plan:  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development.
12. The car parking indicated on approved plan plan reference K634/11 Revision A shall be surfaced, demarcated and made available for use prior to the dwellings hereby approved being occupied and thereafter maintained at all times.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan and SPD11.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59896**

**ADDRESS: Westgate Avenue  
Ramsbottom**

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

59896

Photo 1



Photo 2



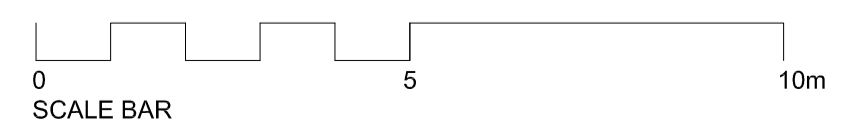
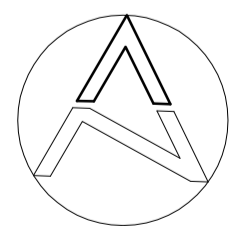


Photo 3



WESTGATE AVE.

MONTROSE AVE.



Nb ; Subject to accurate site survey, structural engineers comments + and L.A. Approval

REVISION	DESCRIPTION	DATE	INITIALS

CLIENT  
ROCKGLEN DEVELOPMENTS LTD

PROJECT  
MONTROSE AVENUE , HOLCOMBE BROOK , BURY

TITLE  
SITE LAYOUT

DRAWING NO.	REVISION	SCALE	DRAWN BY	DATE
857/PL/01		1 : 200	SAF	08.10.15

**FISH ASSOCIATES**

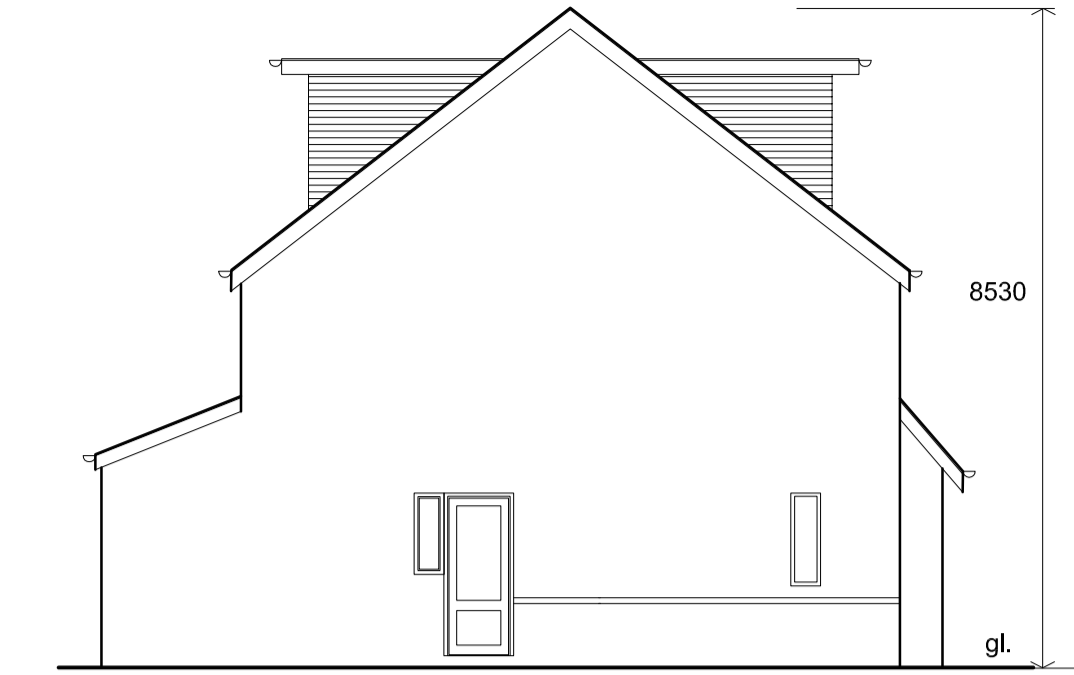
ARCHITECTS + DESIGNERS

FISH ASSOCIATES LTD  
216 ST GEORGES ROAD  
BOLTON BL1 2PH  
01204 552244  
info@fish-associates.co.uk  
www.fish-associates.co.uk

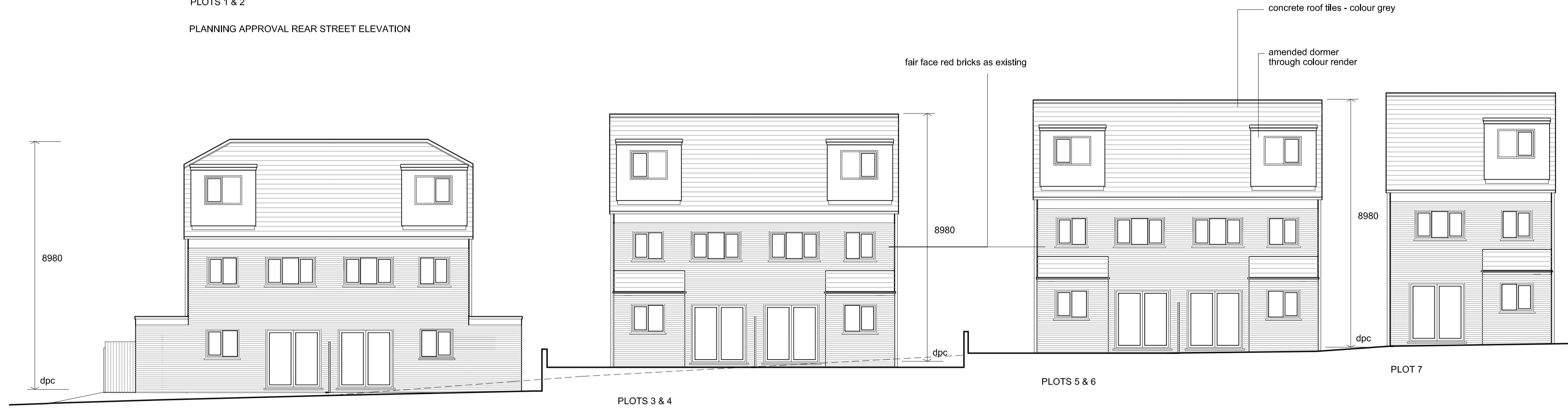
DISCREPANCIES TO BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING. THIS DRAWING IS COPYRIGHT. CONTRACTORS TO CAREFULLY CHECK ALL DIMENSIONS ON SITE. FIGURED DIMENSIONS TO BE USED.



PLOTS 1 & 2  
PLANNING APPROVAL REAR STREET ELEVATION



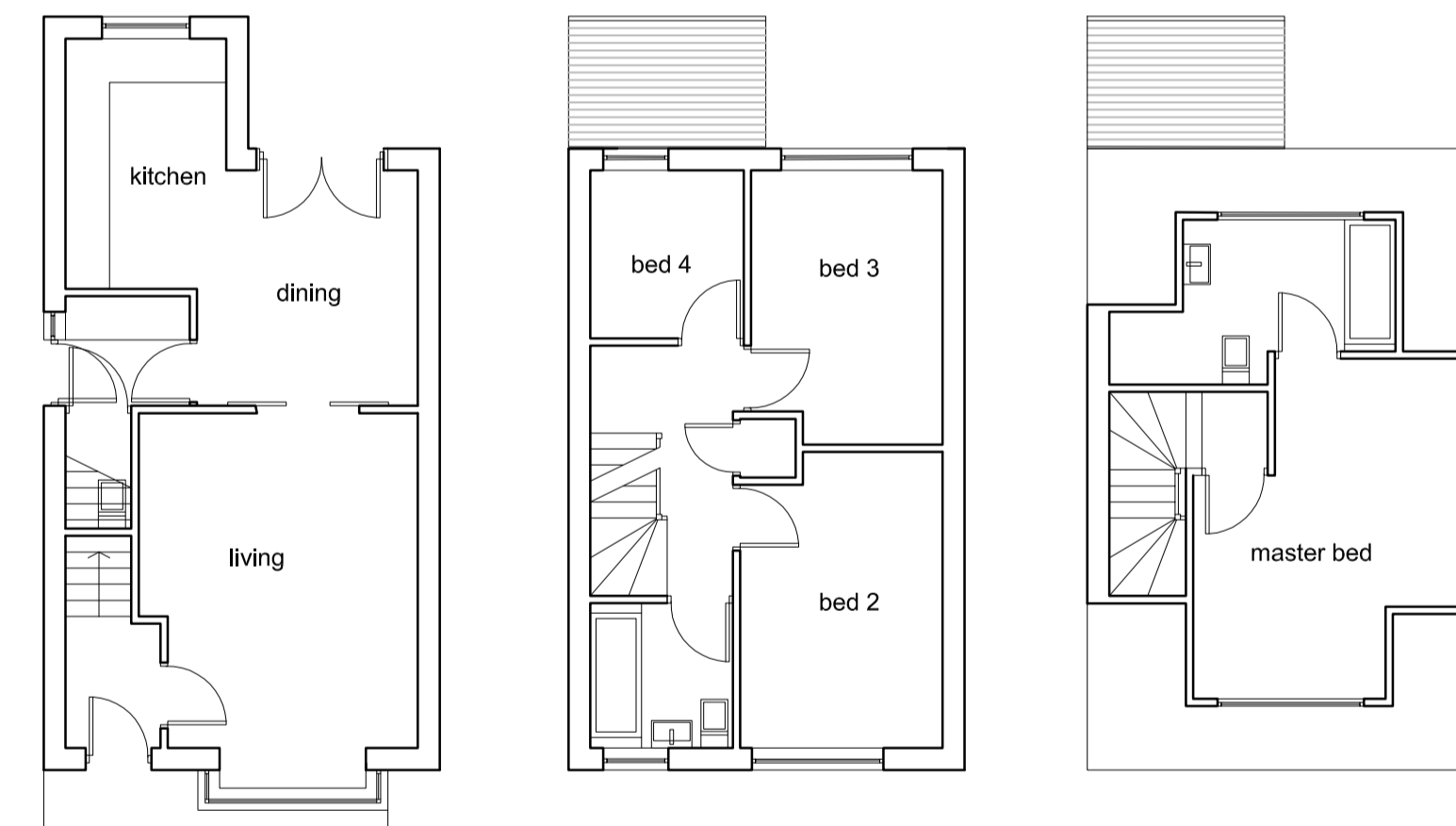
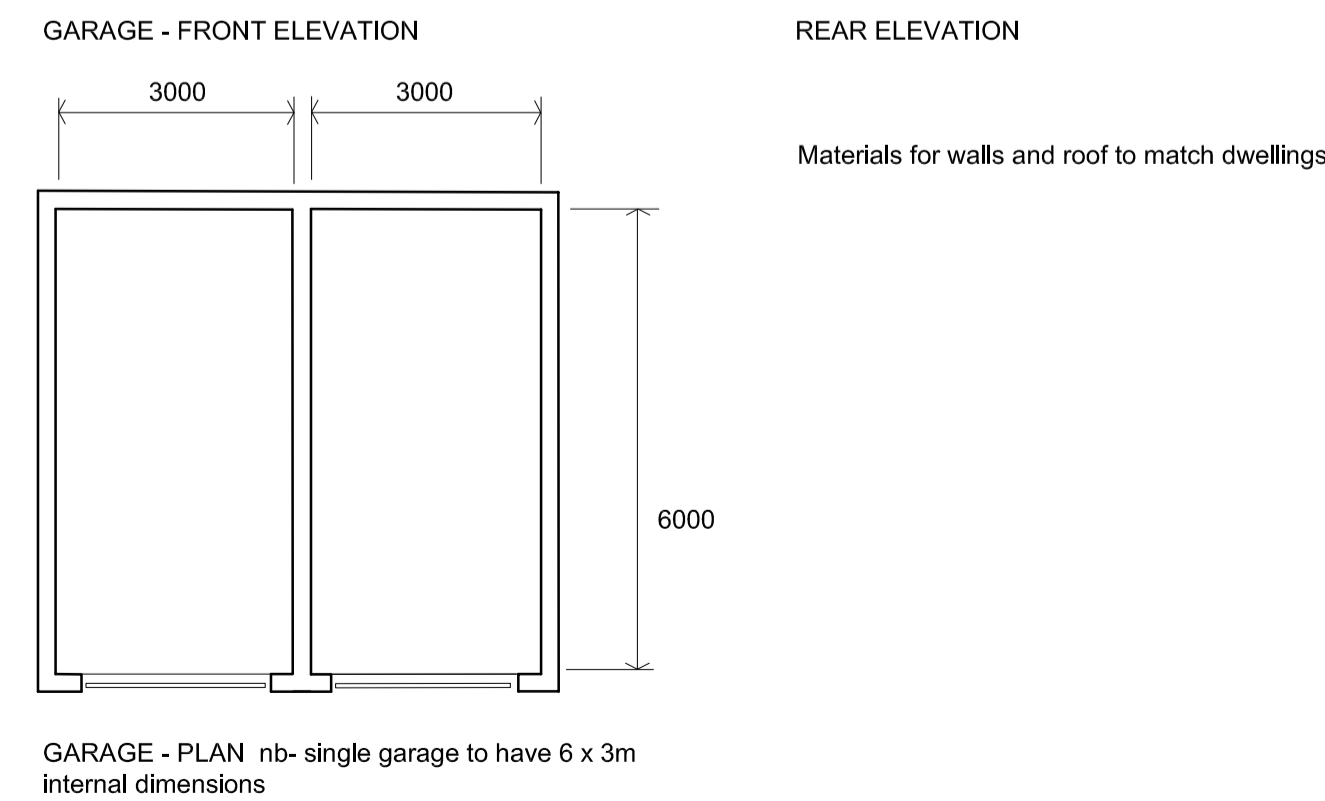
PLANNING APPROVAL SIDE ELEVATIONS - PLOTS 3 - 6  
(NB: plots 1-2, 8 variations on above)



