

Title	Planning Applications
To:	Planning Control Committee
On:	20 June 2017
By:	Development Manager
Status:	For Publication

Executive Summary

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

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

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

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

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

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

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

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

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

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

Development Manager

Background Documents

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

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

01 **Township Forum - Ward:** Bury West - Church **App No.** 61286

Location: Land at 4 Mile Lane, Bury, BL8 2DS

Proposal: Erection of 1 no. dwelling at side

Recommendation: Approve with Conditions

Site Visit: Y

02 **Township Forum - Ward:** Ramsbottom and Tottington - Ramsbottom **App No.** 61363

Location: Higher Tops Barn, Moor Road, Ramsbottom, Bury, BL8 4NU

Proposal: Change of use of agricultural land to horse manege

Recommendation: Approve with Conditions

Site Visit: N

03 **Township Forum - Ward:** Radcliffe - North **App No.** 61391

Location: Land off Salisbury Road, Radcliffe, Manchester, M26 4WG

Proposal: Material amendment following grant of planning permission 58233 for residential development for 86 dwellings and associated infrastructure: Retrospective increases to finished floor levels to plots 76 - 85 and decrease to finished floor levels to plot 86

Recommendation: Approve with Conditions

Site Visit: N

04 **Township Forum - Ward:** Bury East - Redvales **App No.** 61447

Location: Pilot Mill, Alfred Street, Bury, BL9 7EJ

Proposal: Erection of 6 no. industrial/warehouse units (Classes B1/B2/B8)

Recommendation: Approve with Conditions

Site Visit: N

Ward: Bury West - Church

Item 01

Applicant: Mr Karl Rawston

Location: Land at 4 Mile Lane, Bury, BL8 2DS

Proposal: Erection of 1 no. dwelling at side

Application Ref: 61286/Full

Target Date: 17/05/2017

Recommendation: Approve with Conditions

The application was deferred from the previous Committee meeting to carry out a site visit.

Description

The application site relates to the side and part of the rear garden of No 4 Mile Lane. This property is a 2 storey brick built detached dwelling and has an in/out access to a driveway and an integral garage on the northern side of the house. The property has a large rear garden which currently accommodates a summerhouse in the southern eastern corner.

The site is bounded by a dwarf wall at the frontage, and there are mature conifer trees and fence to No 2 Mile Lane, a bungalow which is set at a lower level and forward of the building line of No 4 Mile Lane.

To the rear are properties on Turton Close, separated by a boundary fence which are also set at a lower level of approximately 1m. No 14, a bungalow, is directly opposite the application plot and No 12 directly faces the rear elevation of No 4 Mile Lane.

The application is for a 2 storey detached dwelling with a rear dormer, to be sited in the side garden of No 4 Mile Lane. It would be set 1m from the side elevation of No 4 and forward of the front elevation of the house by 2m. There would be a distance of 6.8m to the boundary with No 2 Mile Lane.

The proposed dwelling would project 12m in length, 3.4m beyond the original rear elevation of No 4. A 6.5m long rear garden would be provided bounded by a new fence. Beyond this, to the boundary of No 14 Turton Close, a remaining garden length of 5.5m would continue in the ownership of No 4 Mile Lane as access to their summerhouse, which would be retained in the south eastern corner.

The proposed dwelling would share the existing central vehicular access with No 4 and there would be 2 parking spaces to the front of the new property.

Update

In terms of height and design, the proposals have been amended from the scheme which was originally put forward to the Planning Committee in May. The height and eaves level of the proposed dwelling have been reduced to match that of the adjacent property, No 4 Mile Lane. The front elevation has been amended with a reduced roof pike, and a small velux roof light inserted.

At the rear, the dormer has been reduced in size and would be centrally positioned within the roofspace.

Proposed materials are facing brickwork and concrete roof tiles.

Relevant Planning History

43593 - Residential development - two storey detached three bedroom dwelling - Refused

30/11/2004 - by reason of its size, position and design, to be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area (see response to objections in the section below).

48915 - Two storey rear extension & first floor side extension - Approve with Conditions 20/12/2007

52832 - Certificate of lawful development for proposed detached summerhouse at rear - Lawful Development 16/07/2010

55171 - New front boundary wall (Retrospective). - Approve with Conditions 22/06/2012

60345 - Erection of 1 no. dwelling at side - Withdrawn by Applicant 25/11/2016

Publicity

12 letters sent on 29/3/2017 to properties at Nos 1,3,6 Standring Avenue, 12,14,16 Turton Close, 1,2,3,6,8 Mile Lane, 22 Freckleton Drive.

One letter of objection received from No 12 Turton Close (rear of No 4 Mile Lane) with the following issues raised:

- The dwelling would be 3 storey and 9m in height and the dormer would be an incongruous and dominating feature when viewed from my property and others at the rear;
- The dormer and its window position would allow occupants of the bedroom to look out and afford a clear, unobstructed view into properties at the rear;
- The recommended separation distances do not take into account that there is a change in levels of at least 1000mm between the site/No 4 Mile Lane and the houses at the rear which would increase the impact of any new structure. An increase in separation distance to allow for the difference in levels would lessen the impact;
- It would be possible to move the proposed dwelling forward to help address the separation distance concerns, and sensible to site between Nos 2 and 4 Mile Lane;
- Parking spaces would not be compromised by moving the new structure nearer to Mile Lane
- Request Permitted Development Rights are removed;
- The above suggestions should be incorporated but if not request the application be refused and considered by the Planning Committee.

Further objection received from No 12 Turton Close with detailed information dating back to 2003 of previous applications at the address of 4 Mile Lane which have either been refused, approved or withdrawn.

The objector states that even though time has moved on, the issues of these applications are the same as the current application.

Other comments made by the objector:

- As this application stands, the proposed house would have panoramic views of my living/social areas and outdoor space;
- I enjoy my privacy and time at home and am entitled to it. Including the difference in ground levels, the house would be over 2.5 times taller than mine and tower over it, so in real terms how could it not affect my privacy and other rights.

Further objection received from No 12 Turton Close with the following issues:

- Photographs submitted of the front of the site and the adjacent properties to show that the footprint of the proposed dwelling could be moved forward to give a more uniform look on the street scene and in relation to the adjacent houses which would reduce impact on my privacy, whilst still maintaining ample parking area;
- The proposed style of house on an already elevated plot would effect my amenities and overlook my private living spaces along with my garden and patio area, and does not fit in with the surrounding homes or landscape; at more than twice the height the objections raised are more robust;
- The previously approved scheme in 2004 (outline consent for 1 dwelling) suggested a bungalow or a 2 storey house forward to the front of the plot and further across towards

- No 2 Mile lane to form a natural building line;
- Not totally against the construction of a further house but ask the final build does not come passed the original building line of No 4 - ie move forward and off set at the rear - would certainly improve the frontage leaving ample parking as well as giving a more uniform look;
- Ask that the dormer be declined in favour of velux type roof lights or side windows;
- Making the house a 2 storey or a bungalow is a better idea;
- Mile Lane is a prestigious road with houses that are not packed in - they are spaces apart and protect the roominess feel that Seddons farm is recognised for;
- Would be better seen if Committee did a site visit.

Following deferral of the application at the Committee Meeting on 23rd May, revised plans were received. The amendments now propose a reduction in height of the dwelling to match that of No 4, alterations to the design of the front elevation and a reduction in size of the rear dormer.

The objector at No 12 Turton Close and residents at 14, Turton Close, 1 Standing Avenue and 2 Mile Lane have been re-notified of the proposed revisions.

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

Consultations

Traffic Section - No objection subject to conditions.

Drainage Section - Standard drainage condition to include a SuDS scheme will be required by condition.

Environmental Health Contaminated Land - No objection subject to conditions.

United Utilities (Water and Waste) - No objection subject to condition. The applicant should be aware of the location of a public sewer which crosses the site which will require an access strip of 6m.

The Coal Authority - No objection subject to a condition to carry out remedial measures prior to development.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

Issues and Analysis

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

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

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

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

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

UDP Policy H2/6 - Garden and Backland Development assesses proposals with special regard given to the concentration and relative density of such development in the surrounding area, impact on neighbouring properties and the 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 be located within an established residential 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 single dwelling and the scale of the proposal would be such that there would not be over development of the site.

The principle is therefore considered to be acceptable and would comply with UDP Policies H1/2, H2/1, H2/2 and H2/6 and the principles of the NPPF.

Layout - The proposed dwelling would be located in the side garden of No 4 Mile Lane. It would be set 1m from the side elevation of No 4 and forward of the principle front elevation of this house by 2m. The building line is slightly staggered along this section of Mile Lane. The proposed dwelling would be positioned virtually in line with the frontage of No 4 and as such considered it would have a comparable relationship within the context of the streetscene as the existing property.

There would be a distance of 6.8m from the side elevation of the proposed dwelling to the boundary with No 2 Mile Lane which would provide a generous separation distance and amenity area. At the rear, there would be a garden of 6.5m in depth to the new rear boundary of this property which is considered would provide an acceptable level of additional outdoor space. Beyond this, a strip of garden area some 5.5m deep would be retained in the ownership of No 4 to facilitate access to their summerhouse which is located in the south east corner of the existing garden.

The existing central access into the driveway of No 4 would become a shared access for both properties, with ample space to the front of each dwelling for parking.

The proposed siting of the dwelling is also constrained to account for the public sewer which crosses the site and which would require an access strip of 3m either side for maintenance or replacement purposes.

The proposed layout plan demonstrates that a dwelling and its associated requirements in terms of parking and amenity area could be successfully accommodated within the plot,

reflecting the layout and arrangement of the existing properties in the area and in relation to the context of the streetscape.

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

As a 'garden' development, and to protect the amenity of adjacent occupiers, it is considered to be appropriate and reasonable to remove permitted development rights.

Layout of No 4 Mile Lane - Whilst the development would result in a reduction to the garden area and driveway space for this property, there would still be ample and acceptable levels of parking provision and outdoor amenity space for this house without compromise to existing or future occupiers.

As such, the layout of No 4 Mile Lane would be considered acceptable and would comply with H2/1 - The Form of Residential Development, H2/2 - The Layout of New Residential Development and H2/6 - Garden and Backland Development.

Scale, design and appearance - The application proposes a 2 storey dwelling with a dormer in the rear roofspace. Whilst there is a bungalow adjacent at No 2 Mile Lane, No 4 is a large 2 storey house and there are houses opposite and in the surrounding area and as such it is considered that the proposed development would be acceptable in terms of housetype, scale and massing.

The height of the proposed dwelling would follow the ridge height and eaves level of No 4 Mile lane and with a pitch roof and gable ends would reflect the appearance of this property and others in the immediate vicinity. The piked roof projection has been scaled down and a small velux in the roofspace proposes a modest frontage.

At the rear, the ground floor would project a further 1.6m from the two storey element and incorporate a monopitched roof with patio doors leading out to the garden area. A pitched roof dormer would be added at the rear, set in from the side elevations and rear wall of the dwelling. The size and scale of the dormer has been reduced and would not result in a dominant addition or feature to the roof plane and would comply with the design guidance advised in SPD6.

Materials proposed are facing brickwork and concrete tiles. No 4 comprises brickwork elevations, whilst No 2 is entirely rendered. The houses in the area comprise of a mix of materials and external finishes and as such the proposed materials are considered to be acceptable, subject to approval of details by condition.

As such, it is considered that the scale and design of the proposed dwelling would be appropriate within the context of the surrounding area and would comply with UDP Policies H2/1 - The Form of New Residential Development and EN1/2 - Townscape and Built Design and SPD6.

Impact on residential amenity - Whilst there are no set standards in terms of separation distances between these types of developments and residential properties, SPD6 is used as a guide to assess relationships and aspect standards between properties and new built development.

SPD6 states that a minimum distance of 20m should be maintained between habitable room windows, plus 3m for every additional storey or difference in levels, and 13m between habitable room windows and a 2 storey blank wall. Where there would be a difference in levels or additional storey, an additional 3m separation is generally sought.

No 14 Turton Close is a bungalow and would directly face the rear elevation of the proposed dwelling. The ground level of this property is set approximately 1m lower and there is an

intervening boundary fence . As the proposed development would have a dormer in the roofspace, a separation distance of 23m would be sought. There would be a distance of 24m from the dormer and 23m from the 2 storey element of the new build to No 14. There is also an intervening garden boundary fence which screens the ground floor of No 14 from the development site. The upper floors of the dwelling would be visible, but given the distance away and the intervening boundary treatment, the relationship between No 14 and the proposed dwelling would comply with policy guidance and is considered to be acceptable.

The rear elevation of No 12 Turton Close directly faces the rear elevation of the existing property, No 4 Mile Lane. There would be no direct interface between the new dwelling and No 12 Turton Close, and given the new dwelling would be off set from this property, and have a relationship which is commonly found between other properties, there would be no requirement nor are there any provisions within SPD6 guidance to apply separation distances to this situation.

There would be a distance of 6.8m from the proposed side elevation of the dwelling to the boundary with the bungalow at No 2 Mile Lane. There are 2 non habitable or secondary windows in the side elevation of this dwelling and there would be non habitable or secondary windows in the gable of the new dwelling facing this property but these would be obscure glazed. As such there would be no issues of overlooking to No 2 Mile Lane and the relationship to this property would be acceptable.

The proposed development would therefore comply with UDP Policies H2/1 - The Form of Residential Development, H2/2 - The Layout of New Residential Development, H2/6 - Garden and Backland Development and SPD6.

Access and parking - The existing southern access to No 4 Mile Lane would become shared access for both properties, with areas in front of the houses which could accommodate parking for at least 2 cars. The existing access to the north would be retained and used by No 4 Mile lane.

The access arrangements would not raise any highways issues or concerns, and parking could be comfortably provided within the site boundaries for both houses. The Highway's Section have raised no objections subject to conditions and as such the proposals would comply with H2/2 - The Layout of New Residential Development, H2/6 - Garden and Backland Development and HT2/4 - Car Parking and Servicing.

Coal Authority - The application site falls within a defined Development High Risk Area, and therefore coal mining features and hazards which need to be considered in relation to the determination of the application.

The Coal Authority records indicate that the site is in an area of likely historic unrecorded underground coal mining workings at shallow depth.

A Coal Mining Risk Assessment has been submitted with the application and the Coal Authority have been consulted. The report sets out details of the intrusive site investigations and their findings. The Coal Authority concurs with the recommendations of the Coal Mining Intrusive Report that the coal mining legacy poses a risk to the proposed development and that remedial measures would be required to be undertaken prior to development.

A condition is therefore recommended requiring these remedial measures prior to commencement of development.

Response to objector

- Separation distances and aspect standards would be satisfied and the difference in levels has been accounted for in the assessment.
- Permitted Development Rights would be removed by way of a condition to allow for

- assessment of future development of the site in terms of impact on residential amenity.
- The Bury Unitary Development Plan has remained the same in terms of what is assessed. However, the introduction of the NPPF represents a significant shift in Government Policy in how policies are interpreted. The general presumption of housing development within residential areas is a key supporting factor and in this instance the development has markedly changed from the 2004 application.
 - For information, and in relation to proposals for a new dwelling in the garden of No 4 Mile lane only, the most recent application ref 60345 was withdrawn due to requirements to submit a Coal Report. This has been done and a condition would be included that a remediation strategy be submitted for approval.
 - The application prior to this reference 43593 - Residential development - two storey detached three bedroom dwelling - was refused under delegated powers on 30/11/2004. In comparison to the current application, the refused scheme proposed a dwelling on a much larger scale and footprint which covered almost the entire width of the plot area. It was proposed 1.2m from the boundary with No 2, and projected further past the front and rear building lines of both Nos 2 and 4 Mile Lane. In terms of design, the front elevation proposed a 4.8m deep, 2 storey projection with a fully glazed elevation. As such it was considered by reason of its size, position and design, to be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. As such it was refused.
 - By contrast, this proposed scheme has been notably scaled down, and for the reasons in the above report, considered to be acceptable and would comply with policy guidance.

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 P362/ 01B / 02B / 03D / 04B / 05F / 06B 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. Following the provisions of Condition 3 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved 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 alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

6. No development shall commence unless and until a scheme of remedial works has been submitted to and approved by the Local Planning Authority. The approved remedial works only shall be implemented and in accordance with the approved scheme.

Reason. Information has not been submitted at application stage, which is required to ensure the safety and stability of the proposed development and to alleviate possible risk pursuant to chapter 11 - Conserving and enhancing the natural environment.

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

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

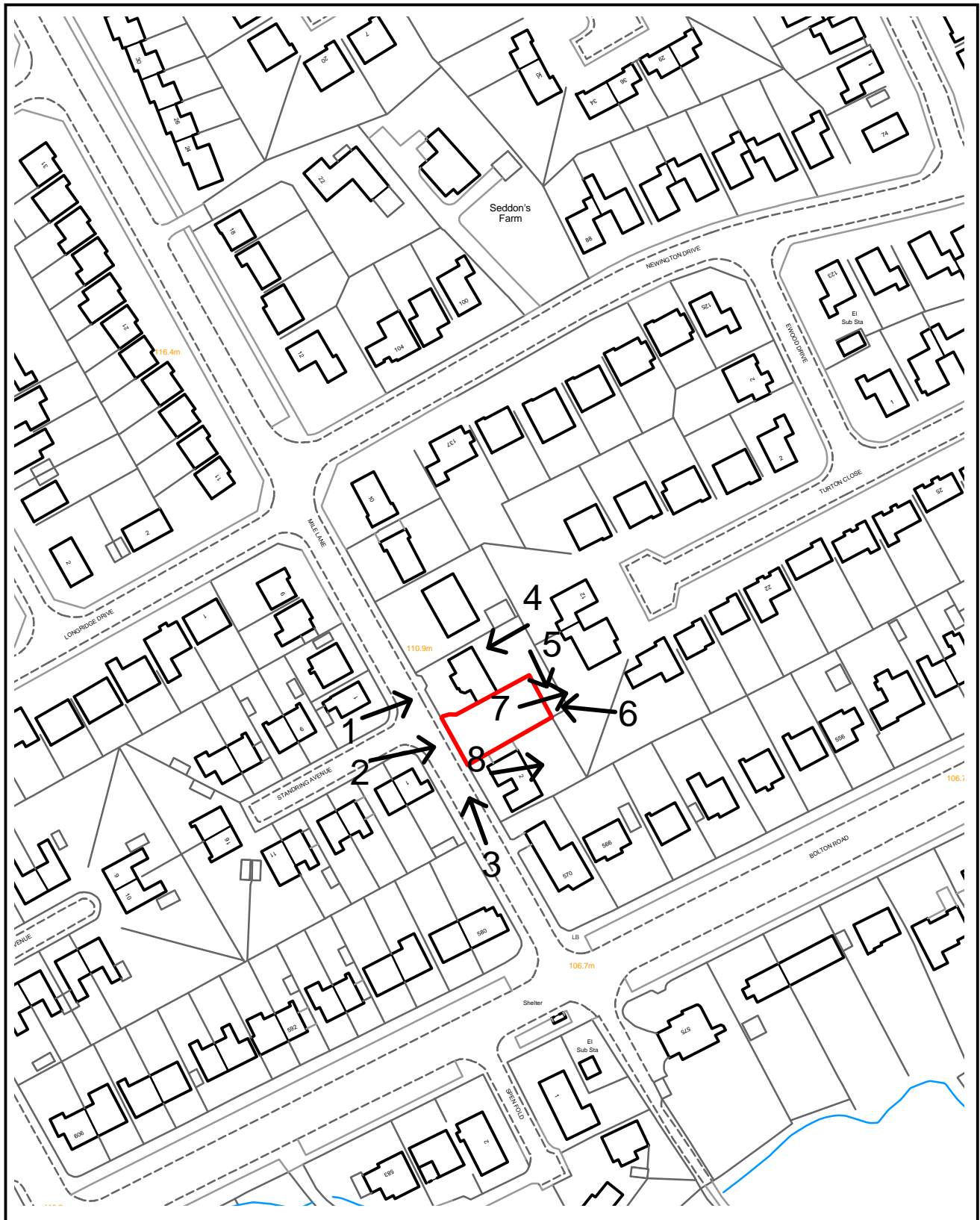
The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles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

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent classified road 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 and to ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

8. The turning facilities indicated on approved plan reference P362/05 Revision F shall be provided prior to the dwelling hereby approved being occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, H2/6 - Garden and Backland Development and HT6/2 - Pedestrian and Vehicular Conflict.
9. The car parking indicated on approved plan reference P362/05 Revision F shall be surfaced, demarcated and made available for use to the satisfaction of the Local Planning Authority prior to the dwelling hereby approved being occupied and thereafter maintained available for use at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
10. No development shall commence unless and until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented and thereafter maintained.
Reason. To promote sustainable development. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact pursuant to chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
11. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
12. Before the first occupation of the dwelling hereby approved the windows in the south (side) elevation shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/1 - The Form of New Residential Development and H2/6 - Garden and Backland Development of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61286

ADDRESS: Land at 4 Mile Lane
Bury

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

61286

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6

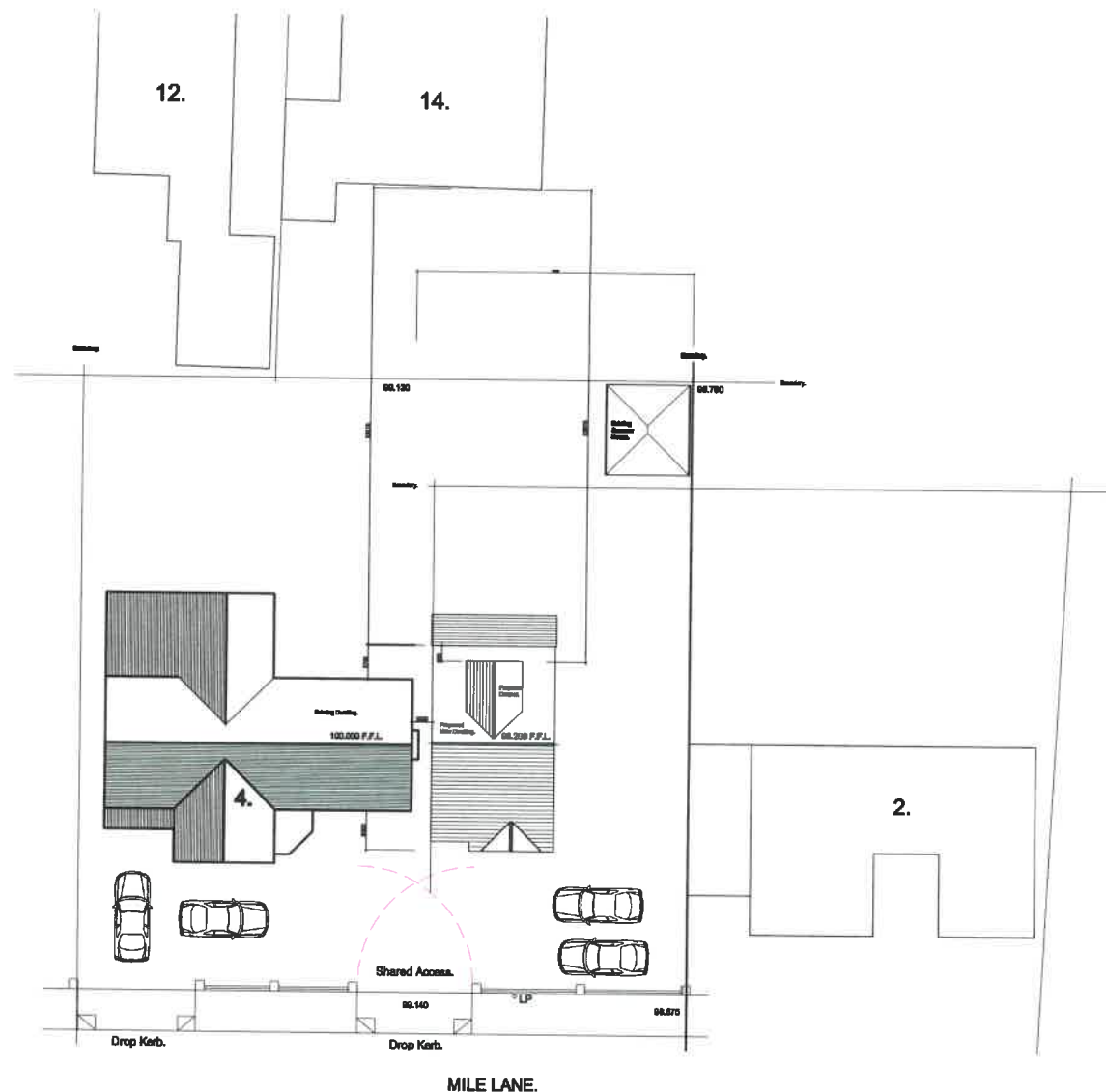


Photo 7



Photo 8





PROPOSED SITE PLAN.

Revisions

- A - Site Levels Added. - 22nd July 2016.
- B - Amended Footprint. - 8th September 2016.
- C - Drop Kerb Added. - 18th September 2016.
- D - Access from Mile Lane Amended. - 22nd September 2016.
- E - Access from Mile Lane Amended. - 27th September 2016.
- F - Roof Amended. - 1st June 2017.

Title:
PROPOSED NEW DWELLING.

Project:
LAND ADJACENT TO 4, MILE LANE,
BURY.
BL8 2DS

MTC Designs 31 Exford Drive Bolton BL3 6TB
T: 01204 416714 M: 07708028914

Scale: 1:250
Date: May 2016.

Drawing No: P362/05F

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Revision A - Roof Height Amended & Dormer Window. - 31st May 2017.
B - Front Elevation Amended. - 1st June 2017.

Title :
PROPOSED NEW DWELLING.

Project :
**LAND ADJACENT TO 4, MILE
LANE,
BURY,
BL6 2DS**

MTC Designs

91 Edward Drive Sutton BL5 9TB
T: 01204 418714 M: 0770000014
Email: info@mtcdesigns.co.uk

Scale 1:100
Date: May 2016

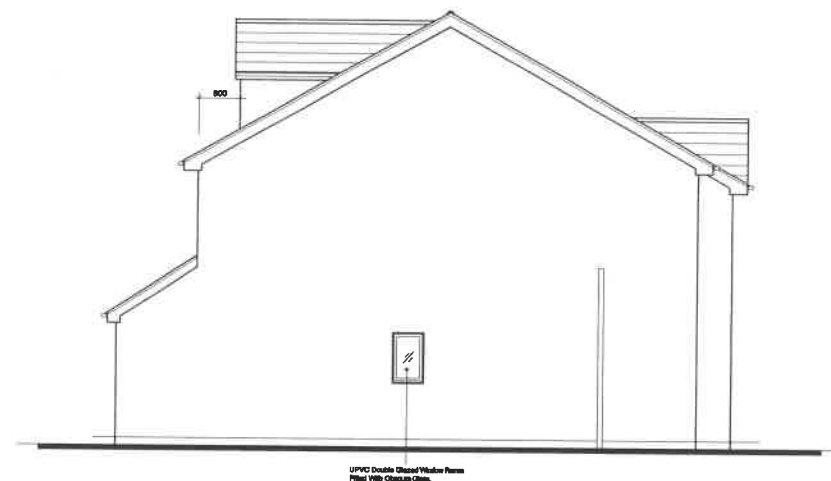
Drawing No: **P362/06E**

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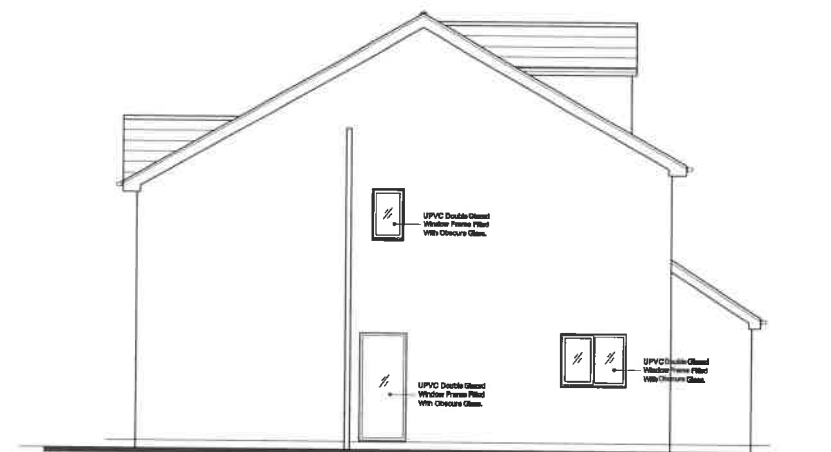
PROPOSED FRONT ELEVATION.



PROPOSED SIDE ELEVATION.