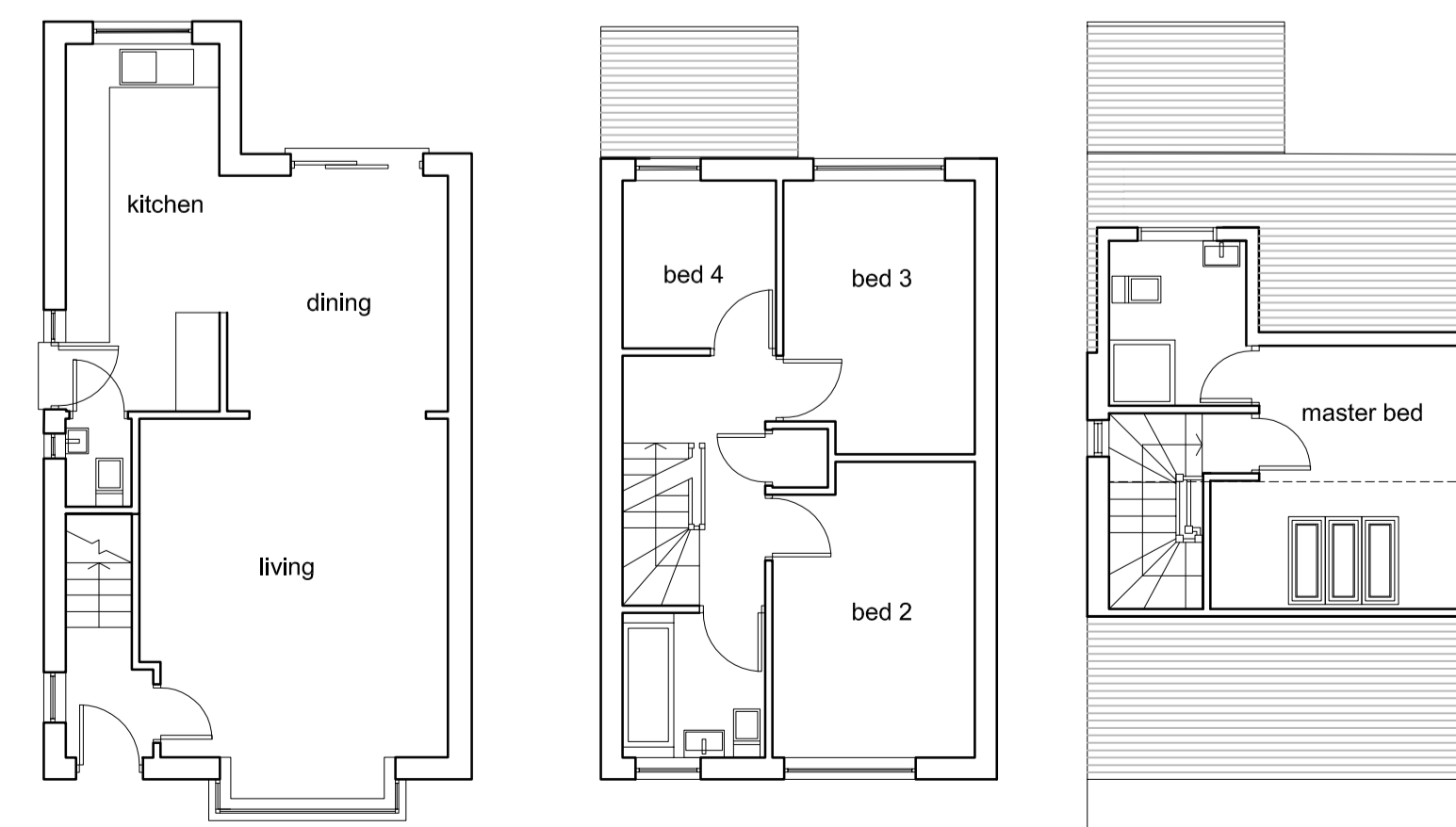
PLOTS 1 & 2  
ASBUILT REAR STREET ELEVATION



AS BUILT SIDE ELEVATIONS - PLOTS 3 - 6  
(NB: plots 1-2, 8 variations on above)



PLOTS 1-7 ( nb plots 1&2 ground floor as site plan )  
PLANNING APPROVAL GROUND FLOOR FIRST FLOOR SECOND FLOOR



PLOTS 1-7 ( nb plots 1&2 ground floor as site plan )  
ASBUILT GROUND FLOOR FIRST FLOOR SECOND FLOOR

REVISION	DESCRIPTION	DATE	INITIALS

CLIENT  
ROCKGLEN DEVELOPMENTS LTD

PROJECT  
MONTROSE AVENUE , HOLCOMBE BROOK , BURY

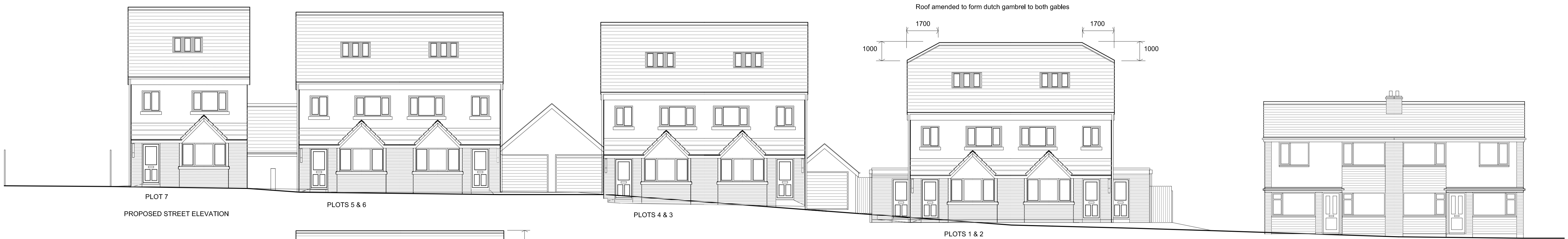
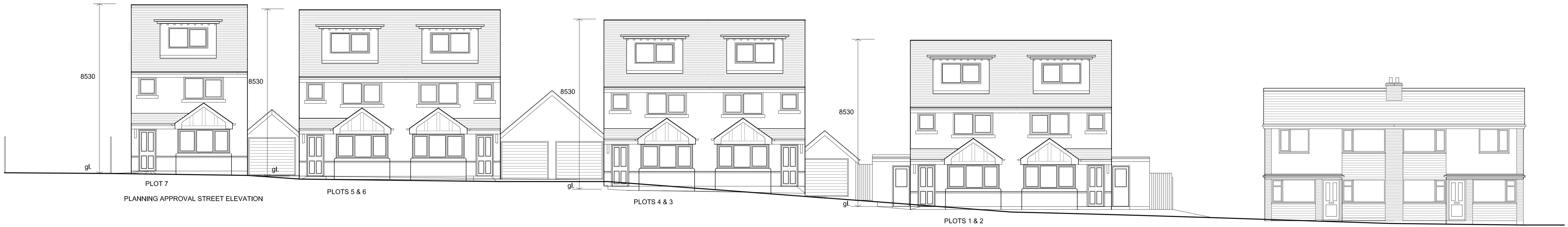
TITLE  
STREET ELEVATIONS TO MONTROSE AVENUE

DRAWING NO. 857/PL/05 REVISION SCALE 1 : 100 DRAWN BY SAF DATE 10.03.16

**FISH ASSOCIATES**  
DESIGNERS

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01204 52244  
steve.fish@fish-associates.co.uk  
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REVISION	DESCRIPTION	DATE	INITIALS
A	ROOF AMENDED TO PLOTS 1 & 2	01.03.16	SAF
CLIENT			
ROCKGLEN DEVELOPMENTS LTD			
PROJECT			
MONTROSE AVENUE, HOLCOMBE BROOK, BURY			
TITLE			
STREET ELEVATIONS TO MONTROSE AVENUE			
DRAWING NO.	REVISION	SCALE	DRAWN BY
857/PL/02	A	1 : 100	SAF
			DATE
			03.02.16

ARCHITECTS + DESIGNERS

**FISH ASSOCIATES**

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**Ward:** North Manor

Item 07

**Applicant:** Rockglen Developments Ltd

**Location:** Units 1-4 Westgate Avenue, Ramsbottom, Bury, BL0 9SS

**Proposal:** Change of house type on plot 8 of planning permission 57104

**Application Ref:** 59897/Full

**Target Date:** 31/05/2016

**Recommendation:** Approve with Conditions

### **Description**

The site was previously developed with a two storey mill type building and housed a vehicle repair garage, fabric machinist and caravan storage and is now vacant. The building is located centrally within the site and to the west of the building is open space, which appears to be used as storage. To the north of the building was a terrace of garages, with a hairdressers located immediately adjacent to 1 Westgate Avenue. These latter buildings have been demolished recently.

The site bounded by residential properties to north, south, east and west and is accessed by an unadopted single track road, which connects Westgate Avenue and Montrose Avenue. The properties, which front onto Longsight Road and Southfield Road have garages and gardens that back onto this access.

Permission was granted in November 2012 for the demolition of the existing buildings and the erection of a 2 bed residential care home. This planning permission has not been implemented.

Permission was granted in March 2014 for the demolition of the remaining buildings on site and the erection of 8 dwellings. 7 of the proposed dwellings would front the access track, which connects Montrose Avenue and Westgate Avenue and 1 dwelling would front onto Westgate Avenue. Access would be taken from the existing access road, which connects Montrose Avenue with Westgate Avenue. The proposed dwellings would be two storeys with dormers in the roofspace. Construction has commenced on the site.

The applicant seeks consent to amend the house type on plot 8. The plans provided to the applicant for the proposed dwelling were incorrect and as such, the works are retrospective in part. The development would include the following changes from the previously approved scheme:

- The dormers on the front elevation have been removed and replaced with three rooflights, located centrally in the roof.
- A reduction in the overall height of the dwelling by 0.06 metres and by 0.82 from the dwelling as built.
- The dormer on the rear would measure 5.3 metres by 1.91 metres and would be set in by 0.5 metres on both sides.
- A small path and stepped access leading to the garden at the rear.
- A detached garage would be located in the rear garden.

### **Relevant Planning History**

54145 - Erection of residential care home with car parking, landscaping and ancillary works at Castle Yard, Westgate Avenue, Ramsbottom. Refused - 30 September 2011.

55622 - Erection of residential care home (Class C2) with car parking, landscaping and ancillary works (Resubmission) at Castle Yard, Westgate Avenue, Ramsbottom. Approved

with conditions - 13 November 2012.

56879 - Demolition of existing buildings and construction of 6 semi-detached houses and 2 detached houses at Castle Yard, Westgate Avenue, Ramsbottom. Withdrawn - 14 January 2014.

57104 - Demolition of existing buildings and construction of 6 semi-detached houses and 2 detached houses (resubmission) at Units 1 - 4, Westgate Avenue, Ramsbottom. Approved with conditions - 5 March 2014.

59346 - Variation of condition no. 2 (approved plans) of planning permission 57104 (6 semi-detached houses and 2 detached houses) to amend the height of the proposed dwellings and reposition the garage to plots 6 and 7 at land at Westgate Avenue, Ramsbottom. Withdrawn - 23 December 2015.

59896 - Change of house type on plots 1 - 7 of planning permission 57104 at Units 1 - 4, Westgate Avenue, Ramsbottom. Received - 16 March 2016.

#### Enforcement

13/0549 - Breach of Conditions at Castle Yard, Westgate Avenue, Ramsbottom. Case closed - 28 October 2013.

15/0218 - Builders taking wagons up the cul de sac. Case closed - 8 April 2015

15/0438 - Not being built in accordance with the approved plans. Applications received - 14 October 2015 (59346), 16 March 2016 (59896) and 5 April 2016 (59897).

#### Publicity

The neighbouring properties were notified by means of a letter on 5 April 2016.

1 letter has been received from the occupiers of 9 Westgate Avenue and 68 Longsight Road, which has raised the following issues:

- We wish to support our neighbours and object to the height of the dwellings.
- The dutch hips on plots 1 and 2 will not make any difference.
- Pleased that the builder is reducing the height of plot 8. Why is it ok to have the other houses higher than the original submitted plans.
- We would like to know why Bury Planning has allowed a builder from outside the borough to blatantly flout the rules in this way. The developers have obviously made a false planning application regarding the height of these buildings.
- We note that they wish to amend the height of plot 8 to deter the residents affected from writing to the council.

3 letters have been received from the occupiers of 62, 68, 70 Longsight Road, which have raised the following issues in connection with plots 1 - 7:

- The plans indicate that the applicant will add dutch hips to two plots (1 and 2).
- The proposed amendments do not alter or compensate for the overbuild.
- When viewed from 70 Longsight Road, the dwellings would be visually intrusive.
- The proposal would be detrimental to the residential amenity of neighbouring residents.
- Why did the builder not apply to build the properties at the current height. The answer is probably because the Council would not grant him permission.
- The intention is to leave the dwellings as they are, which block out the evening sunlight to the properties on Longsight Road.
- We find the whole thing to be underhand with no thought to existing residents.
- Object to the properties remaining at their current height as it takes away sunlight from my property.

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

## Consultations

None required.

## Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

## Issues and Analysis

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

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

The principle of residential development was established with the grant of planning permission in March 2014. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

**Design and layout** - The previously approved dwelling on plot 8 was two storeys in height with a full floor in the roofspace utilising dormers on the front and rear elevations. The development as proposed has removed the dormer on the front elevation and replaced this with rooflights. The result of this change was an increase in the overall height of the dwelling by 0.3 metres.

The proposed development would reduce the ridge height of the dwelling by 0.82 metres from the dwelling as built and by 0.06 metres from the previously approved plans. This would result in an increase of 0.66 metres above the height of the adjacent dwelling. This would match the stepped increase in heights between the existing dwellings on Westgate Avenue. Therefore, the proposed development would not be a prominent feature in the streetscene.

The proposed development would include the erection of a larger dormer on the rear elevation. The proposed dormer would be a flat roofed dormer, which would match the design of the dormers on the other plots. The proposed dormer would be set in by 0.5 metres and set up from the back wall by 1 metre. Therefore, the proposed development

would not be a prominent feature in the streetscene.

The proposed path and stepped access at the rear of the dwelling would provide access to the rear garden and would be acceptable in terms of design and appearance.

The proposed garage would be located in the rear garden of the dwelling and would be of a typical design. The proposed garage would be built from matching materials to the dwellings and as such, would be acceptable in terms of appearance and design.

The part as built property was clearly constructed much higher than approved and this was exacerbated by the difference in levels with No. 1 Westgate Avenue, which is immediately adjacent. This increase was deemed to be unacceptable and the applicant had to find a way to bring the ridge height down and alter the roof pitch to relate more appropriately to the existing adjoining property and assimilate into the streetscene. Therefore, the development would be in accordance with Policy EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

**Impact upon residential amenity** - SPD 6 provides guidance on aspect standards between residential properties and would be relevant in this case.

The previously approved dwellings were effectively three storey dwellings as the dormers provided a third floor in the roofspace.

The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows. For each additional storey in height, 3 metres should be added to the separation distance, i.e. there should be 23 metres between directly facing habitable room windows.

There would be 26 metres between the rear elevation of the proposed dwelling and the rear garden to plot 7, which would be in excess of the 26 metre aspect standard.

There would be a minimum of 24 metres between the plot 8 and the properties on Westgate Avenue, which would be in excess of the 23 metre aspect standard and would be acceptable.

Therefore, the proposed development would comply with the relevant aspect standards in SPD6 and would not have a significant adverse impact upon the amenity of the neighbouring properties.

### **Response to objectors**

- The issues relating to loss of light, privacy, design, impact upon the streetscene have been addressed in the report above.
- Neighbouring properties have been consulted on the application as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015. This application is a fresh scheme and therefore, must undergo re-consultation.
- The dwellings approved under permission 57104 were two storeys in height with a third storey located in the roofspace.
- The issues relating to property prices is not a material planning consideration.
- The application has been submitted retrospectively following investigation from the Enforcement Team. It is a reasonable approach to allow the applicant the opportunity to apply to address the issues and have the proposal assessed.
- It is understood that the issue has arisen as a previous agent provided incorrect plans to the applicant. However, this has nothing to do with the Council save for enforcement considerations and assessment of any submitted application. There is nothing 'underhand' going on and no assurances have been given to the applicant. All work taking place at the site is at the owner's risk.
- The comments relating to plots 1 - 7 have been addressed in the report for application 59896.



## 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 pre-application discussions 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 Location plan, 857/PL/01, 857/PL/03 rev A, 857/PL/04 rev A and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The external finishing materials for the proposal hereby approved shall be:  
brick - hanson old trafford red  
Headers and cills - Natural stone  
Render - parex off white render system  
Roof tile - anthracite black roof tile  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The remediation strategy approved as part of condition 4 to permission 57104 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. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995, as subsequently amended, no development shall be carried out within plots 1 and 2 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.

8. The surface water drainage scheme approved as part of condition 9 of permission 57104 shall be implemented prior to first occupation of the dwellings hereby approved.

Reason. To ensure a satisfactory form of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

9. The development shall be carried out in accordance with the highways works approved under condition 10 of permission 57104 and shall be implemented prior to the development hereby approved is first occupied.

Reason. To ensure good highway design in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development.

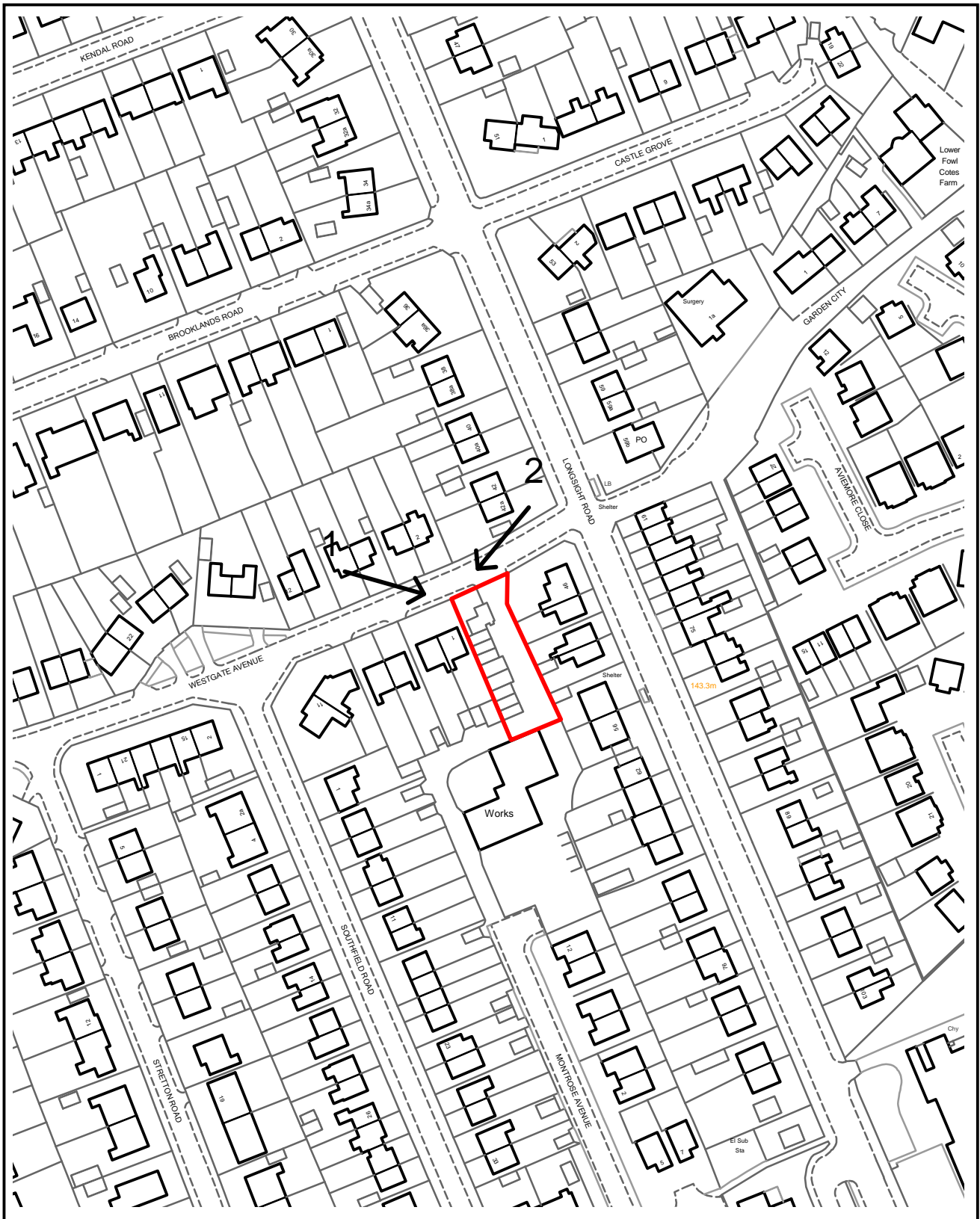
10. Notwithstanding the details indicated on approved plan reference K634/11 Revision A, visibility splays measuring 2.4 metres by 25 metres shall be provided at the junction of the site access with Westgate Avenue before the development is first occupied and shall subsequently be maintained free of 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 the following Policies of the Bury Unitary Development Plan:  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development.

11. The forward visibility envelope at the rear of Plot 8 indicated on approved plan reference K634/11 Revision A shall be implemented before the development is first occupied and shall subsequently be 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 the following Policies of the Bury Unitary Development Plan:  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development.
12. The car parking indicated on approved plan reference K634/11 Revision A shall be surfaced, demarcated and made available for use prior to the dwellings hereby approved being occupied and thereafter maintained at all times.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan and SPD11.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59897**

**ADDRESS: Units 1-4 Westgate Avenue  
Ramsbottom**

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

59897

Photo 1

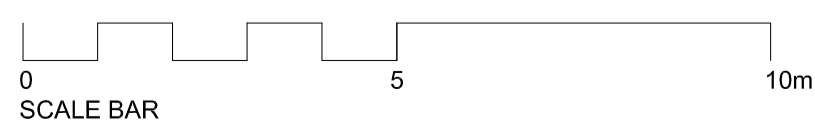
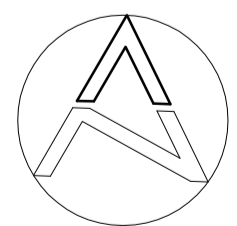


Photo 2



WESTGATE AVE.

MONTROSE AVE.



Nb ; Subject to accurate site survey, structural engineers comments + and L.A. Approval

REVISION	DESCRIPTION	DATE	INITIALS

CLIENT  
ROCKGLEN DEVELOPMENTS LTD

PROJECT  
MONTROSE AVENUE , HOLCOMBE BROOK , BURY

TITLE  
SITE LAYOUT

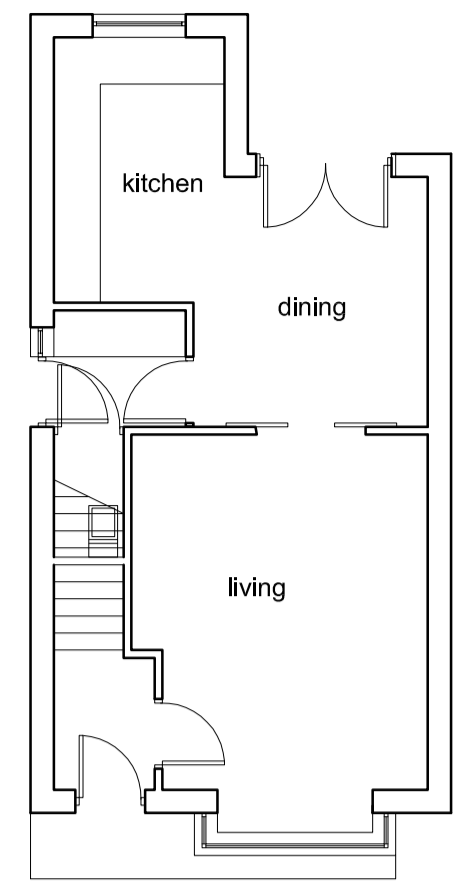
DRAWING NO.	REVISION	SCALE	DRAWN BY	DATE
857/PL/01		1 : 200	SAF	08.10.15

**FISH ASSOCIATES**

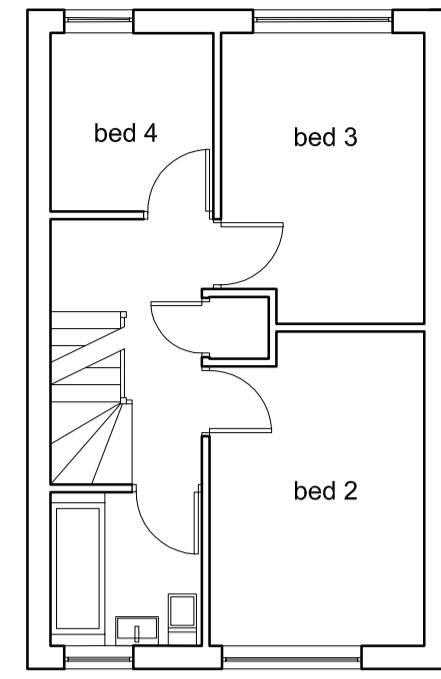
ARCHITECTS + DESIGNERS

FISH ASSOCIATES LTD  
216 ST GEORGES ROAD  
BOLTON BL1 2PH  
01204 552244  
info@fish-associates.co.uk  
www.fish-associates.co.uk