PROPOSED REAR ELEVATION.



PROPOSED SIDE ELEVATION.

Revision A - Dimension Added For Dormer. - 6th September 2016.
B - Ground Floor Windows Amended. - 2nd November 2016.
C - Roof Height Amended & Dormer Window. - 31st May 2017.
D - Front & Rear Elevations Amended. - 1st June 2017.

Title :
PROPOSED NEW DWELLING.

Project :
LAND ADJACENT TO 4, MILE
LANE,
BURY.
BL8 2DS

MTC Designs

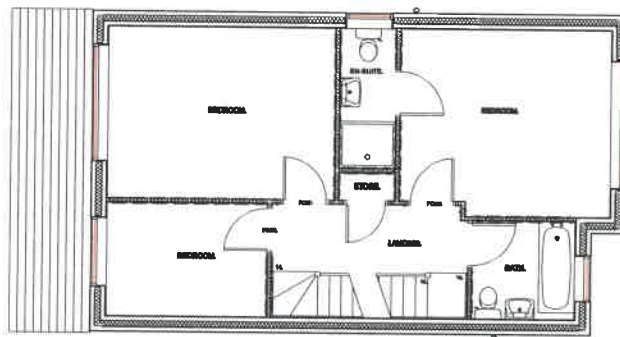
31 Bedford Drive Bolton BL2 6TB
T: 01204 498714 M: 07700288044
Email: info@mtcdesigns.co.uk

Scale 1:100
Date: May 2016

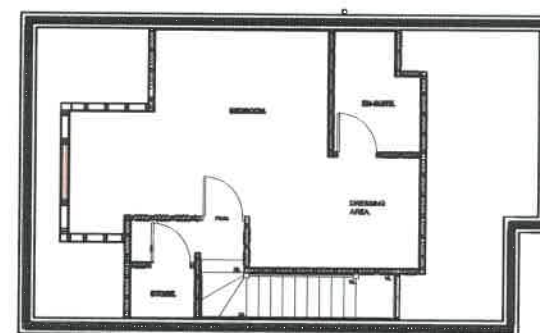
Drawing No: **P362/03**

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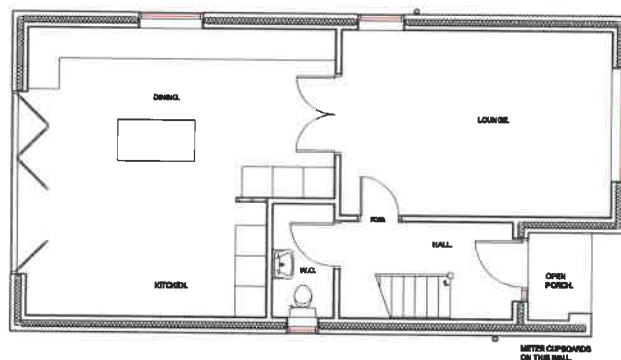
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PROPOSED FIRST FLOOR PLAN.



PROPOSED SECOND FLOOR PLAN.



PROPOSED GROUND FLOOR PLAN.

Revision A - Dormer Window Amended. - 31st May 2017.
B - Second Floor Plan Amended. - 1st June 2017.

Title:
PROPOSED NEW DWELLING.

Project:
LAND ADJACENT TO 4, MILE
LANE,
BURY.
BL8 2DS

MTC Designs

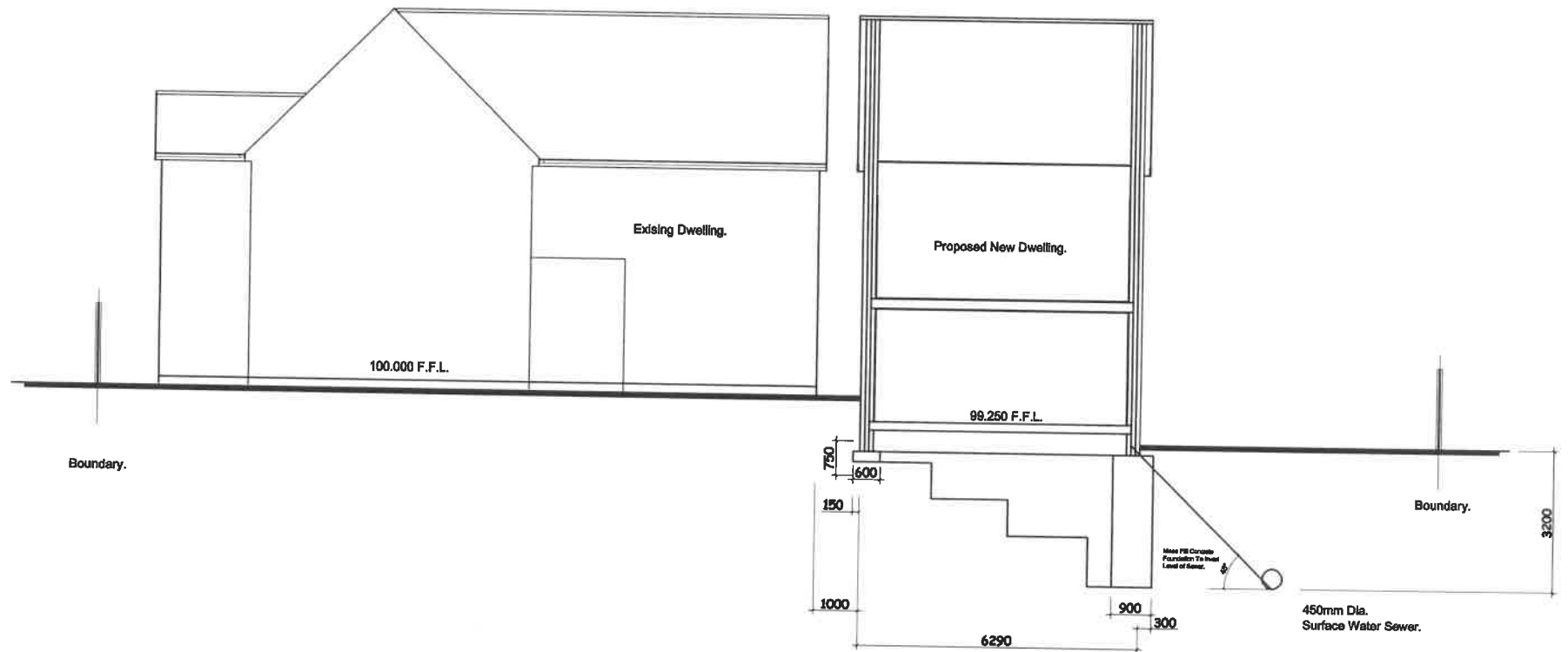
Scale 1:100
Date: May 2016

21 Richard Drive Bury BL8 2DS
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Drawing No: P362/04

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SECTION.

Revision
A - Site Levels Added. - 22nd July 2016.
B - Roof Height Amended. - 31st May 2017.

Title :
PROPOSED NEW DWELLING.

Project :
LAND ADJACENT TO 4, MILE
LANE,
BURY.
BL8 2DS

MTC Designs

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T: 01204 416714 M: 07708038514
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Scale 1:100
Date: May 2016

Drawing No: **P362/02**

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 02

Applicant: Mr B Davies

Location: Higher Tops Barn, Moor Road, Ramsbottom, Bury, BL8 4NU

Proposal: Change of use of agricultural land to horse manege

Application Ref: 61363/Full

Target Date: 15/06/2017

Recommendation: Approve with Conditions

Description

The application relates to part of a field which is within the ownership of a residential property, Higher Tops Barn. The site and surrounding area is designated within the Green Belt, West Pennine Moors and Special Landscape Area as defined in the Bury Unitary Development Plan. The site is close to, but not within the Holcombe Moor Sites of Special Scientific Interest (SSSI) and Site of Biological Importance (SBI). The area is rural and predominantly moorland, characterised by dry stone walls which separate the surrounding fields and land. The only other residential property in the immediate vicinity is Higher Tops Farm, which is directly to the north of the application site.

The site also comprises a stable block for the keeping of 3 horses by the family of Higher Tops Barn and a paddock area, which are positioned at the top of a field adjacent to Moor Road.

Access to the dwellinghouse is from Moor Road which is classified as a bridleway and unadopted.

The proposal seeks the change of use of part of the agricultural land/paddock to a manege to be used in association with the stables. The stables are set adjacent to the existing stone boundary wall which runs parallel to Moor Road and the paddock area is located directly in front of the stable block.

The proposed horse manege would be 20m x 25m, a total of 500sqm in area, which would be enclosed by a post and rail fence on all sides. Surfacing of the manege would comprise bark which would be laid to a 300mm thickness with a terram underlay, a geotextile used to separate different ground materials whilst still allowing for permeability.

There would be some cut and fill of land required to level out the site, with approximately 0.5m cut from the western area of the manege which would be filled along the eastern side. It is also proposed to plant native species hedging along the north, east and part of the southern boundary of the manege behind the fencing.

As the manege would be located directly in front of the stable block, and would be for the use by the residents of Higher Tops Barn only, there are no additional access requirements proposed from outside the site.

Relevant Planning History

55864 - Retrospective application for the change of use of land from agriculture to hardstanding for the parking of vehicles and trailers (in connection with the use of the stables at Higher Tops Barn) and retention of access track (resubmission) - 03/09/2013
01837/E - Proposed single storey extension at rear - Enquiry completed 27/05/2016
01931/E - Change of use of agricultural land to horse manege - Enquiry completed

18/01/2017

46659 - Two stables with associated tack & food store room - Approve with Conditions

05/09/2006

55296 - Retrospective application for the change of use of land from agriculture to hard standing for the parking of vehicles and trailers (In connection with the use of the stables at Higher Tops Barn) and formation of access track. - Refused 13/08/2012

55864 - Retrospective application for the change of use of land from agriculture to hardstanding for the parking of vehicles and trailers (in connection with the use of the stables at Higher Tops Barn) and retention of access track (resubmission) - Refused 25/01/2013

57685 - Erection of agricultural store and yard, entrance onto Moor Road (resubmission) - Refused 20/08/2014

58146 - Erection of agricultural Store and yard, entrance onto Moor Road - Approve with Conditions 21/01/2015

60367 - Change of surface of horse manege from grass to gravel - Withdrawn by Applicant 27/09/2016

60596 - Single storey side extension - Approve with Conditions 07/11/2016

Publicity

Letters sent to 7 properties at Lower Dickfield, Higher Dickfield, Hillcrest, Highfield House, Lower Tops Farm, all Helmsore Road and Higher Tops Farm, Harcles Hill Farm on Moor Road.

Site notice posted 1/5/2017.

One letter of objection received from Higher Tops Farm with the following issues raised:

- The development would be outside the area allowed for development as dictated by covenants within the applicant's deeds;
- The site plan does not show the true layout of the land in question and implies the access for the manege and servicing/use of it would be off Moor Road when in fact it would have to be built using access off Helmsore Road;
- The need for a manege - it is stated this is due to the poached state of the ground. Thousands of horse owners do not have the luxury of a manege and poaching is managed by a combination of stabling where available, rotation of paddocks and stocking density - any field will poach during wet conditions if used too heavily. A manege is a luxury and not a necessity;
- Scale of manege - The proposed area of the manege - 500 sq m - does not look accurately scaled on the drawing;
- Level of manege - there are no levels mentioned - the field drops away steeply and does not state if it is to be the same level as the plinth of the stables which is also raised. the area would need to be backfilled significantly - the application does not mention materials to backfill with, drains or construction of a retaining wall, or the number of wagons of materials required to access the site;
- Native species planting - has been proposed on previous applications but never implemented so why would it in this case?
- Potential alternative sites - this is no more than a paperwork exercise due to the level of the land, telecoms cable, gasoline, water culvert and proximity to the road;
- Moor Road access - this has not been agreed nor is it under discussion there is no intention of agreeing to this access whilst we still live and farm at Higher Tops;
- A suggestion is to scrap planning ref 58146 (agricultural store and yard) and put the manege where the proposed building and tarmac yard is next to the stables and plan a more modest store at the end of the site with a possible access of Moor Road away from the water courses. The road down to Helmsore Road could then be removed totally and grassed over and the access at the far end used to access the field/paddock (subject to agreement and planning approval);
- Lights/cameras - would not agree to lights, flood lights or cameras for the manege;
- Information within the application - re access point 6 - there is no authorised legal access at this time; re parking point 10 - inevitably there would be riding instructors coming to give lessons as they have previously - where would the authorised access

and parking be; re watercourses point 12 - the development would be within 20m of the watercourse/culvert contrary to the declaration;

- Outstanding planning issues and examples of issues not yet enforced - removal of the lane down to Helmsore Road (has caused the ambulance service to take this route which is dangerous); removal of the gated tarmaced yard; landscaping/planting not carried out; muck plan for the stables not done or adhered to risking pollution to the watercourse; alteration of the watercourses affecting the supply of drinking water to the Barr House Well;
- Key issues - true size of proposed manege to scale; level of the manege and appearance; access off Helmsore Road agreed with planning as the Moor Road access is not acceptable; permanent restriction on lights/cameras.

Additional plans have been received to show a section of the proposed manege and the extent of the 'cut and fill' which would be required to level off the land.

The objector was re-notified of the proposed plan on 2/6/2017.

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

Consultations

Drainage Section - No objection subject to a condition to submit drainage water proposals.

Environmental Health Contaminated Land - No comments to make on the proposal.

Traffic Section - No objection subject to a condition that there be no direct access from the manege to Helmsore Road.

Natural England - No comments received to date.

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN9/1	Special Landscape Areas
OL1	Green Belt
OL4/7	Development Involving Horses
OL7/2	West Pennine Moors
HT2	Highway Network
EN5/1	New Development and Flood Risk
EN7/3	Water Pollution
EN7/5	Waste Water Management
SPD10	Planning for Equestrian Development

Issues and Analysis

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

Proposal - The application site is located in the Green Belt on land which is part of an operational farm and is currently used as an agricultural field for keeping horses. The proposal for a small horse manege suitable for 3 horses would represent a material change of use of land from agricultural land to that of outdoor recreation and includes operational development to facilitate it.

National Planning Policy - National Green Belt Policies are contained in the NPPF and at Paragraph 87 it states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 and 90 contains advice with regard to forms of development which are not inappropriate in the

Green Belt. In accordance with recent case law, (Fordent v SSCLG (2013) and Timmins (2014)), it is viewed that material changes of use of land do not fall within the closed lists of paragraphs 89 and 90 and therefore the proposal is judged to represent inappropriate development in the Green Belt.