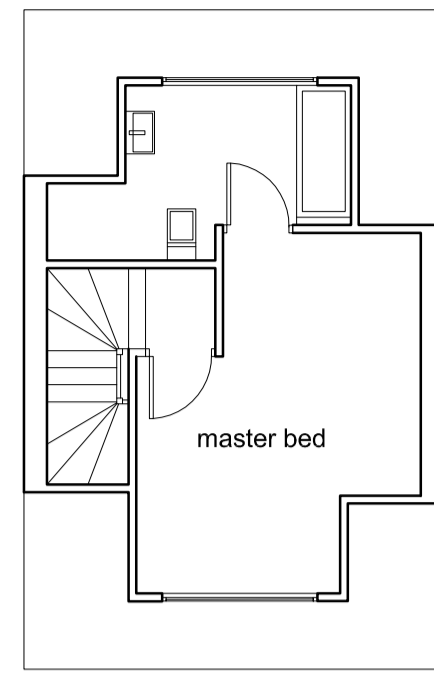
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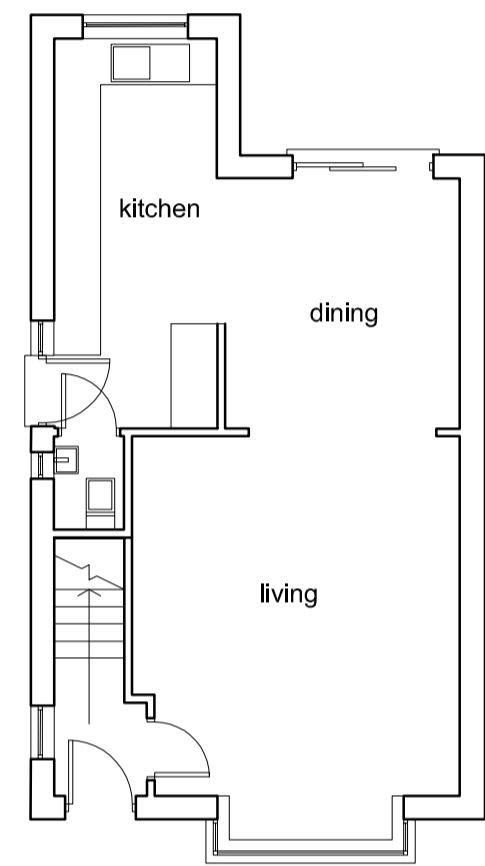
PLANNING APPROVAL GROUND FLOOR



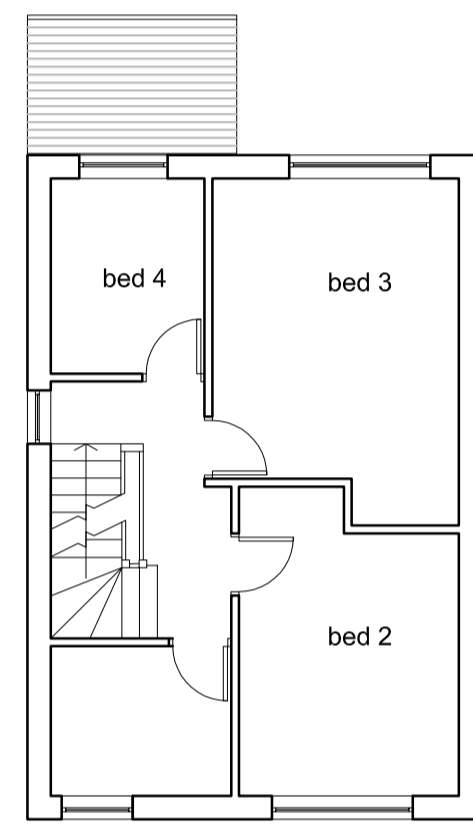
FIRST FLOOR



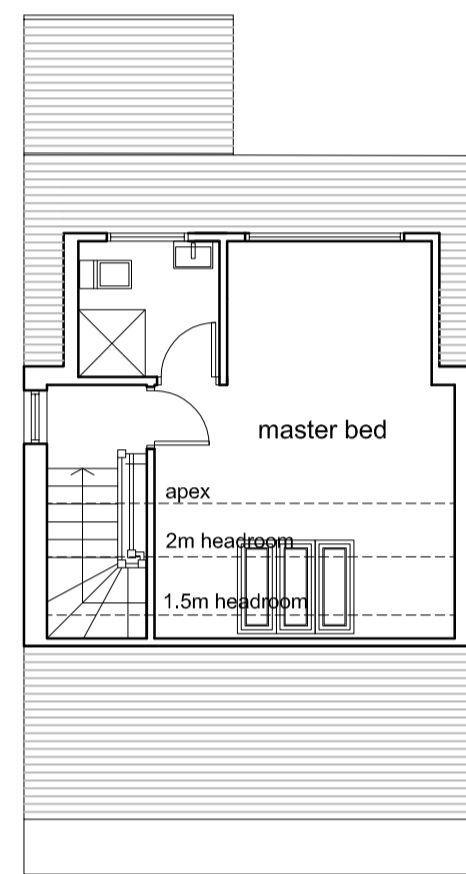
SECOND FLOOR



PROPOSED GROUND FLOOR



FIRST FLOOR



SECOND FLOOR



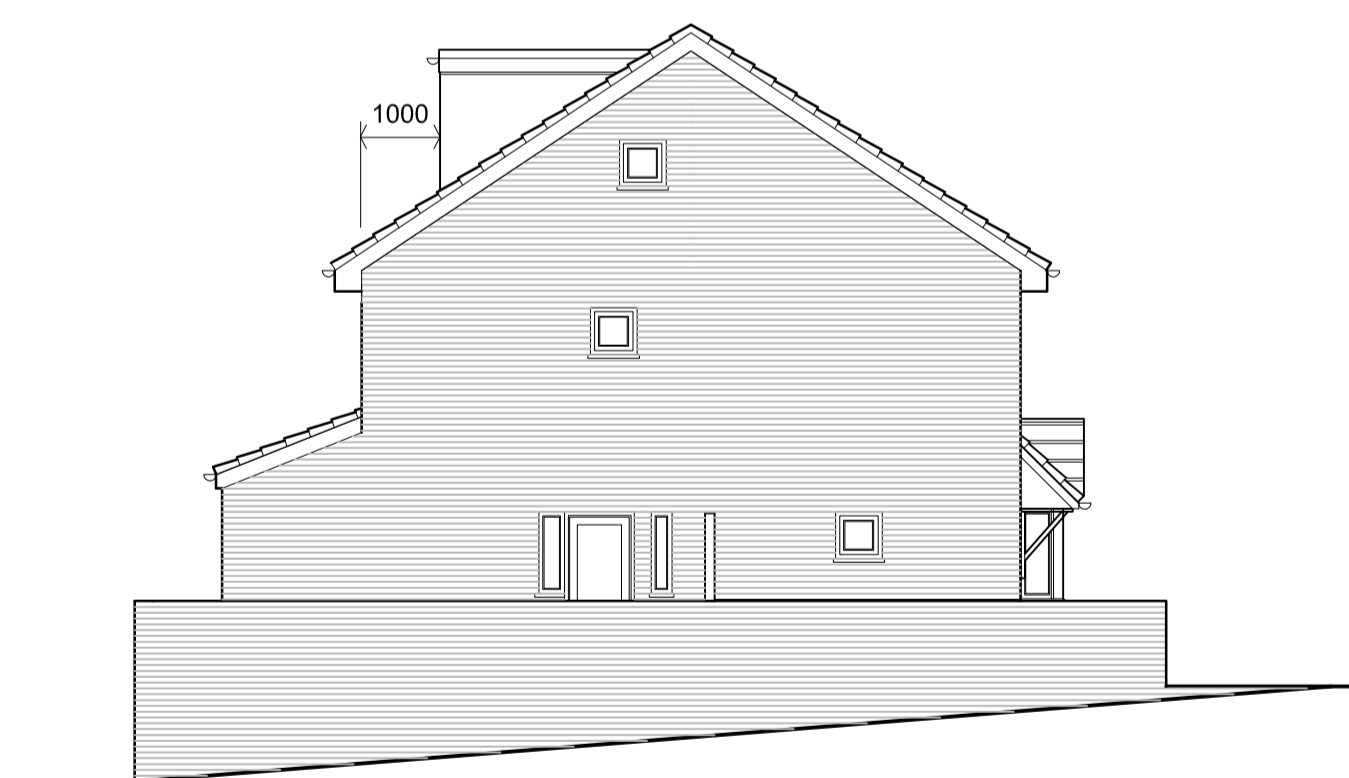
PLANNING APPROVAL STREET ELEVATION



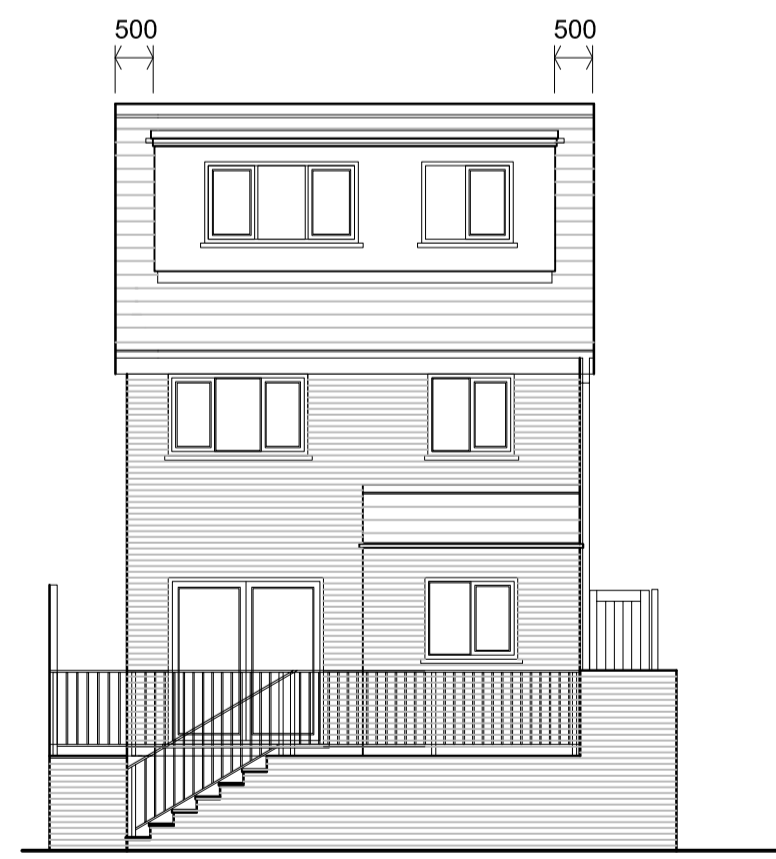
AS BUILT STREET ELEVATION



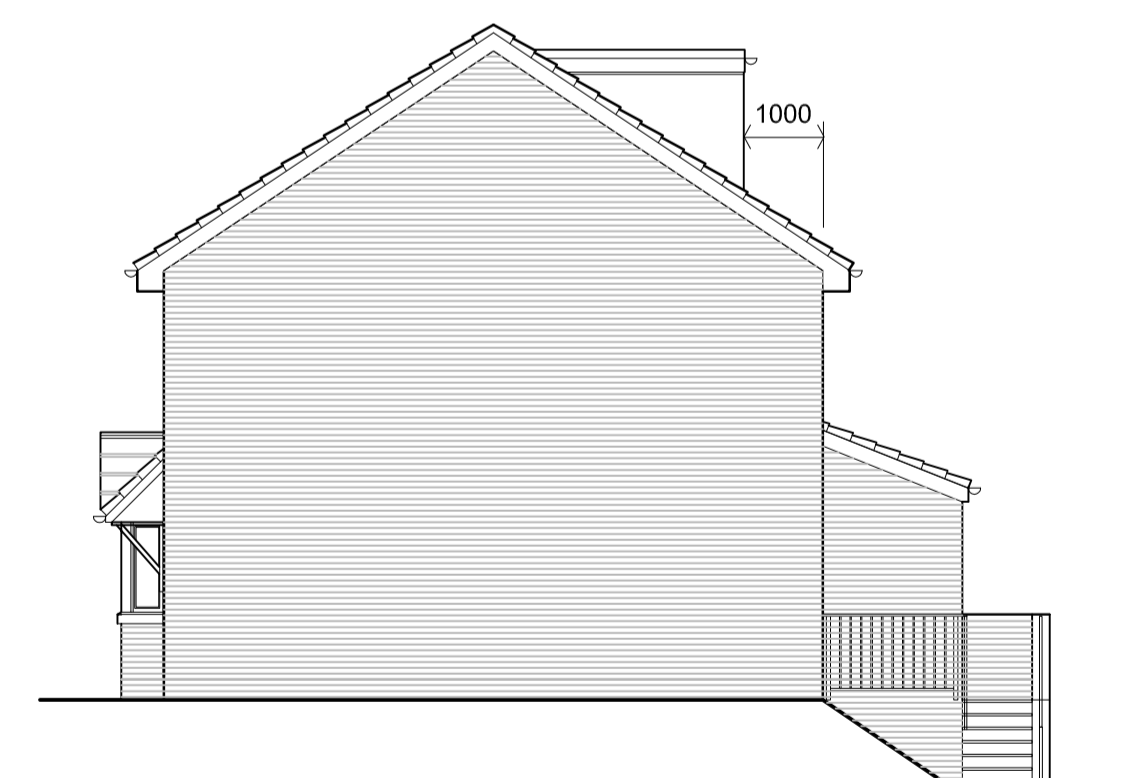
PROPOSED STREET ELEVATION



SIDE ( EAST ) ELEVATION



REAR ( SOUTH ) ELEVATION



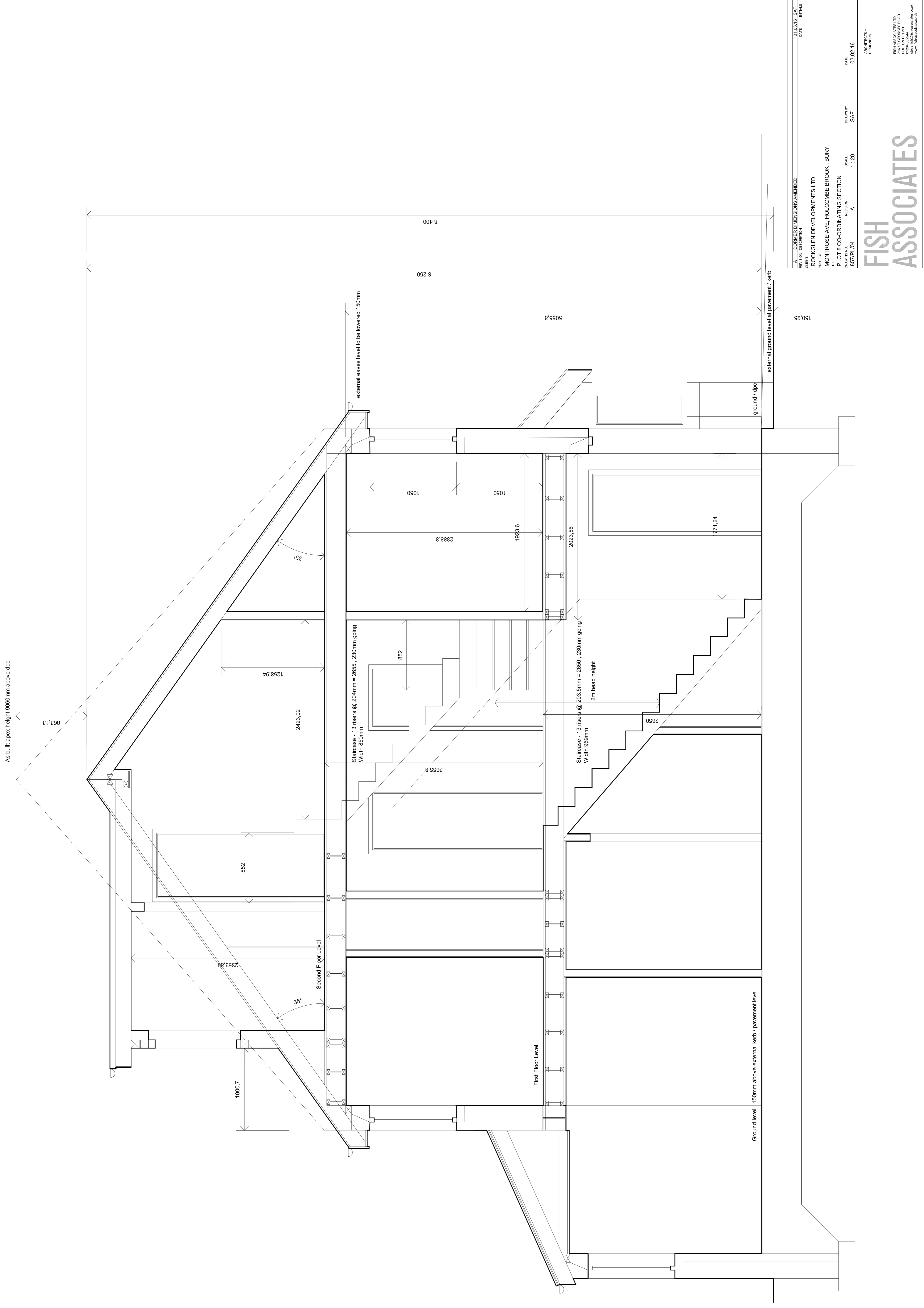
SIDE ( WEST ) ELEVATION

REVISION	DESCRIPTION	DATE	INITIALS
A	REAR ELEVATION DORMER AMENDED	01.03.16	SAF
CLIENT			
ROCKGLEN DEVELOPMENTS LTD			
PROJECT			
MONTROSE AVENUE , HOLCOMBE BROOK , BURY			
TITLE			
PLOT 8 PLANS AND ELEVATIONS			
DRAWING NO.	REVISION	SCALE	DRAWN BY
857/PL/03	A	1 : 100	SAF
			DATE
			03.02.16

**FISH ASSOCIATES**  
DESIGNERS

FISH ASSOCIATES LTD  
216 ST GEORGES ROAD  
BOLTON BL1 3PH  
01204 93294  
steve.fish@fish-associates.co.uk  
www.fish-associates.co.uk

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1	FORMER DIMENSIONS AMENDED	03.02.16	SAF
	REVISION DESCRIPTION	DATE	INITIALS
CLIENT ROCKGLEN DEVELOPMENTS LTD			
PROJECT MONTROSE AVE, HOLCOMBE BROOK, BURY			
TITLE PLOT 8 CO-ORDINATING SECTION			
DRAWING NO.	SCALE	DRAWN BY	DATE
867/PL04	1:20	SAF	03.02.16
REVISION	A		

**FISH ASSOCIATES**  
ARCHITECTS + DESIGNERS

FISH ASSOCIATES LTD  
216 ST GEORGES ROAD  
BURY ST GERMANS  
OXFORD OX2 2PH  
01295 33224  
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info@fishassociates.co.uk

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**Ward:** Whitefield + Unsworth - Unsworth

Item 08

**Applicant:** Bury & Whitefield Jewish Primary School

**Location:** Bury And Whitefield Jewish Primary School, School Close, Bury, BL9 8JT

**Proposal:** Erection of 2.4m high security fence/small section 3m high with manual and electronic gates

**Application Ref:** 59919/Full

**Target Date:** 06/06/2016

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a single storey primary school within a residential area close to the junction of Parr Lane and Sunny Bank Road. The school building lies to the north east of a playing field that is used by the school. The grounds are fenced off and there are trees and shrubs around the boundary. The pedestrian and vehicular entrance is from Parr Lane via a narrow access road - School Close. The school, which includes a nursery, serves the Jewish community.

The application is retrospective and seeks to retain sections of new powder coated paladin fencing that has been erected around the school. The fence is a weld mesh design at a height of 2.4m and is set back from the existing 1.5m high boundary railings by about 500mm. The gates and immediate fence surround at the main and side entrances would be 3m high.

The function of the fence is to increase security around the school.

### **Relevant Planning History**

45865 - Construction of translucent roof covering to play area - Approved 24/02/2006

55273 - Single storey extension to classroom - Approved 02/08/2012

57470 - Single storey nursery building - Approved 25/06/2014

### **Publicity**

The following neighbours were notified by letter dated 12/04/16.

108-172(even), 184 Parr Lane, 278 Sunny Bank Road, 1-21(odd) Hillsborough Drive, 1-7(odd) Leeds Close. Representations received from 114, 156 Parr Lane and 284 Sunny Bank Road are summarised:

- It has a rather 'prison like ' appearance.
- The gap between the new fence and the old one means that maintenance for the school and the neighbours is more difficult.
- Concerns about the trees the boundary blocking light.
- Difficulty in viewing plans.

The objectors have been notified of the Planning Control Committee.

### **Consultations**

**Traffic Section** - No comment.

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

EN1/2 Townscape and Built Design

CF2 Education Land and Buildings

EN1/5 Crime Prevention

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.

**Visual amenity and streetscene** - Permitted development regulations allows a fence to be erected to a height of 2m where it is not adjacent to a highway. It is not unusual to see this type of fencing, at this height around school premises. Given it is a paladin style and coloured dark green, it would not have a seriously detrimental impact on the character and appearance of the site. The fencing complies with UDP Policy EN1/2 Townscape and Built Design.

**Residential amenity** - There are no issues arising in respect of residential amenity.

**Security** - The proposed fence would improve security around the school without detriment to visual amenity. The fence is acceptable and complies with UDP Policy EN1/5 Crime Prevention and associated guidance.

**Traffic** - There is no adverse impact on highway safety.

**Maintenance** - To aid maintenance and management of plant growth between the old railings and new fence, it is considered appropriate to require that an access gate be installed in the new fence at a location agreed with the Local Planning Authority. This would be required by a condition of any approval.

**Objections** - The planning issues raised are addressed in the above report. The boundary trees are not within the control of the Local Planning Authority specifically.

## 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

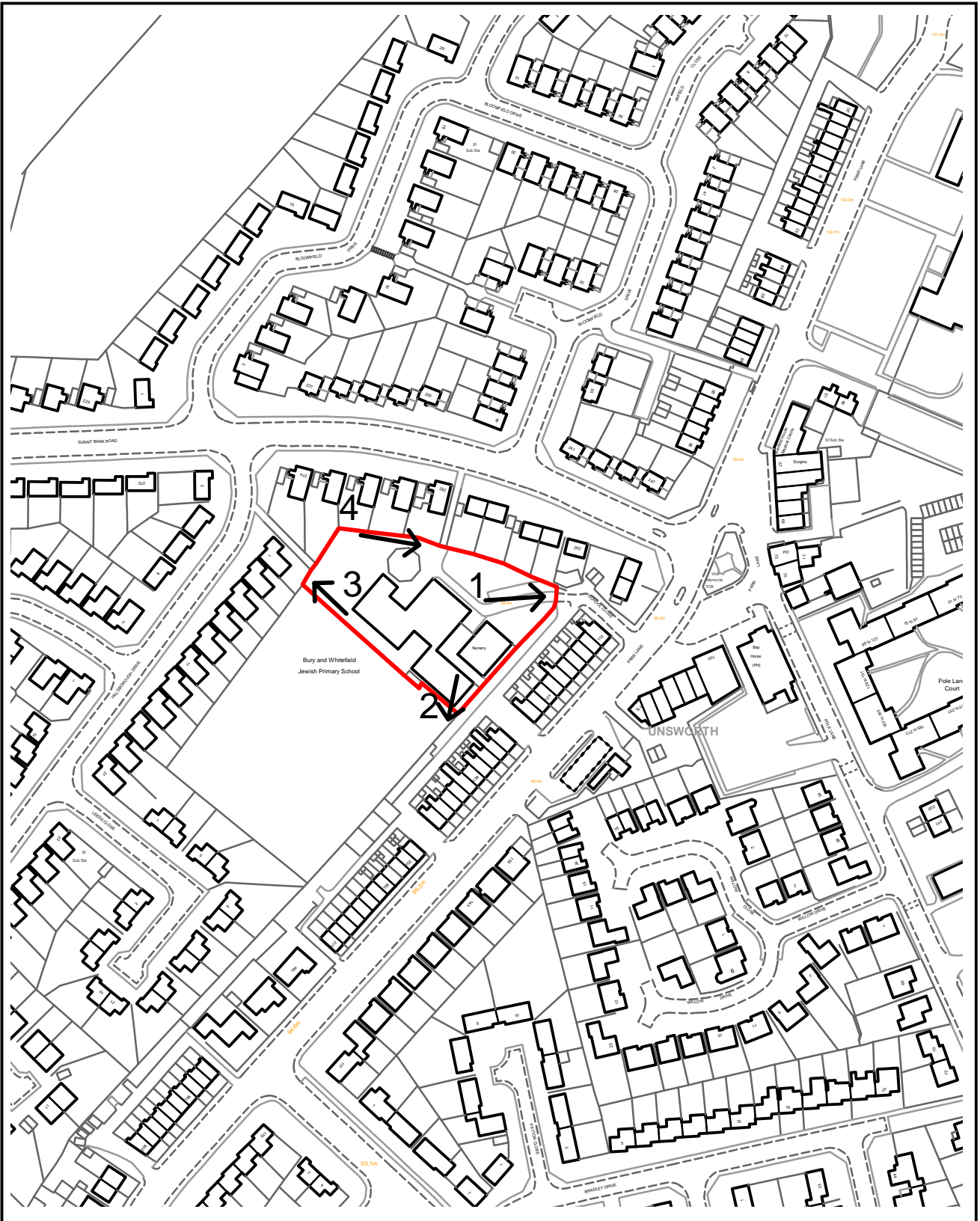
## Conditions/ Reasons

1. This decision relates to drawings numbered PLANG/01, 02, 03 and the development shall not be carried out except in accordance with the drawings hereby approved.  
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

2. Within one month of the date of this decision notice, an access point, for maintenance purposes, shall be installed in the fencing hereby approved to the written satisfaction of the Local Planning Authority. The access point shall be retained thereafter to the satisfaction of the Local Planning Authority.  
Reason. To enable the proper maintenance of land along the boundary of the site in the interests of amenity pursuant to UDP Policy EN1/2 Townscape and Built Design.