The applicant is therefore required to submit a case for Very Special Circumstances in accordance with the NPPF which, according to Paragraph 88, will not exist unless the potential harm to the Green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The Applicant's case for Very Special Circumstances -

- The need for the manege is based on animal husbandry and the need to exercise horses, the health of which is threatened by poor ground conditions leading to soil erosion made worse by wet weather. A view which is supported by a professional horse farrier;
- The use of the land for outdoor recreation is otherwise acceptable in Green Belt terms and would not conflict with the purposes of including land within the Green Belt;
- The location of the site is the most appropriate in terms of impact on openness and character of the Green belt when judged against alternative sites considered;
- The size and scale of the manege would be appropriate to the site;
- Any harm caused would be minimised by the introduction of appropriate materials, fencing and landscaping which would meet local policy requirements.

In summary, the Applicant states that the weight of any perceived harm to the Green Belt would be clearly outweighed by reasons for the need, appropriateness of the scale and siting of the manege. The proposed bark surfacing, landscaping scheme, and boundary fence would assist in mitigating harm and impact which may be caused to the openness of the Green Belt.

It is judged that the Very Special Circumstances put forward by the Applicant exist and it is considered the development would therefore be acceptable and accord with Green Belt policy.

Local Planning Policy - UDP Policy OL1 - Designation of Green Belts operates development control policies over the Green Belt as delineated on the proposals map.

OL4/5 - Agricultural Development - Development, building or structures which require planning permission will be permitted providing they are sited and designed in such a manner as to minimise their visual impact on the landscape having regard to height, materials, landform and landscaping; relate well to existing buildings and not have an unacceptable impact on the amenity of the neighbouring dwellings.

OL7/2 - West Pennine Moors - The Council will control development and manage recreational activity and public access, so as to reduce any possible detrimental effects this may have on the important character of the area. Implementation will not only focus on the control of development and the management of recreation and public access, but also measures to enhance the environment.

EN9/1 - Special Landscape Areas - Any development which is permitted will be strictly controlled and required to be sympathetic to its surroundings in terms of visual impact. High standards of design, siting and landscaping will be expected. Unobtrusive development will not be permitted in such areas.

SPD 10 - Planning for Equestrian Development advise emphasises a high standard of design, construction and maintenance of development involving horses. The guidance requires a manege to be:

- Typical size no more than 40 x 20 m;
- Location and siting as inconspicuous as possible, siting close to corners of paddocks

- and boundaries;
- Proposed surfacing to be as visually inconspicuous as possible, with the use of bark or chippings less likely to have a visual impact, and especially where a site is more exposed;
- Post or rail fencing or similar recommended to minimise visual harm.

It is considered that the manege would meet local planning policy and planning policy guidance as it is proposed to be 20 x 25 metres, the surfacing would be bark, and the manege bounded by post and rail fencing and landscaping. The applicant has also submitted evidence which satisfactorily demonstrates that the proposed location of the site would cause least harm to the openness and character of the Green Belt when compared to alternative locations which were considered and rejected, being more conspicuous and not located close to existing buildings or boundaries.

As such, the proposed manege is considered to comply with the requirements of national planning policy, local planning policies OL4/5, OL7/2, EN9/1 and guidance of SPD10.

Impact on the surrounding area - The manege would be sited at the top of the field. This area of land is not level and slopes from west to east. This would require some cut and fill works, which would reduce the level of the land by approximately 0.5m at the most westerly point and raise the land by the same amount to the eastern side of the manege. As the development site is elevated above the land to the east and at a higher level to the road at the bottom, the siting of the manege would not be immediately perceptible from this viewpoint and it is considered that the operation to cut and fill would not cause a significant increase in land levels overall to be a conspicuous addition on the landscape, especially when viewed from the Helmsore Road direction.

The proposals to incorporate planting/hedging around the perimeter would also mitigate views of the manege, as would a bark surfacing which would give the impression similar to that of a ploughed field from more long range views.

When viewed from the north and south, the site would be partly screened by the existing dry stone wall which runs along the length of Moor Road to form the boundary of Higher Tops Barn and the adjacent property, Higher Tops Farm. The site would also be set behind the stable block and close to an area of hardstanding which is used as a yard and granted permission for the parking of a tractor vehicle and trailer which are used in conjunction with the agricultural holding.

The change of the existing grass and soli surfacing to a bark finish would not have a dissimilar appearance to that of a field, especially a grassed field which could be regularly used and 'churned up' by horses, particularly in wet conditions.

Details of landscaping to the boundary of the proposed manege would be required by way of a condition. The post and rail fence would be conditioned to be erected prior to the use of the manege commencing.

As such, the proposed development is considered to be acceptable and would not conflict with UDP Policies OL4/5, OL7/2 and SPD10 and the principles of the NPPF.

Access - The applicant has clarified that there would be no additional access requirements or changes to existing accesses involved. The manege would be for the private use of the applicant and in association with their horses which are stabled within the grounds of their property.

Drainage - The proposals involve a levelling of the land and as such should retain more surface water run-off within the site than the existing topography currently allows. As such, the Drainage Engineer has raised no objection to the proposed development and advises that details of surface water drainage proposals be submitted for approval for clarification for the treatment of water run-off.

Response to objector

- Ownership and access to the development are private matters and not material planning considerations. The Applicant has signed the correct certification to state that the manege would be wholly on land in their ownership, as demonstrated in the red edge and blue edged plans, and as there are no proposals for access from outside the site, appropriate certification for this application has been submitted.
- The manege would serve the existing stable block which is sited within the applicant's land and adjacent to the proposed manege. There are no proposals involving any additional accesses.
- The Applicant has put forward a case for the need for the development which has been accepted.
- The manege would cover an area of 500 sqm which scales correctly off the proposed plan.
- A cut and fill and topographical survey has been submitted with existing and proposed levels.
- No additional drains or construction of a retaining wall are proposed, and would not be required for the scale or type of development.
- The proposed landscaping would be required as a condition of the application.
- A sequential approach to alternative sites has been put forward and accepted.
- The planning permission reference 58146 for the proposed store building, yard and access is not under consideration in this application.
- There are no proposals for lighting or cameras.
- All other issues have been considered 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 - Location Plan H103 revision 3 dated 30/1/17; Site master plan H103B revision 5 dated 1/6/17; Assessment of Alternative Sites and Photographs H103 dated 30/1/17; Cut and Fill C&F plan 01 revision 1; Topographical existing H103 revision 4 dated 26/5/17; Topographical data Proposed H103 revision 4 dated 26/5/17; Design and Access Statement February 2017; Addendum - Very Special Circumstances Statement dated 1/6/2017 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 surface water drainage

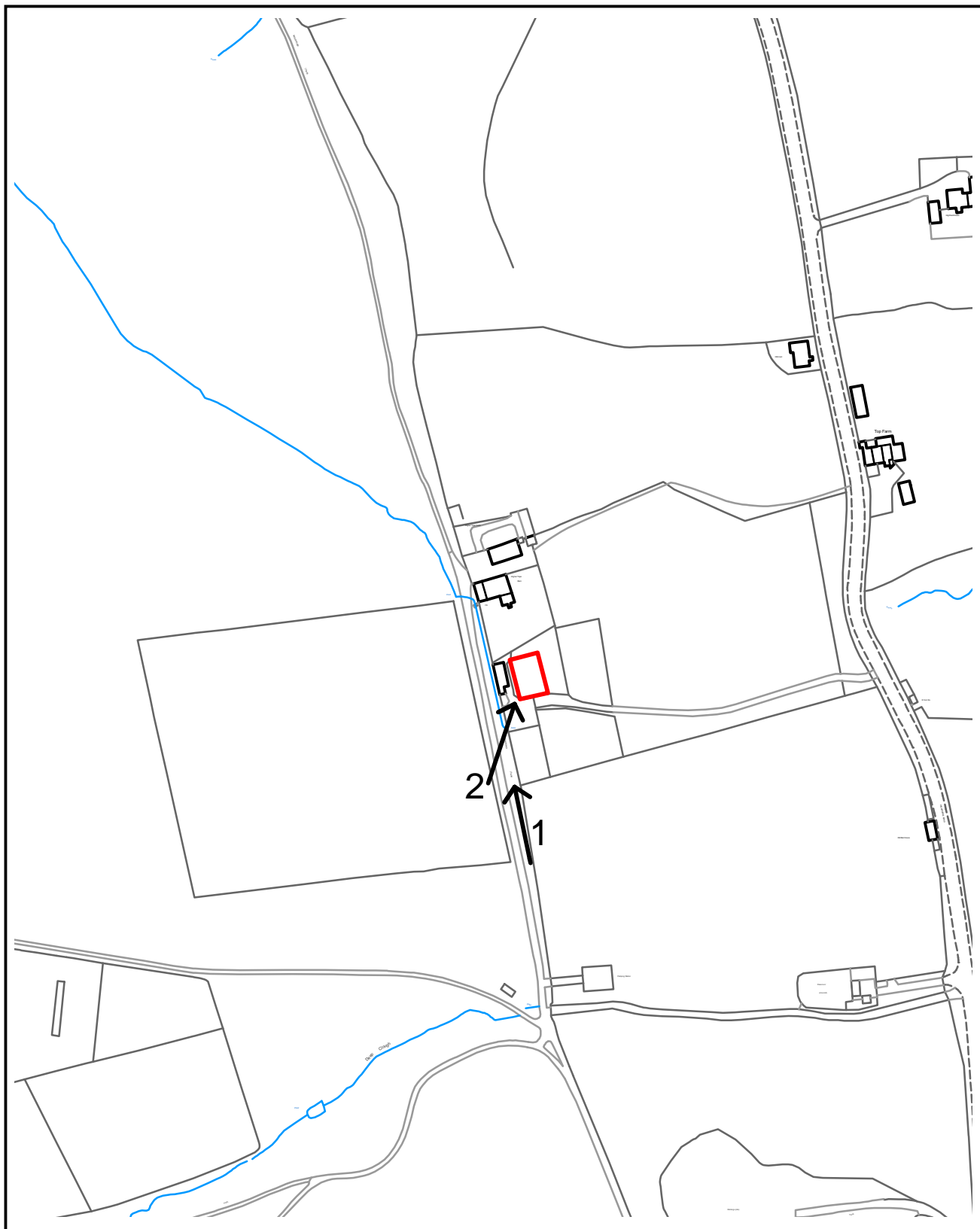
proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (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 prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

4. The manege hereby approved shall be removed from site and the ground reinstated to its former use and surfacing within 6 months of it ceasing operation.
Reason: In the interests of the visual amenity pursuant to Policies OL4/7 - Development Involving Horses of the Bury Unitary Development Plan, SPD10 - Planning for Equestrian Development – New Buildings in the Green Belt and chapter 9 - Protecting Green Belt land of the NPPF.
5. There shall be no direct means of vehicular access between the horse manege and Helmsore Road.
Reason. To ensure good highway design in the interests of road safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, HT2 - Highway Network and Supplementary Planning Document 10 - Planning for Equestrian Development.
6. No development shall commence unless and until details of the proposed landscaping, to include native species and the management of the landscaping thereafter, has been submitted to, and approved in writing by, the Local Planning Authority. It shall be implemented prior to the use hereby approved commencing. The approved landscaping scheme shall thereafter be maintained for as long as the development hereby approved is in continued use.
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, OL4/7 - Development Involving Horses and EN9/1 - Special Landscape Areas of the Bury Unitary Development Plan and SPD10 - Planning for Equestrian Development.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61363

**ADDRESS: Higher Tops Barn, Moor Road
Ramsbottom**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

61363

Photo 1

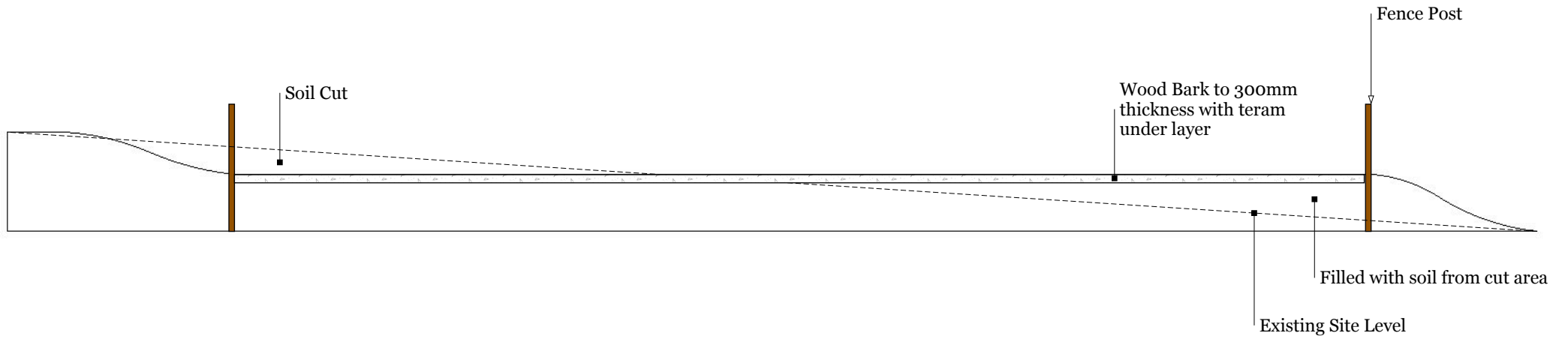


Photo 2





Site Master Plan	Drawings by DF Rural Management		REVISIONS	
	The Innovation Centre		MM/DD/YY	
	Daresbury		REMARKS	
	Cheshire		1	14/06/2016
	Higher Tops Barn, Proposed Horse Paddock Surface		2	13/01/2017
			3	30/01/2017
			4	19/05/2017
			5	01/06/2017



Cut & Fill Plan	Scale 1:100	REVISIONS		C&F 01
		MM/DD/YY	REMARKS	
Horse Mange, Higher Tops Barn, Moor Road		1	26/5/2017	As requested by planning officer
		2	--/--/--	...
		3	--/--/--	...
		4	--/--/--	...
		5	--/--/--	...



Production Date: 07 Jun 2017

Scale 2500 *when printed at A4*

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Notes

Ward: Radcliffe - North

Item 03

Applicant: Bellway Homes Limited (Manchester Division)

Location: Land off Salisbury Road, Radcliffe, Manchester, M26 4WG

Proposal: Material amendment following grant of planning permission 58233 for residential development for 86 dwellings and associated infrastructure:
Retrospective increases to finished floor levels to plots 76 - 85 and decrease to finished floor levels to plot 86

Application Ref: 61391/Full

Target Date: 05/07/2017

Recommendation: Approve with Conditions

Description

The site was vacant and last in use as a railway line cutting before planning consent was granted for 86 dwellings. The site is accessed from Leander Close and there is a vehicular access along Wilton Lane, although this is in a different ownership. There is a public right of way adjacent to the site, which connects Leander Close to Stanley Road.

There are residential properties to the east and south of the site. There are open fields and a farm to the north and an recreational route to the west.

Planning permission was granted for the erection of 86 dwellings in July 2015. The proposed dwellings would be two storeys in height and would be constructed from a mix of red brick and render with timber detailing and a tile roof. Vehicular access would be taken from leander Close and the proposed development would connect to the existing recreational routes on Wilton Lane, Station Close and the route at the western point of the site. Works are underway on site and some of the dwellings have been occupied.

The proposed development seeks to vary the approved plans condition to vary the finished floor levels of plots 76 - 86. The finished floor level of plot 86 would be lowered by 0.27 metres and the finished floor level to plots 76 to 85 would be increased in height as follows:

76 - 0.17 metre
77 - 0.18 metre
78 - 0.03 metre
79 - 0.03 metre
80 - 0.01 metre (1 centimetre)
81 - 0.19 metre
82 - 0.39 metre
83 - 0.39 metre
84 - 0.26 metre
85 - 0.28 metre

Relevant Planning History

31304 - Erection of farmhouse, barn, stables together with landscaping operations at land adjacent to Ainsworth Road/Salisbury Road, Radcliffe. Approved with conditions - 6 November 1995.

33052 - Erection of bungalow at land off Salisbury Road, Radcliffe. Approved with conditions - 18 December 1997.

33789 - Erection of farm implement shed at land off Salisbury Road, Radcliffe. Approved with conditions - 5 July 2000.

38830 - Resiting of detached garage at 8 Leander Close, Radcliffe. Refused - 30 July 2002

39745 - Detached garage (Amended siting) at 8 Leander Close, Radcliffe. Approved with conditions - 24 October 2002.

43107 - Removal of condition 5 on planning permission 33052/97 at land off Salisbury Road, Radcliffe. Approved - 27 September 2004.

43207 - Re-siting of approved car park (31304/95) at land adjacent to Ainsworth Road & Salisbury Road, Radcliffe. Approved with conditions - 6 October 2004.

56712 - Importation and re-use of inert material to create a level site to facilitate development at land adjacent to Station Close, Radcliffe. Approved with conditions - 17 December 2013.

57224 - Erection of 11 no. detached dwellings with access road and demolition of bridge structure (resubmission) at land adjacent to 41 Station Close, Radcliffe. Approved with conditions - 23 October 2015.

58233 - Residential development for 86 dwellings and associated infrastructure at land off Salisbury Road, Radcliffe. Approved with conditions - 9 July 2015.

Publicity

The neighbouring properties were notified by means of a letter on 12 May 2017.

4 letters have been received from the occupiers of 62A, 100, 120, 134A Salisbury Road, which have raised the following issues:

- The increased height has resulted in an increase to the height of the nature strip. This has rendered the fences of the adjoining houses a security risk causing both police and council involvement. Crime no 1126221717. BURY MBC CASE 2738694.
- The builder has shown scant regard for the residents of Salisbury Road and indeed the planning department.
- The build was unsympathetic to the properties on Salisbury Road in its original form so to find the builder has been even more obtrusive is very annoying.
- Since demolition of the properties and a correct rebuild is about as likely as unicorns moving in, compensation should be paid to the residents affected to reflect the builders incompetence.
- This permission should not be granted retrospectively as it has had a detrimental effect which the residents of Salisbury Road have to endure. It should also be noted that all attempts to discuss these matters with the builder and Bury MBC have been completely ignored and that includes THIS OFFICE!
- The houses tower over the bungalows and they are close to the existing buildings.
- There is a legal distance that planners allow and they should not be overlooking peoples bedrooms and should be built at an angle.
- How do big builders get away with this, but small builders don't. Got a feeling this will be ignored.
- When they finally finish the Council should make Bellway re-surface Salisbury Road, which is crumbling away.
- What does de minimus mean?

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

Consultations

Drainage Section - Comments awaited.

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
H4/1	Affordable Housing
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN1/6	Public Art
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/1	Tree Preservation Orders
EN8/2	Woodland and Tree Planting
EN8/3	Red Rose Forest
OL1/2	New Buildings in the Green Belt
OL1/5	Mineral Extraction and Other Development in the Green Belt
OL7/1	East Lancashire Paper Mill Water Catchment Area
RT2/2	Recreation Provision in New Housing Development
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
HT6/3	Cycle Routes
SPD1	Open Space, Sport and Recreation Provision
SPD2	DC Policy Guidance Note 2: Wildlife Links & Corridors
SPD4	DC Policy Guidance Note 4: Percent for Art
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD 9	Conversion and Re-use of Buildings in the Green Belt
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development 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.

Design and layout - The position of the proposed dwellings within the site have not been amended and as such, the design and external appearance of the proposed dwellings would be acceptable. The proposed development would result in the finished floor levels being raised by between 0.01 metre to 0.39 metre. The proposed increase would equate to little more than a foot and would not be perceptible to the streetscene. Therefore, the proposed development would not be a prominent feature within the streetscene and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards and as such, is a useful guide in this instance. The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows and 13 metres between a

habitable room window and a two storey blank wall.

The proposed development would result in an increase to the finished floor levels of between 0.01 and 0.39 metre. This would be below the 2.5 metre difference in levels noted within the SPD that would result in an addition 3 metres being added to the aspect standard and would equate to 23 metres.

There would be a minimum of 23 metres between the proposed dwellings and the rear of the properties on Salisbury Road, which would be in excess of the 20 metre aspect standard. Therefore, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties.

Response to objectors

- The issues relating to design, streetscene, aspect standards and impact upon residential amenity has been addressed in the main report.
- The proposed development does not result in any changes to the nature strip.
- All enforcement queries have been investigated and the complainants updated.

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 BHM012-10 0, BH/MAN/ENG/SR1/AB01, ELL-367-BW-C-DR-00-999 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 remediation strategy approved as part of condition 3 of permission 58233 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.
4. 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.

5. 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.

6. The materials for the proposed development shall be:

Brick - Hanson woodside mixture
Tile - marley modern grey tile
Rainwater - black upvc
Fascia/barge boards - black
Front doors - black
Rear doors - white
Garage doors - black painted steel
Windows - white

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.

7. No development shall commence unless or until details of surface water drainage aspects, including an assessment of potential SuDS options for surface water drainage with calculations to support the chosen solution, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and be available for use before first occupation of the dwellings hereby approved.

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

8. In relation to each individual plot, the car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwellings hereby approved being occupied.

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.

9. The scheme for the provision of bat boxes, approved as part of condition 10 of

permission 58233 shall be implemented in full.

Reason - To maintain and enhance the biodiversity value of the site pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

10. The landscaping scheme hereby approved shall be implemented not later than 12 months from the date the last dwelling is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
11. The details approved as part of condition 12 of permission 58233 shall be implemented in full to the agreed programme.
Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.
12. The scheme for traffic calming measures and phasing details approved as part of condition 13 of permission 58233 shall be implemented in accordance with the timetable for implementation (also approved as part of condition 13 of permission 58233).
Reason. To mitigate the impact of the traffic generated by the proposed development on the adjacent residential streets, in the interest of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.
13. The Construction Traffic Management Plan (CTMP) approved as part of condition 14 of permission 58233 shall be adhered to throughout the construction period.
Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, in the interest of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.
14. The visibility splays, forward visibility envelopes and pedestrian visibility splays at the back edge of the footway indicated on approved plan references PB2617/SK009 Revision A and BHM012/01 Revision L shall be implemented before the relevant parts of the development in which they are located are first occupied and subsequently maintained free of obstruction above the height of 0.6m.
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.
15. The turning facilities on the proposed adopted highways and private driveways indicated on approved plan reference BHM012/01 Revision L shall be provided before the areas of the development to which they relate are first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

17. Minimum hardstandings lengths of 5.5m measured between the highway boundary and any proposed garage doors or 5.0m at dwellings without garages shall be provided and thereafter maintained.

Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of pedestrian safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

18. No development shall commence unless or until the measures identified in the Reasonable Avoidance Measures (RAMS) Method Statement, received on 20 April 2015 have been implemented and all measures shall remain in situ until the development hereby approved has been completed.

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

19. No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year.

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.

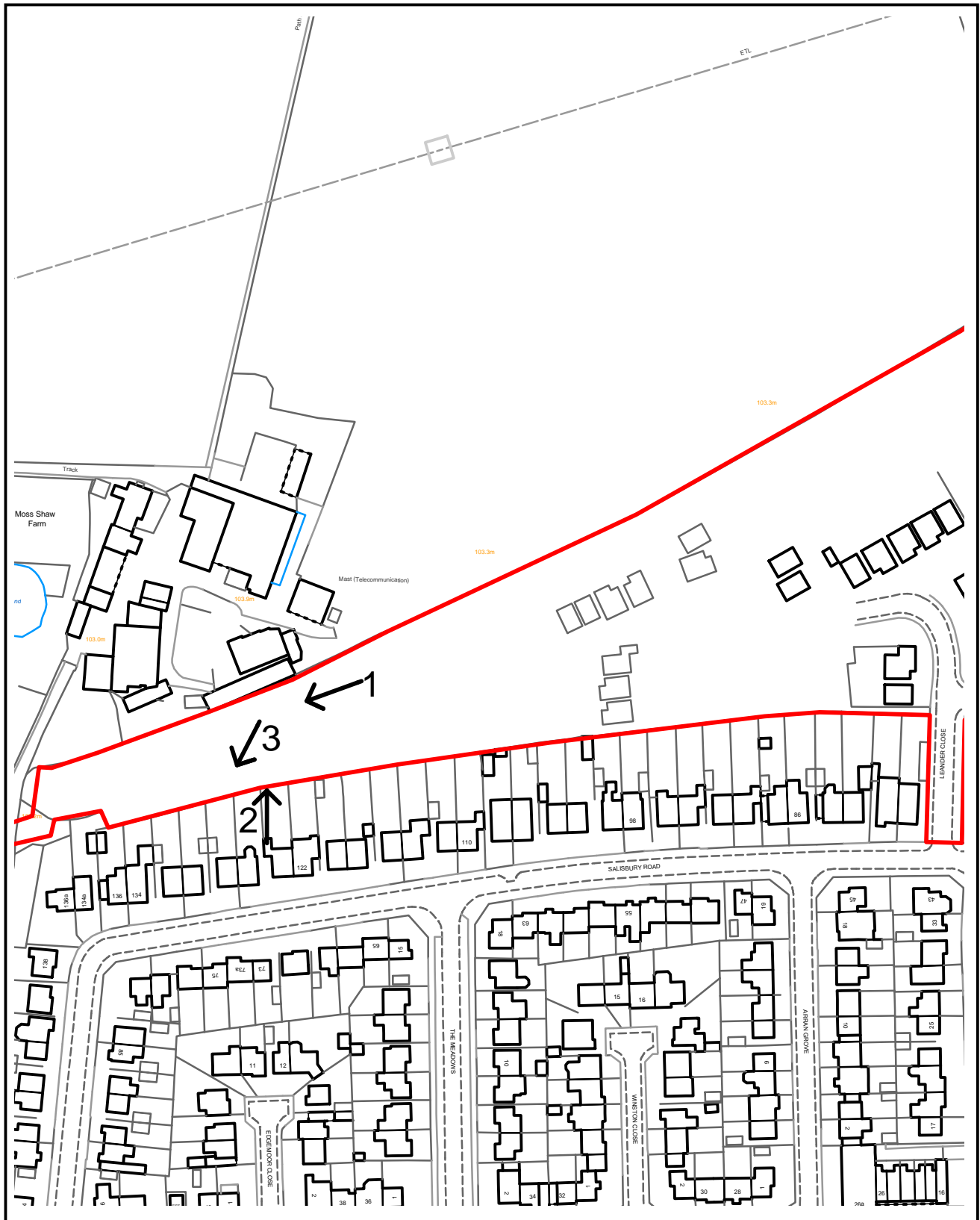
20. The scheme for the eradication and/or control of Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) approved as part of condition 22 of permission 58233 shall be implemented in accordance with the approved timetable. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

Reason. To ensure that the site is free from Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

21. The detailed landscaping plan approved as part of condition 23 of permission 58233 shall be implemented not later than 12 months from the date the final dwelling to be constructed 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.