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

# viewpoints

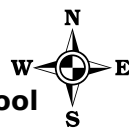


## PLANNING APPLICATION LOCATION PLAN

APP. NO 59919

ADDRESS: Bury & Whitefield Jewish Primary School  
School Close

Bury  
Planning, Environmental and Regulatory Services



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59919

Photo 1



Photo 2

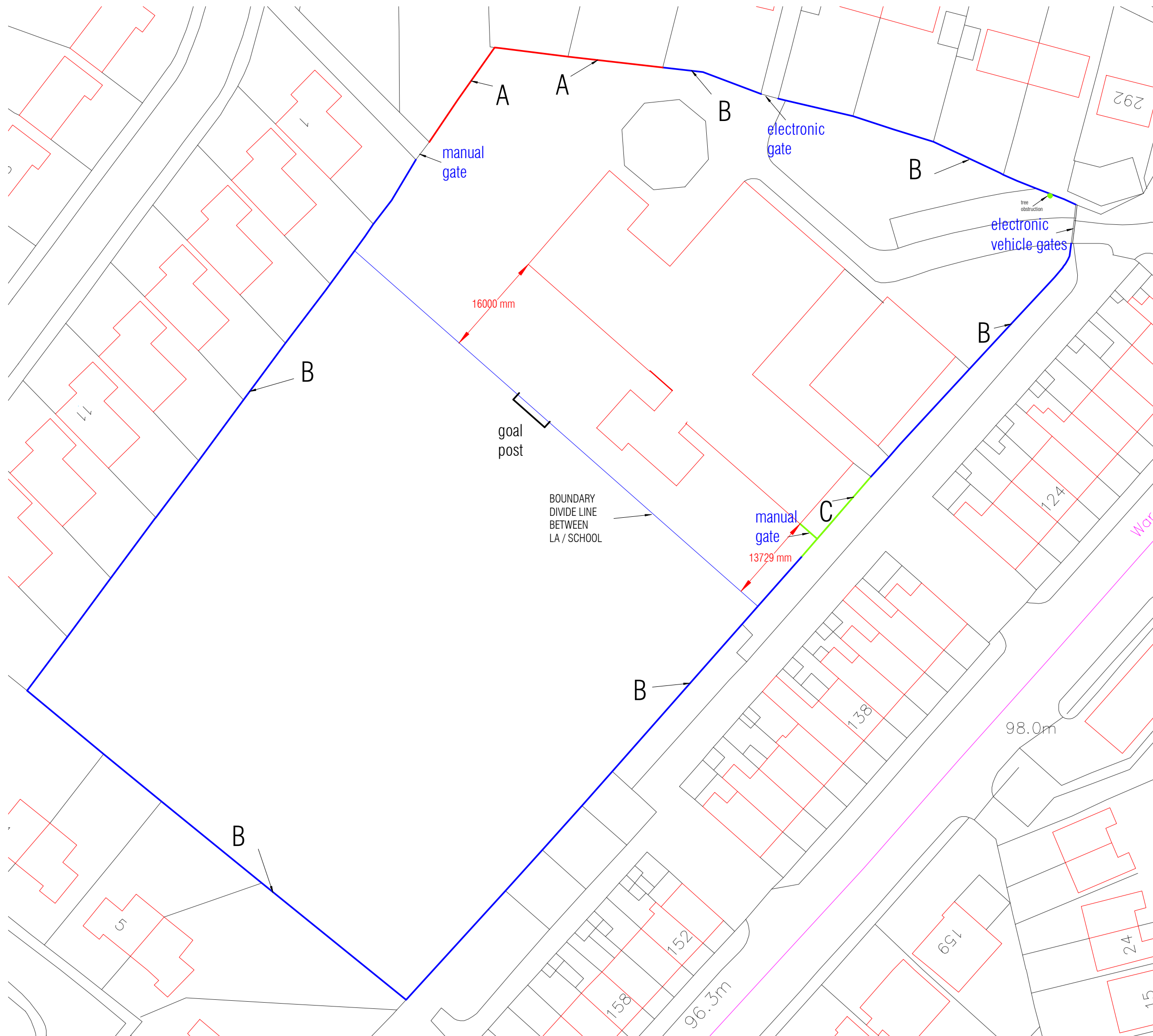


Photo 3



Photo 4





**KEY**

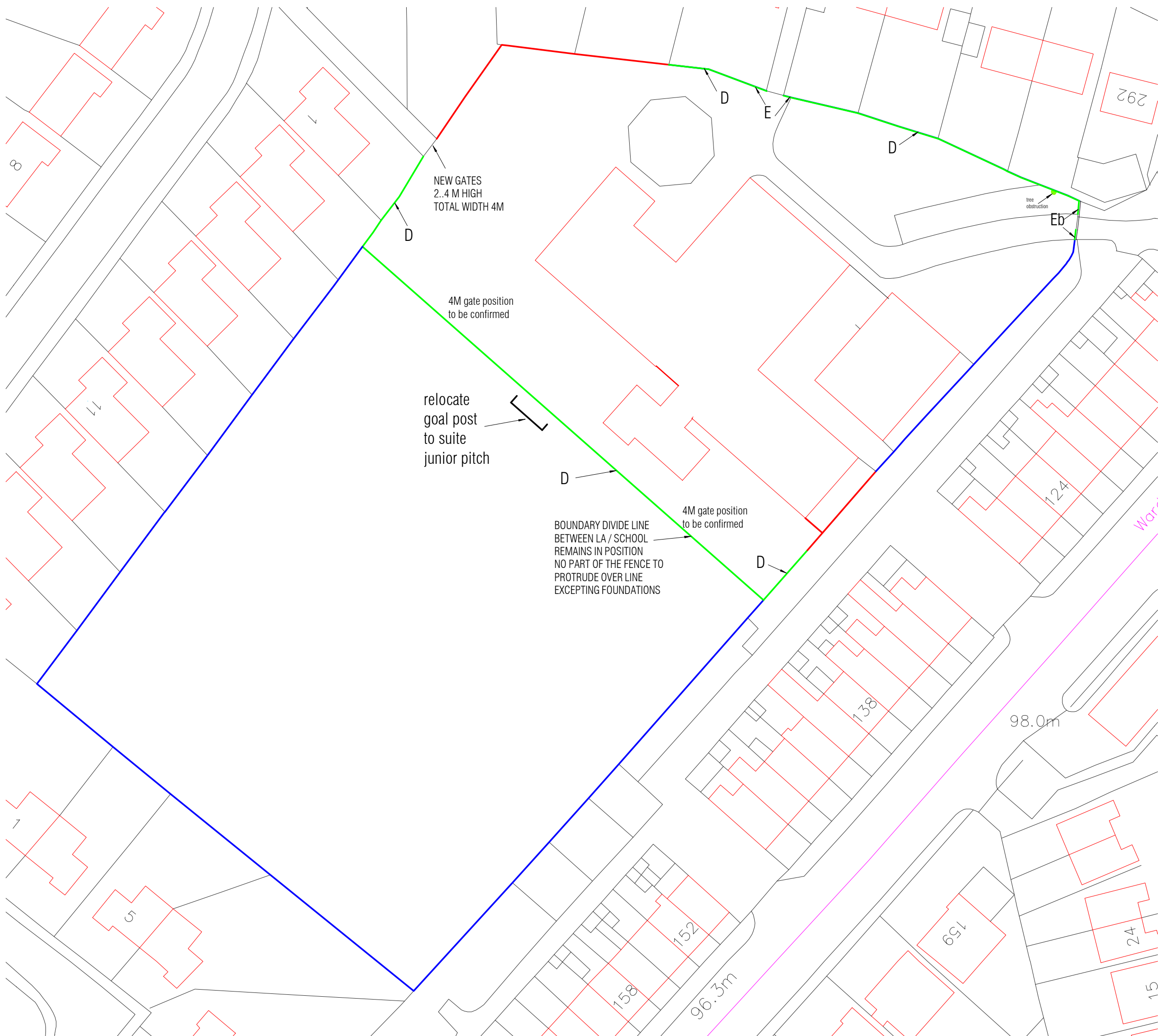
- A: EXISTING METAL RAIL FENCE WITH CHAIN MESH TOP  
O/A HEIGHT 2.6m
- B: EXISTING METAL RAIL FENCE  
O/A HEIGHT 1.5 M
- C: EXISTING SECURITY FENCE  
O/A HEIGHT 3.0m

**SPA** architecture - quantity surveying - management  
Stewart Pearf & Associates

3 SANDY LANE, PRESTWICH, MANCHESTER, M25 9RU  
TEL: 0161 - 798 8811 EMAIL: admin@StewartPearf.co.uk

Contract: PROPOSED SECURITY FENCING at BURY & WHITEFIELD JEWISH PRIMARY SCHOOL			
Client: THE GOVERNORS BURY & WHITEFIELD JEWISH PRIMARY SCHOOL PARR LANE, WHITEFIELD, BURY			
Drawing Ref:	Drawing No.	Rev.	
EXISTING FENCE PLAN	PLANG/01	A	
PROJECT Ref:	SCALE	DRAWN	DATE
BWJPS/FEN/016	1:550 @ A3	SPA	March 2016





CONTRACTOR TO VISIT SITE TO FULLY ASCERTAIN ALL RESTRICTIONS AND OBSTRUCTIONS THAT MAY AFFECT HIS WORK AND INCLUDE FOR SUCH IN HIS PRICE

CONTRACTOR TO VISIT SITE TO CONFIRM DIMENSIONS AND TAKE RESPONSIBILITY FOR SETTING OUT

**KEY**

- D: PROPOSED SECURITY FENCE GREEN  
O/A HEIGHT 2.4m  
CONSTRUCTED AGAINST EXISTING FENCE EXCEPTING THAT ON THE BOUNDARY LINE
- E: PROPOSED SEVCURITY FENCE SHROUD TO EACH SIDE OF GATE GREEN (Eb = BLACK)  
O/A HEIGHT 3.0 m X 1.2 m WIDE

**SPA** architecture - quantity surveying - management  
Stewart Pearl & Associates

3 SANDY LANE, PRESTWICH, MANCHESTER, M25 9RU  
TEL: 0161 - 798 8811 EMAIL: admin@stewartpearl.co.uk

Contract: PROPOSED SECURITY FENCING			
at BURY & WHITEFIELD JEWISH PRIMARY SCHOOL			
Client: THE GOVERNORS BURY & WHITEFIELD JEWISH PRIMARY SCHOOL PARR LANE, WHITEFIELD, BURY			
DRAWING Ref:	SCALE	DRAWN / DATE	Rev.
PROPOSED FENCE PLAN	1:550 @ A3	PLANG/02	B
PROJECT Ref:	SCALE	DRAWN / DATE	Rev.
BWJPS/FEN/016	1:550 @ A3	SPA / March 2016	





**Ward:** Radcliffe - North

Item 09

**Applicant:** Six Town Housing

**Location:** Former garage colony sites at Mayfair Avenue, Radcliffe, Manchester, M26 3ND

**Proposal:** Erection of 8 no. dwellings on 2 no. sites

**Application Ref:** 59928/Full

**Target Date:** 19/05/2016

**Recommendation:** Approve with Conditions

### **Description**

The application relates to two sites off Mayfair Avenue which were formally used as garage colonies. The sites were cleared of the garages in 2007 and have remained vacant and unused ever since. They are located in close proximity of each other, one being situated either side of Mayfair Avenue and are surrounded by residential properties on all boundaries.

The easterly site, site 1, is broadly rectangular in form and is enclosed by timber fencing, which forms the boundary to rear gardens of houses on Mayfair Avenue, Chelsea Avenue, Kilburn Road and Holborn Avenue.

Site 2, to the west, is more irregular in shape, and is also bounded by timber fencing to houses on Mayfair Avenue, Chelsea Avenue, Kensington Avenue and Holborn Avenue. Both sites have an existing vehicular access.

The application seeks to redevelop the two sites for residential dwellings.

Site 1 - This would comprise 5 No. 2 bedroomed dwellings, of 2 x semi detached and 1 x detached, set in a row towards the southern part of the site. The existing access would be utilised and lead to 2 parking spaces for each property.

Site 2 - A row of 3 No. 2 bed terrace properties, set relatively centrally within the site and orientated eastwards. The existing access would also be utilised, with 2 parking spaces allocated for each dwelling.

The properties would have bin store facilities and rear gardens, with a communal bin collection point located towards the front of the site on Mayfair Avenue.

The scheme would be developed by a Housing Association to provide affordable family accommodation.

### **Relevant Planning History**

01730/E - Proposed redevelopment of vacant garage sites to create 8 new houses - Enquiry completed 14/10/2015

### **Publicity**

59 letters sent on 6/4/2016 to properties at Kilburn Road; Kensington Avenue; Mayfair Avenue; Chelsea Avenue; Holborn Avenue.

One letter of objection received from No 6 Chelsea Avenue which raises the following issues:

- Behind No 6-12 Chelsea Avenue, the plans submitted are for the gardens to be up against our fences, including a shed overlooking gardens of Nos 6-8, which could be moved, and there would be no access to our back gardens;

- It was suggested at our meeting with the applicant that a small ginnel could be put between the new houses and our fence to allow access.

The objector has 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 objection subject to conditions.

**The Coal Authority** - No objection subject to condition.

**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
H4/1	Affordable Housing
EN1/2	Townscape and Built Design
EN6	Conservation of the Natural Environment
EN8	Woodland and Trees
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
EN5/1	New Development and Flood Risk

### **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 demonstrated 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 development would meet an identified shortage of housing in the Borough. It would be located within an established residential estate in the urban area and would therefore not conflict with the local environment in terms of character and surrounding land uses. There is existing infrastructure in place to facilitate the development and the scale of the proposal is such that it would not result in the over development of the site.

As such, the principle 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 size and form of the sites have largely dictated the layout and number of units which could be accommodated on the sites, as well as the need to take account of the proximity and relationship of the surrounding residential properties.

Site 1 - This would comprise a row of two pairs of semi detached and one detached property, running west to east with the frontages orientated north. Rear garden areas would be no less than 8.5m in length with Plot 5 having the addition of a large amenity space at the side. Each property would have 2 dedicated tandem parking spaces to the front.

The existing vehicular access into the site would be utilised, and incorporate a pedestrian footway adjacent to the side garden of No 12 Chelsea Avenue.

Site 2 - A row of 3 houses would be sited fronting eastwards. Access to the rear gardens of plots 6 and 8 would be down the side of the houses, with the middle dwelling, plot 7, having a separate path which would run adjacent to the southern boundary of the site and lead to the garden area. Garden lengths would be 11m, which would be more than satisfy policy standards.

A new pedestrian footpath would be provided into the site, and the existing vehicular access utilised.

In terms of parking, the spaces would either be to the side or opposite the houses, with one to plot 7 on the front driveway. Two spaces would be provided for each dwelling, within the site boundary, and it is considered this arrangement is acceptable.

Bin store provision for both sites would be adequately catered for within the garden areas of the dwellings, with bins taken to a collection point on Mayfair Avenue, and which has been conformed as acceptable by the waste management team.

Some of the properties which back onto the garage colony have an access from their rear gardens into the site which would be lost, as it is proposed to erect a 1.8m high timber fence around the boundary of the entire site. This is an issue raised by the objector.

The site is privately owned, and from a planning perspective, there would be no issue restricting access from existing houses to the site. If there are rights of access for the occupiers of these dwellings, this would be a private matter to be resolved outside of the planning process.