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61391

**ADDRESS: Land off Salisbury Road
Radcliffe**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

61391

Photo 1



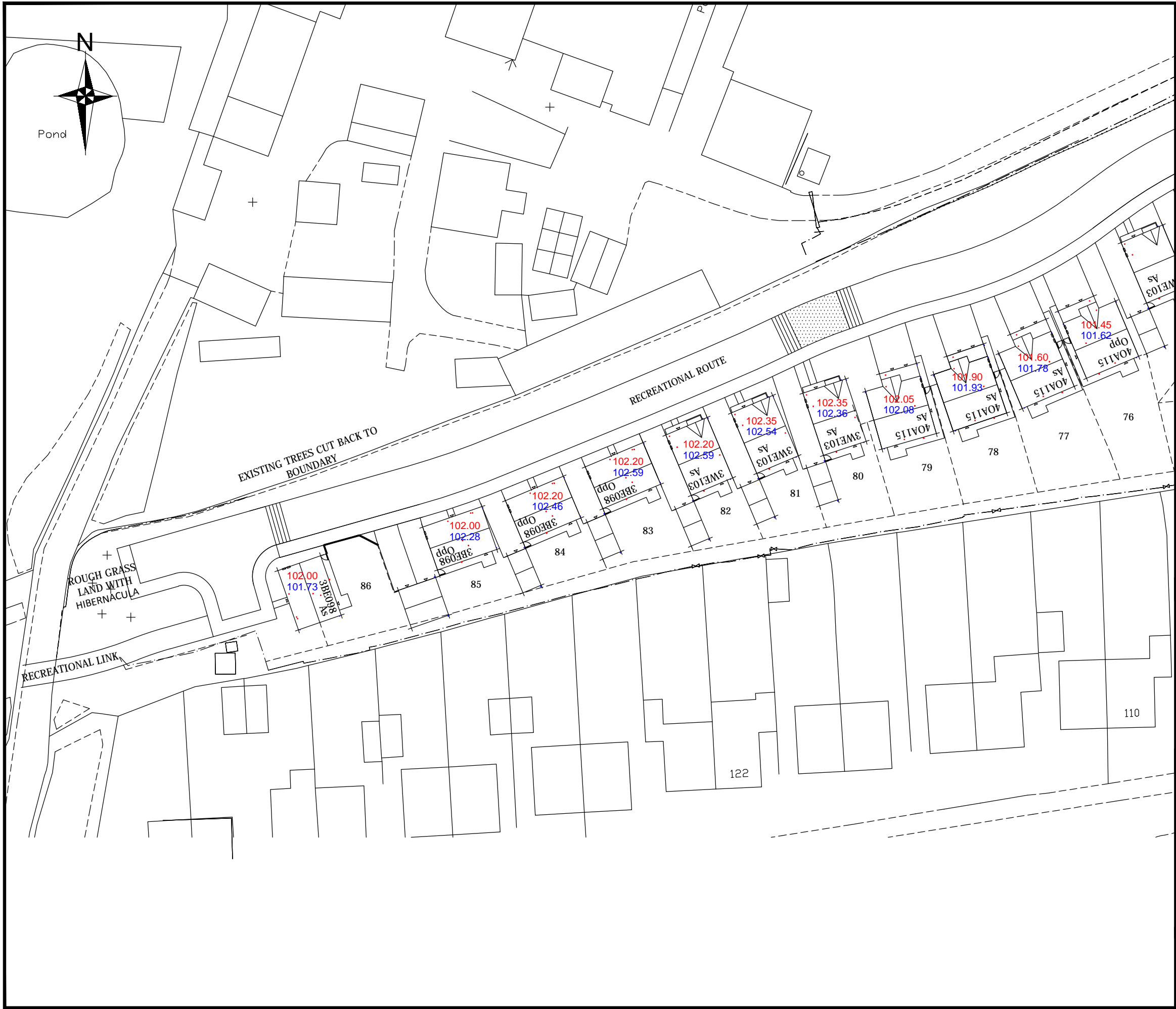
Photo 2



61391

Photo 3





NOTES

1. No dimensions are to be measured from this drawing.

LEGEND

- 101.45 Approved FFL
101.62 As-Built FFL

Rev.	Date	Amendment	Chkd

Bellway

(Manchester)

(a member of Bellway Plc Group of Companies)

Bellway Homes Ltd
304 Bridgewater Place, Birchwood Park
Warrington, WA3 6XG
Tel: 01925 846700 Fax: 01925 846718

Project
**SALISBURY FIELDS
RADCLIFFE**

Subject
AS-BUILT SLAB LEVELS

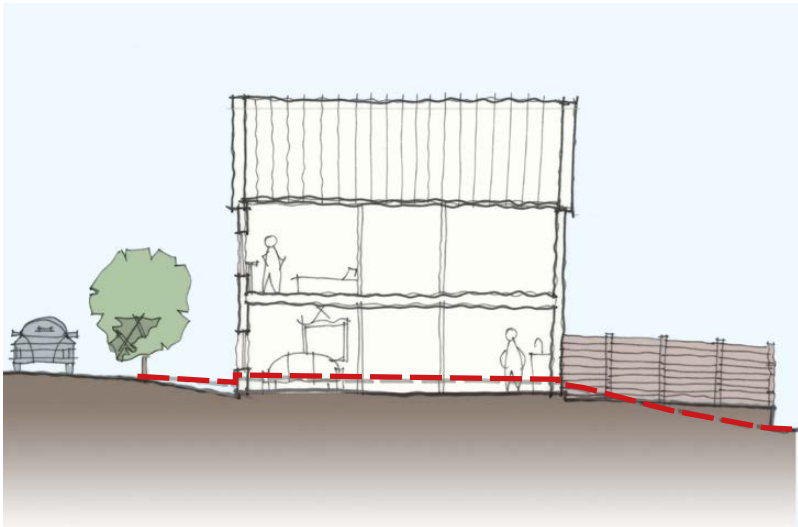
Scale 1:500	Date 28/03/17	Drawn PJJ	Checked
Drawing No. BH/MAN/ENG/SR1/AB01	Revision -		

Note
All specifications, materials and workmanship to be in accordance with current NHBC and Building Regulations. Main drainage to comply with Sewers for Adoption current edition. Highways to be in accordance with Local Authority specification. Do not scale from this drawing. All dimensions to be verified with the drawing office.

Original Sheet Size A3 Do Not Scale From This Drawing

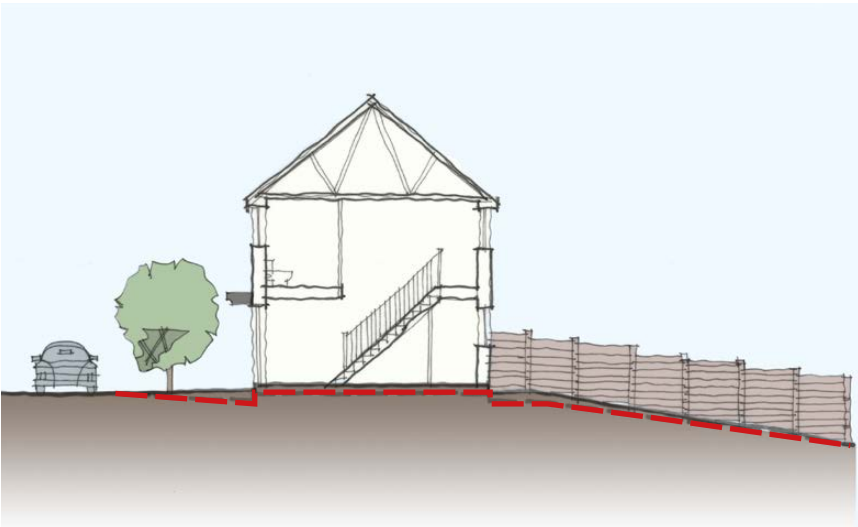
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Section A-A



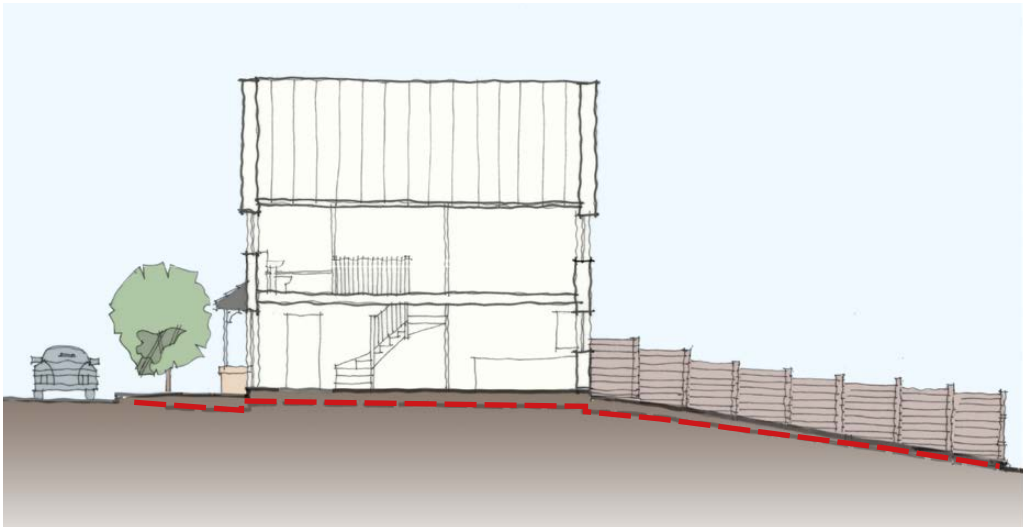
Levels as approved

Section B-B

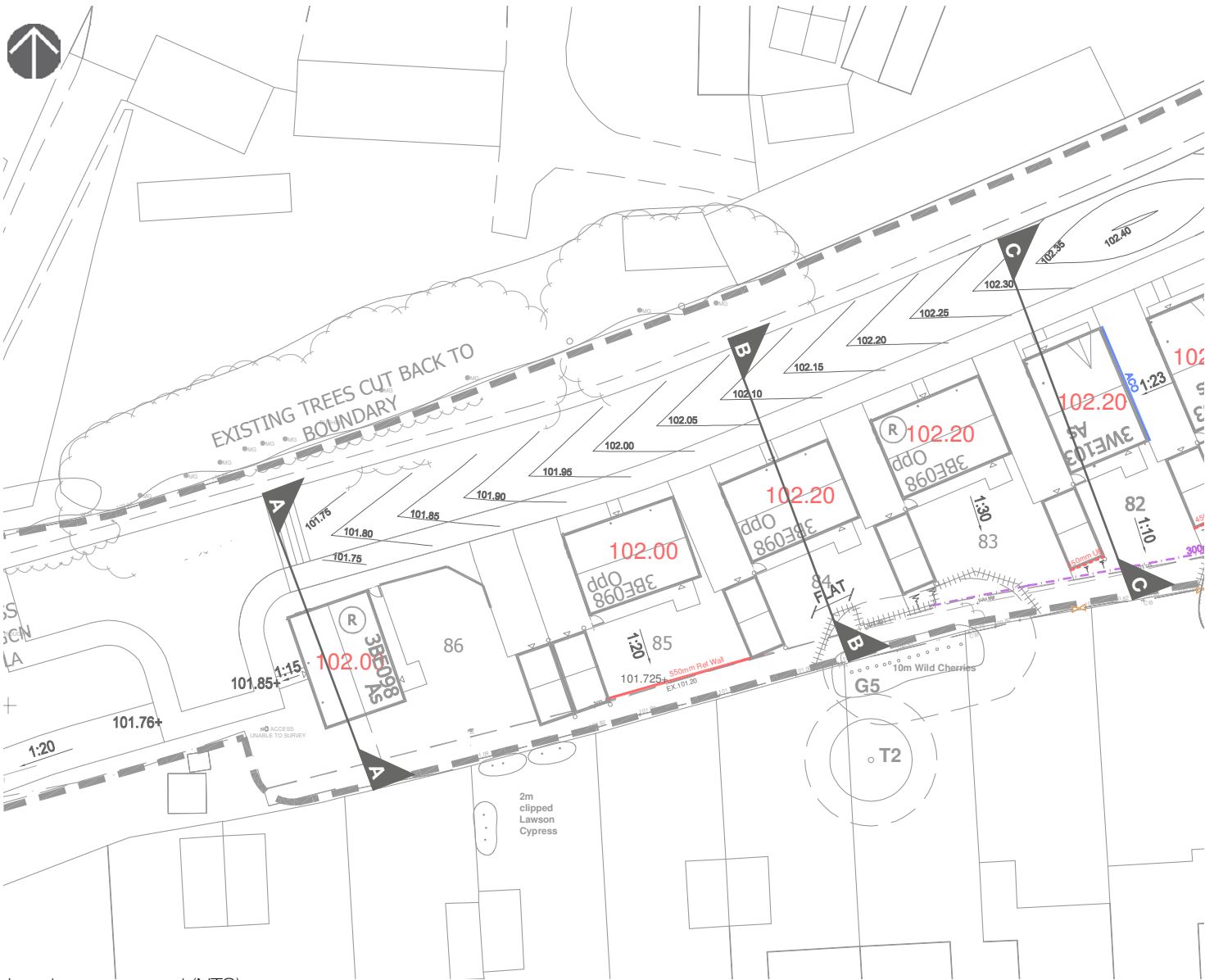


Levels as approved

Section C-C



Levels as approved



Levels as approved (NTS)



Levels as built (NTS)

ILLUSTRATIVE SECTIONS

Ward: Bury East - Redvales

Item 04

Applicant: Weidenbaum Pension Trust

Location: Pilot Mill, Alfred Street, Bury, BL9 7EJ

Proposal: Erection of 6 no. industrial/warehouse units (Classes B1/B2/B8)

Application Ref: 61447/Full

Target Date: 03/08/2017

Recommendation: Approve with Conditions

Description

The site contains a 5 storey mill, which is currently in use for industrial, retail and leisure uses. The mill is located on the northern part of the site and there is a servicing yard and car park to the south. The site is accessed from Alfred Street. There is 2 metre high paladin fence on the frontage to the site and a timber acoustic fence along the southern boundary which varied between 2 and 3 metres in height.

There are residential properties to the north, south and west of the site. There is a public footpath to the east with the River Irwell beyond.

Planning permission (59162) was granted in January 2016 for the erection of a single building containing 4 industrial/warehouse units (Class B1/B2/B8) at the site.

The proposed development would involve the erection of a single building (same size as application 59162), which would be split into 6 units (B1/B2/B8). As per the previous approval the proposed units would be located in the southwestern corner of the site and would be attached to the existing building. The proposed units would be accessed from Alfred Street. The proposed parking area spaces would lead to a tarmac access road around the perimeter of the site.

Relevant Planning History

41468 - Outline - single storey warehouse (Class B8) and amended layout of existing parking and servicing area at land at Pilot Works, Alfred Street, Bury. Approved with conditions - 17 December 2003.

59162 - Erection of 4 no. industrial/warehouse units (Classes B1/B2/B8) at Pilot Mill, Alfred Street, Bury. Approved with conditions - 29 January 2016.

Adjacent site

46495 - Outline application - residential development at land at Pilot Mill, Alfred Street, Bury. Approved with conditions - 27 September 2006.

49229 - Residential development - 70 dwellings at land at Pilot Mill, Alfred Street, Bury. Approved with conditions - 20 May 2008

51576 - Residential development - 50 dwellings, access roads, car parking, fencing and associated landscaping (resubmission) at land adjacent to Pilot Mill, Alfred Street, Bury. Approved with conditions - 27 October 2009.

Publicity

The neighbouring properties were notified by means of a letter on 4 May 2017 and a press notice was published in the Bury Times on 11 May 2017. Site notices were posted on 5 May 2017.

1 letter has been received from the occupiers of 3 Greenside Chase, which has raised the following issues:

- Object to the proposal as 6 extra units would significantly increase traffic and associated noise of visitors and deliveries.
- The building would be visible from my property and would be an eyesore.

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

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to construction traffic management plan, measures to prevent mud from passing onto the highway, car parking and turning and servicing facilities.

Drainage Section - Comments awaited.

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

Environmental Health - Air Quality - No objections.

Environmental Health - Commercial Section - Comments awaited.

Environment Agency - Comments awaited.

United Utilities - No objections, subject to the inclusion of conditions relating to foul and surface water drainage.