The proposed layouts would maximise the developable area of land available, without compromise to either future occupiers or the surrounding properties.

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

**Design and appearance** - In terms of size, both sites would provide dwellings which would be relatively modest in height, scale and massing, reflectant of the properties in the surrounding area.

Site 1 - The semi detached and detached properties would have pitched roofs and incorporate a front projection and canopied doorway. Large window openings would allow plenty of natural light to the properties, as well as responding to the requirements of providing lifetime homes standards.

Site 2 would comprise a row of 3, with hipped roofs, overhanging eaves and brick elevations, with a canopy over the front entrance. Window patterns would be symmetrically set within the fenestrations, to provide uniformity.

Materials for both sites are proposed as light red multi facing brickwork, grey upvc windows and grey concrete tiles. The rear gardens would be separated by 1.8m high fencing, with a 900mm metal railing defining the front gardens.

Subject to a condition to submit materials for further approval, the design and appearance of the scheme is considered to be acceptable within the locality and the character of the surrounding residential area and considered to comply with UDP Policies H2/1 and EN1/2.

**Impact on residential amenity** - SPD 6 advises that a distance of 20m should be maintained between habitable room windows in 2 properties and 13m between a ground floor habitable room window and a 2 storey blank wall.

Site 1 - In terms of relationships to the surrounding properties, there would be a distance of 13m between the side elevation of plot 1 and the rear elevations of dwellings on Chelsea Avenue, and 24m from the rear elevation of the new build properties and houses on Kilburn Road. Aspect standards would be satisfied on this part of the development.

Site 2 - The houses closest to the development would be to the north on Kensington Avenue and to the south and west on Chelsea Avenue. There would be a distance of 15m between the blank gable wall of plot 8 and the rear elevation of Nos 5 and 7 Kensington Avenue, and separation of 13m between the rear elevation of plots 6-8 and the houses on Chelsea Avenue. As such aspect standards would be satisfied.

Plot 6 would be located forward of the rear elevation No 24 Chelsea Avenue by 1.8m and would be 4.4m from the boundary with this property. Positioned to the north of this house, it would not create an overshadowing effect to their rear garden, given the orientation of the house and the direction of the sun. As such, it is considered the new build would not have an overbearing or dominant relationship to this property.

It is considered that there would be sufficient separation distances between all the new build plots and the surrounding residential properties, and would be in compliance with UDP Policies H2/1, H2/2, H2/6, HT2/4 and SPD 6.

**Parking and access** - SPD11 seeks a maximum of 1.5 and 2.5 parking spaces per 2 bed

dwelling in high and low access areas respectively. It is proposed to provide 2 parking spaces for each dwelling.

Whilst the site is not in a particularly high access area, these are maximum standards, and it is within walking distance of a local bus route and within an established residential area. The provision of 2 spaces per 2 bed dwelling is therefore considered to be reasonable and sufficient for the types of dwellings proposed, in this location.

The existing accesses into both sites would be utilised and a pedestrian footpath incorporated down the side of each route in. The accesses would lead directly to the parking spaces and there would be ample room to manoeuvre without compromise to pedestrian or highway safety.

The Highway's Section have raised no objection to the proposed development, either in terms of the on-site parking proposals or access, and as such the development is considered acceptable and complies with HT2/4, HT6/2, H2/2 and SPD11.

**Ecology** - An Arboricultural Report and Ecological Appraisal have been submitted with the application and GMEU have been consulted. No significant ecological were identified by the applicant's ecological consultant. Minor issues relating to invasive species, nesting birds, bats and ecological mitigation were identified which can be resolved via informative or condition.

Bats - The site was assessed for bat roosting potential and none was found. All the garages have already been removed and the trees identified as having no bat roost potential. The consultants note that the site has some value as foraging habitat. However, it is considered this will not be significant in terms of the wider landscape, and no further information or measures are required.

Nesting birds - Both plots have trees and scrub that would be lost as a result of the development. There is a potential for bird nesting habitat, which are protected by Section 1 of the Wildlife and Countryside Act. A condition to restrict the removal of vegetation is therefore recommended.

The site visit revealed that the trees and vegetation required to be removed to facilitate the development, have already been cleared. The applicant has stated that the works were overseen by an ecologist, that there was no wildlife nesting on either site, and that due regard was had to the provisions of The Wildlife and Countryside Act, 1981, as amended.

As planning permission is not required for vegetation removal which is not protected, the site clearance has been carried out without any breach, and as such considered to be acceptable.

As some of the trees would be retained on the site, it is considered appropriate to restrict any further clearance, as recommended in Condition 5.

Overall ecological Impact - The development would result in the loss of semi natural vegetation, of widespread native tree species. Whilst of importance only at the site level, without mitigation the loss of these trees would result in a net negative impact on biodiversity. The NPPF states that the planning system should contribute to and enhance the natural environment.

Replacement trees are proposed, approximately one for one. If all the species are native, adequate long term mitigation would be provided. The detail of the replacement landscaping can be conditioned.

**Response to objector -**

- The applicant has confirmed that there would be no access to the sites from the houses which abut the site and that there are no formal agreements in place.

- Any requests from local residents to provide a ginnel between their houses and the sites would be a private matter and not within the parameters of this application.
- The application proposes garden sheds, some of which would be sited adjacent to the boundary gardens of the surrounding dwellings. It is not unusual for sheds to be located in such positions in residential gardens, and in themselves, would not require planning permission, and could be erected at anytime by future occupiers. As such, the siting of the sheds is considered acceptable.

**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 3902 04 Rev A; 3902 07; 3902 08; 3902 09; 3902 10; 3902 11; 3902 13; 1084-112; Preliminary Ecological Appraisal November 2015; Arboricultural Report AIA and AMS November 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. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

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

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 the use of native species to mitigate for the loss of native trees and shrubs. The approved plan shall be implemented in accordance with the approved details and implemented not later than 12 months from the date the building(s) is 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 and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan, and chapter 11 - Conserving and enhancing the natural environment.

7. No development shall commence unless and until the following information has been submitted to and approved by the Local Planning Authority:

- The submission of a scheme of intrusive site investigations for approval;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a report of findings arising from the intrusive site investigations, including the results of gas monitoring.

Where remediation works are required, a detailed strategy/scheme shall be submitted to and approved by the Local Planning Authority and the implementation of those remedial works carried out with agreed timescales.

Reason. Information has not been submitted at application stage. Required to ensure the safety and stability of the proposed development, pursuant to chapter 11 - Conserving and enhancing the natural environment of the NPPF.

8. No development shall commence unless and until details of foul and 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 be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme 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

9. No development shall commence unless and until full details of the proposed

pedestrian and vehicular access improvements indicated on the approved plan reference P3902 10 have been submitted to and agreed by the Local planning Authority. The details subsequently approved shall be implemented to agreed specification and to the satisfaction of the Local planning Authority before the development is first occupied.

Reason. To ensure good highway design and maintain 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. 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:

- Access route for the 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 the operative's 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 pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

11. 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 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.

12. The car parking indicated on the approved plan reference P3902 10 shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use.

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.

13. The turning facilities indicated on the approved plan P3902 10 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.

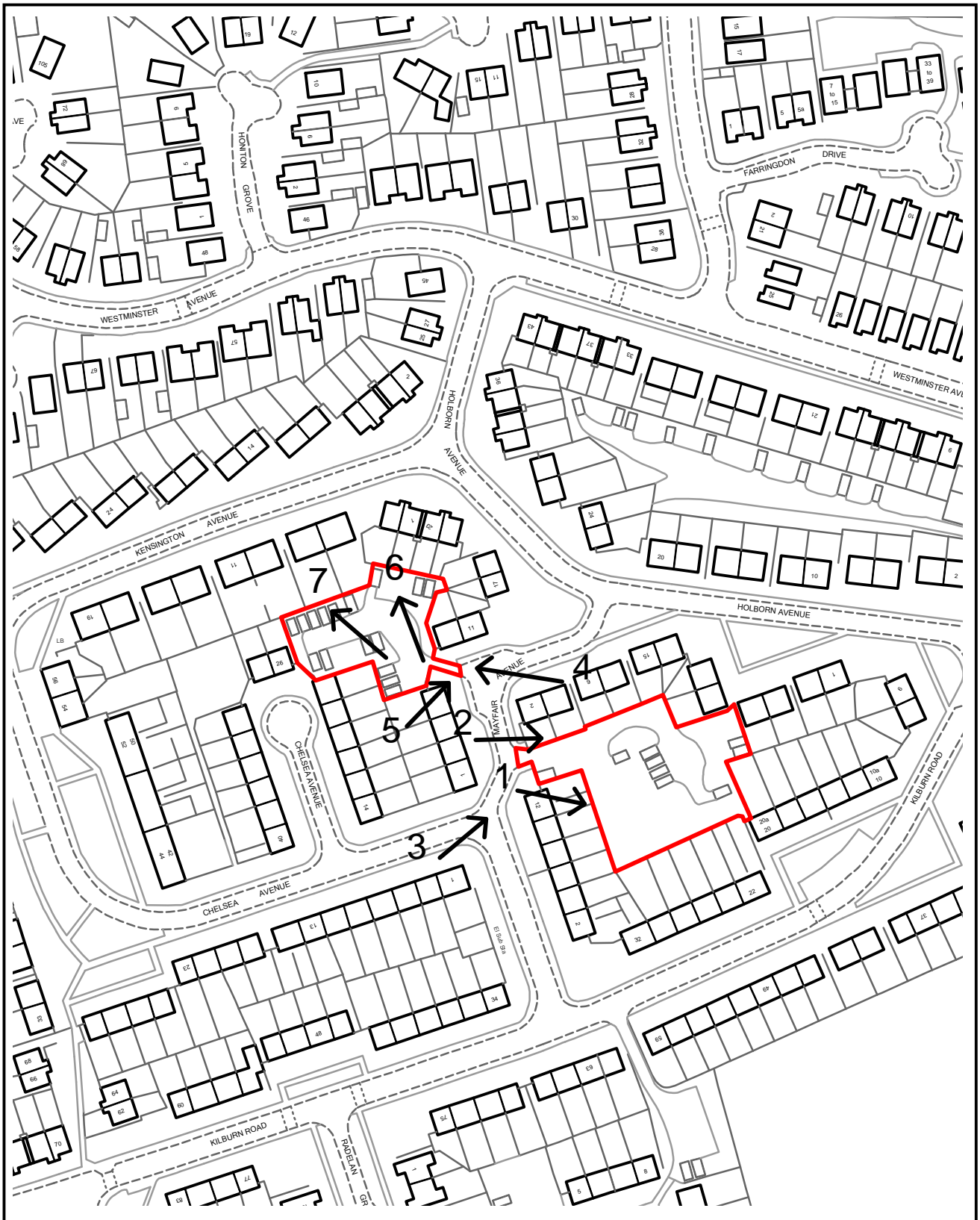


14. Details/Samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for 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 HT2/1 - The Form of New Residential Development.

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

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 59928**

**ADDRESS: Mayfair Avenue  
Radcliffe**

**Planning, Environmental and Regulatory Services**

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59928

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5

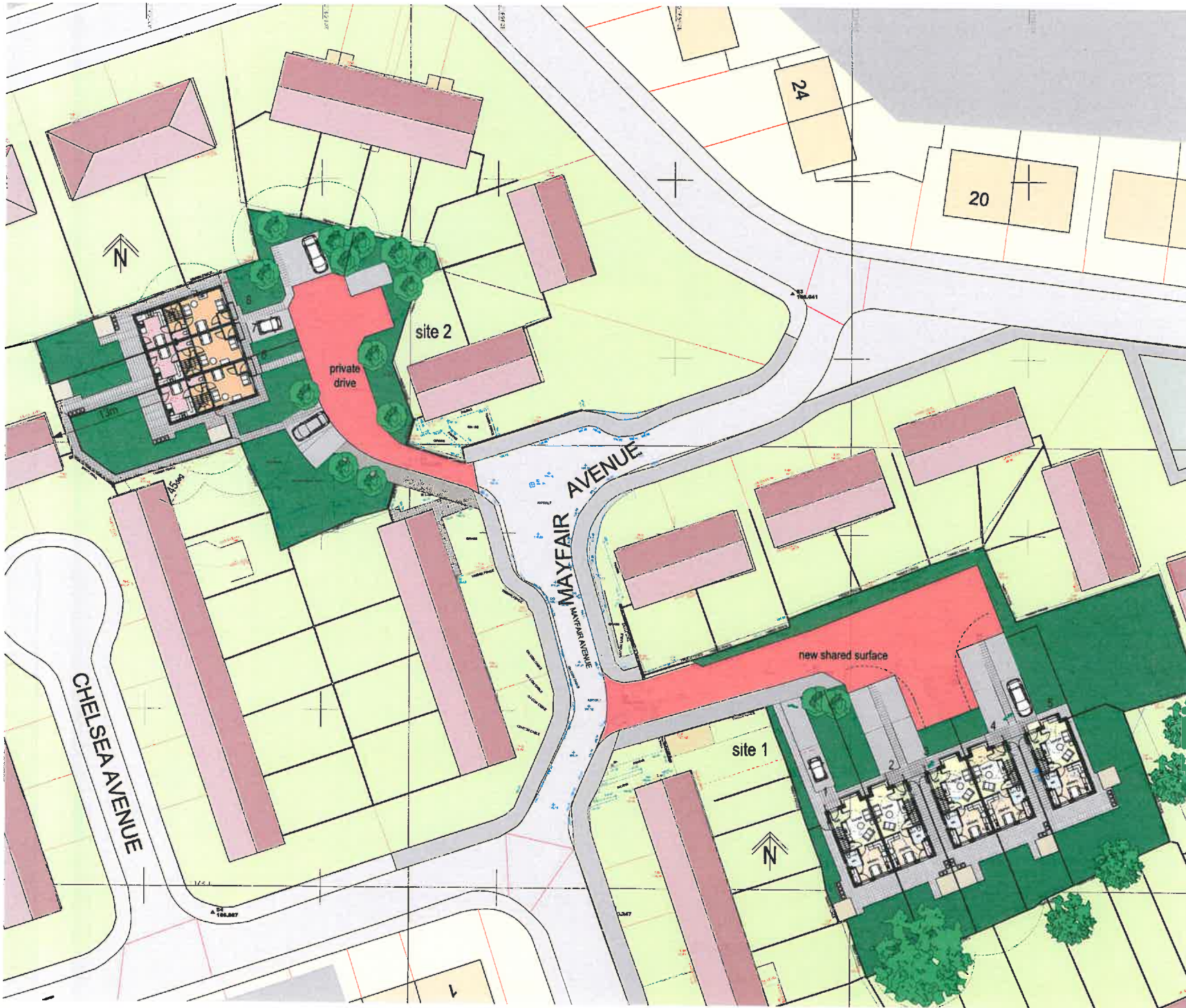


Photo 6












Photo 7





Rev	Date	Description
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-  Proposed trees
-  Garden shed
-  refuse storage
-  road surface: red bitmac
-  drives: black bitmac
-  paths: grey pcc paving
-  front and rear gardens: turf on topsoil
-  1.8m high timber fence with with 900mm wide ledged framed and battened timber gate
-  900 mm high metal railing to front gardens