Environmental Health Pollution Control - Comments awaited.

Unitary Development Plan and Policies

EC2/2	Employment Land and Premises
EC3/1	Measures to Improve Industrial Areas
EC4/1	Small Businesses
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
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
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
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 EC2/2 states that the Council will seek the retention of existing employment land and premises outside the Employment Generating Areas except where it can be demonstrated that an existing employment site or premises is no longer suited to continued employment use. In such circumstances consideration will be given to alternative development providing it does not conflict with the character of the surrounding area and other policies and proposals of the plan.

Policy EC3/1 states that the Council will be especially concerned with improving older industrial areas and premises, and will encourage and, where appropriate, implement measures to:

- improve the condition and appearance of buildings;
- improve access, servicing and car parking arrangements;
- bring into use derelict and vacant land;
- facilitate the re-use of vacant buildings and floorspace;
- improve the visual appearance and environment of the area;
- promote the introduction of new industrial development;
- promote good standards of design in all developments.

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

The proposed development would involve the erection of 6 smaller industrial buildings on a vacant area of land adjacent to the existing mill building. The proposed units would be used for B1, B2 or B8 purposes and would be acceptable in principle. The proposed units would create starter units for small businesses on the vacant servicing area and would bring that area of land into use. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policies EC2/2, EC3/1 and EC4/1 of the Bury Unitary Development Plan.

Design and layout - The proposed development would be located to the south east of the existing building and would be of a design typical of industrial buildings. The proposed development would be constructed from metal cladding, which would be acceptable. The proposed development would be 8.7metres in height at the highest point, which would be less than half the height of the existing building. As such, the proposed development would be appropriate in terms of height and scale given the existing two and three storey dwellings. The proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/2 and EC6/1 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards and as such, is a useful guide in this instance. The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows and 13 metres between a habitable room window and a two storey blank wall.

There would be 21.8 metres between the rear elevation of No 31 Greenside Chase and the proposed building and 17.8 metres from the proposed building to the gable elevation of No. 33 Greenside Chase.

There is a fence which separates the site from the adjacent housing and it is located on a bund. The hedges to the east are lower in level by about 1 storey. The fencing screens direct views and the oblique views from Nos 33 - 37 (odds) would not be directly impacting.

This would be in excess of the aspect standards and as such, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties.

Noise - The proposed development would be located adjacent to an existing mill, which is used for industrial, retail and leisure purposes. The proposed units would be used for B1, B2 and B8 purposes. There would be 17.8 metres between the proposed development and the nearest residential properties and there is an existing acoustic fence of 3 metres in height along this boundary. Given the existing industrial uses and the noise that this would generate, the distance to the existing neighbouring properties and the existing acoustic fence, it is considered that the proposed units would not add significantly to the noise levels within the area. As such, the proposed development, subject to conditional control of the opening hours would not have a significant adverse impact upon the amenity of the

neighbouring properties and would be in accordance with Policy EN7/2 of the Bury Unitary Development Plan.

Highways issues - The proposed units would utilise the existing servicing area and would be accessed from Alfred Street, where there is acceptable levels of visibility. The Traffic Section has no objections, subject to the inclusion of conditions relating to construction traffic management plan, measures to prevent mud from passing onto the highway, car parking and turning and servicing facilities. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2 and EC6/1 of the Bury Unitary Development Plan.

Parking - SPD11 states that the maximum parking standards for a B1 use would be 1 space per 40 square metres of floorspace, which equates to 17 spaces.

The proposed development would provide 14 parking spaces immediately adjacent to the proposed units. The proposed development would form part of a wider site with 110 existing car parking spaces, it is considered that the proposed level of car parking provision would be acceptable. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Response to objectors

- The floorspace of the proposed building is the same as previously approved and as such, the level of traffic generated would not be significant when compared to the previously approved scheme.
- The issues relating to the design of the proposed building have been addressed in 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 NMB/PM/001, NMB/PM/002, NMB/PM/003, NMB/PM/004 B, NMB/PM/005 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
4. The development hereby approved shall be carried out in accordance with the remediation strategy, dated 5 May 2017 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. The materials for the proposed development shall be as detailed NMB/PM/100, dated 29/03/2017.

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.

6. No work or other activity shall take place on the site on Sundays or Bank Holidays and all work and other activity on other days shall be confined to the following hours:-

08.00 - 18.00 - Monday to Friday

09.00 - 17.00 - Saturday and Sunday

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EC4/1 – Small Businesses and EC6/1 – Assessing New Business, Industrial and Commercial Development of the Bury Unitary Development Plan.

7. Noise from or associated with the proposed activity/ development hereby permitted shall not increase the prevailing ambient noise levels as measured at the boundary of the site.

Reason. To protect the amenity of the neighbouring properties pursuant to Policy EN7/2 of the Bury Unitary Development Plan.

8. No development shall commence unless or until details of a scheme for the disposal of foul and surface water drainage have been submitted to and approved in writing 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 the proposed maintenance arrangements must be provided. Only the approved scheme shall be implemented prior to occupation of the dwellings hereby approved.

Reason. No details of the drainage have been submitted and to ensure a satisfactory means of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

9. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

10. The development hereby approved shall not commence unless or until the measures identified in the Construction Traffic Management Plan have been implemented and shall be adhered to throughout the construction period and the areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials.

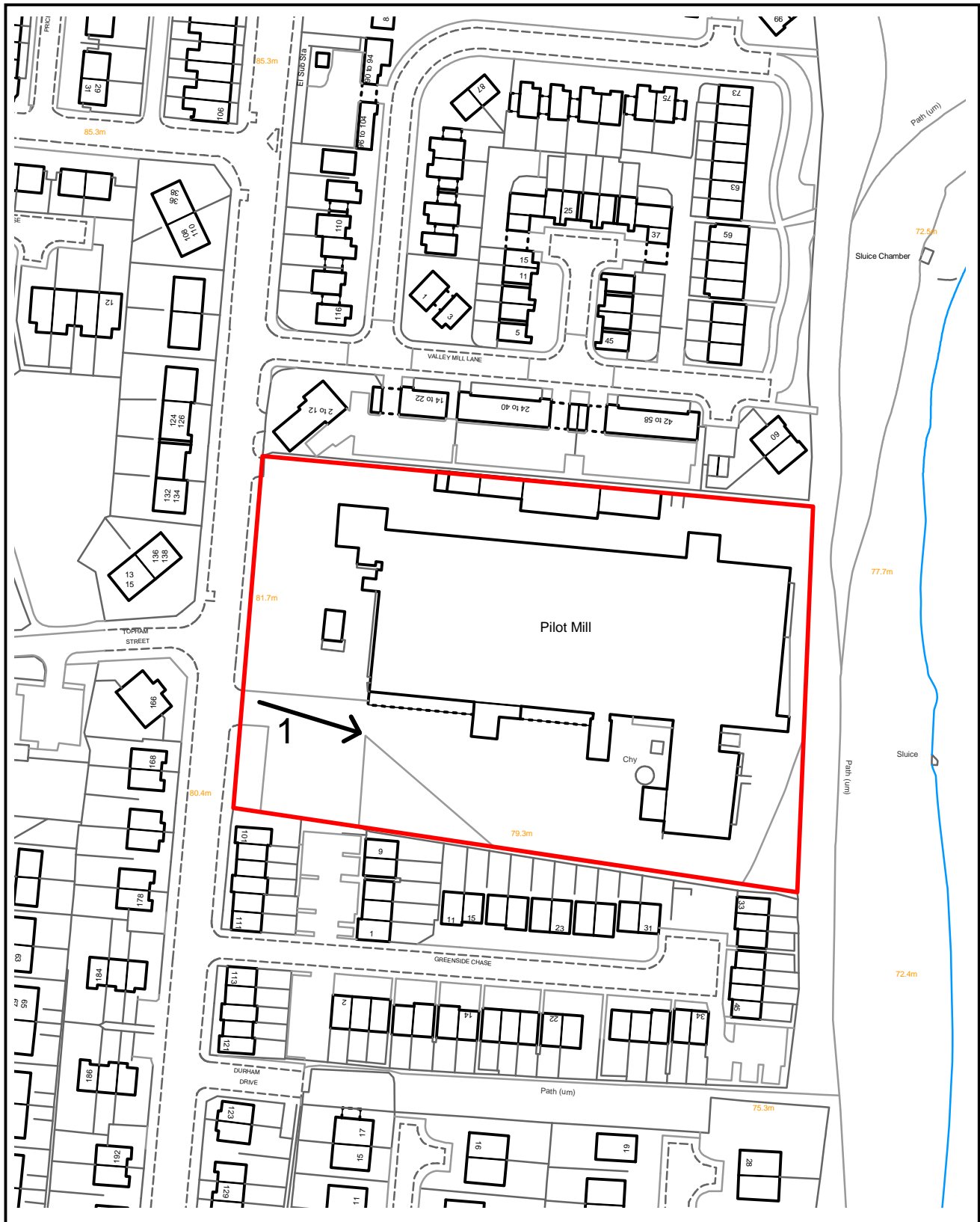
Reason. To mitigate the impact of the construction traffic generated by the

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 Policy EC6/1 – Assessing New Business, Industrial and Commercial Development of the Bury Unitary Development Plan.

12. The car parking indicated on approved plan reference 2753 AL 1001 shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
13. The turning and servicing facilities indicated on approved plan reference 2753 AL 1001 shall be provided before the development is brought into use 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 Policy EC6/1 – Assessing New Business, Industrial and Commercial Development of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 61447

**ADDRESS: Pilot Mill, Alfred Street
Bury**

Planning, Environmental and Regulatory Services

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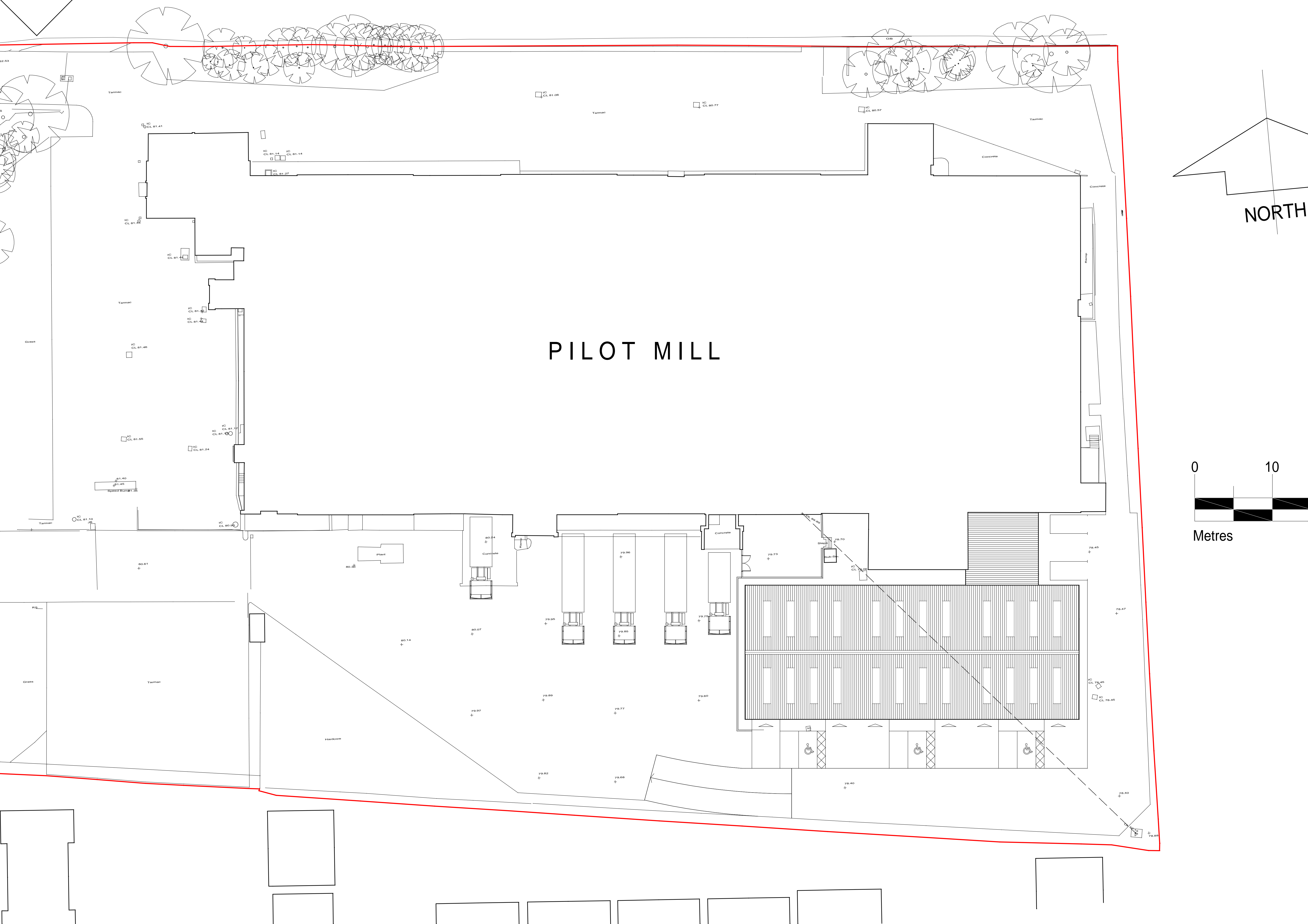