Accommodation:  
 5No 2b4p houses - plots 1-5  
 3No 3b5p houses - plots 6-8



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Client:  
 Six Town Housing

Project:  
 Mayfair Garage Sites

Title:  
 Proposed Site Plan

Scale	Date	Sheet
1:200@A1	23.03.16	
Job No	Drawing No	Rev
P3802	10	-
Drawn	Approved	
GS		

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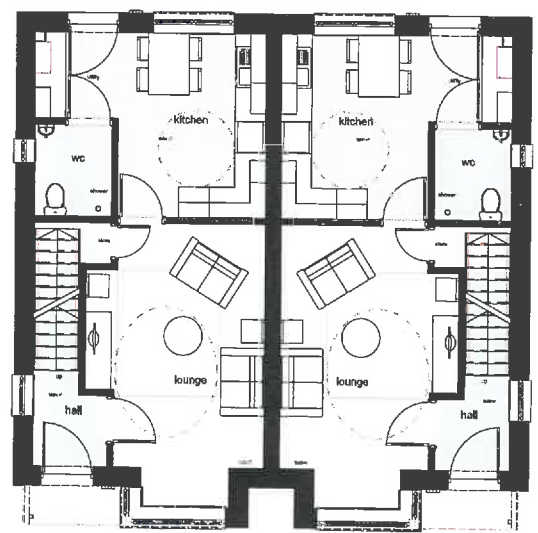
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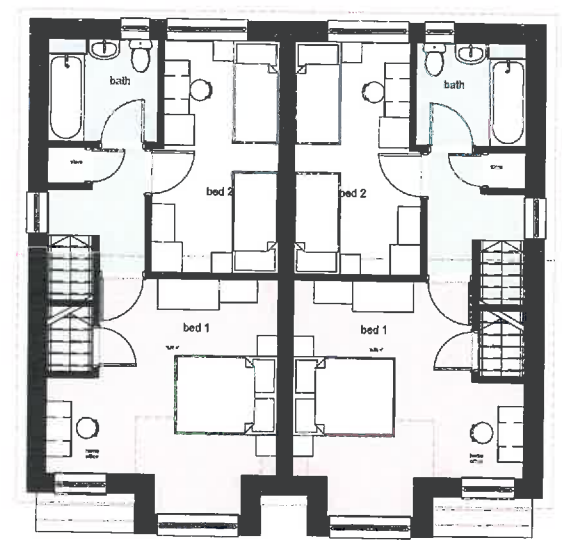
Rear Elevation



Side Elevation



Ground Floor



First Floor



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Client  
 Six Town Housing

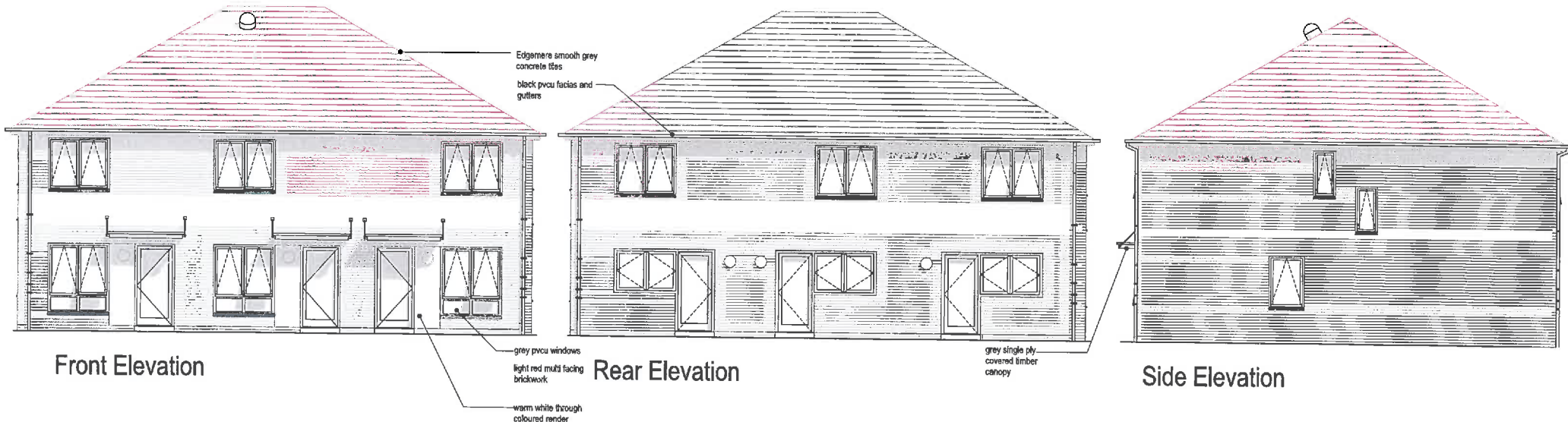
Project  
 Mayfair Garage Sites

Title  
 Floor Plans and Elevations  
 Plot 1-4

Scale	Date	Sheet
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Job No	Drawing No	Rev
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Drawn	Approved	
AG		

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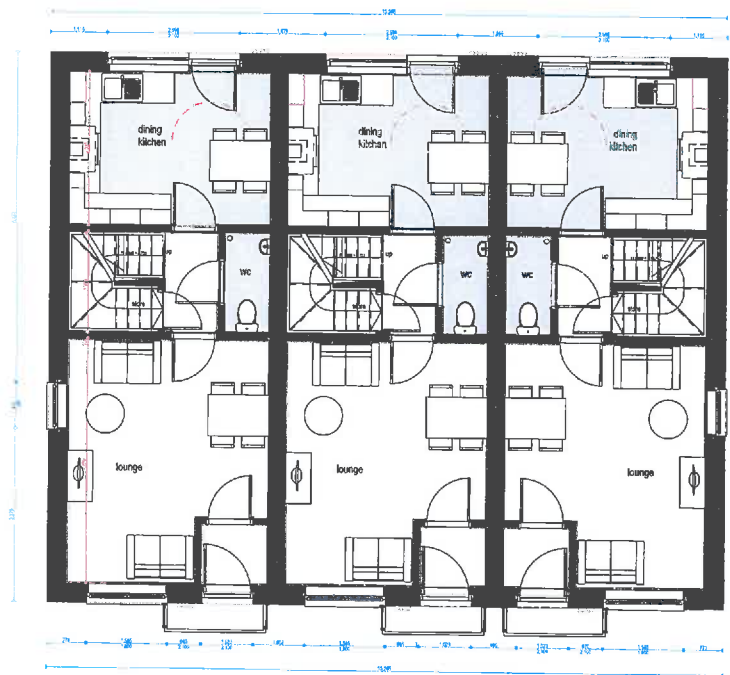




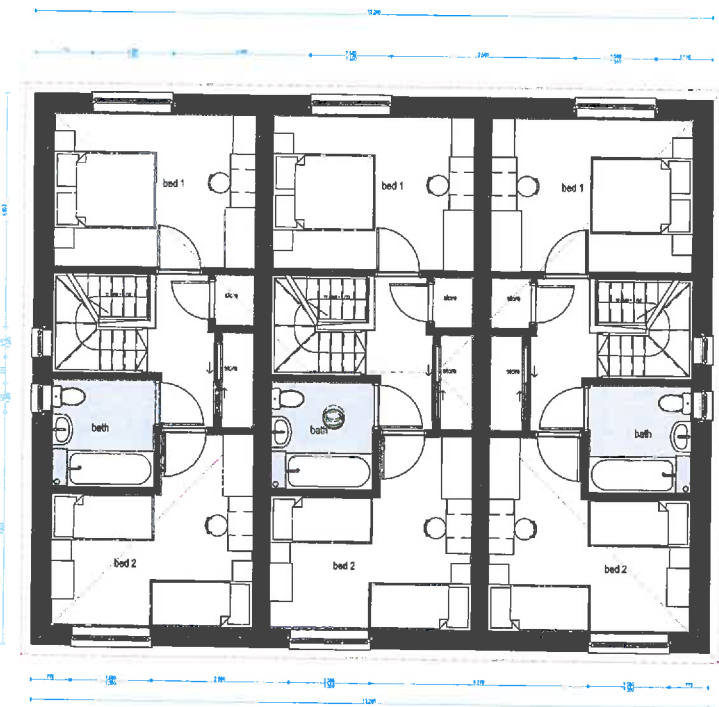
Front Elevation

Rear Elevation

Side Elevation



Ground Floor



First Floor



Arcus Consultancy LLP  
 1st Floor, 100-102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

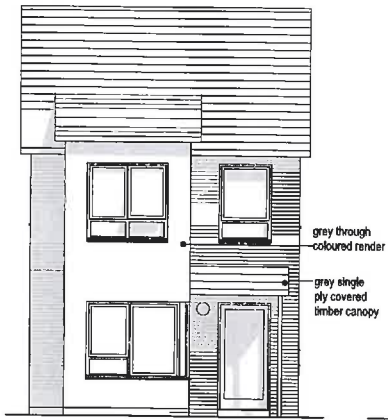
Client: Six Town Housing

Project: Mayfair Garage Sites

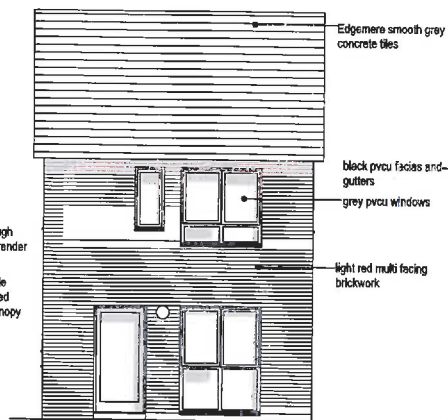
Title: Floor Plans and Elevations  
 Plot 6-8

Scale	Date	Stage
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Job No.	Drawing No.	Rev.
P3902	09	
Drawn	Approved	
AG		

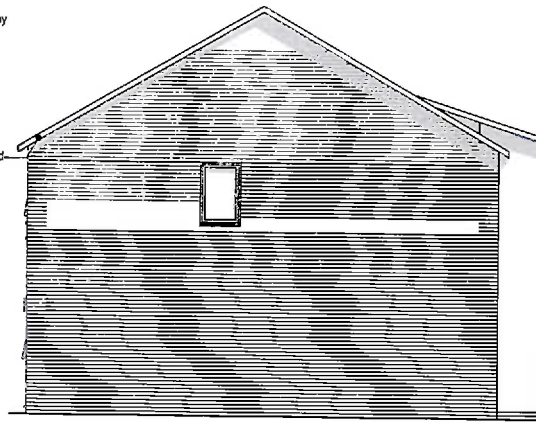
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Front Elevation



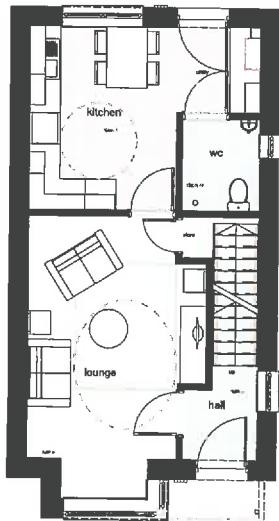
Rear Elevation



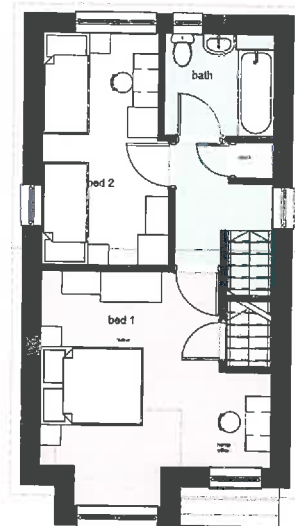
Side Elevation 1



Side Elevation 2



Ground Floor



First Floor



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Client  
 Six Town Housing

Project  
 Mayfair Garage Sites

Title  
 Floor Plans and Elevations  
 Plot 5

Scale: 1:50 @ A1 Date: 22.03.16

Job No: P3802 Drawing No: 06 Rev:  

Drawn: AG Approved:  

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