Bury
COUNCIL

61447

Photo 1





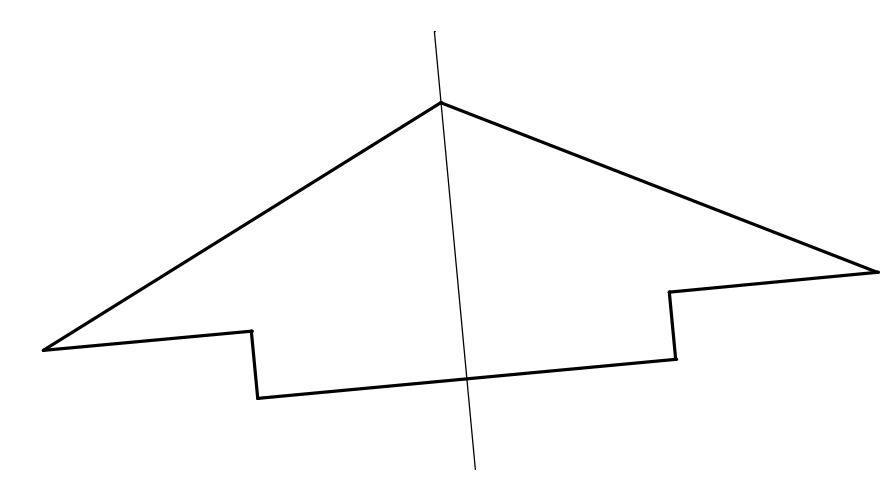
PILOT MILL

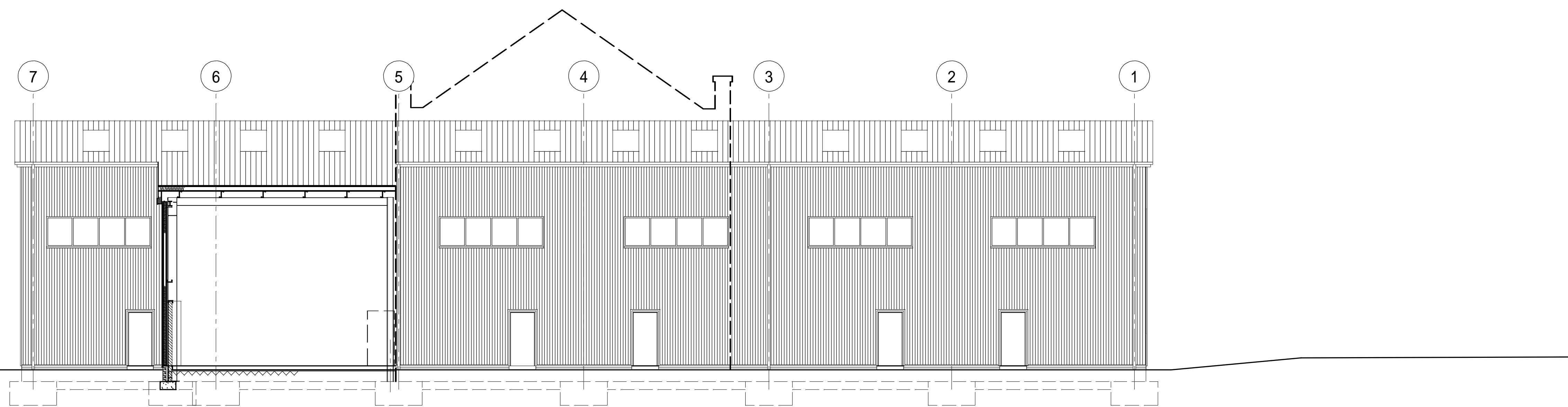
NORTH

0 10

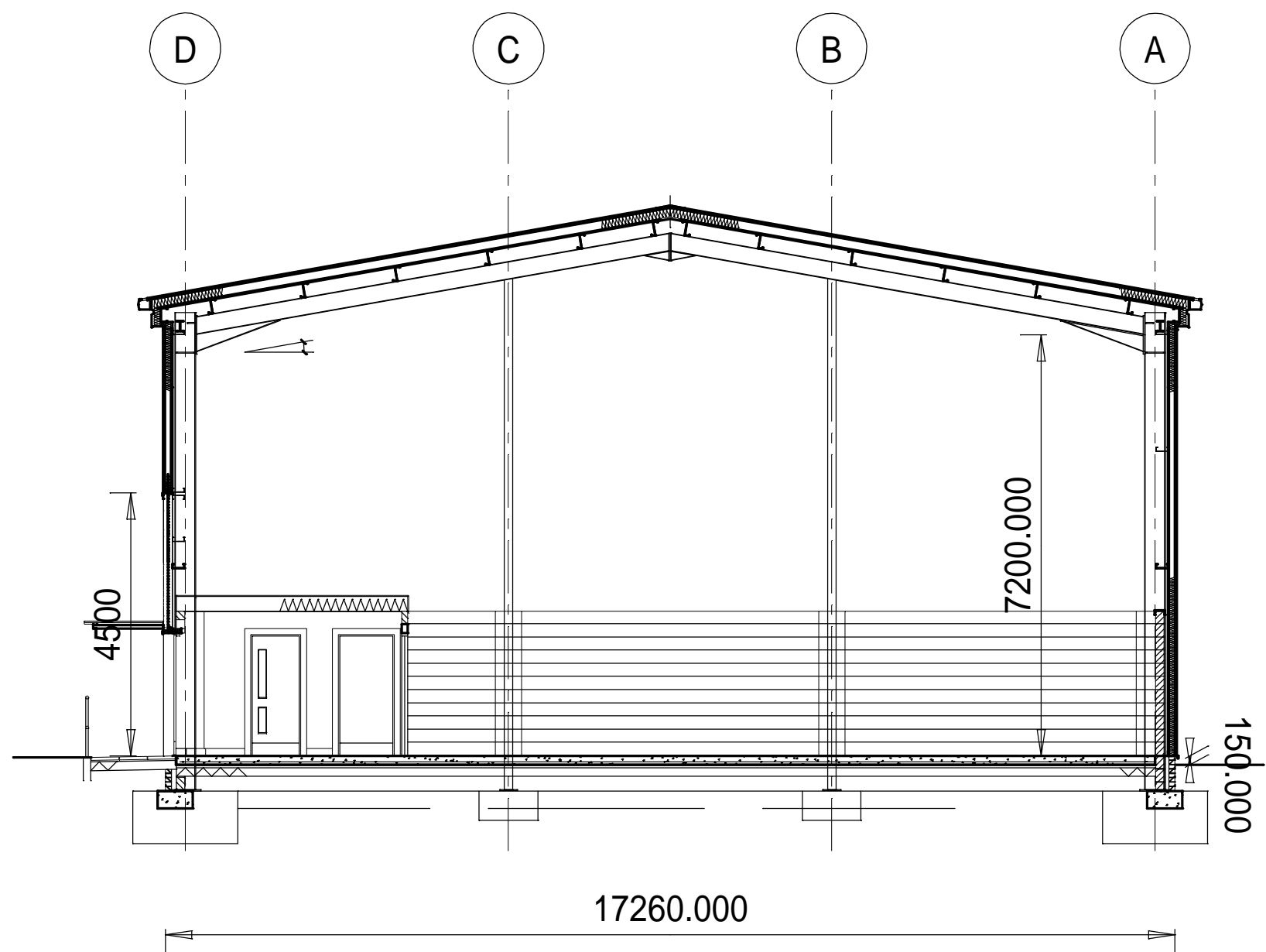
Metres

Technical drawing of a window frame showing dimensions and material specifications. The drawing includes a cross-section of the frame and a side view. Dimensions are indicated in red: 1100 (height), 1200 (width), 1450 (height), 78.45 (width), 78.60 (width), and 79.80 (width). The material is specified as 79.80 x 1100 x 1200.

[illegible]



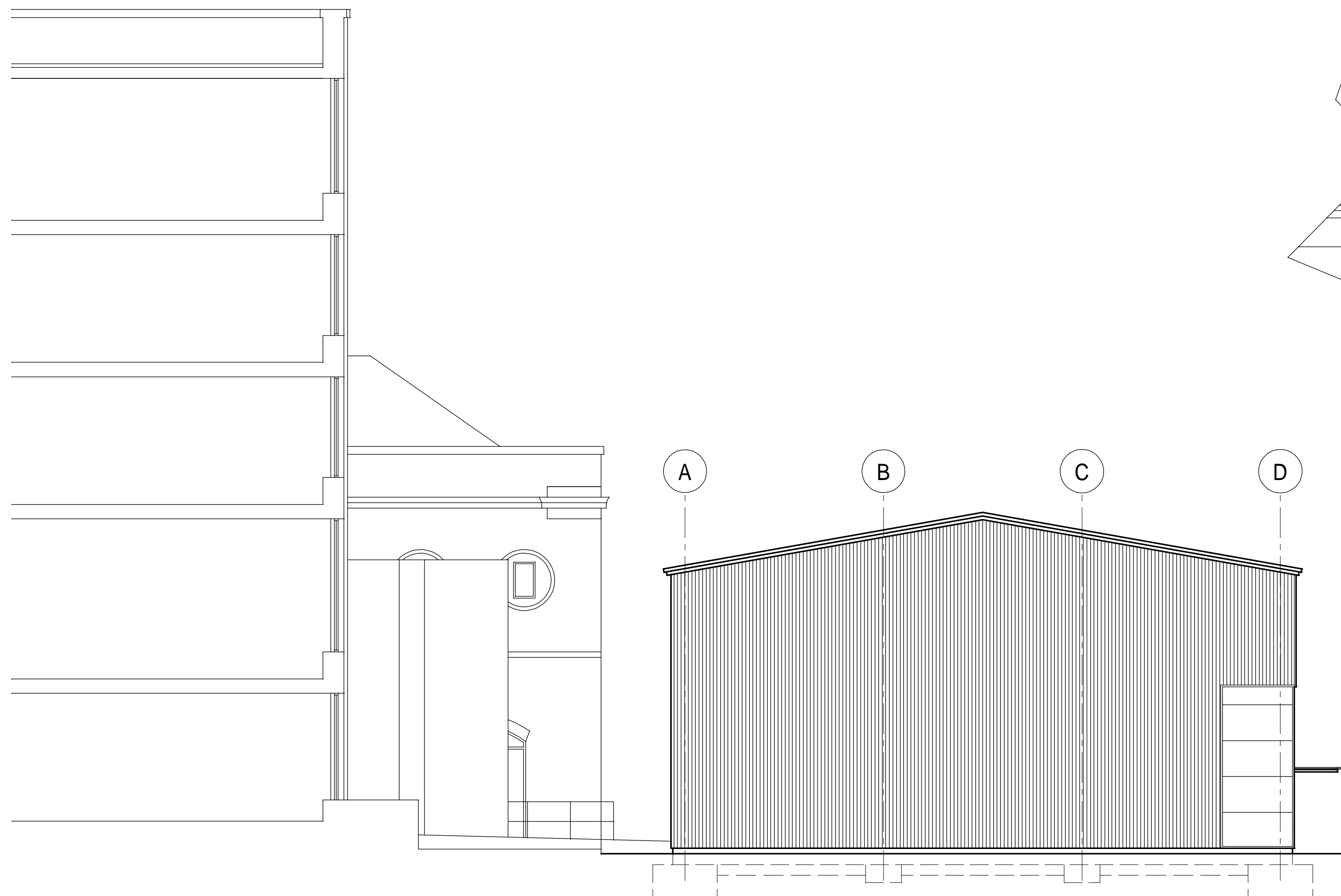
Rear Elevation



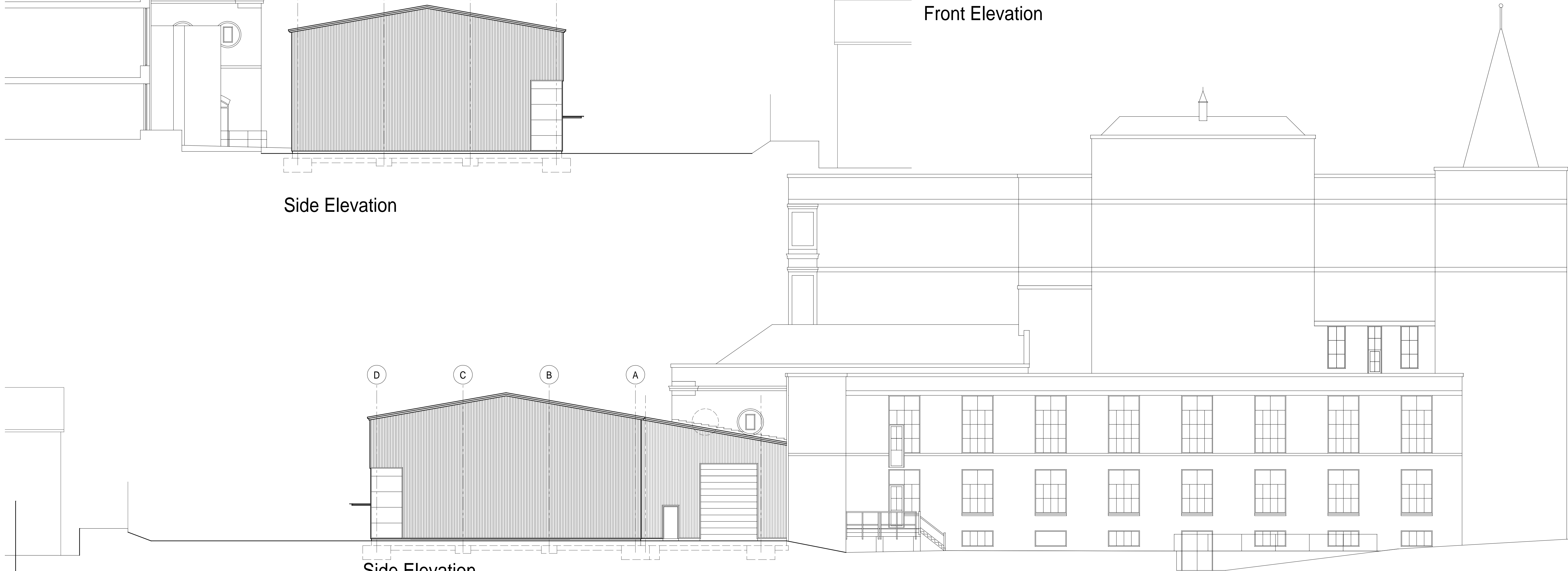
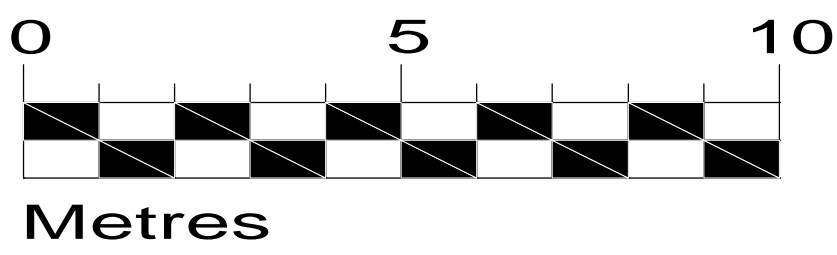
Typical Section



Front Elevation



Side Elevation



Side Elevation

Revisions		
Client:		
The Weidenbaum Pension Trust		
Project:		
Pilot Mill, Alred St. Bury, BL9 9EF		
Drawing:		
Proposed Elevations		
Date:		
22/02/2017		
Scale:		
1:100		
Drawg. No.		Rev.
NMB/PM/005		